

MOTIVATION IN SUPPORT OF LAND DEVELOPMENT APPLICATION FOR:

STELLENBOSCH FARM WELMOED ESTATE NO. 468 PORTION 28



Consultant: J Samson Consultancy o.b.o Viridus Works (Pty) Ltd &
Client: Uniqon Developers (Pty) Ltd

27 May 2024

CONTENT

Executive Summary

1.	BACKGROUND	6
1.1	Introduction.....	6
1.2	Title deed	7
1.3	Site context.....	8
2.	LAND DEVELOPMENT APPLICATION	14
2.1	Proposed development.....	14
2.2	Land development application	21
3.	MOTIVATION	24
3.1	Decision-making criteria	24
3.2	Desirability.....	26
3.3	Applicant's findings on impact	37
3.4	Best practicable environmental option	41
3.5	Investigations carried out in terms of other laws relevant to the application	43
3.6	Consistency with SDF.....	44
3.7	Spatial consideration issues.....	48
3.8	Provincial planning	51
3.9	SPLUMA principles	52
3.10	Engineering services	56
3.11	Specialist assessments	56
3.12	Urban development concept	58
4.	CONCLUSION	59

List of figures

Figure 1: Portion 28 of Farm No. 468, Stellenbosch locality.....	6
Figure 2: Locality of Portion 28 of Farm No. 468, Stellenbosch in context.....	8
Figure 3: Eerste River Valley heritage resource map	10
Figure 4: Locality of Portion 28 of Farm No. 468 in scenic route context.....	11
Figure 5: Slope analysis for Portion 28 of Farm 468	12
Figure 6: DEA screening result of agricultural potential on site and surrounds.....	13
Figure 7: Proposed Site Development Plan (Urban Studio, March 2024).....	16
Figure 8: Road access points (extract TIA – UDSAfrica, April 2024).....	18
Figure 9: Comprehensive Integrated Transport Plan for Stellenbosch Mun.....	18
Figure 10: Extract from Stellenbosch MSDF, 2023.....	28
Figure 11: Lynedoch node development, Stellenbosch MSDF 2023.....	29
Figure 12: Affordability profile for the development.....	30
Figure 13 Land use around Portion 28.....	36
Figure 14: Extract of the 2019 (and 2023) Stellenbosch SDF showing the Lynedoch concept.....	45
Figure 15: Extract of Table 29 from Stellenbosch Municipality IDP, 2023.....	47
Figure 16: MERO 2022 extract showing population trends.....	48

List of Tables

Table 1: Proposed list of street names.....	20
Table 2: Land use, phasing and zoning.....	22
Table 3: Impact assessment.....	37

LIST OF ANNEXURES

ANNEXURE A: LOCALITY
ANNEXURE B: APPLICATION FORM
ANNEXURE C: APPLICATION AUTHORISATION / POWERS OF ATTORNEY
ANNEXURE D: TITLE DEED
ANNEXURE E: CONVEYANCER'S CERTIFICATE
ANNEXURE F: SG DIAGRAMS
ANNEXURE G: MARKET ASSESSMENT STUDY
ANNEXURE H: SITE DEVELOPMENT PLAN
ANNEXURE I: LANDSCAPE FRAMEWORK
ANNEXURE J: SUBDIVISION PLAN; LAND-USE & PHASING PLAN AND STREETNAMES PLAN
ANNEXURE K: TRAFFIC IMPACT ASSESSMENT
ANNEXURE L: ENGINEERING SERVICES REPORT
ANNEXURE M: SERVICES SERVITUDE PLAN
ANNEXURE N: STORMWATER MANAGEMENT PLAN
ANNEXURE O: ELECTRICAL ENGINEERING REPORT
ANNEXURE P: VISUAL-CULTURE LANDSCAPE IMPACT ASSESSMENT
ANNEXURE Q: AGRICULTURAL POTENTIAL ASSESSMENT
ANNEXURE R: PROPERTY OWNERS' ASSOCIATION CONSTITUTION
ANNEXURE S: ENVIRONMENTAL DRAFT BASIC ASSESSMENT REPORT

EXECUTIVE SUMMARY

MOTIVATION IN SUPPORT OF LAND DEVELOPMENT APPLICATION FOR: PORTION 28 OF FARM WELMOED ESTATE NO. 468, STELLENBOSCH	
SG Code: C0670000000046800028 / Location: Lat: 33° 58' 48.986" S Lon: 18° 46' 02.834" E	
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Uniqon Developers (Pty) Ltd acquired Portion 28 of Farm Welmoed Estate No. 468, Lynedoch, Stellenbosch for urban development purposes in keeping with the inclusion in the urban edge and urban designation thereof in the approved Stellenbosch Municipality Spatial Development Framework. Portion 28 is located west of Baden Powell Drive and the Cape Town – Stellenbosch railway line, around Lynedoch Village. It has an area of 45,5 ha, all of which is inside of the delineated urban edge of Lynedoch. Access to Lynedoch Village and the various functions of the Sustainability Institute is through and across the property. The Village was established on a subdivided portion of Portion 28 in 2003.

The property contains a main dwelling and farmyard, as well as labourers' dwellings, but no agricultural buildings and infrastructure. It is no longer effectively maintained or productively used for agricultural purposes, with only 29ha of uneconomical vineyards retained on the property.

The application is for consideration of a phased development, by rezoning and subdivision of the property to provide for mixed uses, including, but not limited to:

- multi-unit housing zone for medium and high-density residential units, inclusive of a retirement village, blocks of flats, group housing, townhouses, inclusionary housing, private roads, and renewable energy structures;
- private open space zone for conservation of the natural features, access and circulation, and open spaces;
- transport facilities zone for transport purposes (goods and passengers);
- public roads and parking zone for public roads and streets;
- local business zone for the establishment of a small retail outlet, restaurant, medical consulting rooms, and offices to support an integrated self-sustaining community;
- community zone for the establishment of a place of assembly, place of worship, day care facilities, place of education, indoor and other sporting, and related facilities amongst others to complement the existing facilities and functions of the Sustainability Institute and Lynedoch Village; and
- utility services zone for the accommodation of private infrastructure and utility services as required for the proposed development.

This is primarily an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2023. The application covers the following aspects:

- (1) Application in terms of Section 15 (2)(a) for a rezoning; and
- (2) Application in terms of Section 15 (2)(d) for subdivision, inclusive of consideration of cancellation and creation of servitudes for various purposes.
- (3) Application in terms of Section 29 for the establishment of owners' association.
- (4) Application in terms of Section 98 for approval of streetnames.

There are no title deed restrictions preventing the proposed land developments or use. Servitude pipelines and irrigation infrastructure systems are registered across the property, all of which will be incorporated in the planning and adjusted accordingly.

Bulk and external services will be developed and provided in conjunction with the recommendations of the GLS Consulting (Pty) Ltd report dated March 2024, and in consultation with the Stellenbosch Municipality. This includes provision for road access, currently taken off Lynedoch Road, or then the Baden Powell services road that runs parallel to the western side of the railway line.

The application triggers activities listed in terms of Section 38 of the National Heritage Resources Act, 1999, Act 25 of 1999 (NHRA) and thus an authorisation application is required.

The application triggers activities listed in the Environmental Impact Assessment Regulations made in terms of the National Environmental Management Act, 1998, Act 107 of 1998 (NEMA) and related legislation, therefore an authorisation application is required.

The property is still subject to the Subdivision of Agricultural Land Act, 1970, Act 70 of 1970 (SALA), and an application will be made to the Department of Agriculture, Land Reform and Rural Development, in this regard.

1. BACKGROUND

1.1 Introduction

Uniqon Developers Pty (Ltd) is in the process of acquiring Portion 28 of Farm Welmoed Estate No. 468, Lynedoch, Stellenbosch from the Billy Visser Trust. Portion 28 is located west of Baden Powell Drive and the Cape Town – Stellenbosch railway line, around Lynedoch Village. It has an area of 45,5075ha which is inside of the delineated urban edge of Lynedoch and is intended to accommodate more growth over time, in keeping with the urban designation thereof in the approved Stellenbosch Municipality Spatial Development Framework (dated 2023), albeit with specific policies regarding the development and use thereof. The Lynedoch Railway Station abuts the property and forms the nucleus of the designated node.

The property is zoned Agricultural and Rural Use in terms of the Stellenbosch Municipality Zoning Scheme Bylaw, 2023. The property does not have any additional use rights and was used solely for wine grape harvesting. It is no longer effectively maintained or productively used for agricultural purposes, with only 29ha of uneconomical vineyards retained on the property. It has an irrigation water allocation of 4,2ha. The produce of the dry land vineyards is sold to local wineries for wine-making, as the farm contains no agricultural infrastructure for product beneficiation. The property contains a main dwelling and farmyard, as well as labourers’ dwelling, but no agricultural buildings and infrastructure.



Figure 1: Portion 28 of Farm No. 468, Stellenbosch locality

Access to the property is off Vlotenburg and Vlaeberg Road via Lynedoch Road which is indicated as a service road for Main Road 168 (Baden Powell Drive), and a private road over Portion 28 that is shared by Lynedoch Village (partially Erf 74, Lyndoch). The Surveyor General survey records for Lyndoch (township) show the status of Erf 74 as a public road, while that portion of Portion 28 used for access is a private road. Further public pedestrian access to Lynedoch Village occurs through the vineyards from the south and the west, mostly by children and local residents attending the school and other social programs in Lynedoch.

1.2 Title deed

The property is held jointly with Portion 27 under Title Deed T24050/2019, owned by the Billy Visser Trust, which has granted power of attorney to Uniqon Developers Pty (Ltd) for the preparation and making of applications for the future use of the properties during the process of transfer. Through a company resolution, Uniqon has granted the PoA to Viridus Works for the land-use application. The various Power of Attorney documents are attached as Annexure C. The Title Deed is attached as Annexure D and the Erf diagrams are attached as Annexure E

A conveyancer's certificate, attached as Annexure E was issued by Couzyn, Hertzog and Horak Attorneys and Conveyancers, indicating that there are no title conditions which would prevent a land development application as envisaged on the property. Portion 28 is subject to the following conditions contained in the title deed:

- 1.2.1 Subject to a servitude note contained in T9028/1933 which relates to servitude rights for fishing, roads, water, and furrows which were reported by the conveyancer not to affect any development proposal.
- 1.2.2 Subject to the conditions as referred to in Deed of Transfer number T595/1931, which were reported by the conveyancer not to affect any development proposal.
- 1.2.3 Subject further by Notarial Deed of Servitude number K123/1989 to a pipeline servitude, whereby the owners of the dominant tenements shall be entitled to lead water across this property by means of a pipeline, situated in a servitude area 3 metres wide along the eastern boundary which was reported by the conveyancer not to affect any development proposal.
- 1.2.4 Subject further by Notarial Deed of Servitude number K366/2000S to a servitude for a water pipeline in favour of the Cape Metropolitan Council (now City of Cape Town), along the north eastern boundary, 12,00 metres wide. This servitude has an effect on the use of the land given its extent and nature. No development will be permitted over the servitude pipeline, in view of its size and nature.
- 1.2.5 Subject to a water pipeline servitude by Notarial Deed K165/2019 which was reported by the conveyancer not to affect any development proposal.

Lynedoch EcoVillage, which contains 40 dwelling units in addition to the aforementioned facilities, does not receive full municipal services and relies mostly on its own resources for the provision of infrastructure services (potable water, internal roads, sewerage, solid waste, electricity, and storm water). It is managed by a non-profit company that, with the Sustainability Institute, focuses on creating and maintaining a sustainable socio-economic living environment through innovation, and community development.

Prior to the closure of the at-grade level crossing at the Lynedoch Station in 2014, the Lynedoch node and urban edge was inclusive of land to the east of the railway line and amongst others Portion 27 of the farm, up to the Eerste River. The node forms part of the so-called "string of pearls" of settlements occurring along the transport corridors through the Stellenbosch municipal area. The entire property is within 750m of the railway station and the erstwhile level crossing, and major road intersection, which is the reason why in the first instance the node was identified as one of the "pearls" in the "string" and why it was designated as an urban node of secondary significance.

The National Heritage Resources Act, 1999, Act 25 of 1999 (NHRA), requires that all heritage resources be graded in order to assign appropriate management responsibility to a sphere of government, i.e., local, provincial, or national for a heritage resource and to indicate its significance. Significance is key to assessing grading and is the primary tool in defining heritage management responsibility.

The property together with the existing Lynedoch Village and surrounding area is mapped as being part of the Baden Powell Road scenic route / corridor and the Eerste River Valley landscape character unit in the Stellenbosch Municipality Heritage Inventory, 2019. Its situation is described as having particular significance due to its correspondence to the landscape unit and is consequently indicated to have a Grade IIIb heritage significance.

The Heritage Survey notes the complex environment within which decision-making must occur and in this instance and amongst others notes that "*The existing rail networks present an opportunity for a new typology of integrated development around stations, effectively connecting new development sites to the historic core of the towns and villages of Stellenbosch Municipality*" as for the "string of pearls" approach. It further indicates that "*Historic settlement patterns associated with the development of the railways should be respected*" and "*The potential of the railway network as an existing but underutilised transport system to and within the Winelands could enhance the cultural significance of the landscape, if harnessed effectively*".

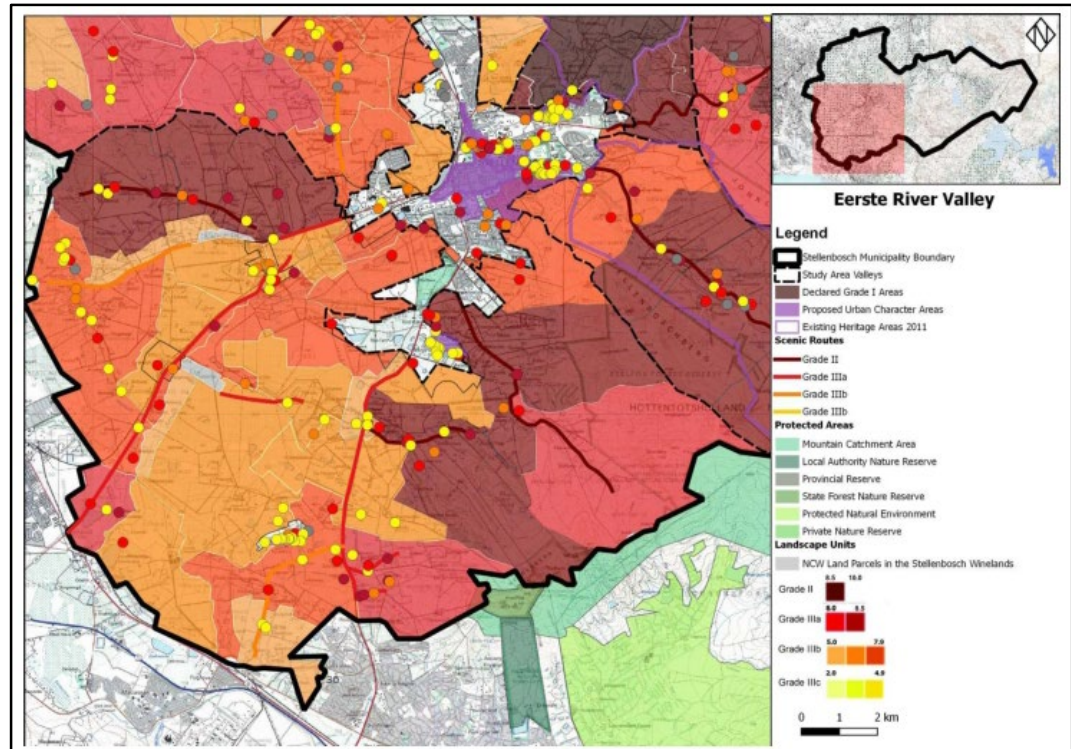


Figure 3: Eerste River Valley heritage resource map

General conservation principles are derived from the vision for the Stellenbosch cultural landscape and should influence all decision-making throughout the Stellenbosch Municipal Area, i.e., the heritage assessment of the capacity of the area to absorb a development as proposed will play an important role in the decision-making. The Heritage Survey points to three possible outcomes, namely:

- *Conserve (Maintain) existing character: This may require both protection and maintenance of the significant elements and features as well as appropriate development thereof. It includes the promotion of these landscapes and places for the appreciation and continuity of their cultural significance.*
- *Enhance (Manage) landscapes and townscape: By improving land parcels or places which are in decline, by strengthening or reinforcing characteristic elements and features, or by regenerating landscapes through introducing new elements or features, or adapting them in order to revive lost fabric and bring new life to heritage environments.*
- *Intervene (Change) in a deliberate, planned way: To accelerate change towards a new or strengthened character. This approach may be appropriate where the landscape or townscape has declined beyond the point where enhancement is possible; or rehabilitation of the site's previous character is appropriate. The resilient heritage landscapes in Stellenbosch, in which development and intervention is most desirable, are those landscapes or units that historically (and almost sporadically) underwent change, but continued to form a new typology of equal aesthetic within the landscape, strengthening existing spatial patterns.*

Section 31 of the NHRA provides Heritage Areas as a mechanism to manage areas of heritage significance, it is proposed that the landscape units identified as having heritage significance in the Stellenbosch Municipal Heritage Inventory (i.e., graded II, IIIa, IIIb or IIIc) be managed through the provisions of the Stellenbosch SDF and Zoning Scheme Bylaw through Special Overlay Zones. Such provisions have not been created and consequently the decision-making occurs at provincial sphere of government as will be detailed below.

