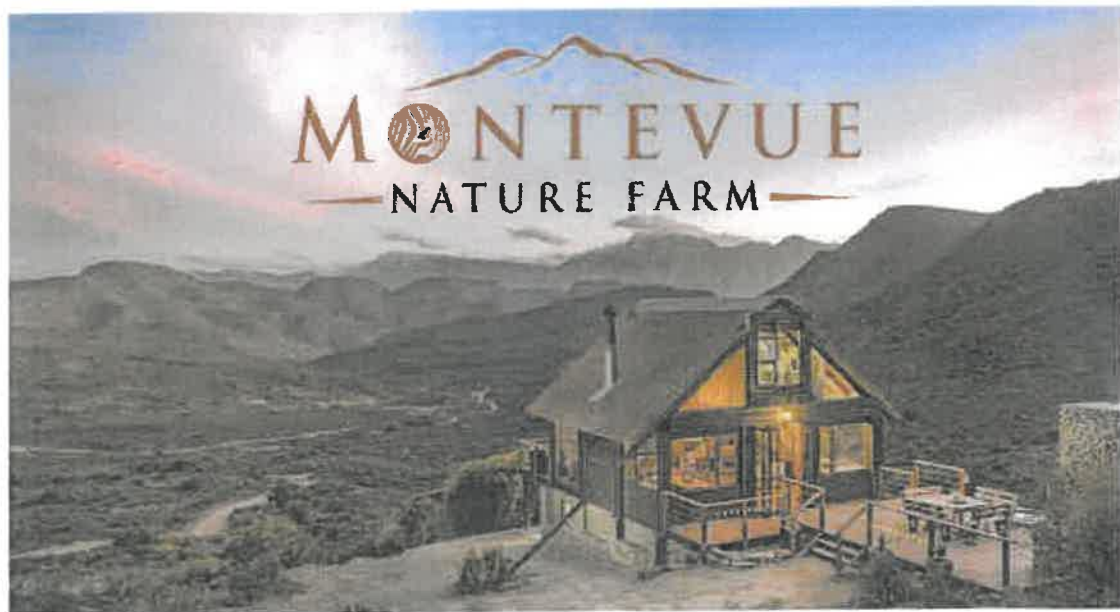


APPLICATION FOR CONSENT USE:- THE FARM NO. 225 (MONTEVUE), MONTAGU, CONSENT USE ON AGRICULTURAL ZONE I FOR MAIN HOUSE AS GUEST HOUSE, TWO ADDITIONAL DWELLING UNITS (EXISTING) FOR FARM HOLIDAY ACCOMMODATION PURPOSES, 1 EXCLUSIVE CAMPING SITE (3 BUSHTRAILERS OR TENTS) AND AN OFF-ROAD TRAIL



Posbus / PO Box 963
Worcester
6849

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MARTIN Oosthuizen:- 082 5655 835

CLIENT:- MONTEVUE GUEST FARM

Date:- MAY2022
Ref.:- #MON/1190

DEFINITIONS:-

#MON/1186

"Act"	:-	Langeberg Municipality Land Use Planning By-Law, 2015
"Scheme Regulations"	:-	Langeberg Municipality Integrated Zoning Scheme, 2018 (LIZS)
"Consent use"	:-	In terms of section 15(2)(o) of the Langeberg Municipality Land Use Planning By-Law
"Land owner"	:-	Montevue Guest Farm Proprietary Limited
"Property"	:-	The Farm No. 225, Montagu
"Application"	:-	Application for consent use on Agricultural zone I for:- ❖ Existing main dwelling house as guest house, ❖ Two existing dwelling units as two additional dwelling units to be used for short term rental for farm holiday accommodation purposes, ❖ 1 Camp site (3 bush trailer or 3 tents), and ❖ Off-road trail.
"Conditions"	:-	In terms of the Langeberg Municipality Land Use Planning By-Law

INTRODUCTION:-

#MON/1190

Motivation report

1. Introduction
2. Purpose
3. The property
 - 3.1 Property description
 - 3.2 Location
 - 3.3 Total extent
 - 3.4 Ownership
4. Existing and surrounding land uses
5. Proposed consent use
6. Title deed:- T 35382/2019
7. Zoning scheme By-law
8. Location and accessibility of the property
9. Services
 - 9.1 Water
 - 9.2 Refuse disposal
 - 9.3 Electricity
 - 9.4 Sanitation
 - 9.5 Storm water
 - 9.6 Access Road Infrastructure
10. Need and Desirability
11. Opportunities
12. Closure

Plans

- Plan 1:- Regional setting:- 1:250 000
Plan 2:- Locality plan:- 1:50 000
Plan 3:- Site Development plan

Annexure

- Annexure A:- Application form for Consent use
Annexure B:- Power of Attorney
Annexure C:- Title deed:- T 35382/2019
Annexure D:- LG diagram

MOTIVATION REPORT:-

APPLICATION FOR CONSENT USE:- THE FARM NO. 225 (MONTEVUE), MONTAGU, CONSENT USE ON AGRICULTURAL ZONE I FOR MAIN HOUSE AS GUEST HOUSE, TWO ADDITIONAL DWELLING UNITS (EXISTING) FOR FARM HOLIDAY ACCOMMODATION PURPOSES, 1 CAMP SITE (3 BUSHTRAILERS OR TENTS) AND AN OFF-ROAD TRAIL

#MON/1190

1. INTRODUCTION

BolandPlan Town and Regional Planning, was appointed during 2021 by Albertus Petrus Engelbrecht sole owner of Montevue Guest Farm Proprietary Limited, the registered land owner of The Farm No. 225, Montagu to apply for an application for consent use on subject property.

The owner of the property needs to legalize the existing structures illegally used for short-term holiday accommodation but he sees this as an opportunity in the rural landscape, and to operate the existing structures in a sustainable and viable manner by means of this consent use application for the secondary uses available on Agricultural zone I.

BACKGROUND:-

Many years ago, this property was presumably part of a bigger property where people farmed with sheep and cattle. Some structures still exist, such as the Karoo Stone Cottage, old fencing and some of the dams, and the old 1929 Studebaker car wreck. Later people used this farm for game farming, and also small-scale olive farming, but then a new owner bought the farm and unfortunately it was very neglected for almost 12 years, until the current owner saw the potential and bought it in 2019. The farm was named "Montevue" (Mountain Views).

Their initial vision for it was to become a nature farm for a weekend getaway for their family and friends. The main reason for getting it, was for them to unwind, relax, and feel at totally at peace in nature, without stress. They also want to expose their children, who currently live in Cape Town, to nature and the Karoo – a simpler life. They want to teach them to break away from the hustle and bustle of city life and technology to simply enjoy nature and everything it has to offer, just like they did when they grew up in the country side. We believe there is a lot of value in taking a break to enjoy a simpler life and to get away from technology and the stress and fast pace of the city. It means wonders for their family, relationship and their children.

The vision for Montevue:- They want people to share their passion for the Karoo and unspoiled nature. They fixed up and restore the existing structures on the property, keeping it eco-friendly, but also luxurious, unfortunately they did not know that it was illegal to rent it out for short term guest accommodation prior to Council approval.

Existing tracks on the property can be used for hiking and MTB and guests can explore the farm and enjoy this unique part of the Karoo.

The owners end vision includes relocating previously indigenous game like Springbok, Gemsbok, Mountain Zebra and Eland in conjunction with CapeNature, to join current species like Mountain Reedbuck, Steenbok, Duiker and Kudu so that people can view and enjoy the wild animals that roam the property. The old dams on the property were restored, filled with water and fish.

