



PORTION 6 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213, BREDASDORP DIVISION, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: TOWN & COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF STRANDVELD LANDBOU VERENIGING

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received for consent use in terms of Section 16(2)(o) of the By-Law, to accommodate a tourist facility (community market and function venue) and a place of entertainment (live music) on the property.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus and Gansbaai Library, Main Road, Gansbaai. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **Friday, 22 November 2024**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Senior Town Planner, Mr. SW van der Merwe** at 028-313 8900. The municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

GEDEELTE 6 VAN DIE PLAAS BAARDSCHEERDERS BOSCH NR. 213, AFDELING BREDASDORP, OVERSTRAND MUNISIPALE AREA: AANSOEK OM VERGUNNINGSGEBRUIK: TOWN & COUNTRY CREATIVE LAND SOLUTIONS NAMENS STRANDVELD LANDBOU VERENIGING

Kennis word hiermee gee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is om vergunningsgebruik ingevolge Artikel 16(2)(o) van die Verordening, ten einde 'n toeriste fasiliteit (gemeenskapsmark en onthaal fasiliteit) en 'n plek van vermaak (lewende musiek) op die eiendom te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **Vrydag, 22 November 2024** met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Senior Stadsbeplanner, Mnr. SW van der Merwe** by 028-313 8900. Die munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

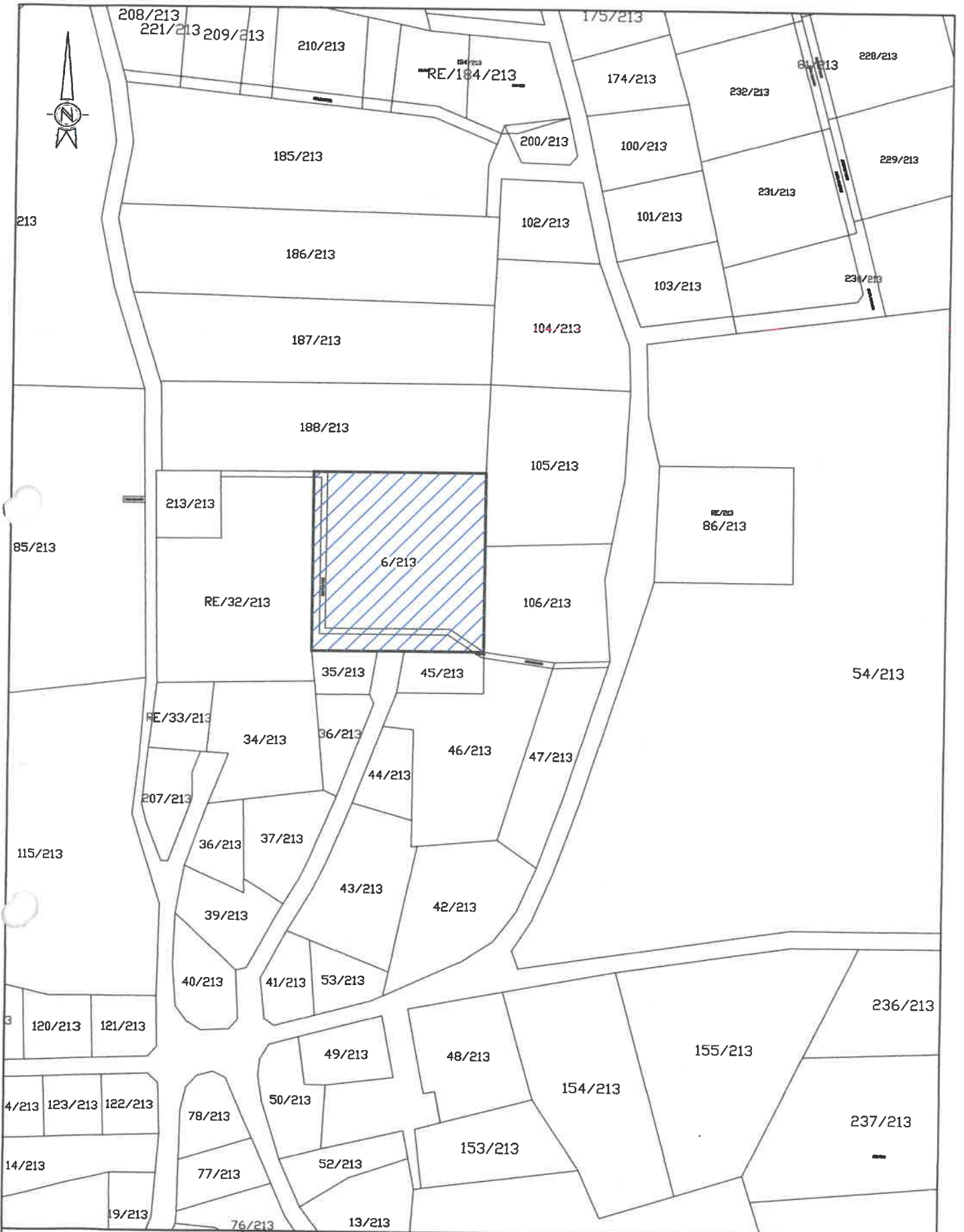
INXALENYE 6 YEFAMA I-BAARDSCHEERDERS BOSCH NO. 213, ICANDELO LASEBREDASDORP, UMMANDLA WOMASIPALA WASE OVERSTRAND: ISICELO SOKUFUMANA IMVUME YOKUSEBENZISA: ABAKWA-TOWN & COUNTRY CREATIVE LAND SOLUTIONS EGAMENI LABAKWA-STRANVELD LANDBOU VERENIGING