The property is located along and in the 500m-wide corridor of the Baden Powell Road Scenic Route (see Figure 4 below). The distance of a property away from the scenic drive, together with its landscape features are considered in the decision-making process in all authorisation processes, e.g., heritage in terms of the NHRA, environmental in terms of the Environmental Impact Assessment Regulations made in terms of the National Environmental Management Act, 1998, Act 107 of 1998 (NEMA) and land use management in terms of the Stellenbosch Municipality Land Use Planning Bylaw, 2023.

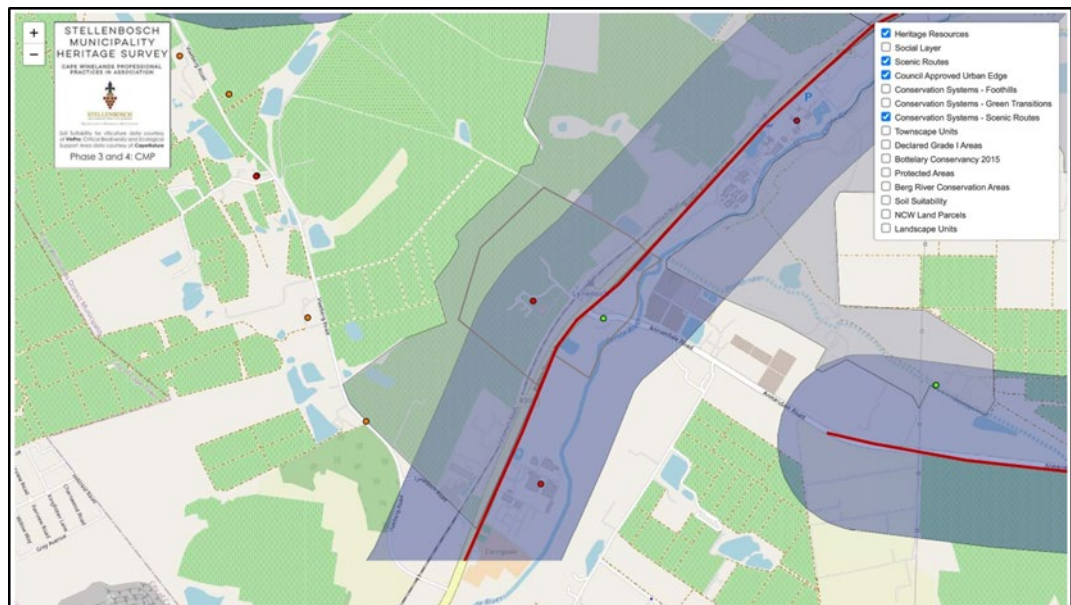


Figure 4: Locality of Portion 28 of Farm No. 468 in scenic route context

Some of the landscape features include the slope as indicated on the slope analysis in Figure 5 below.

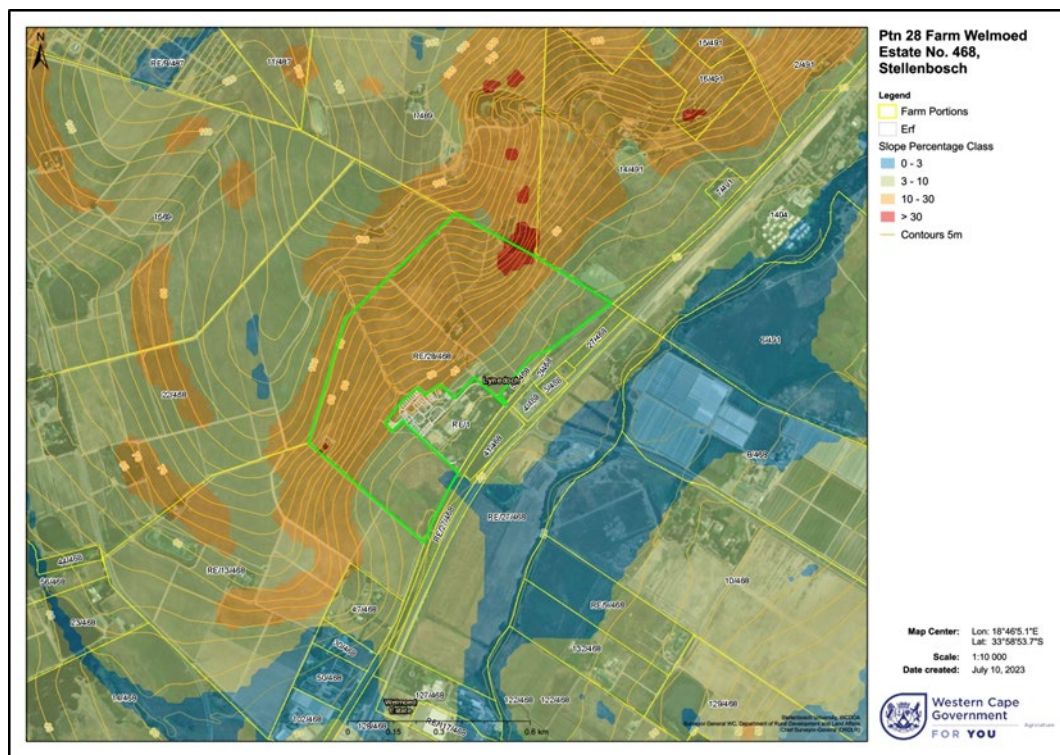


Figure 5: Slope analysis for Portion 28 of Farm 468

1.3.1 Agriculture sector context

The context and situation of the property and its capacity to absorb the proposed development is assessed by various specialists, including of the agricultural potential of the property. These assessments will be submitted as part of the suite of authorisation applications to the local authority, the provincial government and where required to the national government to allow for the proposals to be considered by the competent authorities.

As indicated in the extract from the environmental screening, the property is indicated to include agricultural medium, high and very high sensitivity land. An agricultural specialist assessment has therefore been undertaken to determine the value of the resource from an agricultural perspective.

"The combined potentially arable land on the property amounts to ±32.5 ha. Most of this area (28.9 ha) are being used for wine grape production at present, although many of the vineyards are at the end of their productive lifespan. Field A (3.2 ha) was used for wine grape production until circa 2008, while a small portion (0.4 ha) of Field D was also planted under wine grapes until 2012. However, as the profitability of wine grapes decreased systematically over the past two decades, no replacement of vineyards has been done after uprooting.

A simultaneous application will be made to the Department of Agriculture, Land Reform and Rural Development for a subdivision in terms of the Subdivision of Agricultural Land Act, 1970, Act 70 of 1970 (SALA).

1.3.2 Environmental assessment context

The land is located inside of the urban edge, as designated in the Stellenbosch Spatial Development Framework, but outside of the urban area² as defined in the NEMA EIA Regulations. Its development will thus be subject to prior consideration of an environmental authorisation application in terms of said Regulations. Simultaneously, all related off-site activities related to the provision of services for the proposed development would be subject to prior authorisation if such activities exceed the thresholds requiring environmental authorisation in said Regulations.

2. LAND DEVELOPMENT APPLICATION

2.1 Proposed development

The application is for consideration of a phased development at Portion 28 of the Farm Welmoed No 468. The proposed urban development application in terms of the Stellenbosch Municipality Land Use Planning Bylaw, 2023 is but one of a suite of authorisation applications as indicated above. The application in terms of the Planning Bylaw entails rezoning and subdivision of the property to allow for uses, including, but not limited to:

- multi-unit housing zone for medium and high-density residential units, inclusive of a retirement village, blocks of flats, group housing, townhouses, inclusionary housing, private roads, and renewable energy structures;
- private open space zone for conservation of the natural features, access and circulation, and open spaces;
- transport facilities zone for transport purposes (goods and passengers);
- public roads and parking zone for public roads and streets;
- local business zone for the establishment of a small retail outlet, restaurant, medical consulting rooms, and offices to support an integrated self-sustaining community;
- community zone for the establishment of a place of assembly, place of worship, day care facilities, place of education, indoor and other sporting, and related facilities amongst others to complement the existing facilities and functions of the Sustainability Institute and Lynedoch Village; and
- utility services zone for the accommodation of private infrastructure and utility services as required for the proposed development.

The purpose of the application is for the long-term phased development and the planning of the property is to be proactive in planning the future shape and form of Lynedoch Village in a certain population growth scenario.

² Amendment of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, Regulation No. 327, 07 April 2017: "urban areas" means areas situated within the urban edge (as defined or adopted by the competent authority), or in instances where no urban edge or boundary has been defined or adopted, it refers to areas situated within the edge of built-up areas;

The current land use management system is a reactive system, that reacts to urban challenges, rather than a proactive system that creatively plans for the future shape and form of settlements and predetermines a vision and development pattern inclusive of the required infrastructure to sustain the settlement. With a growing urban population, proactive planning can and must play an important role in creating environmentally sustainable communities.

The phased development of Portion 28 will occur over a period of at least 10 years or as dictated by market forces. Currently the demand exceeds the supply (Housing Market Studies for Intermediate Cities / Larger Towns in the Western Cape, Stellenbosch Town Report, August 2022, Department of Environmental Affairs and Development Planning). The socio-economic impact and market assessment (Demacon) as in *Annexure G* herewith, provides a good estimate of the demand over time. Any development will be phased to limit capital expenditure not recoverable through short term supply to the market and therefore continued use of the remaining (undeveloped) land for agricultural purposes.

2.1.1 Site development plan.

The attached concept site development plan (Urban Studio, Welmoed Context and Concept, dated March 2024) as per *Annexure H*, provides a graphic description of the development concept and some of the proposed design details, e.g., development densities, land uses, public and private roads, and developmental elements. The urban design concept is further enhanced and supported by the landscape strategy and plan as prepared by Terra+ Landscape Architects and included as *Annexure I*

Due to the need to maximise the use of the scarce land resources, development densities of up to 80 dwelling units per hectare are planned for the area. A residential development with integrated community facilities is planned on an area of about 29 ha, with servitudes, storm water run-off detention facilities, and site constraints such as slopes steeper than 1:4, which limit the developable area. The proposed residential development consists of 884 units, with planned densities of up to 80 units per hectare inside of individual blocks. The average residential density is 30.5 units per hectare. The balance of the site is allocated to detention/stormwater area, communal private open space, indigenous vegetation areas and internal roads, which take up about 16 ha.

The internal roads are planned as a grid with due consideration of the slopes and the need to design the development in such a way that it can be accommodated in the landscape without significant negative visual effect. Densities of development will be highest in proximity of the main transport infrastructure, while higher lying development will be structured to avoid skyline effect and allow for significant terrace forming. As a result of the site characteristics and grading of the development, and the need for affordable and inclusionary housing in the area, nett densities of development on the lower-lying areas and abutting the public facilities (school, railway station, commercial use) will be up to 80 units per hectare.

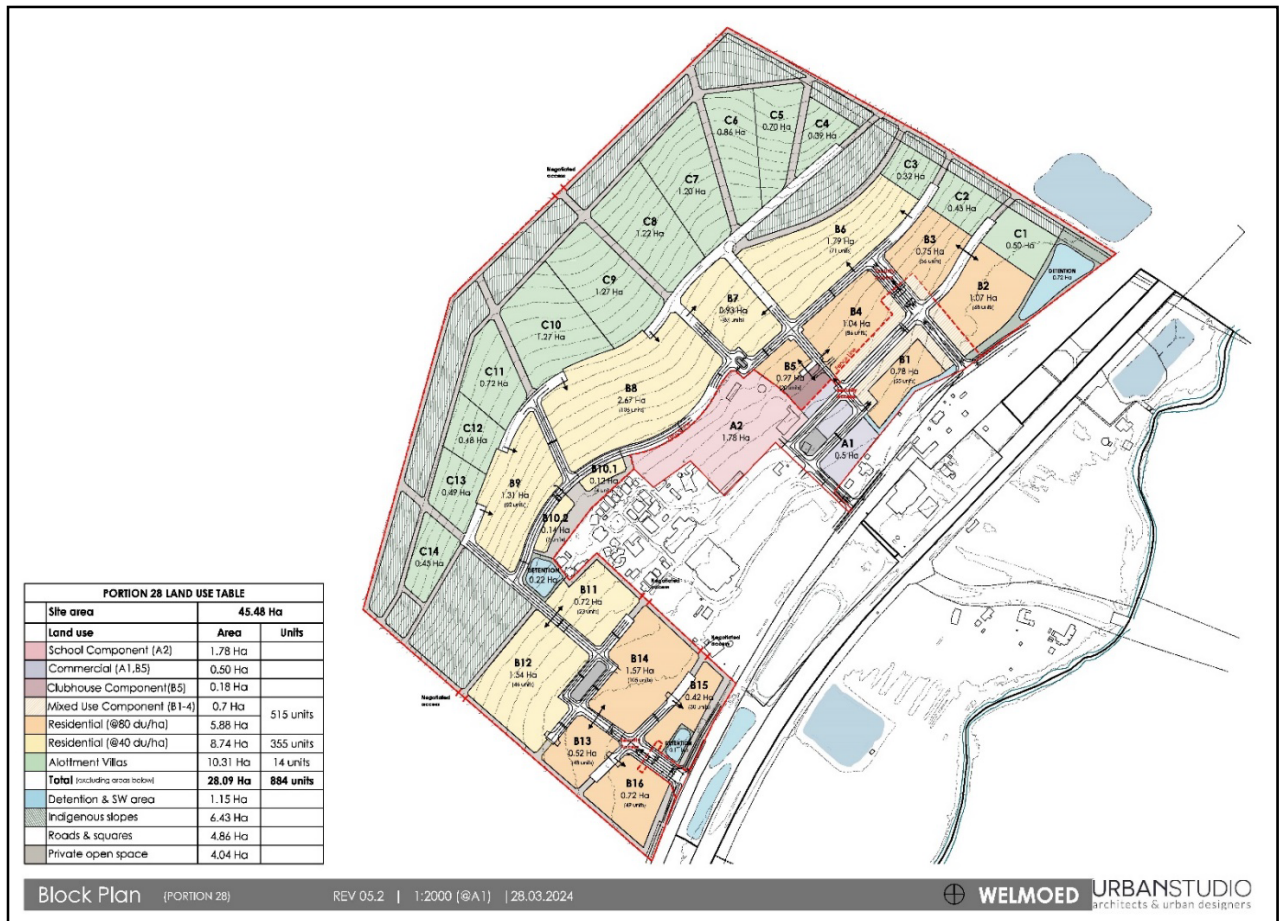


Figure 7: Proposed Site Development Plan (Urban Studio, March 2024)

2.1.2 Subdivision.

The application is for a rezoning to subdivisional area for different land uses and zonings, from which the first phase and road access subdivision will occur within the permitted time period as provided for in the Planning Bylaw. Further subdivisions will occur to create phases and erven for the different uses and where necessary servitudes for infrastructure services. The subdivision plan and supporting plans are included as Annexure J with the detailed plans as follows:

- The Subdivision Plan is attached as Annexure J-1.
- The Land use, Zoning and Phasing Plan is attached as Annexure J-2.
- The Streetnames Plan is attached as Annexure J-3.

2.1.3 Residential development.

The residential component will consist of clusters of group housing, townhouses, three storey walk-ups and four storey apartment blocks. Although the different block clusters might in future be on separate erven, each block is holistically planned, and the layout includes open space, access and parking as integrating elements. Parking and open space are planned with due cognisance of the zoning requirements as reflected in the Municipality’s zoning scheme bylaw.