2. PURPOSE

The purpose of this report is to apply and motivate the need and desirability of an application for consent use in terms of Section 15 of the Langeberg Municipality Land Use Planning By-Law, 2015:-

- ❖ Existing structure as main dwelling house as part of the primary use on Agricultural zone I proposed with a consent use to be used as guest house,
- ❖ Two existing dwelling units as two additional dwelling units on Agricultural zone I for short term guest accommodation purposes,
- ❖ Consent use on Agricultural zone I for an existing small camp site (3 bush trailers or tents), and
- ❖ Off-road trail (existing jeep track).

For municipal processing purposes the application can be described as such:-

APPLICATION FOR CONSENT USE:- THE FARM NO. 225 (MONTEVUE), MONTAGU, CONSENT USE ON AGRICULTURAL ZONE I FOR MAIN HOUSE AS GUEST HOUSE, TWO DWELLING UNITS (EXISTING) AS TWO ADDITIONAL DWELLING UNITS FOR FARM HOLIDAY ACCOMMODATION PURPOSES, 1 CAMP SITE (3 BUSHTRAILERS OR TENTS) AND AN OFF-ROAD TRAIL

3. THE PROPERTY

3.1. Property description:-

The Farm No. 225, Langeberg Municipality, Division Montagu, Province of the Western Cape. Applicant title deed T 35382/2019 attached as Annexure C.

3.2. Location:-

The picturesque site is located north east of Montagu in the Municipalities jurisdiction area. Applicant property is in the magisterial district of Montagu, and falls within the administrative jurisdiction of Langeberg Municipality.

Google coordinates:-

- ❖ 33°45'34.08" S
- ❖ 20°14'03.00" E

3.3. Total extent:-

The Farm (Montevue) No. 225, Montagu:- 1 052,9306 ha.

3.4. Ownership / Title Deed:-

The property is owned by Montevue Guest Farm Proprietary Limited as confirmed in the Title Deed with number T35382/2019. Petrus Albertus Engelbrecht is the only director of Montevue Guest Farm PTY LTD. A copy of the subject property's Title Deed has been attached as Annexure C.

A study of the deed was undertaken and it was determined that no restrictive conditions have been registered within the deed, that may prohibit the proposed development from taking place. Please note that there is no bond registered on this property.



4. EXISTING AND SURROUNDING LAND USE

Existing land use:-

The property is zoned as Agricultural zone I.

The primary use on Agricultural zone I is Agricultural, which is defined as:-

The cultivation of land for raising of crops and other plants, including plantations, the keeping and breeding of animals, birds or bees, stud farming, game farming, riding school or natural veld, and – Includes:-

- ❖ *The harvesting, packing, cooling, storing, packing and packaging of agricultural produce grown on that land unit and surrounding farms;*
- ❖ *Harvesting of natural resources limited to living organisms for delivery to the market;*
- ❖ *Agricultural buildings or infrastructure that are reasonable connected with the main farming activities, including a dwelling house, one farm manager's dwelling and agricultural worker accommodation at an appropriate scale relating to the proposed farming activity;*
- ❖ *Telecommunication and electricity lines;*
- ❖ *Rooftop base telecommunication stations;*
- ❖ *Crèche; and*
- ❖ *Packing store.*

The primary use includes the dwellings built on the property as part of the primary use but not the secondary use thereof for short term farm holiday accommodation purposes.

Consent uses on Agricultural zone I applicable to this application are:-

- ❖ Guest house;
- ❖ Farm managers house (no farming activity on the property so this could also be seen as an additional dwelling unit) for guest accommodation;
- ❖ Second dwelling for guest accommodation;
- ❖ 1 Small camping site (3 bush trailers or tents); and
- ❖ Off-road trail

Guest house in this case means:-

A dwelling house, second dwelling or additional dwelling unit that is used for the purpose of supplying lodging and meals to transient guests for compensation. Interesting to note that this does not include the term manager's house.

Additional dwelling units in this case means:-

A dwelling unit that may be erected on an agricultural land unit with the consent of the Municipality, in addition to a primary dwelling house, farm manager's accommodation, or agricultural worker accommodation for bona fide agricultural workers.



CAPE FARM MAPPER IMAGE OF THE SITE:- FARM MONTEVUE NO. 225, MONTAGU

Camping site in this case means:-

Land set aside for camping where tents or caravans are used for short term accommodation of transient guests and may include facilities for use by guests including facilities for outdoor food preparation, resort shop, road access for vehicles, picnic facilities, raised platforms on which to set up tents or caravans, ablution facilities, communal scullery and laundry facilities and waste disposal facilities.

Off-road trail in this case means:-

A series of roads, tracks and routes designed for recreational use and includes buildings and facilities normally required for the administration and maintenance of the trail and does not include tourist accommodation or tourist facilities.

Surrounding land use in the rural area includes the following:-

- ❖ Mountain land with limited farming operations.
- ❖ Guest accommodation.

The dwelling units applicable to this application are all existing although not with Municipal building plan approval as primary dwellings.

1 Labourer cottage and 1 shed (storage) is existing buildings on the property.

The surrounding area has a rural-agricultural character and is characterized by the surrounding scenic landscapes.

5. PROPOSED CONSENT USE / DEVELOPMENT

APPLICATION FOR CONSENT USE:- THE FARM NO. 225 (MONTEVUE), MONTAGU, CONSENT USE ON AGRICULTURAL ZONE I FOR MAIN HOUSE AS GUEST HOUSE, TWO DWELLING UNITS (EXISTING) AS TWO ADDITIONAL DWELLING UNITS FOR FARM HOLIDAY ACCOMMODATION PURPOSES, 1 CAMP SITE (3 BUSHTRAILERS OR TENTS) AND AN OFF-ROAD TRAIL

The objective of this application is for the establishment of accommodation opportunities in the rural landscape, without the fragmentation of agricultural land or to the detriment of the natural environment.

It is proposed to achieve the above goal, within the existing Agricultural zone I zoning of this property. This can be done with the establishment of the existing main house as guest house, two existing dwelling units as two additional dwelling units for short term guest accommodation and 1 small camping site (3 bush trailers or tents).

The land use rights can be obtained with an application for footprint areas for consent use on Agricultural zone I for main house as guest house, two existing dwellings as two additional dwelling units for short term guest accommodation purposes and 1 small camp site (3 bush trailers or tents) in terms of Section 15(2)(o) of the Langeberg Municipality Land Use Planning By-Law.

As the property has an extent of 1 052,9306 ha the owner can apply for the maximum number of additional dwelling units for farm holiday accommodation purposes as proposed.

Additional dwellings mean dwelling units that may be erected with the consent of the Council on a land unit in Agricultural zone I; one additional unit in all cases and further units with a density of one unit per 10 ha may be allowed.

Provincial policy on the number of additional dwelling units that may be permitted on a specified property in general, can be found in the new Western Cape Land Use Planning Guideline:- Rural Areas, 2019. In the Agricultural zone I, one additional dwelling unit may be allowed, and further additional dwellings are permitted with the consent of the municipality for every 10 ha of farm area (up to a maximum of 5 after which no further additional dwelling units permissible).

Should applications therefore be made for a small number of holiday units on a farm, it may thus be dealt with as a consent use application, remembering that the additional units could never be alienated separately from the farm.

The scale density and type should always be determined with due recognition of the impact on the rural / agricultural landscape.

Department of Environmental Affairs and Development Planning suggest a maximum permissible footprint size of 175 m² per unit.

Langeberg Municipality's new Integrated Zoning Scheme refers to a maximum permissible footprint size of **150 m²** per unit.