Kukhutshwa isaziso ngokusekelwe kwiCandelo 48 loMthetho Ohlonyelweyo ka-2020 Womasipala wase-Overstrand Ongokusetyenziswa Nokucetywa koMhlaba kaMasipala (uMthetho kaMasipala), ukuba kufunyenwe isicelo semvume yokusebenzisa ngokumayela neCandelo 16(2)(o) loMthetho kaMasipala ukuze kubekho indawo yabakhenkethi (imarike yabantu basekuhlaleni nendawo yokwenzela imisitho) kunye nendawo yokwenza ezolonwabo (umculo odlalwa ngoku bemamele abantu) kwipropathi.

linkcukacha ezihambelana nesi siphakamiso ziyafumaneka kwiintsuku zaphakathi evekini ukuze zihlolwe phakathi kwentsimbi ye-08:00 ne- 16:30 kwiSebe: Izicwangciso ngeDolophu kwa16 Paterson Street, Hermanus nakwithala leencwadi lase Gansbaai. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSoloty lama-51 nelama-52 loMthethwana kaMasipala ochazwe ngentla (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla we **22 EyeNkanga 2024** uchaze igama lakho, idilesi, neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa kuMnu. **SW van der Merwe** kwa- 028-313 8900. UMasipala angala ukwamkela izimvo emva kokuvala. Nabani na ongakwazi ukufunda nokubhala angandwendwela kwiSebe leziCwangciso zeDolophu acele igosa limncede ukufaka uluvo lwakhe ngokusemthethweni.


#overstrand4all





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PROJECT
LOCALITY PLAN: PORTION 6 OF FARM 213,
BREDASDORP DIVISION
OVERSTRAND MUNICIPALITY

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Creative Land Solutions
 Land Surveyors • Town Planners

DRAWN	CHECKED
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MOTIVATIONAL REPORT
PROPOSED CONSENT USE FOR A NUMBER OF TOURIST FACILITIES:
PORTION 6 OF FARM NO 213, BREDASDORP DISTRICT

Ref. BRE/3154

1. INTRODUCTION & BACKGROUND

This office was appointed by Die Strandveldse Boerevereniging to prepare the town planning application for consent uses on Portion 6 of Farm Baardscheeders Bosch No 213, Bredasdorp RD. The application is required to allow for a community market, function venue and live music on the premises.

The site is known as the Ou Skool and has been used for many years as a Restaurant, live music and market area where the community get together for meetings, social events and selling their locally produced products. Approval was previously granted for the restaurant, but application is then now required for the market area, live music and a function venue, that will contribute towards more facilities for the local community and also making the future existence of the property financially viable. No alternations to existing buildings are proposed and no heritage elements of the site will be impacted on or compromised.

2. APPLICATION

Application is made for:

- A Consent Use for tourist facilities (community market and function venue) and place of entertainment (for purposes of live music on occasion) on the "Agriculture Zone I" zoned property; The Overstrand Municipality Land Use Scheme is applicable.

In terms of the Overstrand Municipality Land Use Scheme:

"tourist facilities" means amenities for tourists or visitors such as lecture rooms, restaurants, picnic areas, gift shops, cafés, restrooms, recreational facilities, animal parks (domestic or otherwise) but does not include a hotel or overnight facilities;

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“place of entertainment” means a place used for commercial entertainment which may attract large numbers of people, operates outside normal business hours or generates noise from music or revelry on a regular basis and includes a cinema, a theatre, an amusement park, a dance hall or a night club and gambling and live music;

The place of entertainment will however only be used for live music on occasion.

“market” means an outdoor venue for the sale of fresh produce, food and beverages, crafts, art and manufactured goods to the public;

At this point, it should be noted that the EIA Regulations (Listing notices of 2017), as amended and promulgated in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) are not applicable to the subject property as:

Listing Notice 1

(27) The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-

(i) the undertaking of a linear activity; or

(ii) maintenance purposes undertaken in accordance with a maintenance management plan.

No area will be cleared, as the proposal is inside an existing building and outside on a cleared area.

(28) Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:

(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or

(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.



The area is inside an urban area, no new land will be developed.

(56) The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometer-

(i) where the existing reserve is wider than 13,5 meters; or

(ii) where no reserve exists, where the existing road is wider than 8 metres;

excluding where widening or lengthening occur inside urban areas.

No roads will be widened by more than 6 metres, or lengthened by more than 1 kilometre.

All roads are existing.

Listing Notice 3

(4) The development of a road wider than 4 metres with a reserve less than 13,5 metres. Areas outside urban areas;

(aa) Areas containing indigenous vegetation;

(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;

No new roads area created.

3. PROPERTY DESCRIPTION

Portion 6 of Farm 213 Bredasdorp RD is registered under T84518/1995. GPS coordinates of the farm are 34°35'30"S and 19°34'.16.35"E.

TOTAL AREA	8569m ²
REGISTERED OWNER	Die Strandveldse Boerevereniging
Boundaries: North	Portion 188 of Farm 213
East	Portions 105 and 106 of Farm 213
South	Portions 35 and 45 of Farm 213
West	Portion 32 of Farm 213

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3



The subject property is located on the northern side of Baardskeerdersbos. The farm falls under the jurisdiction of the Overstrand Municipality and is situated amongst other farm portions in this area. The property is developed with an old school and outbuildings, with the majority of the erf vacant and used for parking purposes as required. The Old School is in use as a restaurant and meeting place for the community. Please see attached a locality plan and extract from a google image below.



Google Earth image, indicating the farm extent.

4. TITLE DEED CONDITION

There is a condition in the title deed that read as follow:



1. Die EIENDOM in sy geheel moet uitsluitlik vir die doeleindes van Gemeenskapsgerigte aktiwiteite aangewend word en indien die EIENDOM of enige gedeelte daarvan na die oordeel van die REPUBLIEK VAN SUID-AFRIKA nie vir die doeleindes van Gemeenskapsgerigte aktiwiteite aangewend word nie, val die EIENDOM met inbegrip van alle verbeterings, terug aan die Staat sonder dat die Staat vergoeding daarvoor betaal. Met dien verstande dat indien die onroerende goed wat aan die Staat terugval deur die BEGIFTIGDE op enige wyse beswaar is die begiftigde die SKENKER vrywaar van alle verpligtinge ten opsigte van sodanige beswaring. Met dien verstande verder dat indien die BEGIFTIGDE die EIENDOM verbeter na die 24ste Februarie 1994 deur die aanbring van aanbouing en die oprigting van geboue die SKENKER in sy absolute diskresie kan besluit:

The uses applied for are required to formalise the community market that was already operational for years, to diversify the activities and facilities available to the community. New uses applied for will still be in favour of the community, but it will also assist in making the property financially more viable – to allow for its existence in the future.