While a total of 884 dwelling units is planned in the residential component, the ideal would have been between 1 250 and 1 500, as a critical threshold number. The provision of educational facilities to also satisfy a demand in the surrounding area, public transport, healthcare, and a sustainable community require minimum population thresholds, which in this instance is determined at between 1 250 and 1 500 households. The surrounding area within which the Sustainability Institute provides community and educational services, approximately in a radius of 3,5km, already accommodates an estimated 100 – 150 households, with 40 in the Village and 884 planned.

As will be apparent from the services reports, significant upgrading of the municipal services infrastructure in the area, primarily storm water infrastructure, waste water / sewerage, and road upgrading will be required to accommodate the proposed additional users, with a focus on proactively planning and designing systems for the long-term growth of the node which is a certainty.

The existing residents of the area will benefit from the proposed mixed-use development, reducing the need to travel for daily and weekly requirements such as food, and access to community facilities. The major benefit of the development is however the provision of affordable housing to those seeking residence in Stellenbosch but who cannot afford it in the major centres / nodes.

Although the node is not identified in the Stellenbosch Municipality housing pipeline as an area earmarked for social or subsidy housing development, inclusionary housing is included in the planning in accordance with the Municipality's policy (Inclusionary Zoning Policy, 2023). In terms of the Policy, 20% of the proposed residential units (176 units) need to be set aside for inclusionary housing. The Policy states that: *"Inclusionary zoning is mandatory for all new development applications under the jurisdiction of Stellenbosch Municipality that request additional development rights from the municipality within their new residential or mixed-use developments"*. The value of the inclusionary housing units still needs to be determined, but it will fall into the categories as defined in the Policy and related documents. The following quote from the Policy is indicative: *"Based on the aforementioned standard definitions of affordability and the evidence gathered through the Stellenbosch housing market study, affordability in the Stellenbosch Municipality context refers to the following market segmentations – affordable (R300 000 – R600 000), conventional (R600 000 – R900 000), and high-end (R900 000 - R1.2 million)"*.

2.1.4 Access

Access to the proposed development will be obtained along Lynedoch Road. The said road is accessed from Vlaeberg Road and Vlottenburg Road, both of which are accessed via Baden Powell Drive and Polkadraai Road.



Figure 8: Road access points (extract TIA – UDSAfrica, April 2024)

Figure 9: Comprehensive Integrated Transport Plan for Stellenbosch Mun.

Table 3.1: Modal Split for Stellenbosch

Description	Percentage
Train	4
Bus	0.5
Taxi	63
Car/bakkie/truck/lorry driver	28
Car/bakkie/truck/lorry passenger	2
Walk	1
Total	100

Accessibility is a major consideration. The ideal would be to make use of the existing rail network, which is being re-introduced and supposedly will become operational within the initial phases of the development. A public transport system, other than the railway line, does not exist. It is evidenced by the large

numbers of day labourers working on the strawberry and high intensity production farms along Annandale Road, waiting daily at the intersection of Baden Powell for passing minibus taxis and other opportunities to travel in a southerly direction. The 2023 review of the Comprehensive Integrated Transport Plan for Stellenbosch Municipality (CITP) confirms this situation as shown in the inserted extract (Figure 9), with 63% of the commuter population making use of minibus and other taxi services and 30% using private motor vehicles.

Limited bus services are provided by Golden Arrow Bus Service along Baden Powell Drive, for which non-motorised transport (NMT) connectivity will be an essential element, as passengers would have to cross the existing railway line in a safe and usable manner. The current pedestrian bridge over the railway line is not functional. It would also be required to provide appropriate bus stops along Baden Powell Drive.

As the peak flow traffic volumes increase with the development, certain upgrading of the transport infrastructure will be required. The proposals promote rationalisation of access and splitting of modes, but in the initial phases of the development, until a public transport system is available and can be sustained with a minimum threshold population, the focus will be on the primary modes as indicated in the CITP. The Traffic Impact Assessment is attached as *Annexure K*.

2.1.5 Municipal services infrastructure

The engineering services reports will determine the extent of the required services infrastructure. Lynedoch is not serviced by municipal services and all services have to be planned in conjunction with the municipality's requirements. The civil engineering report dated April 2024 (*Annexure L*), was prepared by UDSAfrica. A capacity analysis was completed in March 2024 by GLS Consulting (Pty) Ltd for the proposed development, which informs the infrastructure structure planning for the development. All aspects of infrastructure provision will be confirmed in the detail design stage of the project, in consultation with the municipality's engineering department.

As part of the application process, the engineering specialists have consulted with the Stellenbosch Municipality Directorate: Infrastructure Services, which indicated that the proposed development must be connected to the municipal infrastructure as determined in the relevant master plans. The Engineering Services Report, as prepared by UDSAfrica, is provided as *Annexure L*.

No on-site waste water treatment facilities would be accepted by the Municipality and the potable water supply has to provide for sufficient pressure to the development on the higher lying parts of the subject property. Connections to the infrastructure as per the master plans require the installation of external services, across public and private properties owned by parties other than the Municipality or the developer, and for which registered servitudes over other properties will be required. The servitude plan indicating servitudes external to the application area and traversing other properties was prepared by UDSAfrica and is included as *Annexure M*.

Cognisance is taken of the existing servitudes and infrastructure on the site, with the layouts done to accommodate these in access ways and open spaces.

2.1.5 Off-site activities.

Storm water retention and filtering, waste water treatment, potable water infrastructure, solid waste disposal, and road access all occur partially off-site. The details of the off-site activities are better described in the Stormwater Management Plan (*Annexure N*)

The off-site activities cause the establishment of services servitudes, as the services infrastructure occur on land not owned by the Municipality or the applicant.

2.1.6 Electrical services

The Electrical Services Report is attached as *Annexure O*. The development is expected to be fed from Lynedoch substation via Lynedoch Farmers 1 feeder. Additional capacity or upgrades will be provided as the development progresses. The initial analysis of supply and demand proposes that alternative energy sources such as gas and PV Solar will be used for the development. LED street lighting recommended. This will reduce the annual energy consumed from the grid.

2.1.7 Street names and numbers.

Section 98 of the Land Use Planning Bylaw requires of an applicant to submit an application for the naming and numbering of streets in the proposed development. The Municipality must approve the naming of streets and must allocate a street number to each of the erven or land units located in such street or road. A list of street names for use in the development and street numbers is proposed as an overlay of the proposed plan of subdivision as per Table 1 below.

Table 1: Proposed list of street names

Street No	Preferred name	Alternative name	Name derivation
1	Lynedoch Street		Existing access street with name as appears in documents and on maps.
2	Welmoed Avenue	Welmoed Road	Name of relevance to the original farm name.
3	Meerlust Avenue	Meerlust Road	Name of relevance to the name of an abutting farm awarded to the original farm owners.
4	Cellar Street	Kelder Street	Name relevant to the old wine cellar on the farm.
5	Spier Avenue	Farm Road	Name of relevance to the name of an abutting farm, the owners of which made significant contribution to the Sustainability Institute.
6	Granite Avenue	Pluton Road	Names referring to the rocky outcrops, which are the only portions not cultivated or transformed.
7	Drie Gewels Avenue	Institute Road	Name relevant to the existence of the main built features of Lynedoch Village.
8	Uniqon Square Avenue	Hendrich Square Road	Names of relevance to the developer.
9	Avalien Street	Anika Street	Names of relevance to the developer.
10	Marcell Street	Carla Street	Names of relevance to the developer.
11	Olive Street	Renosterbos Street	Name of relevance to the vegetation on the farm.
12	Windpomp Street	Windmill Street	Name of relevance to a windmill standing on the farm.
13	Varney Street	Glen Eagles Street	Name of relevance to the name of one the original farm owners responsible for establishing the hotel, and the initial name thereof.
14	Oakleaf Street	Villafontes Street	Names of the two major soil types found on the property.
15	Spring Street	Fontein Street	Name of relevance to the spring that used to provide the farm with water.
16	Bendeman Street	Christelle Street	Names of relevance to the developer.
17	Cabernet Street	Vineyard Street	Name of relevance to the viticulture on the farm.
18	Christiaan Close	Stella Close	Names of relevance to the developer.

There is no common theme for the proposed street names. Instead, the proposed names are derived from the history and geography of the area in compliance with the relevant policy of the Municipality.

The above street names (*Table 1*), with alternatives included, are proposed for the development. It is requested that the names or the alternatives be approved by the Municipality. The names are primarily derived from the history and geography of Lynedoch and the Stellenbosch area, some of which might be duplicated elsewhere in the municipal area, but not in Lynedoch, the characteristics of the property, and the developer.

The street reference numbers are shown on the Subdivision Plan with Street names attached as Annexure J-3

2.2 Land development application

The application is in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2023, for a rezoning and subdivision of Portion 28 of Farm Welmoed Estate No. 468, Stellenbosch RD, 45,5 ha in extent, to permit a mixed-use and multi-unit residential development with a subdivision into a 53 portions as per Subdivision Plan (*Annexure J-1*).

As per the requirements of the services infrastructure, provision is made for new services servitudes over surrounding properties en route to the sewer pump and water reservoirs, which is not municipal property or property owned by the applicant.

2.2.1 Rezoning

Application is made in terms of Section 15(2)(a) for a rezoning of the entire Portion 28 to Subdivisional Area and applicable zoning, to allow for the uses as indicated in the Land use plan (*Annexure J-2*)

2.2.2 Subdivision

Application is made in terms of Section 15 (2)(d) for subdivision of the property into 52 portions and Remainder Road, as shown on the Plan of Subdivision, Annexure J-1. and Figure 9, namely:

- Erf 1 to 52, comprising 45,3341Ha;
- Rem Portion 28 of the Farm Welmoed 468 comprising 0,1734 Ha

The following table (Figure 9) illustrates the land use and phasing of the proposed development as well as zonings that would ultimately be given to the different subdivided portions on subdivision thereof.

Table 2: Land use, phasing and zoning

Subdivision (Erf) reference	Land use	Phase	Zoning
1	Private open space, street, place of assembly	1	Private Open Space
2	Educational, school	1	Education Zone
3	Commercial, business	1	Mixed-use Zone
4	Residential, business, mixed-use	1	Mixed-use Zone
5	Private open space, street	2	Private Open Space
6	Private open space, outdoor sport, stormwater management	6	Private Open Space
7	Residential, business, mixed-use	2	Mixed-use Zone
8	Residential, business, mixed-use	3	Mixed-use Zone
9	Private open space, street	4	Private Open Space
10	Residential, business, mixed-use	4	Mixed-use Zone
11	Place of assembly, business, mixed-use	4	Mixed-use Zone
12	Residential	5	Multi-unit Residential
13	Private open space, outdoor sport	6	Private Open Space
14	Private open space, street	7	Private Open Space
15	Residential	7	Multi-unit Residential
16	Residential	8	Multi-unit Residential
17	Private open space, street	9	Private Open Space
18	Private open space, outdoor sport, stormwater management	9	Private Open Space
19	Residential	10	Multi-unit Residential
20	Residential	10	Multi-unit Residential
21	Residential	11	Multi-unit Residential
22	Private open space, outdoor sport, stormwater management	9	Private Open Space
23	Residential	12	Multi-unit Residential
24	Private open space, outdoor sport	14	Private Open Space
25	Residential	13	Multi-unit Residential
26	Residential	19	Multi-unit Residential
27	Private open space, street	15	Private Open Space
28	Residential	16	Multi-unit Residential
29	Residential	17	Multi-unit Residential
30	Residential	18	Multi-unit Residential
31	Private open space, outdoor sport, stormwater management	15	Private Open Space
32	Private open space, outdoor sport	17	Private Open Space

Subdivision (Erf) reference	Land use	Phase	Zoning
33	Private open space, outdoor sport	20	Private Open Space
34	Private open space, street	21	Private Open Space
35	Private open space, street	21	Private Open Space
36	Residential	22	Conventional Residential
37	Residential	23	Conventional Residential
38	Residential	24	Conventional Residential
39	Residential	25	Conventional Residential
40	Residential	26	Conventional Residential
41	Residential	27	Conventional Residential
42	Private open space, outdoor sport, street	28	Private Open Space
43	Residential	29	Multi-unit Residential
44	Residential	30	Conventional Residential
45	Residential	31	Conventional Residential
46	Residential	32	Conventional Residential
47	Residential	33	Conventional Residential
48	Residential	34	Conventional Residential
49	Residential	35	Conventional Residential
50	Private open space, outdoor sport, street	36	Private Open Space
51	Residential	37	Conventional Residential
52	Private open space, outdoor sport, street	38	Private Open Space
Remainder Road	Public road	1	Public Roads and Parking

2.2.3 Subdivision (servitudes)

Application is made in terms of Section 15 (2)(d) for creation of the following services servitudes, shown on the engineering services servitude Plan (Annexure L).

- 5m wide servitude (gravity sewer)
- 3m wide servitude (water)
- 5m wide servitude (rising main sewer)

2.2.4 Application for Property Owners' Association

Application is made in terms of Section 29 for the establishment of a property owners' association. The proposed constitution is attached as *Annexure R*.

2.2.5 Street names

Application is made in terms of Section 98 for naming and numbering of streets in the proposed development as per *Annexure J-3*.

3. MOTIVATION

3.1 Decision-making criteria

Any land development application must be evaluated in terms of Section 49 of the Western Cape: Land Use Planning Act, 2014, Act 3 of 2014 (LUPA). Section 49 provides that, when a municipality considers and decides on a land use application, it must have regard to at least -

- the applicable spatial development frameworks;
- the applicable structure plans;
- the principles referred to in Chapter VI;
- the desirability of the proposed land use; and
- guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

Further thereto, Section 65 of the Land Use Planning Bylaw deals with the "General criteria for consideration of applications" and requires that, when the municipality considers an application, it must have regard to the following matters as set out in the table below:

65. When the Municipality considers an application, it must have regard to the following:	Motivation report reference:
<i>(a) the application submitted in terms of this Bylaw;</i>	Entire application submission.
<i>(b) the procedure followed in processing the application;</i>	Process followed by the Directorate: Planning and Economic Development as determined in the Bylaw.
<i>(c) the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses and which relevant desirability considerations for the assessment of the proposed use or development of land includes the -</i>	
<i>(i) socio-economic impact;</i>	See 3.2.1
<i>(ii) compatibility with surrounding uses;</i>	See 3.2.2
<i>(iii) impact on the external engineering services;</i>	See 3.2.3
<i>(iv) impact on safety, health and wellbeing of the surrounding community;</i>	See 3.2.4
<i>(v) impact on heritage;</i>	See 3.2.6, 3.5.2, 3.11.2 & 3.11.3
<i>(vi) impact on the biophysical environment;</i>	See 3.2.7, 3.5.1, 3.11.1 & 3.11.4
<i>(vii) traffic impacts, parking, access and other transport related considerations; and</i>	See 3.2.8 & 3.10.1
<i>(viii) whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land.</i>	See mitigation measures recommended in all specialist reports and applications made in terms of other legislation.

<i>(d) the comments in response to the notice of the application, including comments received from organs of state, municipal departments and the Provincial Minister in terms of section 45 of the Land Use Planning Act;</i>	To be undertaken during the public participation process.
<i>(e) the response by the applicant, if any, to the comments referred to in paragraph (d);</i>	To be undertaken during the public participation process.
<i>(f) investigations carried out in terms of other laws that are relevant to the consideration of the application;</i>	See 3.5
<i>(g) a written assessment by a registered planner appointed by the Municipality in respect of an application for—</i>	Municipal process to follow after public participation.
<i>(i) a rezoning;</i>	
<i>(ii) a subdivision of more than 20 cadastral units;</i>	
<i>(iii) a removal, suspension or amendment of a restrictive condition if it relates to a change of land use;</i>	
<i>(iv) an amendment, deletion or imposition of additional conditions in respect of an existing use right;</i>	
<i>(v) an approval of an overlay zone contemplated in the zoning scheme;</i>	
<i>(vi) a phasing, amendment or cancellation of a subdivision plan or part thereof;</i>	
<i>(vii) a closure of a public place or part thereof;</i>	
<i>(h) the impact of the proposed land development on municipal engineering services;</i>	See 3.10
<i>(i) the integrated development plan, including the municipal spatial development framework;</i>	See 3.6
<i>(j) the integrated development plan of the district municipality, including its spatial development framework, where applicable;</i>	See 3.7
<i>(k) the applicable local spatial development frameworks adopted by the Municipality;</i>	No applicable LSDF.
<i>(l) the applicable structure plans;</i>	None.
<i>(m) the applicable policies of the Municipality that guide decision- making;</i>	Inclusionary Zoning Policy – See 2.1.3 and others.
<i>(n) the provincial spatial development framework;</i>	See 3.8
<i>(o) where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act and provincial regional spatial development framework;</i>	See 3.7
<i>(p) the policies, principles and the planning and development norms and criteria set by the national and provincial government;</i>	See 3.8
<i>(q) the matters referred to in section 42 of the Spatial Planning and Land Use Management Act;</i>	See 3.9
<i>(r) the principles referred to in Chapter VI of the Land Use Planning Act;</i>	See 3.9
<i>(s) the applicable provisions of the zoning scheme;</i>	See 2.1
<i>(t) any restrictive condition applicable to the land concerned; and</i>	See 1.2
<i>(u) the impact of the proposed land development on any heritage resources as defined in the National Heritage Resources Act, 1999 (Act 25 of 1999).</i>	See 3.2.6, 3.5.2, 3.11.2 & 3.11.3

The motivation report is structured according to the above criteria.