Activities proposed:-

1. Existing Cabine des Agnes **main dwelling house** as part of the primary use on Agricultural zone I proposed with a consent use to be used as guest house;
2. White house is an existing illegal dwelling/house proposed as an **additional dwelling unit** for short term guest accommodation purposes;
3. Hunters cabin is an existing illegal dwelling/house proposed as an **additional dwelling unit** for short term guest accommodation purposes;
4. Consent use on Agricultural zone I for **1 a small exclusive camp site** (max 3 bush trailers or 3 tents);
5. Consent use on Agricultural zone I for existing gravel road and jeep track to be used as an **off-road trail** for guests with 4X4 vehicles and cycles.

**Activity 1:- Existing main farm dwelling house proposed as guest house:-
CABINE DES AGNES**

A main farm dwelling house is part of the primary use on Agricultural zone I.

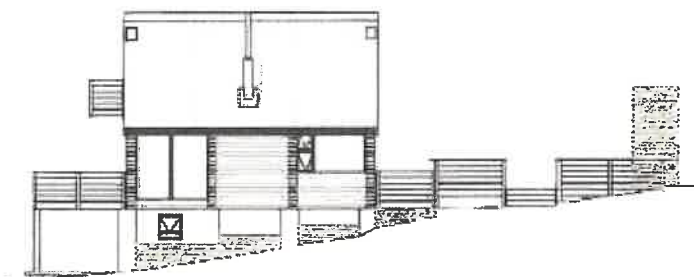
The existing main dwelling house was built by a previous land owner during 2003 with a new expansive decking that covers a total development footprint of ± 500 m², this dwelling is proposed to be used for short term holiday accommodation, this action triggers a consent use for main house as guest house on Agricultural zone I.

Guest house is listed as a consent use under the primary zoning of Agricultural zone I in LISZ. Guest house in this case means a dwelling house that is used for the purpose of supplying lodging and meals to transient guests for compensation, in an establishment that exceeds the restrictions of a bed and breakfast establishment (more than 2 guest rooms or 4 guests).

There is a restriction on 6 bedrooms but not on the footprint size.



EXISTING MAIN FARM DWELLING HOUSE PROPOSED AS GUEST HOUSE



EAST ELEVATION

1:100



SOUTH ELEVATION

1:100



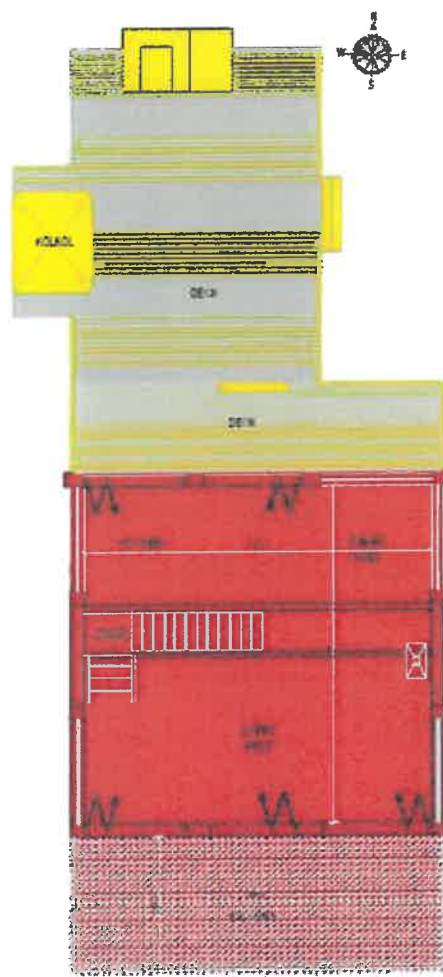
EXISTING MAIN HOUSE BUILT DURING 2003, RENOVATED RECENTLY BY NEW OWNER

CABINE DES AGNES footprint size is on 500 m² that will include:-

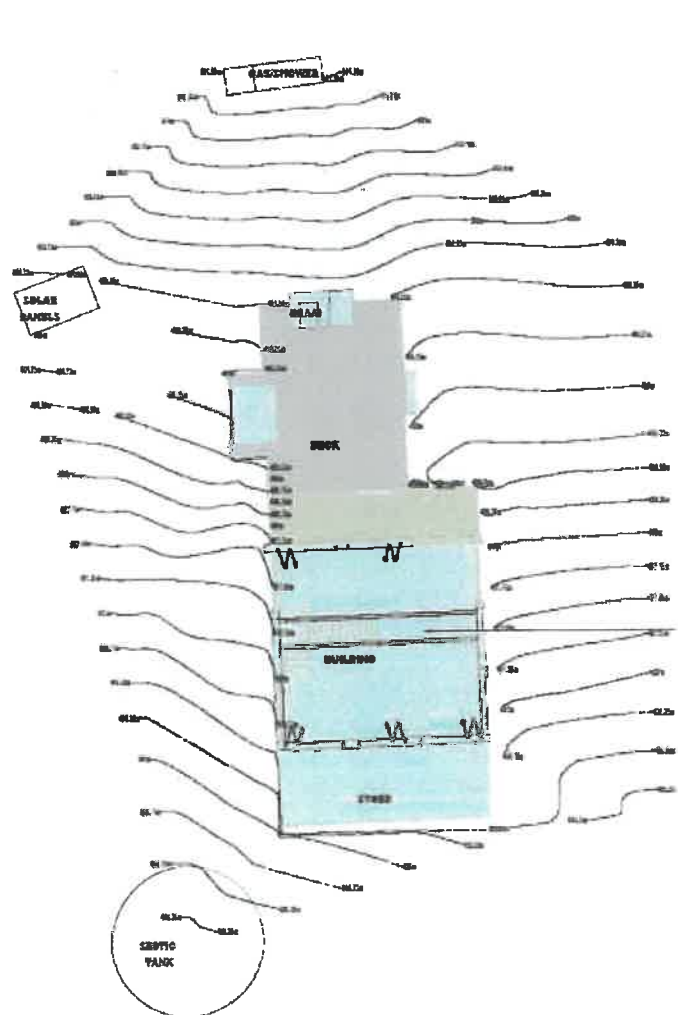
- ❖ The 3-level dwelling unit;
- ❖ Outside wooden decking;
- ❖ Outside braai area;
- ❖ Outside hot tub; and
- ❖ Outside bathroom.

Water source:-

- ❖ Borehole water on the property not suitable for human consumption but used for cleaning, flushing of toilet and shower/bath.
- ❖ Shop bought bottled water used for drinking and cooking purposes.



FIRST FLOOR PLAN



EXISTING MAIN HOUSE FOOTPRINT PLAN

Electricity:-

- ❖ No ESKOM or Municipal power distribution available at site.
- ❖ Self-sufficient with solar system connected to battery pack.
- ❖ Gas geyser and gas cooker.

Sewerage system:-

- ❖ Existing septic tank with french drain.

Access:-

- ❖ Connected to existing gravel road.

CBA:-

- ❖ Dwelling is inside an earmarked Critical Biodiversity Area.

Activity 2:- Existing dwelling as additional dwelling unit on Agricultural zone I to be used for short term farm holiday accommodation purposes:- THE WHITE HOUSE

The existing 'The Whitehouse' dwelling/house was built by the previous owner during 2003.

A consent use on Agricultural zone I is needed for the existing dwelling/house to be an additional dwelling unit to be used for short term farm holiday accommodation purposes.

THE WHITEHOUSE LUXURY ECO-CABIN footprint size is on **91,81m²** that will include:-

- ❖ The one-bedroom dwelling unit of 40,45 m²;
- ❖ Outside decking of 51.36 m²;
- ❖ Outside shower; and
- ❖ Outside hot tub.