5. CURRENT ZONING

The subject property is zoned as "Agriculture Zone I" in terms of the Overstrand Integrated Zoning Scheme. No change in zoning is proposed.

The restaurant was approved a long time ago and remains operational. The restaurant has a valid liquor license.

6. THE DEVELOPMENT PROPOSAL

The Ou Skool property is well known for its established restaurant, weekend markets and live music. It was however recently discovered that the required town planning approvals are not in place for the markets or live music. Application is made for:

- a) A market area (inside the existing building and outside)
- b) Function venue
- c) Live music



- a) The market area will be accommodated in the Old School (restaurant) hall (225m²), and the open area in front of the building, next to and behind the parking area, as indicated on the site plan. The entire area that will be used for this market area will be roughly 1000m² and includes circulation areas between stalls inside the hall and also outside.

With stall sizes varying, it is anticipated that there will be roughly a maximum of 50 stalls at a time. Products that will be sold include food products (springrolls, jams, potjiekos, bread, etc., crafts and homemade products (leather, clothing, etc).

The market area will be operational at most once a week on a Saturday, between 08h00 and 17h00.

- b) Function Venue: The hall that forms part of the Old School building is proposed as a function venue, to allow for, for example weddings, funerals, live music events and fundraisers. The hall has an area of ±225m² and has the use of the ablution and kitchen that is also used for restaurant purposes. The restaurant will not be open to the general public when there is a function.

The maximum number of people that can be accommodated is 100.

- c) Live music: The client would like to also allow for live music on occasion, that will include market days, functions and also allowing for live music as the main event on occasion. The live music will be accommodated inside the venue / market hall. Live music that has proven to be very popular in the past was for example the Baardskeersdersbos Orkes.





Photo 1. Photo of the existing Ou Skool, with the parking area in front.

7. ACCESS & ADDITIONAL TRAFFIC

- Access to the property is existing and taken from Strandveld Street.
- Parking is provided in the open parking area in front of the Ou Skool and when more parking is required on the lawns surrounding the buildings, as was done on previous occasions. Since a larger amount of parking is only required when there is a market or event, the parking areas will not be formalised in the sense of permanent paving. When required the lawn will be mowed and the car park marked out. This will maintain the rural character of the site.

Marking Requirements were worked as follow:

Use	Regulation	Proposed area of development	Parking Required
Restaurant	4 parking bays for every 100m ²	100m ²	4
Function Hall (max 100 people)	1 Bay for 4 seats	225m ² - maximum 100 people	25
Market area	4 parking bays for every	Approximately 800m ²	32

(excluding the 225m ² of the function hall	100m ²		
Dwelling House	2 bays per house	1 house	2
Total			63

The site plan indicates that there are at least 105 parking spaces available on site. More than sufficient parking is available.

8. SERVICES

Water

Municipal water is used in the house, restaurant and proposed function and market area. Rainwater harvesting tanks are also already in place and used to water the garden.

Sewerage

A closed system conservancy tank is used and is emptied by the Municipality as required.

Electricity

Electricity is provided by ESKOM and already available at the different buildings. No additional electricity is required.

Rubbish removal

Rubbish is removed by the Overstrand Municipality weekly. Rubbish is stored in a central point until collection.

9. ENVIRONMENTAL APPLICATION

A basic assessment in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) will not be required, since none of the regulations are triggered. No additional buildings are proposed and no land will be cleared for the proposed activities.



10. EXISTING POLICY FRAMEWORKS

10.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK

From the document the following:

'Overstrand Municipality works towards creating a An Environmentally Sustainable and Resilient Overstrand

Environmental management towards achieving sustainability is a vital component of sound urban and regional planning. It can be explained as a combination of spatial planning and land-use management of urban and rural areas, focused at meeting the needs of the current population without unduly compromising the natural environment or the ability of future generations of meeting their needs. A key component of environmental sustainability is environmental resilience, referring to the ability of ecosystems to recover from the impacts of natural hazards in the short to medium term and to adapt to future scenarios such as climate change in the long term. Some landscape features are more likely to support biodiversity resilience to climate change than others.

The key contributors to achieving an environmentally sustainable and resilient area are spatial planning and design that considers environmental attributes and physical constraints, judicious rural land-use management and the safeguarding of biodiversity features that provide key ecosystem services. Areas important for climate change resilience need to be managed and conserved through a range of mechanisms including land-use planning, environmental impact assessments, protected area expansion, and collaboration with industry sectors to minimise their spatial footprint and other impacts.

One of the important aims will be to Protect Biodiversity and agricultural resources. This can be achieved through:

- i. The existing pattern of development should be maintained and the establishment of new nodes or settlements should not be encouraged. If, however, the Municipality deem a new node or settlement to be desirable, the proposed development thereof should take place in a manner consistent with the overarching long term vision and spatial directives of this MSDF.*



- ii. *Ensure that development is confined within urban edges and growth is managed based on sustainable densification principles.*
- iii. *Prevent unsustainable change in land use of biodiversity rich rural areas, existing agricultural activity and soil with agricultural potential to other uses.*
- iv. *Ensure that existing agricultural activity and soils with high production potential is retained.*
- v. *Minimise the fragmentation of rural land by managing rural development based on the Overstrand SDF Rural Land Use Policy.*
- vi. *Subdivision of agricultural land should be strongly resisted except where it is consistent with the requirements as stipulated by Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) and the related policy of the responsible department (SDF Policy P.1, 2006).*
- vii. *The desirability of designating mining areas should take into account the worth of the material to be extracted against the long term costs to the visual quality of the area, the potential loss in agricultural production, as well as the impacts on existing rights of neighbouring property owners*

The Spatial Development Framework indicates that **Baardskeerdersbos** has a rural residential and associated agricultural production function. It is noted that: 'The majority of the privately owned land in the northern part of the settlement consist of biodiversity corridors and was therefore included in an urban conservation EMOZ.