3.2 Desirability

As referred to above, the LUPA and the Planning Bylaw obligate the Municipality to have regard (amongst other things) to at least the desirability of the proposed land use when it considers and decides a land development application. A municipality should refuse an application if it does not comply with the stated minimum threshold requirements or is inconsistent with a spatial development framework. Both aspects are addressed below, the first being whether the proposal for the development of Portion 28 lacks desirability.

The relevant legislation does not define "desirability". Instead, it refers to the impact of the proposed development on the environmental (social, economic, and bio-physical) aspects as listed in the table above. In the previous statutory regime (Land Use Planning Ordinance, 1985, Ordinance 15 of 1985 (LUPO), desirability was an issue considered by the Western Cape High Court, in *Hayes and Another V Minister of Finance and Development Planning, Western Cape 2003 (4) SA 598 (C)*. The judgment included amongst others that: "*The test of desirability is conclusive – in terms of s 36(1) a departure application 'shall be refused solely on the basis of a lack of desirability'. Though the test is phrased in the negative, it lays down a positive test: the test is the presence of a positive advantage which will be served by granting the application*". Thus, if it can be shown that the granting of the application would result in positive effects and advantages for the broader community, then it would not lack desirability. This position was also held in the judgment of *Booth NNO v Minister of Local Government 2013 (4) SA 519 (WCC)*. In this judgment, Judge Rogers states the following: "*The function of Section 36(1), in my view, is to make lack of desirability and effect on existing rights the only bases on which a decision maker may refuse an application*". The judgement confirms that it is incumbent on the applicant to show substantively that the proposed development, if approved, will not impact adversely on the larger community. Desirability further relates to compatibility of a proposed development with the intent of a plan or policy depicting a desirable or acceptable spatial development pattern for the future.

In reading of the aforementioned (and other) cases, it is clear that the concept of desirability relates to the type of development being proposed in a specific place and its impact (positive or negative) on the larger community, i.e., more than the immediate neighbours. In the environmental legislation it is a matter of illustrating that the proposed development is the best practicable environmental option for the property concerned. The relevant guidelines for the consideration of "Need and Desirability" determines that: "*the construct of "need and desirability" must also be informed by the sum of all the impacts considered holistically. In this regard "need and desirability" also becomes the impact summary with regard to the proposed activity*". In view of the aforementioned, the applicant will motivate the proposed development of Portion 28 from a desirability perspective.

Consideration is therefore given in the application motivation as to who would be adversely or positively affected by the proposed development activities if the application should be approved.

The question is whether Portion 28 is the right place for the proposed development, considering the nature and scale thereof, and its impact on infrastructure services.

As indicated below, there are no municipal infrastructures services readily available for the proposed development and the existing Lynedoch Eco Village is largely independent in its provision and use of infrastructure services. It relies on its own waste water treatment system, it relies heavily on rain water harvesting, water storage, and has a single communal municipal connection shared by all properties. It has a separate or dual water circulation system for treated effluent to be used for flushing and irrigation. The Village operates a waste reduction and recycling system in conjunction with a private contractor, with minimal waste going to landfill. Eskom provides the electricity to the Village, with all houses supplementing their energy requirements in different manners, mostly through the use of micro solar systems and some houses connected to gas derived from bio-digesters. Road access is off Lynedoch Road, a service road constructed parallel to Baden Powell Drive following the closure of the level crossing at the Annandale Road intersection.

Thus, when a development of Portion 28 is being considered, it must be considered simultaneously with a full (municipal) services infrastructure plans and designs. Such new infrastructure might be beneficial to the existing Village, but it would certainly not have any negative effects on the Village, as it would not cause a reduction in the existing standards and levels of service. Two new access roads with intersections on the service road are proposed, to avoid congestion at the existing main entrance to the Village at the station, while the existing main access road, which is substandard and without any sidewalks for pedestrians, will be upgraded.

The next matter to be considered when assessing the desirability of a development is its reasonableness. Because it is not possible to give a universally accepted definition of desirable development, it assists with determining what constitutes desirable development, to consider what is reasonable in a particular situation. A reasonable development would be one that balances the mutual rights of neighbours. They must be able to use and enjoy their properties in a manner that does not unreasonably impinge on the equivalent rights of the other. It implies a degree of "mutual sacrifice", by accepting that the change in the receiving environment will occur with some discomfort, inconvenience, or annoyance which may need to be endured. The developer, while providing for the demand (need), on the other hand has to ensure that the change occurs within limits of acceptability, while putting the scarce land resource to the best possible use to the good of the larger community and not only a select few who can afford to buy exclusivity and privilege.

According to the available information, the Village residents use the property for informal recreation, by walking their dogs, for hiking and in general outdoor recreation, even if not by agreement with the owner. The residents of the surrounding community, who make use of the services offered by the Sustainability Institute, gain access to the Village across the farm, using it for direct access rather than trying to access it on foot via existing formal roads which are significantly lengthier and riskier, with no walkways or even space for pedestrians. Both of these uses, namely accessibility and recreation are addressed in the application and planning, allowing for formalisation of the pedestrian access across the land, by the

creation of pedestrian walkways along the public roads where possible and within limits of acceptability in terms of the current legislation, and the creation of green lanes and trails for Village (and future) residents to enjoy the outdoors.

TYPE	SDF ELEMENT	SPATIAL PROPOSALS	RELATED NON-SPATIAL PROPOSALS
PROTECTIVE ACTIONS	CIBAS, ESA'S, PROTECTED AREAS	<ul style="list-style-type: none"> Maintain and improve the nature areas surrounding settlements along Baden Powell Drive. Work to increasingly connect and integrate nature areas, also with the urban green areas, to form an integrated green web or framework across the municipal area. 	<ul style="list-style-type: none"> Implement management actions contained in the EMF.
	WATER COURSES	<ul style="list-style-type: none"> Improve public continuity, access, and space along the stream corridors. 	
	AGRICULTURAL LAND	<ul style="list-style-type: none"> Retain and improve the relationship between settlements along Baden Powell Drive and surrounding agricultural land. 	
	URBAN EDGE	<ul style="list-style-type: none"> As a general principle, contain the footprint of small settlements along Baden Powell Drive as far as possible within the existing urban edge. 	
	SCENIC LANDSCAPES, SCENIC ROUTES, SPECIAL PLACES	<ul style="list-style-type: none"> Retain the strong sense of transition between agriculture and human settlement at the entrances to small settlements along Baden Powell Drive. 	
CHANGE ACTIONS	HISTORICALLY SIGNIFICANT AND CULTURALLY SIGNIFICANT PRECINCTS AND PLACES	<ul style="list-style-type: none"> Maintain the integrity of historically and culturally significant precincts and places (as indicated in completed surveys). 	
	INFORMAL SETTLEMENTS TO BE UPGRADED	<ul style="list-style-type: none"> Prioritise informal settlements for upgrading and service provision. 	
	AREAS FOR RESIDENTIAL DENSIFICATION AND INFILL	<ul style="list-style-type: none"> Focus infill development on undeveloped land within the urban edge. 	
	AREAS FOR MIXED LAND USE AND IMPROVED ECONOMIC OPPORTUNITY	<ul style="list-style-type: none"> Maintain the scale of mixed used and economic opportunity areas to reflect the current role of settlements. 	
	IMPROVED ACCESS AND MOBILITY	<ul style="list-style-type: none"> Pro-actively improve conditions for walking and NMT within and between small settlements along Baden Powell Drive. 	<ul style="list-style-type: none"> Ensure that the design of all roads within and surrounding the settlements provides for appropriate NMT movement.
	COMMUNITY / INSTITUTIONAL USE	<ul style="list-style-type: none"> Cluster community facilities together with commercial, transport, informal sector and other activities so as to maximise convenience, safety and socio-economic potential. Maintain Lynedoch as a focus for education and training (with various focus areas and "levels" of education). 	<ul style="list-style-type: none"> Actively support the shared use of community facilities.
	IMPROVED LANDSCAPING AND PUBLIC AMENITY	<ul style="list-style-type: none"> As far as possible, focus investment in parks, open space, and social facilities accessible by public and NMT, in this way also increasing the surveillance of these facilities. 	<ul style="list-style-type: none"> Actively involve local communities in the development and management of public amenities.
NEW DEVELOPMENT ACTIONS	SIGNIFICANT NEW MIXED USE DEVELOPMENT	<ul style="list-style-type: none"> Over the longer term, Vlotenburg, Spier, and Lynedoch along the Baden Powell-Adam Tas-R304 corridor could possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritised for development at this stage. 	<ul style="list-style-type: none"> Support private sector led institutional arrangements to enable joint planning and development.
	SIGNIFICANT NEW RESIDENTIAL DEVELOPMENT	<ul style="list-style-type: none"> Explore the feasibility of changing/complementing the rail service along the Baden Powell Drive-Adam Tas-R304 corridor to a system providing a more frequent, flexible service better integrated into the urban realm.. Alternatively, a regular bus service should be explored serving the same route. 	
	SIGNIFICANT CHANGE TO ACCESS AND MOBILITY PROVISION		

Table 27: Plan Elements and Proposals for Vlotenburg - Spier - Lynedoch

Figure 10: Extract from Stellenbosch MSDF, 2023

As for the desirability of the development of the land for urban purposes from a regional perspective, it is necessary to consider the history of it being indicated as an urban node. The spatial planning strategies for the land in the approved 2023 version of the SDF indicate that a portion of the land is set aside for urban development purposes, even if the entire property is shown to be inside of the urban edge. The intention is a low density development which allows for the retention of green space around an urban node focused on *"further growth with an education focus and further accommodation for students and staff within a compact, pedestrian oriented, child friendly community"*.

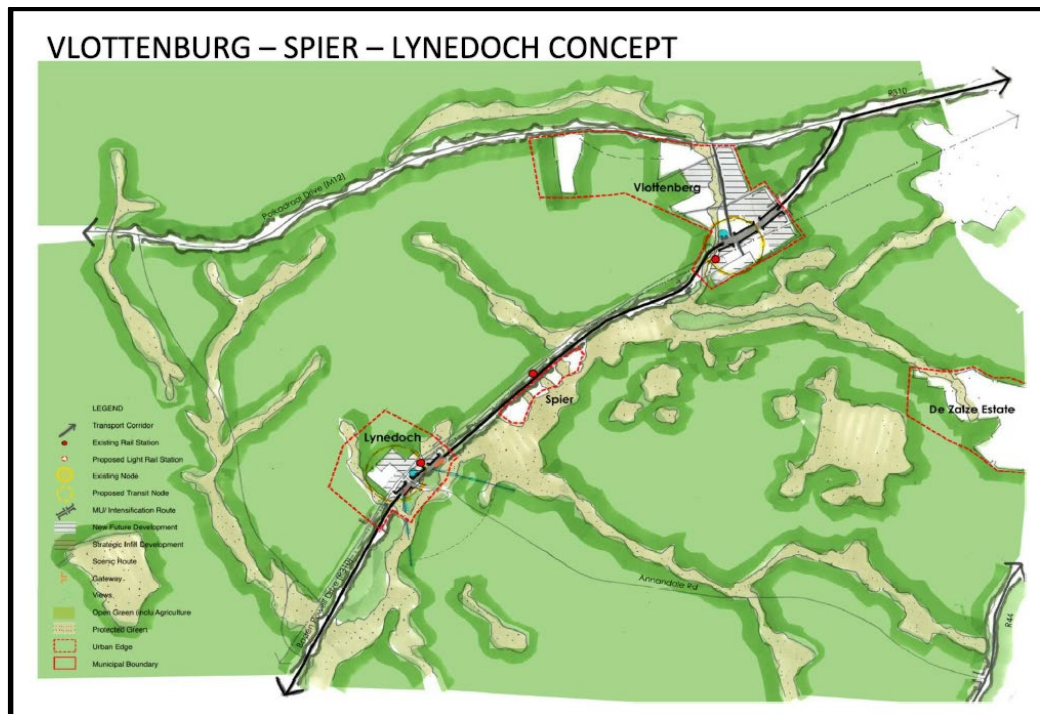


Figure 11: Lynedoch node development, Stellenbosch MSDF 2023

In 2018 the land was however shown as being designated for full urban development, together with Portion 27, on the eastern side of the railway line, i.e., at the time it was indicated as being a desirable location for a nodal development. In 2019 and 2023 SDF, the proposed urban development footprint was reduced, still indicating the desirability of an urban node on the land, albeit that the overall extent and scale was reduced. As will be motivated below, a reduced urban footprint and scale is an irrational approach to the establishment of an urban node in an environment where the population is growing, where land is a scarce resource, and where a node can be established around a transit node, in keeping with the policy to maximise the use of land around such transit nodes.

3.2.1 Socio-economic impact

The socio-economic impact and need were assessed by Demacon in the Lynedoch Mixed-use Market Study, September 2023 (*refer Annexure G*)

According to the study a total of 38,78 hectares could be developed and taken up over a 10-year timeframe. This includes 88,7% (34,41 ha) for residential uses and 11,3% (4,37 ha) for non-residential uses. The site, albeit smaller than the area needed, is ideally positioned to accommodate the full extent of residential and commercial/non-residential land uses. *"Take-up is forecast to accelerate as the development gains traction in the market. Considering, the ±15-year take-up forecast for the larger residential quantum (±1 500 units), the 45,48ha land holding would become oversubscribed and additional land would have to be acquired to accommodate the full extent of the development"*.

According to the study there is a current demand for approximately 322 medium density residential dwelling units, the property fitting as a desirable location from a market perspective with a score of 73,2%.

Take-up of units over time is estimated as:

- Short to medium term (3 to 5 years): 100 – 150 units;
- Medium to longer term (5 – 10 years): 431 additional units up to 750 units; and
- Long term (10 – 15 years): up to 1 500 units.

The market assessment further indicated that there is a need for a small retail component to serve the development and surrounding market area, defined as the area within 10 minutes' drive time from the property. Offices, automotive services, and private healthcare are also listed as being in demand for the area. The estimated land requirement for the activities and uses highlighted in the study as appropriate for the area is 38,78 ha.



Figure 12: Affordability profile for the development

The affordability profile in the study provides guidance on the implementation of the Stellenbosch Municipality Inclusionary Zoning Policy, 2023.

According to the current Stellenbosch MSDP (p38), the economic opportunities will not grow at the same rate as the population growth, resulting in the Municipality not being able to meet the demands of the growing population. Private sector investment is therefore required to facilitate the opportunity for revenue generation.

3.2.2 Compatibility with surrounding uses

The Constitution of the Republic of South Africa Act, 1996, Act 108 of 1996 (The Constitution) obligates the State, inclusive of municipalities, to promote justifiable economic and social development (Section 153). It requires striking a balance between the competing interests in the ecological, economic, and social elements of the environment, while ensuring efficient, economic, and effective use of resources (Section 195). It continues to require that public administration must be development-oriented, and that people's needs must be responded to, and the public must be encouraged to participate in policy-making.

The need for development must be determined by its impact (positive and/or negative) on the environment, sustainable development, and social and economic interests. The duty of municipalities is to integrate these factors into decision-making and make decisions that are informed by these considerations. The needs of the broader community, as highlighted in the above referred socio-economic impact assessment, must therefore be considered together with the opportunity costs and distributional consequences in order to determine whether or not the development is justified.