Water source:-

- ❖ Borehole water on the property not suitable for human consumption but used for cleaning, flushing of toilet and shower/bath.
- ❖ Dwelling supplied with shop bought bottled water for drinking and cooking purposes.

Electricity:-

- ❖ No ESKOM or Municipal power distribution available at site.
- ❖ Self-sufficient with solar system connected to battery pack.
- ❖ Gas geyser.
- ❖ Gas cooker.

Sewerage system:-

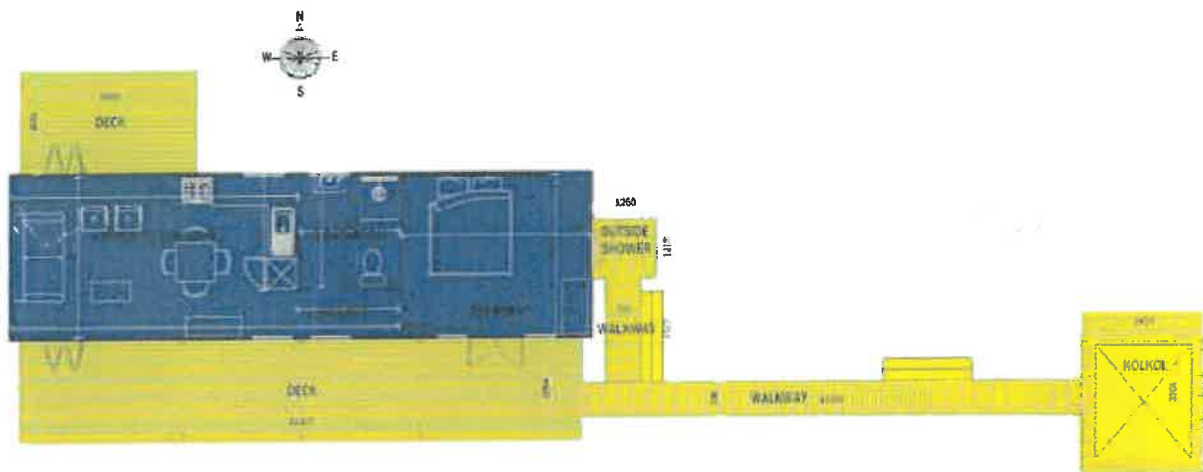
- ❖ Existing septic tank with french drain.

Access:-

- ❖ Existing gravel road.

CBA:-

- ❖ Dwelling is inside an earmarked Critical Biodiversity Area.



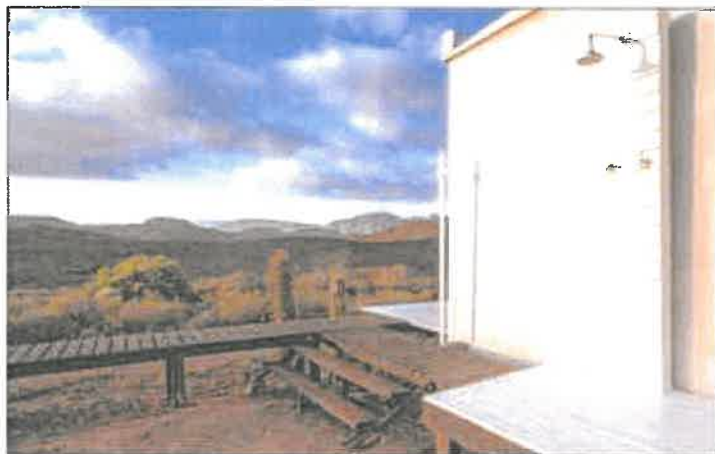
Site plan of THE WHITEHOUSE



Position of the THE WHITEHOUSE with existing jeep track leading up to the dwelling



IMAGES OF THE EXISTING DWELLING/HOUSE:- THE WHITEHOUSE

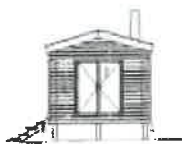


**Activity 3:- Existing dwelling as additional dwelling unit on Agricultural zone I to be used for short term farm holiday accommodation purposes:-
HUNTER'S CABIN**

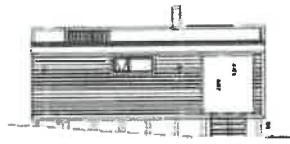
Hunter's cabin is an existing compact dwelling/house that was illegally built by the new land owner during 2020.

Hunter's cabin can be legalized as an additional dwelling unit consent on land zoned as Agricultural zone I to be used for short term guest accommodation purposes.

The footprint size of the existing dwelling/house is **33,48 m²**.



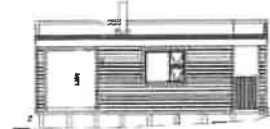
◆ NORTH EAST ELEVATION --



◆ SOUTH EAST ELEVATION --



◆ SOUTH WEST ELEVATION --



◆ NORTH WEST ELEVATION --



POSITION OF THE 2nd DWELLING

HUNTER'S CABIN footprint size is on 33,48m² that will include:-

- ❖ One-bedroom open plan dwelling unit;
- ❖ bathroom; and
- ❖ Outside stoep.

Water source:-

- ❖ Water collection from roof.
- ❖ Dwelling supplied with shop bought bottled water for drinking and cooking purposes.

Electricity:-

- ❖ No ESKOM or Municipal power distribution available at site.
- ❖ No solar system.
- ❖ Gas geyser / Gas cooker.

Sewerage system:-

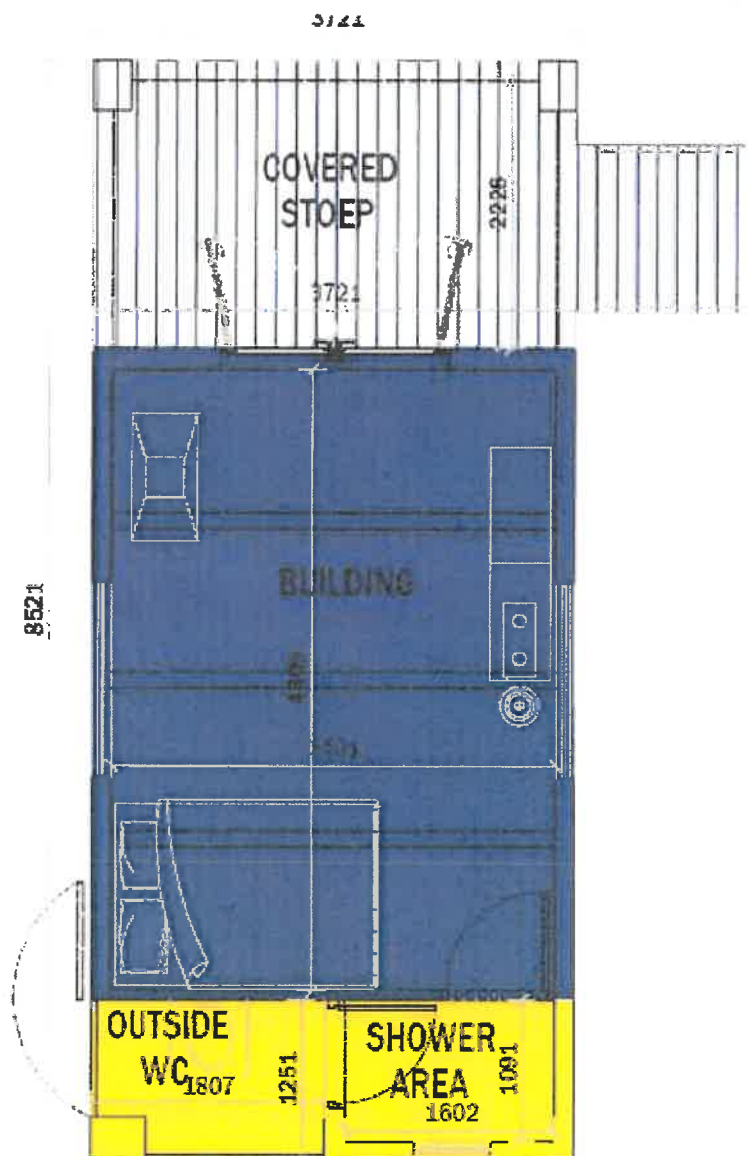
- ❖ Existing septic tank with french drain.