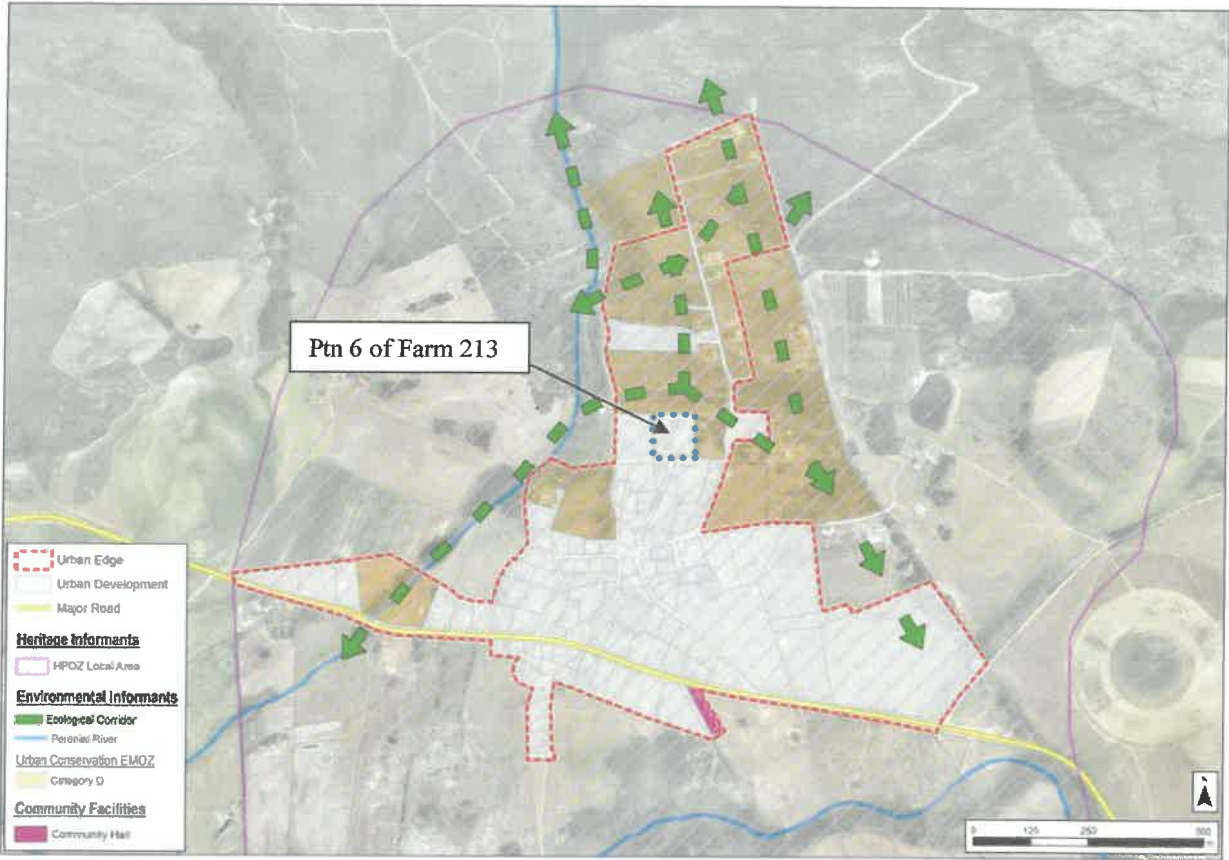
The document notes that the following should be promoted:

- the role of the area as an agricultural zone of special significance.
- appropriately scaled tourism development based on the agricultural and heritage value of the region;
- rural cottage industries;
- appropriate residential development on a scale and in a form that retains the village character of Baardskeerdersbos;
- the role of the area as an agricultural zone of special significance;
- appropriately scaled tourism development based on the agricultural and heritage value of the region.

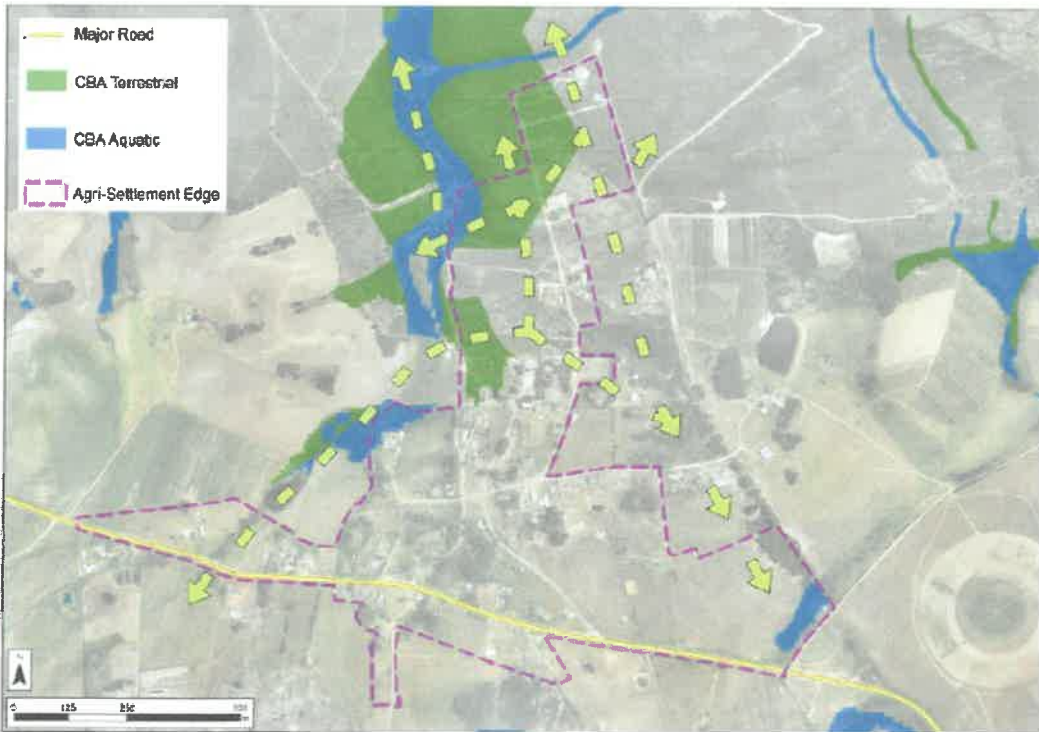
The document indicates Portion 6 of Farm 213 inside the Urban Edge and as part of the Urban Area. Please refer to the plan extract below.