The proposed development on Portion 28 will obviously have positive and negative effects on the receiving environment, while also responding to existing identified needs. As will be shown below, Stellenbosch Municipality is becoming more urbanised, currently with more than 74% of the population residing in urban areas, and a definite need for housing, especially for affordable housing, in the Stellenbosch Municipal area. While there is land available for settlement in Stellenbosch, Franschhoek, and Klapmuts, there is not sufficiently located or affordable land available. Except for Stellenbosch, there is insufficient bulk infrastructure services available to accommodate the expected development in Franschhoek and Klapmuts. When providing for settlement needs, the developer (public or private) must be cognisant of the needs of the people in respect of location. Locating all settlement in Klapmuts is not a solution for those who work in the Stellenbosch, Somerset West, or Blackheath areas, as these residents would be forced to commute over long distances and through notoriously bad traffic congestion, to their places of employment. Not only that, but the social networks of the residents play an important role in their selection of places of residence, as children have to attend school, the families are part of social networks, and people generally prefer to have a choice of where they would like to reside if they have to purchase property. Much of the available land for development in Stellenbosch is brownfields development, where the land is currently used for other purposes and where redevelopment must occur. The proposed brownfields developments in Stellenbosch will be too costly for the majority of people seeking affordable housing and the Municipality has not been able to provide any significant subsidised housing for those who do not qualify for full state subsidies. Low and middle income earners are excluded from the housing market in Stellenbosch. The SDF recognises this shortcoming, and it states amongst others that it is necessary to focus on: "*Broadening of residential opportunity for lower income groups, students, and the lower to middle housing market segments*".

Expansion of the Lynedoch urban node and urban development of Portion 28 will not have any significant negative effect on the surrounding agricultural uses. Surrounding land is predominantly used for viticulture, all of which accessed from the surrounding farms. The likelihood of the urban development for middle income homeowners having any negative effect on the viticulture is very low, as experience in Stellenbosch has shown over many years. Likewise, the occurrence of agriculture and viticulture in particular is seen as an asset for residents on the edge of urban settlements, although there are examples of residents complaining about seasonal agricultural activities, such as crop spraying, weed control, and night time picking. Such occurrences are however limited in duration and distribution and the potential negative effects on the urban settlements are limited.

The community of Lynedoch Village, which is a close-knit, small, and integrated community, will most likely be most affected by a development. Where currently 40 households are settled in the Village, the number will more than double if the minimum area shown in the SDF is used for urban settlement and grow more than tenfold if the full extent of the urban area is used for settlement as proposed, albeit over an extended period of not less than 15 years. Such influx of new residents and households changes the social structure of a small settlement as Lynedoch Village. This change is however inevitable and the need for affordable housing that can feasibly be satisfied around the Village versus the value of retaining the existing social structure should be a factor to be considered, but it cannot be a reason to refuse the application for the development, as that would mean a departure from all of the criteria determined for where the "string of pearls" should be developed. Instead, the proposed settlement should be structured as is the current Village, with an open, integrated community where social inclusivity and environmental sustainability are key focuses. Such structure is indeed proposed by the developer, amongst others by the development of inclusionary housing and secondly by the gradual development of the settlement inclusive of educational and other community facilities.

3.2.3 Impact on external engineering services

External engineering services for the development is lacking. As stated above, Lynedoch Eco Village is self-reliant for the provision of services but for an Eskom electrical connection and a limited potable water connection from the Stellenbosch Municipality. An entirely new infrastructure services network and system would have to be provided for the proposed development, meaning a waste water treatment, potable water, solid waste management, storm water, road access, and electrical or household energy supply system. The engineering services reports herewith address these infrastructure needs and solutions in detail and are discussed in more detail below.

As indicated in the Stellenbosch SDF and IDP, the Municipality is planning for population growth and further urbanisation. The bulk supply of landfill for waste management, for raw water supply and treatment, for road access, for electricity and energy, and for waste water treatment is thus factored into the Municipality's plans and budgets, as is the case for the entire Cape Winelands and greater Cape Town Metropolitan area, where significant growth is expected amongst others due to "semigration". The Municipality's budget for the provision of infrastructure services focuses on Klapmuts, Stellenbosch and Franschhoek as the three growth centres. The Municipality will not make any investment in the provision of services for a settlement outside of the focus areas and the development would have to be largely self-sufficient, as is the current Village. As indicated above, the Municipality's approach does not recognise the need to provide a choice in affordable settlement and assumes all people moving to the municipal area can and will be settled in Klapmuts or can afford to settle in Stellenbosch town. This strategy is not workable, and alternatives would have to be considered (as also indicated in the SDF). In view of the planned private infrastructure development, the impact on infrastructure services is low and within the overall framework for accommodating growth in the Cape Winelands and Greater Cape Town Metropolitan area.

3.2.4 Impact on safety, health, and wellbeing of surrounding community

The impact of a development on the safety, health, and wellbeing of the surrounding or receiving community cannot be measured (or predicted) over time. It is possible to predict the effects during the development phases, but once developed, the residents determine the community characteristics.

On the one hand the development activities will cause nuisances, like dust, noise, and an influx of labourers not resident in the area and normally perceived to be a security (safety) risk, with limited duration negative effect on the receiving community. On the other hand, these negative effects will be the result of all development within existing urban areas or designated urban edges where there are existing resident communities, i.e., the negative effects cannot be avoided. These are necessary "evils" to cater for a growing population.

There are however positive effects as a result of the establishment a larger resident community, e.g., the creation of a threshold population able to sustain larger schools catering for more grades and thus reducing the need to travel for educational purposes, to warrant the provision of healthcare facilities, community sporting facilities, public transport, and a wider range of business activities, to mention a few. The wellbeing of the community is thus likely to be improved by a larger settlement.

3.2.5 Contextual assessment

The decision-maker must be satisfied of a few factors before it can approve a development application. It must first determine whether the proposal is consistent with the SDF. If not inconsistent, then the application can be further assessed contextually. As will be shown below and as already indicated above, the development proposal is not inconsistent with the SDF. The SDF states as a strategic objective that: *"Over the longer term, Vlottenburg, Spier, and Lynedoch along the Baden Powell-Adam Tas-R304 corridor could possibly accommodate more growth, and be established as inclusive settlements offering a range of opportunities. However, these settlements are not prioritized for development at this stage"* and that the Municipality must: *"Support private sector led institutional arrangements to enable joint planning and development"*.

Thus, when deciding on whether to approve an application, the decision-maker must apply its mind to the effect of the proposed development on the receiving environment and the character of the surrounding area. The intention with the required contextual assessment of the development is to allow the decision-maker to prevent a development that will be unreasonably intrusive, overbearing or otherwise unsightly or objectionable. The development must not have an inappropriate visual or other impact on sense of place or existing rights, which brings the factors addressed below, namely: heritage, and bio-physical into consideration.

As for the development proposal, it is apparent from the above and will be from apparent from the contextual assessment that a development of the entire Portion 28 is consistent with the SDF, desirable, needed, and without significant negative effect on the receiving environment, i.e., it will not be unreasonably intrusive, overbearing or otherwise unsightly or objectionable.

The development proposal is specifically structured as a long-term development that must occur over time (as indicated in the SDF) with due cognisance of the cost of and demand for infrastructure and other services as recognised in Principle 3 of the SDF Preamble. It is simply not feasible or rational to plan for a small-scale short-

3. Third, within developable areas – areas not set aside for limited development owing to its natural or cultural significance – allow future opportunity to build on existing infrastructure investment, on the opportunity inherent in these systems when reconfigured, augmented or expanded. Infrastructure represents significant public investment over generations, not readily replicated over the short term. It represents substantial assets for enabling individual and communal development opportunity of different kinds. From a spatial perspective, movement systems are particularly significant. Elements of the movement system, and how they interconnect, have a fundamental impact on accessibility, and therefore economic and social opportunity. Specifically important is places of intersection between movement systems – places which focus human energy, where movement flows merge – and where people on foot can readily engage with public transport.

term development, knowing that over time the node will (and must) grow to reach maturity in the provision of services to the community. Not a single urban node in the Western Cape has not grown in the last three decades and arguing that planning should not provide for growth is irrational. Planning should be pro-active and in a cost effective manner provide for long term growth, rather than cost inefficient incremental growth. The SDF indicates that: "*Engineering services also support the principle that development in these*

secondary areas should only be supported once appropriate public transport services are available". This approach is however not sustainable; as public transport relies on threshold populations to make the service more feasible (although it seldom becomes financially viable). Unless there are large populations, densely developed along transport corridors or around transit nodes, public transport systems cannot be sustained. The focus should be on the provision of services making the development of dense transit oriented settlements possible, for which public transport could be provided in a socio-economically justifiable manner. The spatial development strategy for focussing development along transport corridors developed in the old order "Guide Plans" (Urban Structure Plans) prior to 1994 and became dominant in the 2010 planning process leading to the 2013 SDF, that promoted development along rail routes, main roads, and at intersections ("string of pearls" concept). As indicated above, this was confirmed with the 2018 approval of the SDF showing a full urban development on Portion 28, but with a reduced area in the 2019 and 2023 SDF, seemingly without due cognisance of the need to establish external services. External services, especially water storage reservoirs and linear services (potable water pipelines and sewer mains) cannot be incrementally developed or upgraded. They are designed for a specific capacity and upgrading that capacity would require a duplication of the infrastructure or replacement of the existing infrastructure, with obvious financial consequences. Thus, the argument that planning of the node should be based on the long term view of Lynedoch being a sustainable transit oriented node with an appropriate threshold population to warrant the provision of public transport for the node.

The development has been planned based on indicators designed to address the nature of a development on the land, to ensure that the development has the least visible effect on the surrounding environment. As reflected before, any form of development will cause change to the receiving environment, regardless of where it occurs. The crucial point is whether the development can be undertaken such form that it is not unreasonably intrusive, overbearing or otherwise unsightly or objectionable. Much of this is a subjective point of view and objectors will almost certainly opine differently. The specialists assessing the development proposals have found that, subject to implementation of the heritage indicators, the development "*reinforces the existing character of the site and the positive aspects seen within the context, to ensure the visual integrity of the development with its surrounds, and the retention of the contributing agricultural character of the site as a background element to the scenic route and many other heritage resources within the wider valley*".

An urban design framework has been developed for the development. According to the urban design framework, 884 residential units could be established on the farm, in different densities, form and orientation. The design was done on the basis of implementing the development indicators provided in the Visual-Cultural Landscape Impact Assessment conducted by Claire Abrahamse in 2023, (*refer Annexure P*). In terms hereof, provision is made for high density housing in proximity of the transport infrastructure, where inclusionary housing will also be provided. Further from the transport infrastructure and on the steeper slopes, the development will become oriented along the contours, with tree lines, green corridors, and streets breaking the blocks and allowing for passage of the existing pedestrians across and over the site. Overall densities of development range between 1,35 (allotment villas) and 80 (apartments) dwelling units per hectare. The allotment villas are designed to fit the indicators requiring a low density development landscape on the more visible parts of the site. Lower down, on those parts less visible and adjacent to the transport infrastructure, the development is planned for multi-unit residential blocks varying from double to four storey high buildings. The central area includes a school building, which would be the largest single structure on the site.

3.2.6 Impact on heritage

The conclusion of the heritage impact assessment is that: "*an appropriate residential and educational development that considers the recommendations, heritage indicators and guidelines contained in this report, will benefit the area and uplift the R310 scenic drive. The site has been consistently included within the urban edge, in both heritage surveys and planning documentation and sensitive and appropriate development will encourage local economy without further damage to the rural aesthetic of the cultural landscape. The success of the Sustainability Institute's model should be taken as guidance and a village node, with similar aesthetic and impact should be encouraged and will improve the experience of this historically and scenically significant cultural landscape*".

Considering that the landscape has changed over time and will continuously change, in view of the environmental changes experienced in the area, the planning of the development must be sensitive to, but not inhibited by the heritage aspects.

From the point of view of the local community and those with strong bonds to the Lynedoch Village, the landscape is not only observed. It is part of their frame of reference, perceived to be part of their social assets. On the other hand, there is the growing population in need of housing and social infrastructure. Therefore, in planning an area which is designated as a cultural landscape, to which an existing community has specific feelings, while simultaneously located in proximity of significant infrastructure such as the public transport node and an identified urban node, the planning should strive to create a human habitat that provides existing and future residents with balance. The balance must be between retention of some of the landscape features dear to the existing community, while providing for future activities dedicated to work and those which are dedicated to relaxation for the envisaged larger community. In this instance the integration of natural and cultural perspectives of the landscape into the envisaged human habitat seeks to create the balance, knowing that reasonable development has to occur in a justifiable location.

The way in which the settlement is planned with due cognisance of the heritage indicators shows that the developer seeks to mitigate any negative effects on the existing community, while creating opportunities for citizens seeking a place to live.

3.2.7 Impact on biophysical environment

The entire property has been disturbed over a period of more than fifty years for agricultural purposes, leaving two small portions of the land with granite outcrops in semi-natural state. The agricultural specialist reported that dryland (rain fed) wine grape vineyards with a total area of 28,9 ha, two houses, two sheds, and two cement dams with some irrigation infrastructure occur on the farm. The total disturbed agricultural area amounts to more than 39 ha, with the remainder being the rocky outcrops, run-off lines, roads, and infrastructure (raw water pipeline along the northeastern boundary).

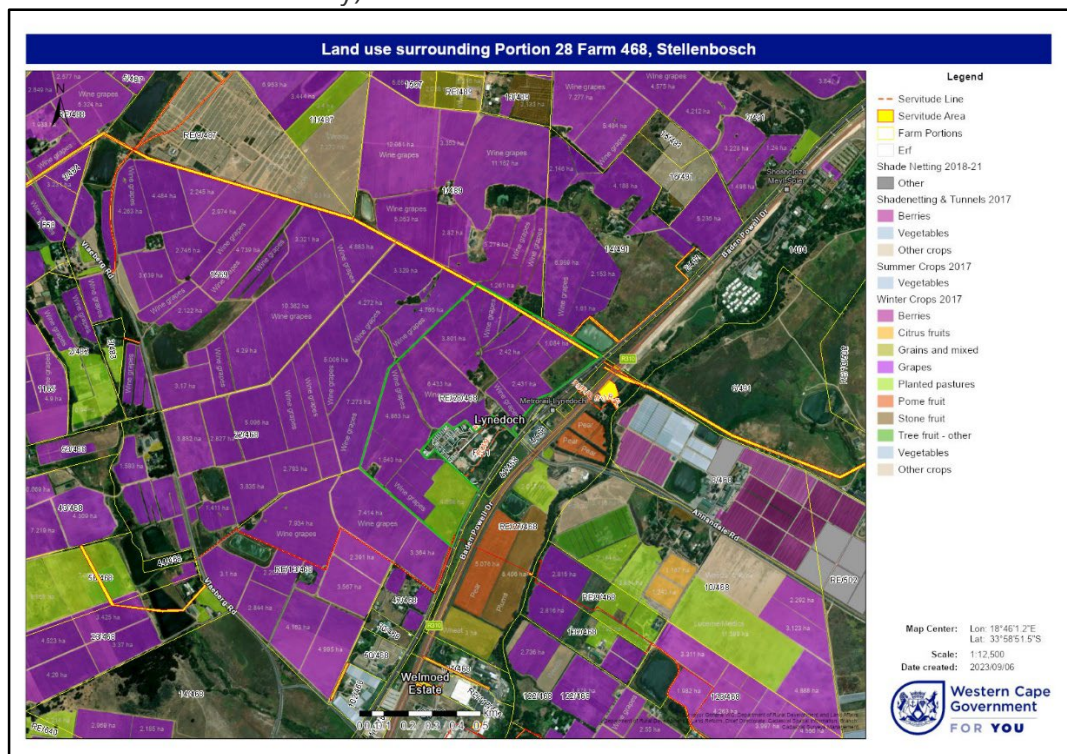


Figure 13 Land use around Portion 28

All surrounding land has been equally or more disturbed, with the majority used for vineyards, high intensity agriculture, and public transport infrastructure. Inside of the land is the Lynedoch Village, itself an urban settlement with an environmental sustainability focus, as is the intended development on Portion 28, albeit at significantly larger scale. The intention of the development is to create green corridors through the development to soften the visible effect of the urban development and linking the development to the minute remaining natural features. These will also be used to manage run-off and ensure that the run-off is retained sufficiently to allow for polishing prior to release thereof into the Eerste River system. There is no negative effect on the natural bio-physical environment, while the effect on the overall agricultural system is addressed in a specialist report below.