Access:-

- ❖ Existing gravel road.

CBA:-

- ❖ Dwelling is inside an earmarked Critical Biodiversity Area.



 **FLOOR PLAN**

1 : 50

**Activity 5:- Consent use on Agricultural zone I for 1 camp site:-
'VERBYRY DAM' EXCLUSIVE WILD CAMPING**

A camping site is a new consent use within LISZ on Agricultural zone I.
Previously a camp site used to be part of a resort zoning only.

Some Western-Cape Municipalities even have this as part of the primary use on Agricultural zone I.

Camping site in this case means land set aside for camping where tents or caravans are used for short term accommodation of transient guests and may include facilities for use by guests including facilities for outdoor food preparation, resort shop, road access for vehicles, picnic facilities, raised platforms on which to set up tents or caravans, ablution facilities, communal scullery and laundry facilities and waste disposal facilities.

Western Cape Land Use Planning Guideline:- Rural areas, 2019 refers to:-

Camp sites of multiple free standing or linked structures of a temporary nature may include caravans, motorhomes and tents.



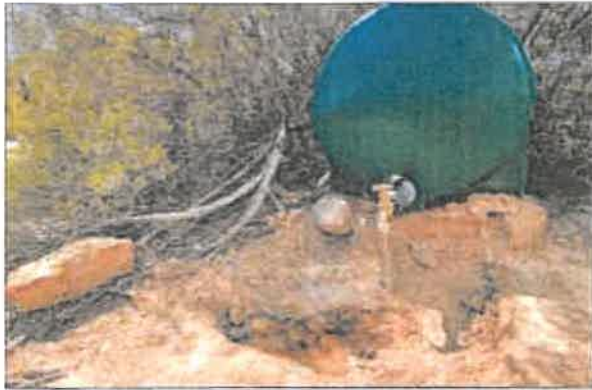
EXISTING SMALL CAMP SITE

'VERBYRY DAM' EXCLUSIVE WILD CAMPING is on a 200 m² footprint that will include:-

- ❖ Parking for 3 off road trailers or tents;
- ❖ Parking space for vehicle; and
- ❖ informal braai area.

Water source:-

- ❖ 1 X water tank filled by owner.
- ❖ Shop bought bottled water for drinking and cooking purposes need to be supplied by campers.



WATER TANK



COMPOST TOILET

Electricity:-

- ❖ No ESKOM or Municipal power distribution available at site.
- ❖ No solar system.
- ❖ No geyser.
- ❖ No cooker.

Sewerage system:-

- ❖ Campers to supply own bathroom facility.
- ❖ Camper to supply own portable toilet.
- ❖ 1 X compost toilet available on site.

Access:-

- ❖ Existing 4x4 only gravel road.



CAMP SITE

CBA:-

- ❖ Campsite is outside the earmarked Critical Biodiversity Area (CBA).
- ❖ Outside Langeberg West Mountain Catchment Area (MCA).
- ❖ Inside Gouritz Cluster Biosphere reserve but not close to the core.

Activity 6:- Consent use on Agricultural zone I for Off-road trail:- EXISTING GRAVEL ROAD AND JEEP TRACKS

No new roads to be made.

Existing circle gravel route on the property can be used as an off-road trail by guests using 4X4 vehicles and cycles only.