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Map taken from the SDF: Plan 38 Baarskeerdersbos Status quo.



Plan 69: 2050 Spatial Proposal Baardskeerdersbos

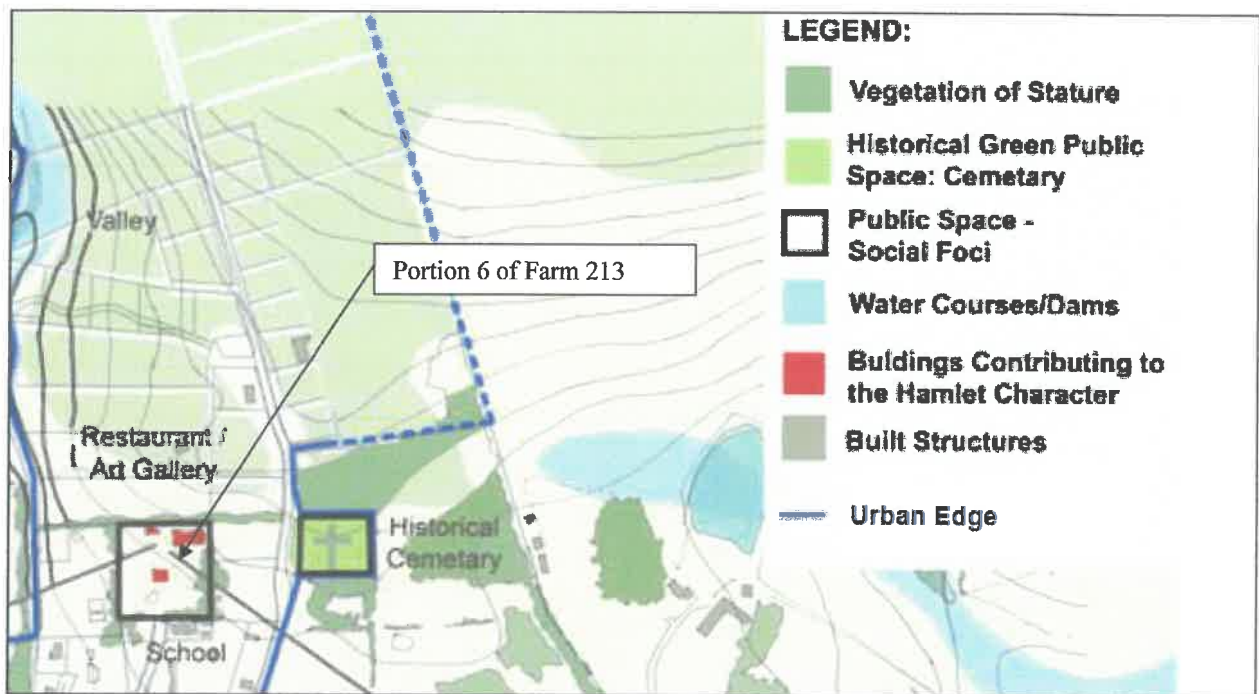
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Development Parameters proposed in this document:

7.1.2 Development parameters:

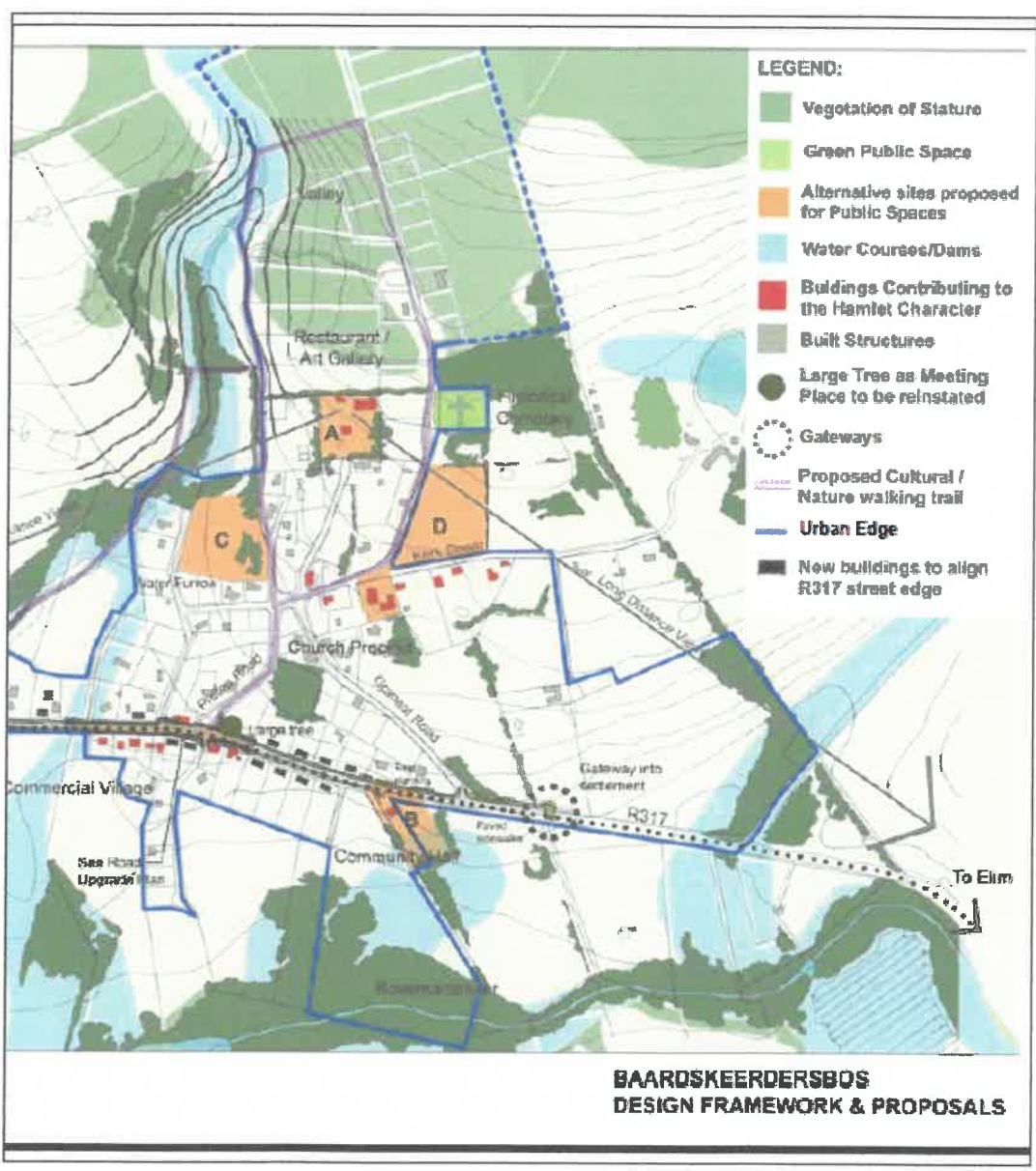
1. Erven in the Hamlet portion should be a minimum of 4000m².
2. The architecture should conform to the Cape vernacular and in particular with regards to mass, form and height.
3. The landscaping on large erven should be more intense, and agriculture is encouraged.
4. Permission to be sought from local authority to build an additional dwelling. The footprint of the additional dwelling should be smaller than the footprint of the main dwelling.



Extract from a plan indicating the Heritage and Landscape indicators in the Baardskeerdersbos Precinct Plan

The buildings indicated on the above Precinct Plan are of heritage significance. No changes are proposed to any of the buildings.

Portion 6 is indicated in this document as a ‘Social Foci’, where open space can be provided. This property is seen as one of the main community facilities in Baardskeerdersbos that should be linked to the CBD, church and community hall in terms of this document.



Baardskeerdersbos Design Framework and Proposals

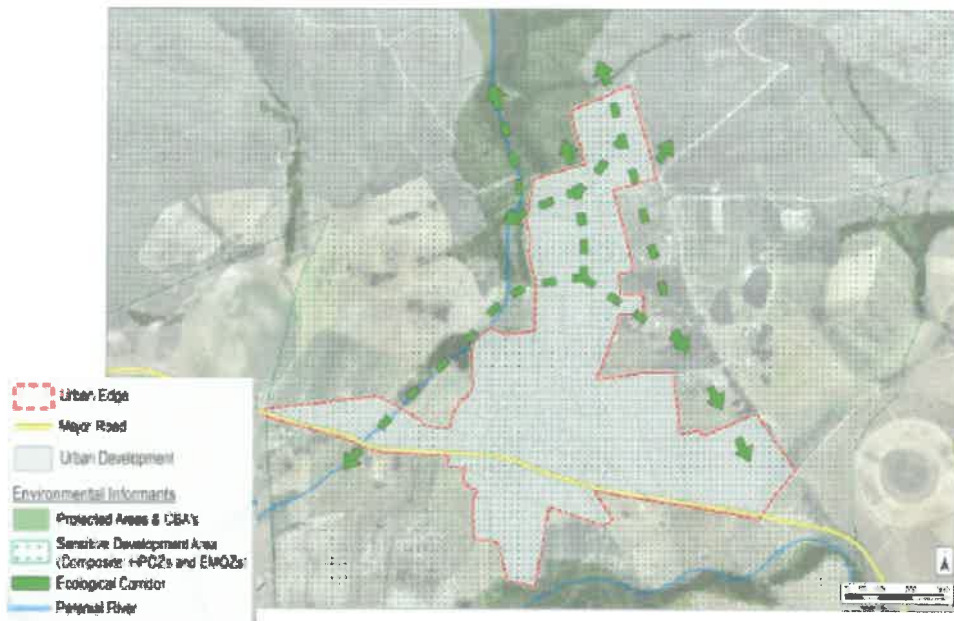


The proposal to use Portion 6 of Farm 213 partially as a community market, is in line with this proposal – seeing that it will be used for a community purpose where the outside area will be used as part of the existing buildings.

10.4 MUNICIPAL HERITAGE AND ENVIRONMENTAL OVERLAY ZONE REGULATIONS

The purpose of the Overlay Zones is ‘to protect and manage undeveloped conservation-worthy public owned land within the Overstrand’s urban edge, and adjacent buffer areas, while promoting the retention of viable priority ecological corridors in areas that are to be developed, to ensure an integrated ‘conservation and development’ approach that will enhance living conditions for the communities of the Overstrand’.

The area inside the urban edge of Baardskeerdersbos is entirely included in the area demarcated as a Sensitive Development area in terms of Environment and Heritage.



Plan 71: Baardskeerdersbos Spatial Proposal 2020

No natural vegetation is however visible on Portion 6 of Farm 213. The majority of the farm is covered with lawns / grass, with lines of blue gum trees on the boundaries. The property is not



indicated as located on an ecological corridor. It is not believed that the proposal could have an environmental impact of any nature.