3.2.8 Traffic impacts, parking, access, and transport related considerations

The proposals in the Traffic Impact Assessment report considers both the motorised and non-motorised access and traffic requirements to support the development.

The 'middle/central' access will be situated on the subject property (portion of existing panhandle), however, shared with the neighbouring Sustainability Institute (currently being used as their main access). As far as could be established, a formal right-of-way servitude does not currently exist for the said use of the access across the subject property. Should the shared access arrangement as proposed not be acceptable to the neighbouring property, alternative access to the neighbouring property will have to be taken from Lynedoch Road, at an acceptable position between the two proposed accesses east and west thereof. Internal roads are proposed to be private.

3.3 Applicant's findings on impact

The following table summarises the impact assessment as is more fully described below.

Table 3: Impact assessment

Potential impact	Development issue / Activity	Potential effect	Remedial / mitigation measure
Quality of life of citizens	Rural setting to change to an urban setting. Loss of "freedom to roam" by informal use of under-utilised agricultural holding.	Loss of uniqueness of Lynedoch Village with perceived effect on property values.	Plan settlement with elements of the existing landscape and assets retained. Phase growth over time to systematically effect change.
Health and well-being of citizens	Disturbances during construction. Change in environment post construction.	Dust, noise, and emissions which could lead to health issues. Houses and assets could be affected by dust. Citizens could be affected by noise.	Construction and operational management plans to be prepared and implemented. Planning and development to incorporate features

Potential impact	Development issue / Activity	Potential effect	Remedial / mitigation measure
		Sense of place could be lost, and existing residents could feel negative about it. New residents would feel positive about finding a place to settle in a desirable environment. Feeling of ruralness and open space will be lost for existing residents, while new residents will enjoy the relative ruralness of the setting.	that would create an attractive human habitat and environment for all residents.
Disintegration of community	Small integrated community becomes a larger, less integrated, and cohesive community.	Management of the home owners' association and Village becomes more difficult and complex.	Establish home and /or property owners' associations to assist in managing the social and other aspects of the new urban environment.
Change in built environment	Existing community / Village becomes surrounded by urban development.	Micro-climatic changes.	Plan settlement with elements of the existing landscape and bio-physical assets retained. Phase growth over time to systematically effect change.
Loss of agricultural resource	Removal of vineyards and fields which provided a rural setting, but no meaningful economic opportunities.	Seasonal agricultural activities no longer have a negative effect on the citizens. Insignificant loss in productive capacity of the area.	No mitigation required. New development brings economic opportunity for more employment seekers.
Loss of natural resource	Land surrounding the Village becomes an urban environment with altered bio-physical characteristics.	Increased surface run-off and loss of habitat for fauna that survived in the agricultural setting.	Planning of the development must ensure sufficient greenery and vegetation to in corridors to enhance the urban environment and create storm water retention ponds.
Loss of cultural landscape	Vineyards deemed of cultural significance are converted to an urban setting.	Stellenbosch area and Baden Powell Drive become less attractive as a tourist destination.	Establish an attractive settlement with features that produce a desirable human habitat.
Municipal administration and service delivery	Additional ratepayers and residents to be provided services. New connector services infrastructure for maintenance.	Additional revenue and expenditure to local authority.	Manage the settlement through a property / home owners' association and reduce the administrative demands on the Municipality by also managing services infrastructure.

Potential impact	Development issue / Activity	Potential effect	Remedial / mitigation measure
Services infrastructure	New services infrastructure required as existing Lynedoch was designed only for the Village. Municipal services need to be extended to provide appropriate connections.	No negative effect on existing community. Additional extent of municipal (link) services infrastructure.	Operational management of internal services becomes a property owners' association function, while only external services are municipal.
Roads and access	Major road upgrading on and off site required. Non-motorised transport facilities such as sidewalks for pedestrians to be created and Lynedoch (service) Road to be upgraded.	Increased traffic in and around the Village. Better access to the Village and the Station area. Effect on the abutting bio-physical environment.	Create alternative entrances and access to the settlement and improve the existing deficient roads with no sidewalks for pedestrians.
Traffic	Increased traffic on access roads.	Increased risk for pedestrians and farm traffic.	Improve road layout and design to create safe NMT facilities where permitted by relevant authorities.
Security and vulnerability of citizens	A larger community means a less connected community with more uncertainties and less control, a greater sense of insecurity for existing residents. Shorter distance to destination for new residents improves their sense of security and vulnerability.	Need for increased security and integration measures in the community.	Establishment of a property owners' association could mitigate the effects.
Pressure on educational facilities	A larger population increases the demand for educational and social facilities, with limited investment in such facilities by government.	Overcrowded schools.	Provide additional private educational facilities and attract a private operator.
Pressure on social facilities	A larger population increases the demand for health and social facilities, with limited investment in such facilities by government.	Overcrowded facilities.	Consider provision of a club house which includes space for social facilities and where private practitioners can provide services without having to develop own offices and rooms.
Air quality	A change in use from agriculture to urban settlement will lead to increased traffic.	Lower air quality.	Reduce the need for vehicle use inside of the settlement by provision of mixed use space where retail and other needs can be met.

Potential impact	Development issue / Activity	Potential effect	Remedial / mitigation measure
Affordable housing provision	Inclusionary and other forms of affordable housing to be provided.	More housing for lower income families subsidised by government in the consumption of services.	Provide inclusionary housing as per the Municipality's policy.
Economic impact	Urbanisation is proven to be a contributor to economic growth.	Increased economic opportunities in the community. Loss of or effect on the landscape character will not have any proven significant effect on tourism.	Settlement will provide more opportunities than the current agricultural use.

The proposed development will have an impact on the use and enjoyment of the environment by the residents of Lynedoch Village. The surrounding agricultural environment which they used freely, albeit informally and without expressed consent for recreational purposes, will be converted into an urban area. What is now a small urban community where every resident knows every other resident, will change into a large community where residents are largely unknown except to neighbours and where the erstwhile sense of security will change to one of uncertainty. Given the extremely small number of residents in the Village, any development in keeping with the spatial development policies to create nodes in proximity to transport interchanges, will have a similar effect. To mitigate the expected negative effects, the development should be phased over time to allow the new residents to become part of the current Village social structures and community. Moreover, by maintaining a private (but not gated) development, under the management of a home owners' and / or property owners' association, a community structure will be created through which the residents can be integrated. The establishment of another school, over and above the existing school in the Village will further contribute to the establishment of a more integrated community.

Accessibility and movement to and from the Village and the Sustainability Institute will be improved, with the establishment over time of a threshold population large enough to warrant a public transport system. This will be a benefit for the existing community and the surrounding rural community which makes use of the services offered by the Institute.

The sense of place enjoyed by the existing Village residents will change and instead of a small rural node, the Village will become a small urban node with a focus similar to that envisaged by the existing residents, being a place where a socially integrated community can live with educational and community facilities within walking distance. In addition to the educational and other community facilities which will be added as a result of the development, there will be retail and other commercial facilities and opportunities as well, providing a benefit by reducing the residents' reliance on transport to access such opportunities.

The slope and aspect of the area and relative location of the Village will cause the residents not to lose any of the views and overall experience they currently enjoy, as the proposed development is mostly higher lying or located outside of their general eastward field of view. The feeling of openness and freedom experienced by the current Village residents will however be negatively affected. This is however a natural outcome of population growth, as development to accommodate the population seeking appropriate housing must occur somewhere. In this instance it is proposed in an identified node, where the current residents have been aware of the proposals for the extension of the node at least since 2010.

As an entirely new services infrastructure system is being planned and will be developed, the Village will not experience any negative effect on the availability or use of their (private) services infrastructure. Moreover, issues relating to the management of run-off from the farm into the Village, especially with changing rainfall characteristics, where more intense shorter period rainfall is experienced, will be resolved and the run-off will be managed so as not to affect the current residents.

3.4 Best practicable environmental option

The concept of using the best practicable environmental option stems from the accepted definition of sustainable development namely "meeting the needs and the aspirations of the present generation without compromising the ability of future generations to meet their needs". In the context of the application, it is putting the land delineated in the urban edge to its best use for settlement purposes over time, rather than allowing a low density development with no prior planning and appropriate infrastructure development to cater for the inevitable future growth that would occur around the node.

It is necessary to consider what the elements of the environment are, when seeking the best practicable environmental option. It consists of three elements, namely: bio-physical, social, and economic. The best practicable environmental option will be the option that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term. It will ensure that the scale, density and nature of activities or developments are harmonious and in keeping with the sense of place and character of the area.

For the proposed development there are broadly four options, namely:

- no development;
- partial development within the SDF footprint;
- full development of the land within the urban edge; and
- phased development within the urban edge.

The effects, costs, and benefits of the different options are particularly relevant in instances where resources are limited. Land within the urban edge for development to satisfy the need for affordable housing is a scarce resource in Stellenbosch. Capital (public funds) for development of affordable housing, public transport, and municipal infrastructure services is a scarce resource. Land for viticulture is an abundant resource, as is wine, of which there is a surplus in South Africa.

Capital for upgrading and economic redevelopment of the farm for agricultural purposes is a scarce resource. Potable water is a scarce resource in the Western Cape and in particular in the Greater Cape Town Metropolitan Area.

It is clear that the no development option cannot be sustained, as there is no economic reason (or benefit) to retain an unproductive farm that incurs costs and cannot generate economic benefit for the owners or the immediately surrounding community. Moreover, with limited irrigation water and agricultural infrastructure available, the farm cannot be re-purposed for commercially viable agricultural use without significant capital input. Such capital input could theoretically be gained from the sale for development purposes of that portion of the land that is designated for urban development, leaving less than 21 ha of agricultural land for re-purposing. As indicated above, the applicable policy confirms that such small portion of land without any irrigation water or infrastructure cannot be farmed commercially viable even if consolidated with Portion 27 abutting thereto. The two portions of land are not interconnected, and the lack of interconnectedness would make joint farming thereof unattainable.

A partial development of the land within the urban edge, within the urban footprint as indicated since 2019, will lead to a small-scale development and a node that does not have the threshold population to sustain a public transport system, or socio-economic facilities, e.g., expanded educational and commercial facilities. The small-scale development will require the installation of infrastructure services (with limited capacity), sufficient only for the development, i.e., not providing for continued population growth as being experienced over the entire Province. It will change the environment around the Village, and lead to a low density and intensity of use of the land, leaving much of it for open space purposes in excess of what is rationally required to provide for the needs of the residents. The growth will cause changes to the social cohesion of the Village, as will any development that adds a significant sized new resident population.

The proposed full development of the land within the urban edge will constitute the best use of the available resources (i.e., the best practicable environmental option). A planned full development of the property over time will provide for a growing population in need of housing in proximity of places of employment and existing (potential) commuter transport infrastructure. In terms of our understanding the best practicable environmental option should address inter alia the following:

- It must be located in an area identified as a node for urban development.
- The development proposal must be responsiveness to the area's sense of place.
- It must maximise the use of land as a scarce resource.
- It means creating an environment with mixed uses, which gives people reasons to be on the streets at different times throughout the day and maximise the significant health benefits of active modes of transport, such as walking and cycling, that walkable neighbourhoods can provide.
- Flexible urban design and services infrastructure capable of accommodating future growth and deliver the appropriate health and environmental outcomes.
- The health and wellbeing of current and future residents.

There is a broad consensus that the place where a person lives or works, should not expose them to hazards that could have negative effects on their health. Health aspects alone however are insufficient to deliver on the need for an environment that is good for a person's health and wellbeing. A successful urban area, as is planned in this instance, should be one that stimulates and reinforces the self-esteem of those who live and work there. It should be a place that is welcoming, safe, and aesthetically attractive and includes adequate amounts of good quality facilities and open space. Commercial facilities, such as cafes, medical and dental rooms, personal services, and shops, and community facilities, which serve the community are responsible for establishing much of the character of an urban area and provide the opportunities for social interaction and contribute to the wellbeing of the residents. The centres of nodes are important as the location of such services and planning for easy access to these (without the need for a car) can improve the experience of the area and physical health of those who live and work there.

The best practicable environmental option has been proposed in the urban design and the supporting studies and documents, all of which make up this application.

3.5 Investigations carried out in terms of other laws relevant to the application

3.5.1 Environmental Management

The proposed development triggers an authorisation application in terms of the National Environmental Management Act, 1998, Act 107 of 1998 (NEMA). The Basic Assessment Report is attached as Annexure S.

A summary of the findings and impact management measures identified by all Specialist and an indication of how these findings and recommendations have influenced the proposed development and is described below:-

- Agricultural: Land is not suitable for economically viable agriculture. Make best use of land to reduce demand elsewhere.
- Socio-economic: Need is for medium and high density affordable housing. 1 500 units to be developed on the land over time.
- Visual: Certain parts of the land are highly visible or sensitive landscapes. Development to be planned according to indicators.
- Archaeological: The proposed development will not negatively impact on the archaeological heritage resources.
- Heritage: Cultural landscape is sensitive. Development to be planned and undertaken according to indicators.
- Landscaping: Landscaping can be used to mitigate the visual effects of the proposed development. Wider road reserves and visual focus areas are required to allow for appropriate landscaping.
- Traffic: Road infrastructure requires upgrading. Intersections and access off Vlotenburg service road to be upgraded.
- Geotechnical: Some parts of land are "made ground", i.e., filled, with limited granite intrusions and no groundwater intersections. Earthworks and foundation preparation to be cognisant of soil conditions.

- Freshwater: The external services infrastructure will cross three freshwater streams. One is in a near natural state and requires special construction mitigation measures, while the other two are significantly transformed and can be improved by construction.

3.5.2 Heritage

The proposed development requires authorisation in terms of Section 38 of the National Heritage Resources Act, 1999, Act 25 of 1999 (NHRA). An application for a heritage permit has been submitted and the following is an extract from the application.

The anticipated visual-cultural impacts of the proposed development need to be addressed. The conceptual site development plan has been informed by the heritage-based design indicators, as described in the Visual-cultural Landscape Impact Assessment (*Annexure P*). The challenge is to ensure that any development here reinforces the existing character of the site and the positive aspects seen within the context, to ensure the visual integrity of the development with its surrounds, and the retention of the contributing agricultural character of the site as a background element to the scenic route and many other heritage resources within the wider valley. The site has consistently been included within the urban edge, in both heritage surveys and planning documentation. The study recommends that the heritage-based design indicators be integrated into the design proposal as far as possible, to achieve the "education focused... compact, pedestrian oriented, child friendly community" that was envisioned for this site in the 2019 and 2023 Stellenbosch Municipality Spatial Development Framework.

3.6 Consistency with SDF

The 2023 approved Stellenbosch Municipality Spatial Development Framework (SDF) indicates that: *"over the longer term, the Muldersvlei/ Koelenhof and Vlottenburg/Lynedoch areas can potentially develop into significant settlements."* The settlements are identified *"as balanced, inclusive communities ... to fulfil a role in containing the sprawl of Stellenbosch town, threatening valuable nature and agricultural areas. Importantly, they should not grow significantly unless parallel public transport arrangements can be provided."*

The SDF indicates the Lynedoch Node as being a rural node with social inclusivity as the aim thereof together with the expansion of the education and training facilities. The policy is for the gradual expansion of the *"unique development model based on sustainable living and education."* The policy further and importantly determines that: *"Over the longer term, these expanded settlements ... should not grow significantly unless parallel public transport arrangements can be provided."*

As a consequence of the policy, an integrated community with limited need for the use of private transport is envisaged over the long term. The public transport systems are non-existent and will not be operational or functional within the foreseeable future and only if economies of scale and appropriate threshold populations can be established to make use of such public transport.

The spatial policy states that the relevant authorities must: "Support private sector led institutional arrangements to enable joint planning and development" of the node, thus a cooperative and facilitative approach to the land use planning process is foreseen.

The Stellenbosch SDF should be based on properly defined and consistently applied assumptions. On the one hand the SDF assumption is that the economy will not grow faster or stronger than at present and that the land demand for settlement will be in the "middle of the road/ consensus development scenario." On the other hand, the transport assumptions are for the "transport specific strategies to manage travel demands ... providing a choice of alternative modes of travel to enable shifts to occur. ... future growth is enabled by the introduction of shared transport options, formal public transport and for the shorter journeys provision for safe cycling and walking." The transport demand scenario is thus significantly more optimistic than the land demand scenario, indicating significant growth in demand.