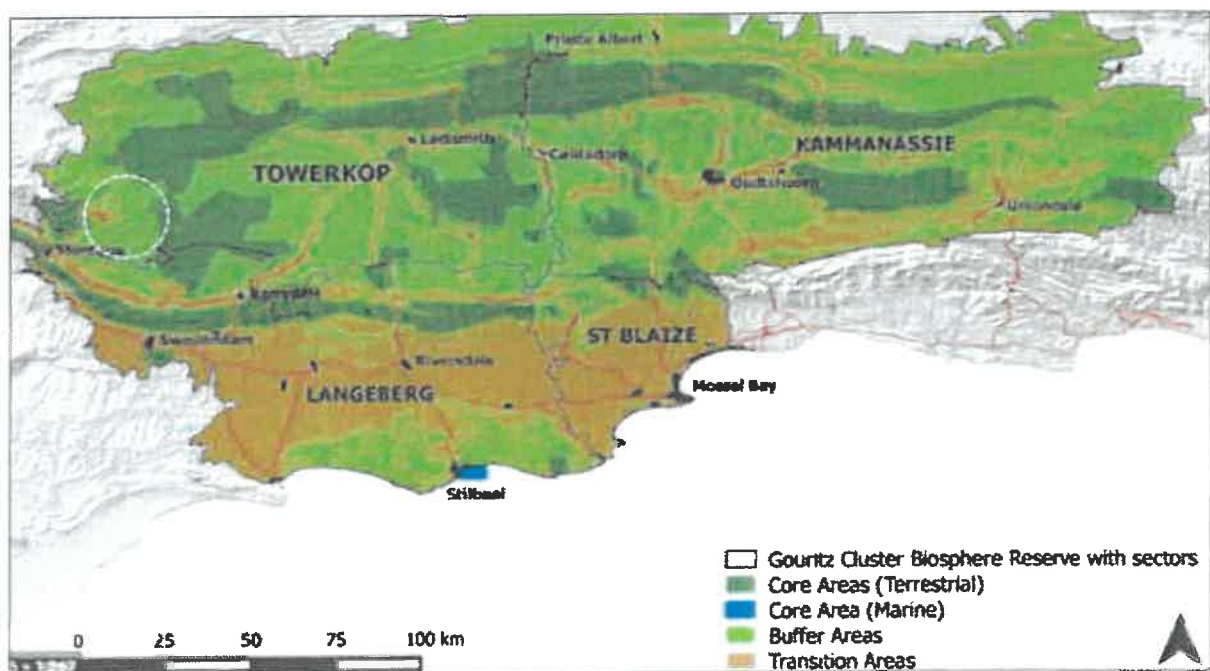
Spatial Planning Category:-

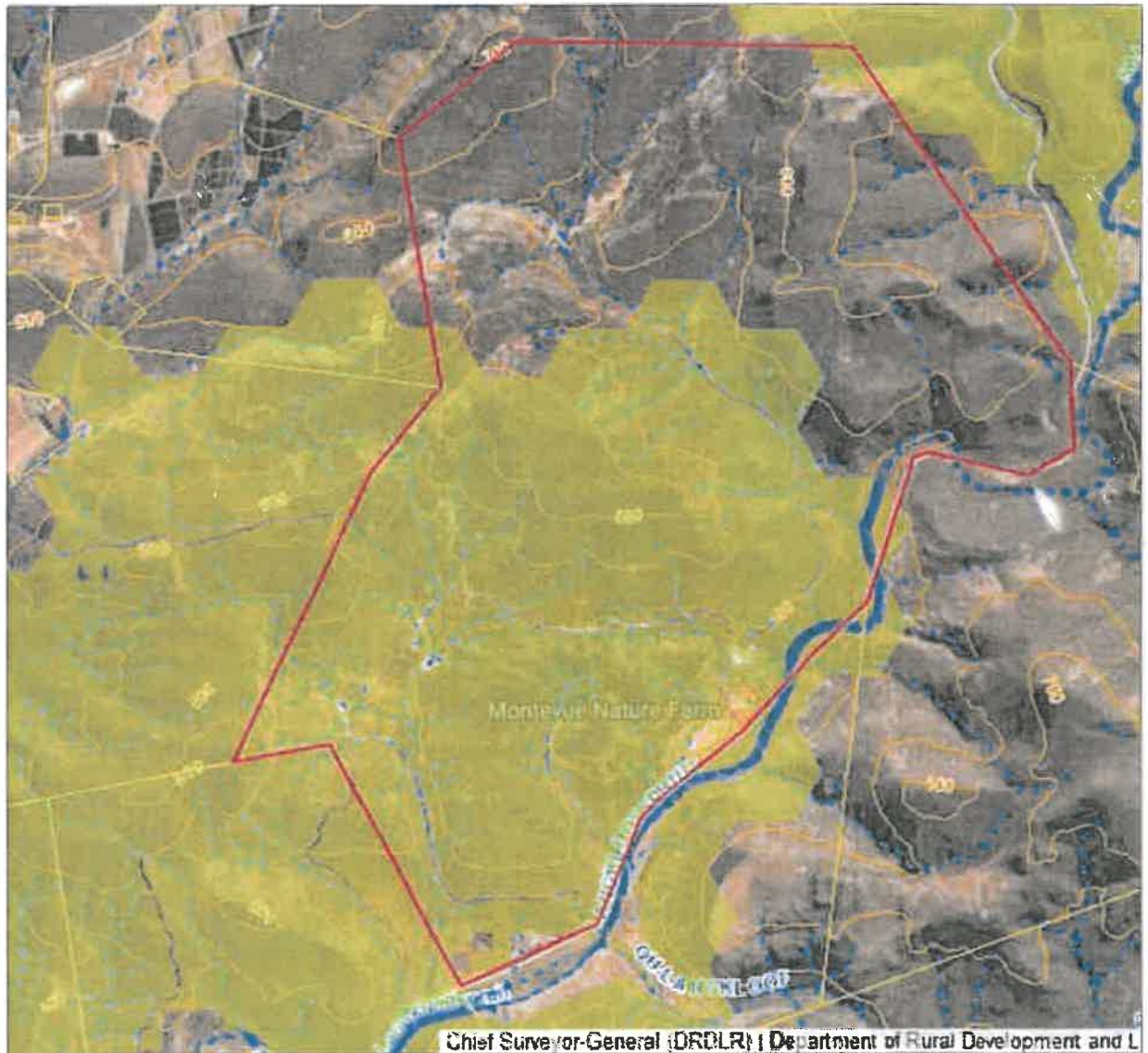
Conservation status:- due to % of the property is indicated as a CBA the SPC would be seen as:-
CORE 1 – Protected Area and the northern area of the property as a possible BUFFER.

Core 1 is land classified with a high level of biodiversity, normally this is a NO-GO area but subject to stringent controls the following biodiversity compatible land uses may be accommodated in Core 1 areas:-

Non-consumptive low impact eco-tourism activities, such as recreational and tourism facilities with **visitor overnight accommodation** clearly listed in the new Western Cape Land Use Planning Guideline:- Rural Areas, 2019.

These structures to be in harmony with the character of the surrounding land scape to ensure the maintenance of its natural qualities with appropriate scale and form.
Should a Fase II development be planned this would be done in conjunction with an Environmental consultant and Environmental Impact Assessment will be done to determine if additional dwelling units would be possible within the CBA.





CBA AREA INDICATED IN LIME GREEN

From the WCBSP, ¾ of the farm is identified as inside a (CBA) Critical Biodiversity Area.



LANGEBERG MUNICIPALITY SDF

6. TITLE DEED

Title deed T 35382/2019 has been checked and there is no limitation(s) in the title deed, which could have a negative impact on the proposed development.

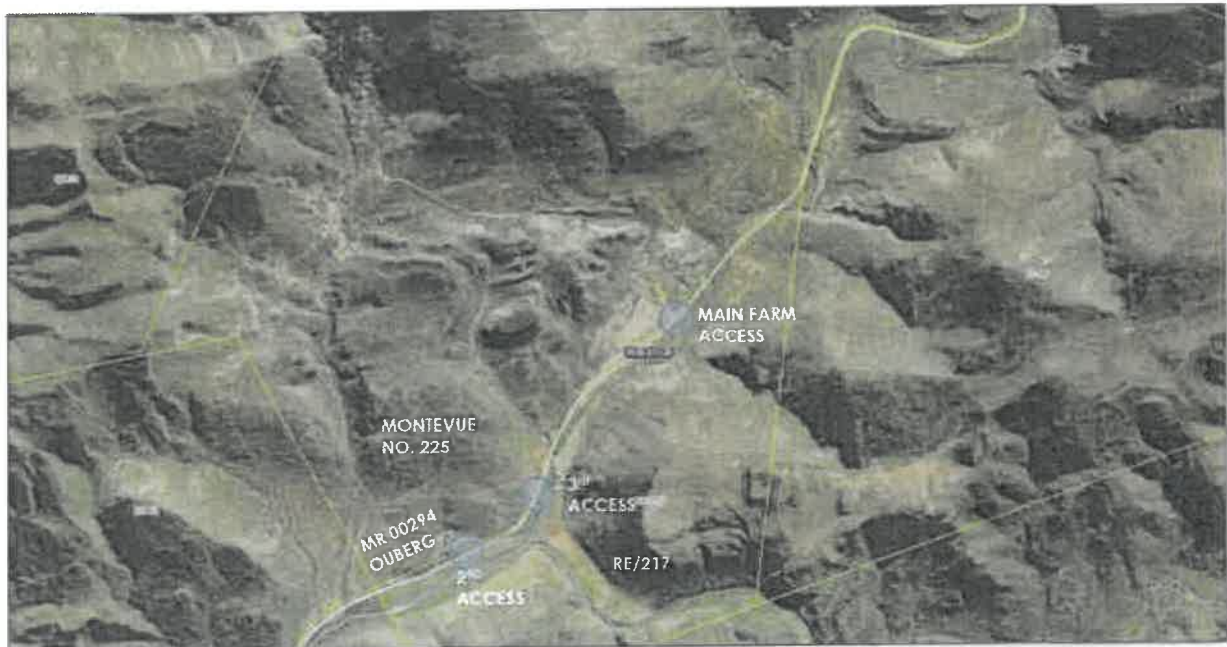
7. COMPLIANCE WITH LANGEBERG INTEGRATED ZONING SCHEME

Farm No. 225, Montagu is zoned as Agricultural zone I in terms of the applicable Langeberg Integrated Zoning Scheme By-Law. The Agricultural zoning only allows for agricultural buildings as a part of the primary land use right. The intention to earmark the existing main house as guest house, managers house and 2nd dwelling for short term farm holiday accommodation purposes, 1 small camping site and off-road trail are therefore not permitted as part of the primary use on Agricultural zone I and application for a consent from Council are required to permit the proposed activities.

In terms of the official definitions of the above-mentioned land uses, the guest accommodation can be permitted as consent uses. It is thus evident that the proposed land uses are considered appropriate for land uses on agricultural properties by Langeberg Municipality. Despite the agricultural zoning the property, it is not conducive for full-time agricultural operations of any kind. Game farming is proposed as a later use that forms part of the primary use on Agricultural zone I.