In terms of the heritage document that was compiled in 2009, by the Overstrand Heritage Landscape Group (OHLG), the following:

<p>Site name: Strandveld Pub Type of resource: Building Location: 3419 DA & DC: 34 35' 8.47" S, 19 34' 16.67" E Google Earth 2009 Erf/Farm : 213/6 Address: Baardskeedersbos</p> <p>Description: Old school building built c1922 Materials: Brick; corrugated iron Associated landscape features:</p> <p>Original use: School Current use: Single storey Landscape type: Evolving Design/Style: Construction date: 1920s Historical period in which constructed: Union Theme: Permanent rural settlement Tourism Education</p> <p>Historical information:</p> <p>Heritage Status: Previous status under National Monuments Act:</p> <p>Current status under National Heritage Resources Act: Older than 60 Approved grading: Suggested grading: 3A Responsible heritage authority: HWC</p> <p>Significance: Ability to demonstrate expansion and formalization of settlement in early 20th century. Original fabric fairly intact. Historical and spatial landmark in the town. Historical role in the community as a school, allowing local education of (white) children. Current high social value as meeting place, boeremusiek music festivals; local community meetings; also used for community education programs.</p> <p>Constraints and Opportunities:</p> <p>Heritage Management Recommendations: Ongoing repair and maintenance Formal protection in terms of zoning scheme regulations (Grade 3A)</p> <p>- Conserve</p>	
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Extract from the Baardskeedersbos Heritage document, June 2009

It is noted that the building should be conserved. It is mentioned that the building currently holds a high social value as meeting place, boeremusiek music festivals; local community meetings; also for community education programs.

The document is fully compliant with this document in that the buildings are conserved. The application being made is also to formalise the activities that were already taking place in 2009, to enhance the value of the property for the community.



10.5 PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)

The PSDF is prepared at a provincial level and therefore sets out important principles that inform decision making at a local level. The document contains a complex set of policies that are applicable to the whole province. The most applicable challenges and opportunities set forth in this case are:

- Undeveloped potential in tourism markets, especially in some rural areas where new product opportunities for cultural, adventure and ecotourism exist. This potential should be utilised, but in an environmentally responsible manner;
- Environmental damage due to inadequate environmental management. Uncontrolled growth and development will start affecting the 'landscape' resource. A symbiotic relationship needs to be developed where features are protected as assets for tourism, while tourism generates the motivation and finances to protect environmental resources;
- Linking of tourism resources by theme, promotion, product differentiation, transportation can create a better offer, thereby drawing a larger market;
- Increase variety of tourist attractions and activities in focus areas to induce tourists to stay longer, and encourage returns;

The proposal is in line with this document, seeing that the proposal doesn't have an environmental impact, but it will contribute towards more tourist attractions in Baardskeedersbos.

10.6 SECTION 42 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (SPLUMA) AND CHAPTER 6 OF THE LAND USE PLANNING ACT (LUPA)

The Spatial Planning and Land Use Management Act (SPLUMA) and Land Use Planning Act (LUPA) are applicable. One of the main objectives of these acts is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances.

Section 42 of SPLUMA and Chapter 6 of LUPA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- development principles set out in Chapter 2 of SPLUMA
- protect and promote the sustainable use of agricultural land



- national and provincial government policies
- the municipal spatial development framework; and take into account—
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the 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.

SPLUMA and LUPA sets out the following 5 main development principles applicable to spatial planning, land use management and land development:

1. Spatial justice
2. Spatial sustainability
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

Compliance with SPLUMA & LUPA Principles:

As discussed in this report, this development proposal is consistent with the approved statutory spatial policy framework for the area, as well as the Provincial Spatial Development Framework. The table below indicates how the proposed development will be consistent with the SPLUMA principles.

SPLUMA & LUPA Principle	Compliance
Spatial Justice	The property has been in use as a community facility for a long period. The application will formalise these uses and ensure the economic sustainability of Portion 6 of Farm 213.
Spatial Sustainability	The proposal is in line with existing overhead planning documents.



	The development proposal is sensitive to the natural environment and heritage resources, while providing in much needed community and tourist facilities.
Spatial Efficiency	The proposed uses make use of existing resources. The development adds value to the existing property rights, by expanding uses on the property.
Spatial Resilience	The proposed uses will help to make the existing activities economically more sustainable.
Good Administration	This principle has no direct bearing on the application; however, the Overstrand Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.

11. DESIRABILITY

11.1 Title Deed

- The title deed notes that uses should be community orientated activities. The proposal is fully compliant with this restriction / condition.

11.2 Physical Characteristics of the Property

- The proposed uses will not impact negatively on the physical characteristics of the property, since no additional permanent structures are proposed outside the existing built-up area.



11.3 Overhead Planning

The project complies with the overhead planning for the area:

- The proposal is in line with the Spatial Development Framework and other overhead planning documents for this area by making use of existing infrastructure.

11.4 Compliance with SPLUMA & LUPA

The proposal is in compliance with the principles of SPLUMA & LUPA.

11.5 Agricultural Activities

There are no agricultural activities on the property, other than a small vegetable garden.

11.6 Character of the Area

The area surrounding the farm is characterised by agricultural uses and rural dwellings. With the uses applied for, already being practiced for decades on this property, the formalisation of rights, will not have an impact on the character of the area.

11.7 Visual Impact

There will be no visual impact, since no additional buildings will be erected.

11.8 Potential of the Site

By making use of existing infrastructure, inside existing buildings, optimal use is made of available resources. The use will not have any impact on existing activities or on any sensitive environmental area.

The site needs to be preserved for community facilities, but the expense of the upkeep of the heritage buildings and large grounds becomes significant if the property doesn't generate an income. The



proposed uses (community market, function hall and live music) will ensure that the property remains available for community purposes.

11.9 No impact on Existing Rights

Given the fact that the proposal is consistent with spatial planning policy, and the fact that these facilities are located inside existing buildings, it is the considered opinion that the proposed application will not have an undue impact on any of the existing land use rights.