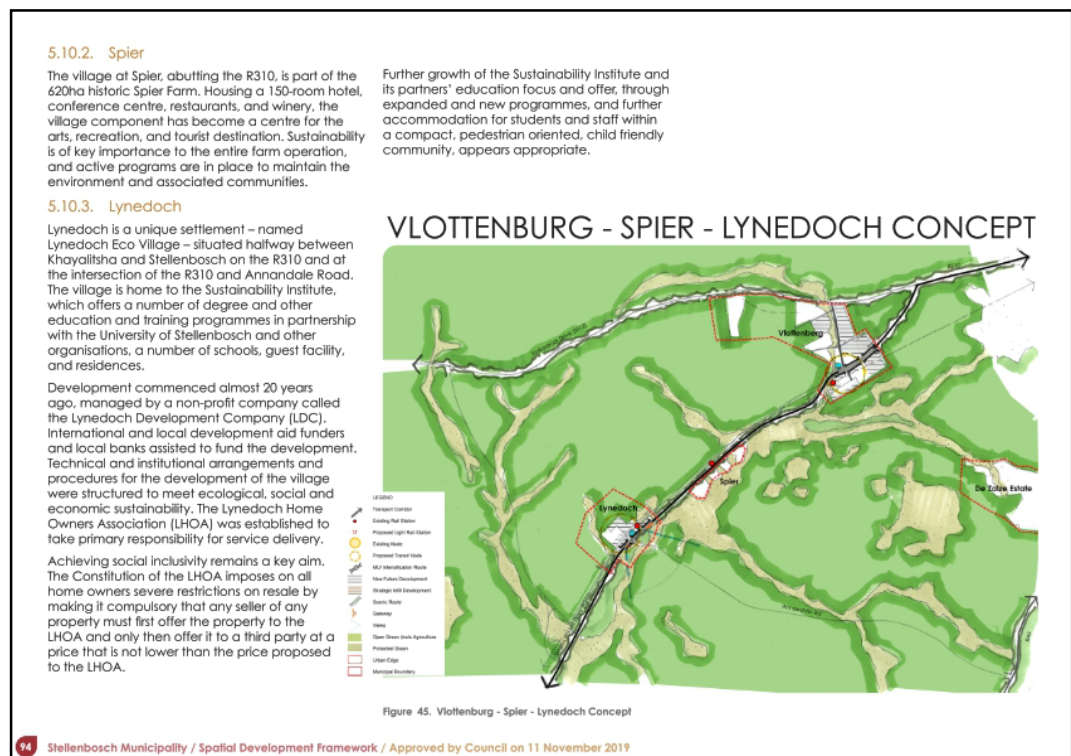


Figure 14: Extract of the 2019 (and 2023) Stellenbosch SDF showing the Lynedoch concept

Due to there being no infrastructure services to support an urban development at Lynedoch, significant expenditure needs to be incurred to provide such infrastructure for a development on Portion 28. It must have sufficient capacity to accommodate the long term development vision for the node, which, according to the approved spatial development framework, is an urban node. Moreover, the indicated linking of the node via public transport to the surrounding urban areas further support a long term growth vision that would create a threshold population to make the provision of public transport and infrastructure services feasible.

The primary assumption in this application is that the national, regional, and local economies will not grow any faster or stronger in the coming five years than at present and that therefore the provision of public transport will not improve, but that the demand for affordable housing and demand for employment opportunities will remain the same, which is high. It is further assumed that the agricultural sector would need to be strengthened and supported if it is to overcome the effects of settlement development for large unemployed communities and climate change. The farms in the area range in size from small to well above the municipal average. The crops that are produced are varied and the water demand for the continued production of vegetables, vineyards, and irrigated grazing is increasing, while the supply of irrigation water is not growing, and climatic conditions are requiring increased irrigation or crop protection through shade netting and cover, albeit both climate change responses are not acceptable and desired in the approved Stellenbosch Heritage Survey, 2019.

The Stellenbosch Rural Area Plan (RAP) already indicated in 2016 that Stellenbosch Municipality experienced significant population growth at a rate of 3,7% per year. The Integrated Development Plan (2023) estimates current population growth at 2% per year, which equates to approximately 4 000 new residents annually. The average household size is 3,6, i.e., the estimated number of new households establishing in Stellenbosch is 1 110 per year. As will be shown in the socio-economic impact assessment and demographic assessment of the development proposal, the population growth and socio-economic situation, including urbanisation trends, require a growth in residential accommodation units in excess of 1 100 units per year. There is an existing shortfall in accommodation for daily commuters to Stellenbosch, for which provision should also be made, in addition to the expected population growth.

The RAP and the Urbanisation Strategy (2016) indicated that the Municipality became more urbanised, with more than 73%, up from 70% in 2011, then residing in urban areas, while the IDP indicates that about 75,5% of the population currently resides in urban settlements. There is therefore a definite need for housing in the Stellenbosch Municipal area, and more so for affordable housing.

The demographic trend highlights the need for proactive planning of sustainable urban settlements:

- It requires planning for access to community facilities and services.
- Such services are difficult to provide in dispersed rural populations and requires rural residents, who can mostly least afford it, to travel to urban settlements.
- Without efficient (or non-existent) public transport, essential travel creates challenges for the relevant authorities and the residents in need of services, as well as those affected by congestion.
- Small population nodes cannot function efficiently as the low population numbers do not warrant sustainable service delivery.
- It requires planning for and the provision of municipal infrastructure services, whether publicly or privately supplied, which cannot grow incrementally due to the prohibitive cost of replacement of redundant infrastructure.

The IDP lists a number of spatial challenges, as indicated in the extract inserted below. Of note is the reference to the need to adapt to climate change, with

reference to the current agricultural use of the property, which is no longer sustainable, and the need for the provision of planned urban settlements for those who cannot afford to live in the low density unaffordable residential neighbourhoods of the major towns.

Theme	Spatial Challenges
Biophysical context	<ul style="list-style-type: none"> ⚡ The degradation of key ecological assets and loss of productive agricultural land has been ongoing. ⚡ The condition of the river systems within the municipality has deteriorated. ⚡ Climate change is likely to have a significant impact on the natural resource base of the municipal area, which will include a reduction in water, increased temperatures, increased fire risks, and increased incidences of extreme weather events. This in turn will impact agricultural production, scenic landscapes, the liveability of urban areas and the ability to provide basic services such as water and sewerage treatment.
Socio-economic context	<ul style="list-style-type: none"> ⚡ The population in the municipality will continue to grow above the average provincial rate, and urbanisation rates will increase with settlements absorbing the bulk of growth. ⚡ The ability of the economy to absorb growth, particularly concerning job creation, is concerning. ⚡ The informal sector will continue to provide livelihoods to a significant proportion of residents. ⚡ The growing youthful population, large student population, and the seasonal influx of labour are likely to increase the municipality's dependency ratio, in addition to a smaller base from which the municipality can collect revenue to provide services and opportunities that will improve the lives of the poor. ⚡ Inequality in the municipal area, and particularly in historic towns such as Stellenbosch and Franschhoek, remains significant and current development patterns are not addressing the issue. ⚡ Crime rates remain high and the market response i.e. private security provision for those who can afford it, is likely to exacerbate inequality.

Figure 15: Extract of Table 29 from Stellenbosch Municipality IDP, 2023

The development includes provision for inclusionary housing, thus providing for affordable housing at the lowest level possible for private sector developers, and further proposes housing for middle income commuters through the provision of high density dwellings within walking distance of the Lynedoch Station. It is thus responsive to the stated needs of the IDP.

Access to social and community facilities, with specific reference to educational facilities, is an issue that is highlighted in all strategic planning documents, together with the need for housing and employment opportunities. The proposed long-term development of a sustainable urban node at Lynedoch Village seeks to participate in the provision of the required resources and satisfaction of the demand and needs, with minimal investment by the Municipality.

3.2 POPULATION PROFILE

Figure 3.1 illustrates the future population growth of the CWD and its municipal areas between 2022 and 2026. In 2022, the CWD's population is forecast at 968 667, and is mainly concentrated in the Drakenstein (30.8 per cent), Stellenbosch (20.6 per cent) and Breede Valley (20.3 per cent) municipal areas. The least populated municipal area in the District is the Langeberg municipal area, with a concentration of 12.6 per cent.

Figure 3.1
FUTURE POPULATION GROWTH,
Cape Winelands District, 2022 - 2026



Source: Western Cape Government PPU, 2022. Provincial, district and local municipal area population estimates by sex and age (2002 to 2037) based on Stats SA MYPE series 2021 and 2022

Between 2022 and 2026, the CWD is forecast to grow annually by 1.7 per cent, reaching above 1.0 million people in 2024. The Witzenberg municipal area is forecast to have the highest population growth rate across all municipal areas in the District, growing annually by 2.2 per cent in the period. This is followed by the Stellenbosch municipal area, which is forecast to grow annually by 2.0 per cent. Though the Drakenstein municipal area is forecast to grow annually at a lower rate than the District across the period (1.5 per cent), it is also forecast to have the highest population share of all the municipal areas in the District (30.6 per cent). The Breede Valley municipal area is forecast to have the lowest growth rate across all municipal areas in the District in the period, with annual growth of 1.2 per cent. The Langeberg municipal area is forecast to grow by 1.6 per cent in the period. It is also forecast to shrink in population share across the District in 2026, contributing 12.5 per cent of the population in the District.

Figure 16: MERO 2022 extract showing population trends

3.7 Spatial consideration issues

Lynedoch is identified and proposed as a socially inclusive urban node with a focus on education and training (for future development) in the 2023 Stellenbosch SDF. It is further indicated as a node in a range of other related documents, and it has been designated as a node since at least 2010 when the concept of a “string of pearls”, relating to the nodes along the railway line and at major intersections on the main transport corridors, was promoted as the growth strategy for Stellenbosch.

The provisos in the SDF are:

- That public transport systems must first be established before any significant nodal development may occur.
- That cognisance be taken of the agricultural potential of the land.
- That appropriate green corridors and spaces be retained in view of the need for environmentally sustainable development and the location of the node at the gateway to Stellenbosch.
- That maximum protection be given to valuable agricultural resources and land around the node.
- That the availability and extension of municipal infrastructure services be considered in the assessment of the spatial planning issues.
- That the historical character of the area and the landscape be protected and complemented by development.

The expansion of the Lynedoch node, with amongst others inclusionary and affordable housing, is aligned to the Spatial Planning and Land Use Management Act, 2013, Act 16 of 2013 (SPLUMA), which, together with the Western Cape Land Use Planning, 2014, Act 3 of 2014 (LUPA), promotes the following five general principles for spatial planning, land development and land use management, as applicable to the subject area.

Spatial Sustainability: The proposed residential development is within the future fiscal, institutional, and administrative means of government. Bulk municipal services infrastructure has to be established and external services provided for the development of the node, to which the development would make a significant contribution. It will create economies of scale and by facilitation of improved access to housing that is not within the fiscal other means of government.

The protection of prime and unique agricultural land might not be an issue in this instance, as the land has not been used for viable commercial agriculture for approximately 10 years, primarily due to the changing climatic conditions and lack of water resources for irrigation. The changes in the surrounding land use and agricultural environment have also impacted on the agricultural use of the land. This aspect will be appropriately assessed as indicated above.

A residential development at Lynedoch will promote and stimulate effective and equitable functioning of land markets, as it will provide for affordable housing and access opportunities for middle and lower-middle income groups by using land included in the urban edge of the node.

Given the long term development view of the node, it follows that land which could be feasibly used for agriculture will be retained for at least or more 10 years, but allowance will be made in the planning (of infrastructure and transport infrastructure and systems) for eventual development, to achieve appropriate threshold populations and economies of scale. The loss of the agricultural production on Portion 28 will thus occur over time and not immediately.

Efficiency: The proposed land development, albeit in the medium to long term, will optimise the use of existing resources and infrastructure.

The bulk of the proposed residential development is within 500m of the Lynedoch rail commuter station and a potential bus stop on Baden Powell Drive. The proposal complies with the approved Stellenbosch Comprehensive Integrated Transport Plan (CITP) policy statement, namely: *"to maximise the use of land accessible by public transport in walkable (industrial) neighbourhoods where jobs can be created without negative impact on the natural resources of the area."*

Its treated effluent can be availed to surrounding farmers for irrigation purposes, thus enhancing the viability of the local agricultural sector, making up for any loss of agricultural production on the land.

Spatial Justice: Past spatial and other development imbalances will be redressed through improved access to and use of land for affordable housing opportunities in proximity of an existing node and a public transport interchange and corridor. It is located along one of the primary movement corridors, where land development has to be considered in view of the settlement and human needs of a growing middle and lower income population.

Resilience: Spatial plans, policies and land use management systems must be flexible to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. By allowing the proposed development, it would create a more resilient spatial development pattern with limited effect on the natural or agricultural resources.

Re-use of the water consumed in the proposed node for irrigation of surrounding agricultural land will increase the resilience of the farms where it is used.

Good governance: An integrated approach to land use and land development in the area must be considered in keeping with the stated policy of the Municipality. The development of the node is supported in the Stellenbosch SDF, although only for a partial development, the argument being that the majority of the land should be retained as a visual and heritage resource. The question is which needs are to be served, those which have an effect on the health and well-being of the residents and those in need, or those who wish to retain the character of the area and trust that the provision in the needs of the people can be satisfied elsewhere?

It is only a matter of timing, i.e., whether planning and gradual development should occur in expectation of the future public transport system upgrades or prior thereto to fit in with the socio-economic needs of the growing population.

The proposed rezoning, subdivision and use of the land is "consistent with norms and standards, measures designed to protect and promote the sustainable use of agricultural land, national and provincial government policies and the municipal spatial development framework", as indicated above.

The public interest in the application and the proposals will be tested during the public participation process.

“The constitutional transformation imperatives and the related duties of the State” apply to all large-scale developments and as a result the development provides for inclusionary housing aimed at creating opportunities for those who cannot afford or do not have access to housing in the major centres due to housing backlogs and lack of available land.

“The facts and circumstances relevant to the application” indicate that the planning for the future use and development of the node will have no detrimental impact on the surrounding environment and in fact contribute to the achievement of the development objectives of the Municipality, by adding additional revenue generating property to balance the growing demand for non-revenue generating development. Moreover, as indicated in the approved Stellenbosch SDF, the precinct needs to be planned, for which purpose Annexure D illustrates development proposals in keeping with the physical and non-tangible (cultural landscape) characteristics of the site.

It is obvious that the delegated decision-maker will consider “the respective rights and obligations of all those affected”, including the needs of the existing residents of the area, with specific mention of Lynedoch EcoVillage as an organisation that serves a wider interest and community.

The state of and impact of the proposed development on engineering services, social infrastructure and open space requirements have been addressed, not the least of which in the engineering services report (Annexure I).

Section 22 (1) and (2) of SPLUMA stipulate that a Municipal Planning Tribunal or any other authority required to make a land development decision may not make a decision which is inconsistent with a municipal SDF and that such authorities may only depart from the provisions of an SDF if there are site specific circumstances that justify a departure. Although it has been shown that the proposal is consistent with the existing SDF, there are certain departures which need to be considered in view of the argument that proactive long-term planning for and a phased development should be considered to ensure efficiencies and economies of scale in the development.

3.8 Provincial planning

The principles referred to in Chapter VI of the Western Cape Land Use Planning Act, 2014 (LUPA), with specific reference to spatial justice, spatial sustainability, efficiency, and good administration have all been considered, as are elaborated on above. In addition, the proposal adheres to the policy guidelines of the Western Cape Provincial Spatial Development Framework (PSDF).

- ✓ The PSDF focuses strongly on densification and intensification of urban areas to achieve its desired outcomes. The average gross residential density of urban areas should increase to 25 units / ha before extensions to an urban edge are considered. The proposed development is within the designated urban edge of the Lynedoch node, but the proposed use of the land is limited to a small footprint which will cause the development densities in the node to be

significantly lower than sustainable from a service delivery perspective. A low density development which retains the area surrounding Lynedoch as a cultural landscape conservation area will cause the development not to achieve the population thresholds essential for the establishment of efficient public transport systems and services infrastructure for amongst others affordable (inclusionary) housing. The proposal for the development of a feasible urban node at a major transport interchange is consistent with the PSDF.