8. LOCATION AND ACCESSIBILITY OF THE PROPERTY

The proposed facility is accessible for tourists from existing Main Farm access on MR 00294 (Ouberg).



EXISTING ACCESS TO THE PROPERTY FROM OUBERG MR 00294



SIGHT DISTANCES AT MAIN FARM ACCESS ON MR 00294 IN BOTH DIRECTIONS ON OUBERG



Sight direction south in direction Montagu is safe but I am not sure about the sight direction north.

The road has a low traffic volume, should the Main Farm access not be acceptable it would need to move to a safer position. We await the comment from the Provincial Roads department on the matter.

Possibility that the entrance would need to move a couple of meters south before it is upgraded to Main Farm access standards.

Most of the dwellings and the camp site were close to an existing gravel road or possible to be reached by a short new jeep track, refer to SDP for detail.

9. SERVICES

9.1. Water:-

Water for washing, cleaning and flushing purposes at the main house and manager's house are sourced from a borehole on the property.

The borehole water does not comply with SANS241 and the owner supply each dwelling with shop bought bottled water.

The 2nd dwelling has rainwater as only water source, guest requested to bring their own drinking water.

The camp site has 1 water tank that is filled for campers, campers requested to bring their own drinking water.

9.2. Refuse disposal:-

The facility will implement strict recycling procedures for all garbage:-

- Glass;
- Paper;
- Tins; and
- Compost and later permaculture (worm compost).

General waste produced by the development will be delivered to the nearest Municipal waste site.

9.3. Electricity Supply:-

Owner is investing to go off the grid and be self-sufficient.

9.4. Sewage Disposal:-

French drain systems in place. If not acceptable by BGCMA this would need to be upgraded to enclosed sewage systems.

9.5. Storm water:-

Given the small extent of the proposed development, storm water will continue to be allowed to drain naturally into the ground to replenish underground reserves.

9.6. Access Road Infrastructure:-

Existing access from MR 00294 Ouberg.

10. MOTIVATION:- NEED AND DESIRABILITY

The following sections is an assessment of the application in terms of the decision-making criteria listed in Section 68 of the Langeberg Municipality Planning By-Law, 2015, and serves as the motivation for the approval of this application.

10.1:- CONSISTENCY WITH PLANNING LEGISLATION

10.1.1:- SPLUMA (Spatial Planning and Land Use Management Act, 16 of 2013)

Section 42 of SPLUMA stipulates that, in considering and deciding on an application, a Municipal Planning Tribunal must –

- (a) Be guided by the development principles set out in Chapter 2 (of SPLUMA);
- (b) Make a decision which 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; and
- (c) Take into count –
 - i. The public interest;
 - ii. The constitutional transformation imperatives and the related duties of state;
 - iii. The facts and circumstances relevant to the application;
 - iv. The respective rights and obligations of all those affected;
 - v. The state and impact of engineering services, social infrastructure and open space requirements; and
 - vi. Any factors that may be prescribed, including timeframes for making decisions.

The application is considered to be in line with the requirements of Section 42 of SPLUMA, due to the following reasons:-

- ❖ The main farm dwelling house as guest house, farm manager's dwelling, second dwelling unit for small scale rural holiday accommodation purposes, 1 small camp site and existing gravel road as off-road trail will contribute positively to the principle of spatial justice as it ensures to improve the use of the land.
- ❖ Approval of the application will allow the land to be utilized more efficiently.
- ❖ It contributes positively to the principle of spatial sustainability.
- ❖ The proposed facility does not negatively affect agricultural activities or unique agricultural land as the property is not conducive for agricultural operations.
- ❖ The proposal contributes positively to the principle of efficiency as it optimises the use of existing resources and infrastructure (existing gravel roads) on the property without resulting in negative financial, social, economic or environmental impacts.
- ❖ The proposal supports the principle of spatial resilience as it will ensure flexibility in municipal policies that will ensure economic development and creation of employment opportunities.
- ❖ The application promotes the sustainable use of agricultural zoned land as it allows current existing services infrastructure to be utilised, thereby contribution to the economic viability of the property while also contributing to employment creation.
- ❖ The proposal takes into account and respects public interest and ensures that rights and obligations of affected parties are not affected and does not impact on engineering services, social infrastructure and open space requirements.
- ❖ The application is compliant with all relevant environmental legislation (to our opinion, later comment from DEADP will determine).

10.1.2:- LUPA (Western Cape Land Use Planning Act, 3 of 2014)

Section 59 of LUPA contains a list of land use principles which should guide land use planning. The application adheres to these principles, as stipulated below:-

Spatial justice:-

The proposal contributes to the principle of spatial justice and redressing of past spatial and other development imbalances as it ensures improved utilization of land.

Spatial sustainability:-

The proposal will contribute positively to the economic viability of the property, while it will also promote and stimulate the effective functioning of land markets.

The proposal also does not negatively affect any natural habitat, heritage and tourism resources or ecological corridor and environmentally protected areas.

Efficiency:-

The proposal optimizes the use of existing resources and infrastructure and is in support of existing land uses in the broader region.

Spatial Resilience:-

The proposal supports spatial resilience as it will ensure flexibility in municipal policies by promoting economic development and creation of employment opportunities.

10.2: - CONSISTANCY WITH SPATIAL DEVELOPMENT FRAMEWORKS:-

10.2.1:- Western Cape Provincial Spatial Development Framework (PSDF)

The Western Cape Spatial Development Framework (PSDF) was approved by the executive authority in 2014 and endorsed by Provincial Cabinet to replace the previous PSDF. The PSDF's policy framework covers Provincial spatial planning's three interrelated themes, namely:-

- 10.2.1.1:- Sustainable use of the Western Cape's spatial assets,
- 10.2.1.2:- Opening-up opportunities in the Provincial space-economy, and
- 10.2.1.3:- Developing integrated and sustainable settlements.

The proposed land use relates to these themes in the following manner:-

10.2.1.1:- Sustainable use of the Western Cape's assets:-

The PSDF recognizes that the Western Cape as a world class tourism destination, given the attraction and authenticity of rural landscapes of scenic, cultural and natural splendor and emphasizes that the Province's biodiversity and agricultural resources should be protected.

The proposed main dwelling house as guest house, farm manager's dwelling and second dwelling for small scale rural holiday accommodation proposes, 1 small camp site and off-road trail will support the tourism industry in die region. The facility will not compromise agricultural operations.

10.2.1.2:- Opening-up opportunities in Space-economy:-

According to the PSDF, compatible and sustainable activities (i.e. activities that are appropriate in a rural context, generate positive socio-economic returns and do not compromise the environment or ability of the municipality to deliver its mandate) and of an appropriate scale and form can be accommodated outside of the urban edge.

The proposed facility conforms to the PSDF's criteria of compatible and sustainable activities which are permitted outside of the urban edge and will make a positive contribution in terms of creating economic opportunities in the rural space-economy.

10.2.1.3:- Developing Integrated and Sustainable Settlements:-

The PSDF promotes the use of heritage resources to enhance the character of the area, stimulate urban regeneration, encourage investment and create tourism opportunities while ensuring that interventions in these heritage contexts are consistent with local building and landscape typologies, scale, massing, form and architectural idiom.

Although the site is not deemed a heritage resource, the surrounding area with its scenic landscape is of cultural significance.

The use of the property for tourism activities will therefor encourage investment and create tourism opportunities while enhancing the area's sense of place and protecting the existing character.