11.10 Impact on Neighbours

The consent uses applied for have mostly been in use for many years. These uses have an impact on neighbours, but it has been indicated that some of the neighbours enjoy the activity on the erf and others participate in the weekend market, or contribute to weddings held at the facility.

With the market area being only once a week during daytime, the impact of these events should be acceptable. The live music and functions could, however, generate noise, that could have an impact on neighbours. With it being inside the hall of the Old School, is it anticipated that the noise will be contained. The venue is also fairly small and only a maximum of a 100 people can be accommodated. Due to the scale of the venue, the impact should be manageable. Live music will also not be allowed to play later than 11h00 at night.

The existing restaurant are allowed to sell liquor until 02h00 in the morning. The property therefore also has an established business element.

12. CONCLUSION

The proposed consent uses will make use of infrastructure and resources that are already available on the property. Most of the proposed uses were already in place for many years, but the correct processes were not followed to formalise their use.




The proposal should not have an undue negative impact on surrounding neighbours, seeing that the uses have been taking place historically. The consent use will not impact negatively on the character of the property. The proposal is in line with national and provincial legislation, as well as policy documents and is acceptable in terms of desirability. Land uses of this nature contribute towards strengthening the entire tourism market of the area and provides the community with the opportunity to market their own products.



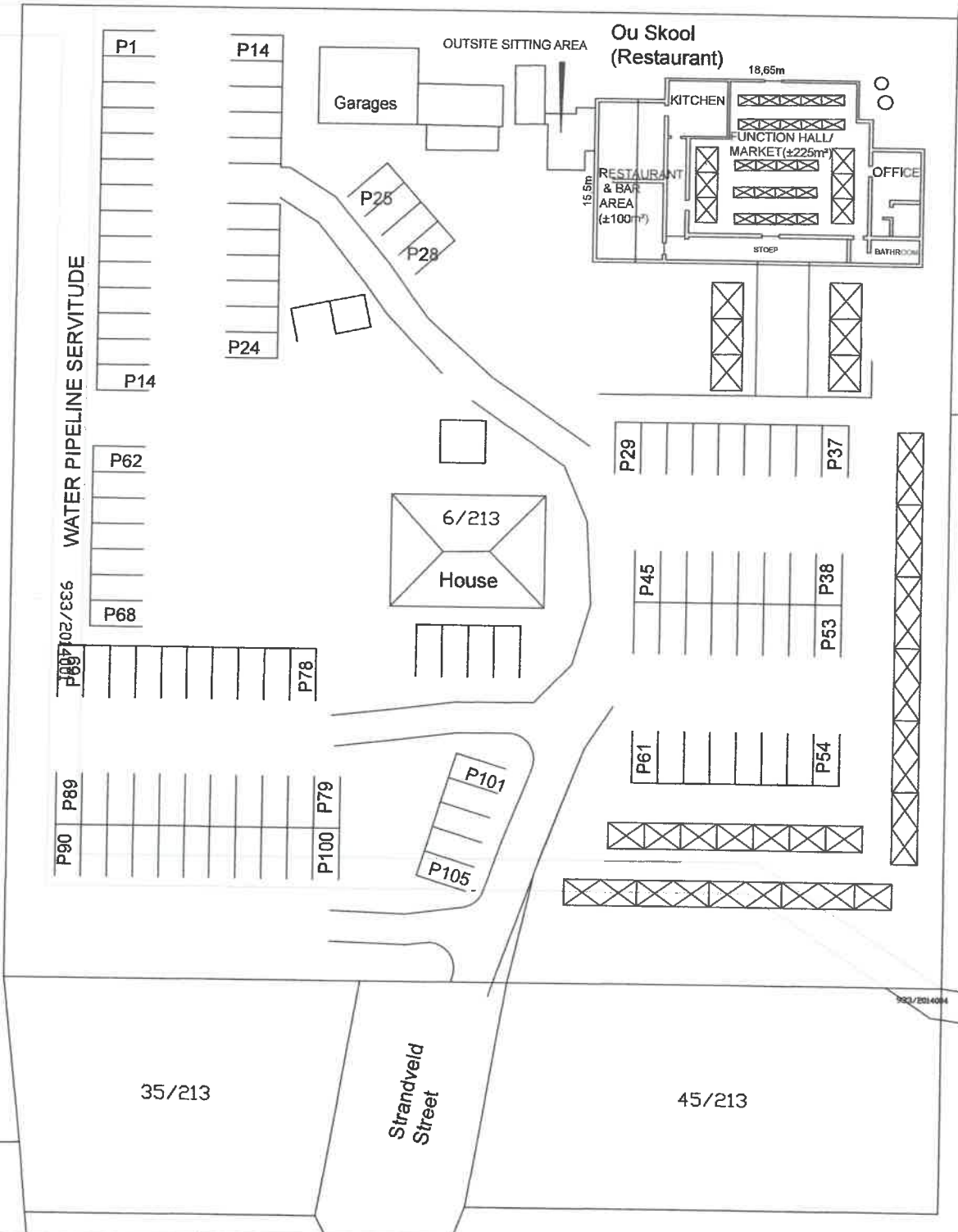
NOTES:

FUNCTION HALL FLOOR AREA: ±225m²

NUMBER OF PARKING BAYS: 105

 APPROX NUMBER OF MARKET STANDS (±50 STANDS)

188/213



35/213

Strandveld Street

45/213

Town & Country
Creative Land Solutions

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Bredasdorp
7280

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Fax. 028 425 2085

E-mail: towncountry@vodamail.co.za

PROJECT
SITE PLAN: PORTION 6 OF FARM 213,
BREDASDORP DIVISION
OVERSTRAND MUNICIPALITY



DRAWN	CHECKED
LT	LT
SCALE	DATE
1: 600	MAY 2024
DWG No.	REVISION
BRE/3154	
Notes:	