- ✓ The policy of more intense use of nodes and urban core areas further requires consideration of the bio-physical environment, cultural heritage, municipal infrastructure services and social infrastructure issues and factors. The purpose of densification and best use of scarce land resources in appropriate locations, is primarily to maintain sustainable supplies of natural resources, for food production and ecological functioning, which are not relevant to the subject property. The PSDF seeks to achieve more economical use of municipal services infrastructure and community facilities, provide for efficient public transport services, and reduce traveling distances to a variety of opportunities. The proposed development is aligned to the policy as illustrated above.
- ✓ The proposed use of the property inside of an identified node and abutting an existing public transport interchange for a development aimed at affordable medium to high density residential use containing retail opportunities and community facilities is aligned to the PSDF. It contributes to intensification and densification of the Lynedoch node, and it leads to improvement of the efficiencies in service provision as indicated above. It does not diminish the supply of ecological or agricultural resources, opportunities for redress, or improved spatial integration with access to land for those previously dispossessed.

3.9 SPLUMA principles

The principles referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013, Act 16 of 2013 (SPLUMA) have been and are addressed in the process. The following table contains a summary of the principles and how these are addressed in the planning application:

A. Spatial Justice	
a. Redress	Redress is achieved by reversing the effects of past socially and spatially segregated development. Lynedoch EcoVillage is a prime, albeit small-scale, example of an integrated development where redress is core to the planning and management of the settlement. The proposed extension of the node and rezoning of the property does not place any impediment on the Municipality and the community to redress the spatial development imbalances of the past.
b. Inclusion	The proposed development would attract residents from all socio-economic groups, while creating additional employment and residential opportunities in an area where the demand for such opportunities exceeds the supply, as highlighted in the IDP. The development will specifically contribute to the creation of an integrated community, amongst others by the provision of

	inclusionary housing and affordable opportunities for those who do not have such choice inside of Stellenbosch.
c. Flexibility for all types of settlements	The surrounding area is characterised by commercial and agricultural-industrial uses, with limited provision of affordable residential opportunities. The proposed mixed-use and residential development would counter the pattern and allow for better resource use and the supply of community facilities where such are in demand.
d. Tenure and informality	Informality and tenure are not affected by the proposal. Instead, the proposed development will create opportunities for the residents who reside on farms in the area and who have no alternative choices, to acquire accommodation in the area and to thus remain within the social environment of their choice.
e. Settlement upgrading	Settlement upgrading is achieved in the process, by increasing the number of residents in Lynedoch who have to share the burden of cost of providing and maintaining private services in lieu of a municipal supply. The limited agricultural use of the land makes no contribution to the socio-economic situation of Lynedoch and its contribution to the agricultural sector is minimal and not sustainable.
f. Responsive	The proposed use is in response to the need for better utilisation of the existing resources and improved socio-economic opportunities in view of a growing population and a demand for affordable housing in the municipal area.
B. Spatial Sustainability	
a. Capacity of state	The Municipality does not have the capacity to provide the bulk services required for the proposed development. Any development on the land requires capital investment and infrastructure development, which must be provided by the developer in conjunction with the Lynedoch EcoVillage board and must be affordable and sustainable. In view thereof, and the growth trajectory foreseen for the Stellenbosch municipal area and all nodes in it, the infrastructure must be planned, designed, and provided with a proactive view to a future scenario where full development is achieved over the long-term.
b. Food security	Food security is not affected by the proposal, as the farm does not provide food and its grape production is uneconomical and not sustainable.
c. Environmental sustainability	Considering that the environment consists of three elements, namely: social, economic, and bio-physical, the proposed development does contribute to environmental sustainability. It is in proximity of an existing urban settlement, where infrastructure services are already provided, albeit not efficiently, and major transport infrastructure. It could thus lead to decreased traffic movements and increased use of public transport, if or when such is developed, and contribute to the more efficient provision of infrastructure and social services to the local community. The use does not have any known negative environmental effect.
d. Land markets	The proposed use does not diminish the supply of affordable land intended for the provision of subsidised housing or community facilities and better utilises existing underutilised land partially designated for urban development in the SDF.

e. Costs of infrastructure	Engineering services infrastructure need to be provided for the proposed development at the cost of the developer, as the envisaged development is premature for the area in terms of the SDF. The existing services in the area are also privately provided by Lynedoch EcoVillage. Increased numbers of users would create economies of scale for the services provision and make it more affordable and sustainable for the residents.
f. Sustainable settlements	Settlement sustainability includes amongst others, the efficiency of use of existing properties. As indicated above, the better use of the property through an intensive development will contribute to the creation of sustainable settlements as in the example of Lynedoch Village. Sustainability also requires the achievement of certain population thresholds, e.g., for the provision of efficient public transport, to which end the larger development scenario is essential.
g. Innovation	The proposed development will borrow from the innovation as implemented by Lynedoch EcoVillage.
h. Context specific development	The context specific development in response to the spatial planning challenges and policies is described above.
C. Efficiency	
a. Optimises use of existing resources	As indicated above, the better and diversified use of land resources in the designated node will lead to the optimisation of resource use and the availing of more resources to surrounding farms which are better suited to production.
b. Processes to limit negative impact	The negative impacts of the development have been identified by the various specialist assessments and appropriate mitigation measures recommended. The negative effects are mostly on the non-tangible aspects of the environment, which will change over time, and which need to be balanced with the human needs.
c. Streamlined processes	Land use consideration and development processes need to be efficient to ensure rapid delivery of services in response to needs and demand, especially in the current environment where demand for housing outstrips supply.
d. Innovation	None.
e. Spatial Performance Management	Spatial performance is a reflection of how a development was planned and implemented and should be a reflection of the community in which it exists. The continuous growth of housing in the informal sector, which does not only provide for the poor, but out of necessity also for those who can afford but cannot get access to housing opportunities, illustrates a lack of performance. The initiatives of the private sector to assist in the long-term planning for and provision of housing solutions should be supported by all relevant authorities.
f. Development Planning Tools	The Municipality needs to allow for proactive planning to efficiently respond to development pressures and needs. By allowing and managing proactive planning, it reduces reactive applications and shortens the timelines for decision-making and development implementation.
g. Institutionalise for Efficiency	As above, proactive planning and development processes need to be accepted by the Municipality to lead to efficiencies in the development process and resultant willingness of investors to support development projects aligned to the spatial development strategies of the Municipality.

D. Resilience	
a. Sustainable livelihoods	The better use of the under-utilised and uneconomical farm land and integration of the development with the existing Lynedoch Village will improve the socio-economic outlook for people who cannot find such opportunities in the existing nodes. A developed node with the required threshold population will make the node more sustainable and contribute to the provision of amongst others public transport.
b. Resilience against shocks [avoid + bounce back ability]	The development is expected to have positive socio-economic effects. As a result, it should improve the resilience of the receiving community without any predicted negative effects that could jeopardise their situation.
c. Innovation	The proposed development will borrow from the innovation as implemented by Lynedoch EcoVillage.
d. Context specific	The resilience of Lynedoch Village and the receiving community is improved by the development, as it creates new community facilities and a threshold population to better contribute to the sustainability of the community. The increased number of residents will also increase the revenue derived for better maintenance of the services.
e. Flexibility	The proposed development adds to the range of choice and opportunities for those who do not have access to affordable residential opportunities and accommodation. It further provides for flexibility in the larger Stellenbosch area, as not all people need or can afford to reside in the major towns where the cost of housing is out of their reach.
E. Good Administration	
a. Planning Decision-making tools	The Municipality needs to consider the proactive planning of large-scale developments with socio-economic benefit and work with private sector investors as indicated in the SDF to deliver projects which deliver on identified needs. As illustrated above, the proposed development, although partially premature and larger than envisaged in the SDF, has long-term solutions for the growth envisaged for the municipal area and arguably in a location far better suited to such development, within walking distance of existing major transport infrastructure, than most other alternatives available to the Municipality.
b. IGR and integrated approach	A full suite of applications is required for consideration of the proposed development. Cognisance should thus be taken of all specialist assessments and decisions, to come to a rational decision on the planning of the proposed long-term phased development.
c. Meet time frames	As part of the decision-making system, the Municipality must provide a decision-making process program and continuously update the system to ensure the meeting of timeframes.
d. Transparency	Meetings and communications regarding the proposed development need to be recorded and shared, leading to transparency in the consideration and decision-making process.
e. Community empowerment	Public participation for development applications ensures that those stakeholders who could potentially be affected by the proposed development have the opportunity to give input on the development proposal. In this instance the Lynedoch EcoVillage board plays an important role, as the proposed development has direct effect on the Village and its residents.

f. Spatial Performance Management	Performance is to be measured against the success of the development in uplifting the surrounding area and improving the socio-economic situation. It remains to be assessed, but it is predicted to be beneficial.
g. Values	As indicated above, the evaluation of the proposed development will require a fine balance between the socio-economic needs of the those who have few choices and those who seek to protect a specific cultural development pattern.

3.10 Engineering services

3.10.1 The proposed rezoning and development of the site will generate additional traffic, which is addressed in the TIA in Annexure K.

3.10.2 The engineering services report in Annexures L indicate that: -

- Sewerage and water capacity is sufficient. Currently there are no existing municipal sewer or water services in close proximity to the site. The GLS capacity report confirmed that there is sufficient capacity available at the Blaauwklippen pump station.
- Solid waste will be managed privately for the development.
- Stormwater management for the development has been planned and a management plan has been prepared for the proposed development.

3.11 Specialist assessments

The following section is a summary of the specialist assessments of the development proposal were undertaken. It provides further information to be evaluated in consideration of the application and motivation for the approval thereof.

3.11.1 Agricultural Agro-Ecosystem Specialist Assessment – May 2023

Agri Informatics natural resource specialists conducted an Agricultural Agro-Ecosystems Specialist Assessment of Portion 28 of Farm 468, Stellenbosch RD as part of the suite of specialist assessments to guide the application and authorisation processes (*refer Annexure Q*). The assessment included a site sensitivity verification, a soil survey, topographical assessment, climatological assessment, an assessment of water resources, an agricultural potential assessment, and an assessment of the potential impact of the proposed development.

The assessment found that the development will transform ± 29 ha net farmland that was used for wine grape production over the past three decades or more. The soil potential varies between low to medium high, with ± 35 ha being suitable for irrigated perennial crop production – including road areas. The farm only has access to a very limited supply of groundwater for irrigation.

The exact yield is unknown and appears to be unregistered, but is calculated at 80 m³/day, sufficient for the irrigation of less than 3 ha wine grapes, which is not regarded as a viable farming option. Given the demarcation of the urban edge around this property, the conversion of the land over the medium to long term is regarded as inevitable. A portion of the proposed development appears to be aligned with the Lynedoch precinct development plan of the Municipal Spatial Development Framework of Stellenbosch Municipality.

The proposed development is of semi-high density and will establish almost 35 residential opportunities per hectare. Being a wine grape farm, the land does not directly contribute to food security, but does provide meaningful job opportunities at present and in the near future. It has been demonstrated that the current farming activities are not sustainable unless an additional source of irrigation water can be secured. It is believed that a development on this site will contribute to the retention of higher value agricultural resources elsewhere in the Stellenbosch or surrounding municipal areas and is therefore supported.

3.11.2 Cultural history

As reported under 3.2.6 and 3.5.2.

3.11.3 Archaeology

The archaeological report indicates that the area proposed for the development yielded some cultural remains but with varied value and preservation. The lithic scatter artefacts in the study area are typical of the transformed agricultural landscape of Stellenbosch and have limited value considering that they have been accumulated and modified to their current ex situ state. The anticipated negative impact of the proposed development on the archaeological resources is considered low due to the degraded and heavily transformed nature of the landscape from centuries of agricultural use.

Archaeological Impact Assessment report concludes that the proposed development, with recommendations, will not negatively impact on the archaeological heritage resources of the site and should be allowed to proceed.

3.11.4 Ecological

The environmental authorisation application will address this.

3.11.5 Socio-economic

As reported under 3.2.1.

3.11.6 Urban design

The urban design concept and landscaping proposals are indicated in report by Terra+ (*Annexures H and I*). The urban design and landscaping framework takes into consideration the bio-physical environment as well as the proposals made in the visual impact assessment.

3.12 Urban development concept

The concept for the development of the land in response to the spatial planning challenges and policies is based on the following strategies:

- A long term phased development with the gradual change from agricultural use to urban development.
- Facilitation of the provision of bulk municipal services infrastructure and improved access to the node.
- Mixed-use development focused on the provision of residential opportunities within walking distance of public transport, albeit currently dysfunctional, and the provision of much-needed affordable housing.
- Retention of the natural systems and the creation of green space to enhance the gateway effect as required in the spatial development policy.
- Protecting the view sheds off Baden Powell Drive through building placement and urban design.
- Maximising residential densities and creating educational opportunities and opportunities for daily needs within walking distance of the transport interchange and in a walkable neighbourhood.
- The integrated development of affordable and economic housing with appropriate value management measures included in the title conditions of the affordable housing to ensure its long term retention.
- An economically viable and economically sustainable development

Primary land use and urban development proposal:

- Approximately 800 - 900 residential opportunities to be established on the property over the long term at densities of 45 – 80 units per hectare.
- Educational and local retail / commercial facilities aimed solely at providing for the needs of the local residents, i.e., in the functional area of influence (or primary market area as in the Demacon Mixed-use Market Study, September 2023).
- Green corridors through and along the boundaries of the development.
- A green buffer along the north-eastern boundary.
- Retention of the usable agricultural resources to create a transition from urban to agricultural use in keeping with the landscape character area indicators.

Connectivity and accessibility:

- Establish a road connection to provide improved access to Baden Powell Drive and employment destinations.
- Develop non-motorised facilities along all new and upgraded road infrastructure.
- Interact with the relevant authorities for the establishment of public transport systems to serve the node.

- Maintain visual and green movement corridors throughout the development to facilitate pedestrian access to the existing Lynedoch Village.
- Provision of an optic fibre network throughout the development to allow for connectivity of all properties.
- Facilitation of public access to the non-residential uses in the core area and interconnectivity with the existing Village.

Open space structure:

- Create green corridors to link existing water features / stream lines with open space networks and stormwater retention facilities where run-off can be filtered before entering the natural system.
- Use urban design to interconnect the development with the surrounding agricultural and undeveloped land.
- Develop the open spaces as part of the development to enhance its visual and social attraction.

Social structure:

- Management of all aspects of the development by property owners, acting as service provider for municipal services.
- Establishment of a property owners' association for the management of the development and infrastructure services.
- Open development with publicly accessible private streets, open spaces, and facilities managed by the property owners' association.
- Provision of private education facilities for resident learners and open to the public.

The proposed planning and phased development of the property contribute to intensification and densification around existing urban nodes in proximity of major transport interchanges, corridors, and infrastructure by development that improves the efficiencies in service provision as set out above, on under-utilised land within an identified urban node and in an area of need where housing demand outstrips supply. It does not diminish the supply of ecological or commercially viable agricultural resources and does not have any significant negative effect on the surrounding agricultural area.

4. CONCLUSION

The above application for the consideration of the rezoning and subdivision and approval of the long-term development can be considered favourably, as the proposed development is aligned to the spatial policies applicable to the development of the designated nodes and will contribute to provision of community facilities, housing, and infrastructure services.

ANNEXURE A: LOCALITY

ANNEXURE B: APPLICATION FORM

ANNEXURE C: APPLICATION AUTHORISATION

ANNEXURE D: TITLE DEED

ANNEXURE E: CONVEYANCER'S CERTIFICATE

ANNEXURE F: DIAGRAMS

ANNEXURE G: MARKET ASSESSMENT STUDY

ANNEXURE H: SITE DEVELOPMENT PLAN

ANNEXURE I: LANDSCAPE FRAMEWORK

ANNEXURE J-1: PROPOSED SUBDIVISION PLAN

ANNEXURE J-2: PHASING AND LAND USE PLAN

ANNEXURE J-3: STREETNAMES PLAN

ANNEXURE K: TRAFFIC IMPACT ASSESSMENT

ANNEXURE L: ENGINEERING SERVICES REPORT

ANNEXURE M: SERVICES SERVITUDE PLAN

ANNEXURE N: STORMWATER MANAGEMENT REPORT

ANNEXURE O: ELECTRICAL ENGINEERING SERVICES REPORT

ANNEXURE P: VISUAL-CULTURAL LANDSCAPE IMPACT ASSESSMENT

ANNEXURE Q: AGRICULTURAL POTENTIAL ASSESSMENT

ANNEXURE R: PROPERTY OWNERS' ASSOCIATION CONSTITUTION

ANNEXURE S: ENVIRONMENTAL BASIC ASSESSMENT REPORT