It is evident from the above that the establishment of a main dwelling house as guest house, farm manager's dwelling and second dwelling unit for small scale rural holiday accommodation proposes, 1 small camping site and off-road trail will enhance the local tourism industry and while contributing positively to the local space-economy without impacting negatively on agricultural activities or biodiversity.

The proposal is therefor considered to be in line with the policies of the PSDF.

10.2.2: - Western Cape Integrated Tourism Development Framework:-

- ❖ The Western Cape has the strongest tourism products in South Africa.
- ❖ Agri tourism is a key objective because of the beautiful natural environment.
- ❖ More tourists want to see the country-side and participate in diverse and unique activities.
- ❖ Tourists are interested in the region and its products.

10.2.3:- Langeberg Municipality's Spatial Development Framework:-

The application complies with the Spatial Development Framework of Langeberg Municipality.

The document refers to the following regarding development of tourism related facilities within its rural area:-

- ❖ Agri-tourism should be promoted where such activities are not detrimental to the primary agricultural activities and the general environment, and where such activities make a sustainable contribution to agricultural activities.
- ❖ Promote environmentally sustainable tourism in the municipal area.
- ❖ Tourism plays an important role in the development of the region.
- ❖ Innovative and sustainable tourism development in the Langeberg municipal area could provide significant employment opportunities.
- ❖ Eco-tourism and agri tourism are recognized as ways of supplementing the income of farmers.

- ❖ Certain agricultural areas lend themselves to development, such as areas of natural recreation facilities e.g. rivers, which allow opportunities for boating or birding. At the same time, a balance between conservation and development must remain the overarching goal.
- ❖ The scale and type of development must compliment the aesthetic qualities of the environment.
- ❖ A balance between conservation, development and tourism facilities along scenic routes should be established to ensure sustainability.
- ❖ Incorporate the role of agriculture in terms of eco-tourism, agri-tourism and value adding opportunities as an integral part of the Tourism Development Strategy for the municipal area.
- ❖ New buildings should be sensitively sited in terms of landscape view, sheds and buildings must be clustered and of a scale and design that relates to local vernacular.
- ❖ Rural tourism and recreational facilities should not negatively impact on agricultural production and should be placed within the aim to reinforce the farmstead precinct.

Investigations in this regard should include all members of the farming community and should be coordinated with the tourism development strategy for the area.

To enhance the municipal area's tourism appeal, it is important to:-

- ❖ Ensure a quality tourism environment;
- ❖ Encourage increased activity within existing tourism attractions;
- ❖ Improve the links/connections between tourism attractions and destinations;
- ❖ Support revitalization initiatives, and
- ❖ Provide infrastructure which could support private sector investment.

10.3. **SITE SPECIFIC REASONS**

- ❖ Existing buildings.
- ❖ Buildings are adjacent to existing gravel roads.
- ❖ No buildings structures closer than 32 m from a water course.
- ❖ No buildings inside the 30 m side building line on land zoned as Agricultural zone I.

10.4. **DESIRABILITY OF THE PROPOSED LAND USE**

❖ **Compatibility with surrounding land uses**

The proposed facility will fit in with the tourism character of this area and is deemed a compatible use with the existing land uses in the area. It is considered that the proposed facility will have a positive impact on the surrounding facilities as it will attract more visitors and potential business.

❖ **The Proposal will enable the retention of the primary agricultural land use, whilst recognizing the intrinsic value of the property as an agri-tourism destination**

Despite the agricultural zoning of the property it is not conducive for full-time agricultural operation of any kind.

❖ **The Proposal will promote Agri-tourism and Agricultural Sustainability**

The tourist facilities will exist as complementary land uses. This approach reflects market research, which indicates a growing trend of tourists who are traveling into hinterland areas to seek diverse and unique leisure experiences.

It is noted that the Western Cape Integrated Tourism Development Framework as prepared by the Department of Economic Development, Tourism and Agriculture, Western Cape, identifies agri-tourism as a largely un-tapped niche market which can play an important role in the growth of tourism in the Western Cape.

The holiday accommodation facility set out in this application should be seen as an attempt to tap into the agri-tourism market and hence satisfy an identified niche market demand.

❖ **The property falls within a beautiful natural environment and will the proposal utilize the intrinsic qualities of the property for tourism purposes**

The proposed facility will be located in a beautiful natural environment. The site offers enormous potential to be used for holiday accommodation with very little impact on the surrounding environment.

❖ **Local Economy support and development**

The owner will endeavor to employ persons from the local community; all employment will involve vigorous training within the hospitality and tourism industry. Unless it is not possible, all procurement will be kept within the Langeberg Municipal region.

❖ **No negative impact on the traffic patterns**

Existing access and gravel road on the farm will be utilized.

❖ **Change in the nature of the area**

The land owner will try and keep the impact and footprints to a minimum.

❖ **Socio-economic impact**

The tourism industry is one of the most important economic sectors of Langeberg Municipal area and one of the biggest contributors to the local economy.

It is vitally important that the growth of the local tourism industry is facilitated to enable the development of the local economy to the benefit of the entire local community. The proposed development will contribute to the growth of the local tourism industry and will complement the existing tourist facilities in the surrounding area.

❖ **The Proposal will lead to Job Creation**

The proposed facility will also result in a number of additional employment opportunities to be created and will thus have a positive impact on the local economy and the rural community.

❖ **The site is easily accessible**

The proposed facility is accessible for tourists.

11. OPPORTUNITIES

The development will have economical spinoffs for tourism in the area:-

- ❖ New opportunities for job creation.
- ❖ Additional overnight facility for farm holiday accommodation purposes.

12. CLOSURE

This report has served to motivate the desirability of the application for:-

APPLICATION FOR CONSENT USE:- THE FARM NO. 225 (MONTEVUE), MONTAGU, CONSENT USE ON AGRICULTURAL ZONE I FOR MAIN HOUSE AS GUEST HOUSE, TWO EXISTING DWELLINGS AS TWO ADDITIONAL DWELLING UNITS FOR FARM HOLIDAY ACCOMMODATION PURPOSES, 1 CAMP SITE (3 BUSHTRAILERS OR TENTS) AND OFF-ROAD TRAIL

Given the Western Cape's unique rural communities and landscapes, tourism offers exciting prospects to diversify and strengthen the rural economy. Accordingly, the provincial approach is to facilitate the provision of a variety of holiday accommodation across the rural landscape that is in keeping with the local character.

One of the main objectives of the Western Cape Department of Environmental Affairs and Development Planning's Provincial Spatial Development Framework and Rural Land Use Planning & Management Guidelines is to provide a range of opportunities for tourists and visitors to experience living the Western Cape's unique rural landscapes and to align the scale and form of overnight facilities with the character of the Western's Cape diverse rural areas.

The proposed uses are compatible with existing Langeberg Municipality Spatial Development Framework, the Provincial Government of the Western Cape Spatial Development Framework and the Western Cape Land Use Planning Guideline Rural Areas, 2019 and will have a positive impact on the marketing of the area as a tourism destination and the local economy.

Based on the above it is respectfully requested that Langeberg Municipality resolves to approve the application.

MARTIN Oosthuizen

Boland Plan Town and Regional Planning

[Tch.Pln/B/8270/2014](#)

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BolandPlan

Town and Regional Planning

LOCALITY PLAN

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APPLICATION FOR CONSENT USE:- FARM 225, MONTAGU, CONSENT USE ON AGRICULTURAL ZONE I FOR MAIN HOUSE AS GUEST HOUSE, MANAGERS HOUSE AND 2ND DWELLING FOR FARM HOLIDAY ACCOMMODATION PURPOSES AND A SMALL CAMP SITE (3 BUSHTRAILERS OR TENTS)

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