

Ward 1

Councillor: R Ross
Ward Committee Members



Sir/Madam

Notice is hereby given of a
WARD COMMITTEE MEETING of WARD 1
to be held on

WEDNESDAY, 02 OCTOBER 2024

Venue: Napier Community Hall **Time:** 16:00
to discuss the under-mentioned Agenda

A G E N D A

1. **OPENING & WELCOME**
- 1.1 Introductions of Ward Committee Members and Umea Delegation
2. **ATTENDANCE / APPLICATIONS FOR LEAVE**
3. **MINUTES OF PREVIOUS MEETING: 10 SEPTEMBER 2024**
(Attached)
4. **MATTERS ARISING FROM MINUTES**
5. **BACKGROUND TO WARD COMMITTEE**
6. **NEW MATTERS / GENERAL**
 - 6.1 Member organisation feedback
 - 6.2 IDP Review Process
 - 6.3 Application for consent use and departure - Farm 127 Bredasdorp
 - 6.4 New draft By-Laws for public comment
 - 6.5 Napier Mining application
7. **CLOSURE**

Wyk 1

Raadslid: R Ross
Wykskomiteelede



Menere / Dames

Kennis geskied hiermee dat 'n **WYKSKOMITEE**
VERGADERING van **Wyk 1** gehou sal word op

DINSDAG, 10 September 2024

Plek: Elim Opsienersraad Tyd: 18:00

ten einde die onderstaande Agenda te behandel

A G E N D A

1. OPENING EN VERWELKOMING
2. PRESENSIE / AANSOEKE OM VERLOF TOT AFWESIGHEID
3. NOTULE VAN VORIGE VERGADERING: 7 AUGUSTUS 2024
(Aangeheg)
4. SAKE VOORTSPRUITEND UIT NOTULE
5. NUWE SAKE / ALGEMEEN
 - 5.1 Swedish visit to CAM – Ward Committee Meeting to accommodate Swedish delegation in first week of October.
 - 5.2 Aansoek itv Wet op Nasionale Erfenishulpbronne (Aangeheg)

1. OPENING AND WELCOMING

Councilor Ross welcomed everyone to the meeting, a special welcome to Mr Kevin Poulter, who is the newly elected chairman of the NRA as well as the NRA representative on the ward committee.

Mr Attie Van Breda opened with a scripture reading and a prayer out of the Daily Moravian word.

2. ATTENDANCE REGISTER

Attendance register was circulated.

Apologies

Mr Mark Partington

Caitlin Leonard

3. MINUTES OF PREVIOUS MEETING

All in favor of minutes with corrections

4. MATTERS ARISING FROM PREVIOUS MINUTES: 7 August 2024

Mr Poulter, is concerned that subdivisions are approved but not in line with the SDF within the minutes.

Correction the minutes, Mr Kent Georgala indicated that the spelling of his name was incorrect.

He also indicated that that he referred to the fence of the graveyard and not the windows of the Grobbelaar Hall.

Mr Boshoff indicated that the recommendation to the renting of the Grobbelaar saal was one year and not nine years and eleven months as indicated.

5. NEW MATTERS

5.1 SWEDISH DELEGATION VISIT TO CAM

Councilor Ross inform the meeting that the Swedish delegation from a town called UMEA will visit Cape Agulhas and intend to join the ward committee meeting and requested the meeting if we can move the next ward committee meeting to the 2nd of October 2024 at 16:00. The meeting was in favor of the request.

5.2 APPLICATION INTERMS OF THE NATIONAL HERITAGE RESOURCES ACT, 1999, ACT 25 OF 1999.

The meeting take note of the application as per attachment to this minutes, ward committee members are requested to forward all comments to the Municipality. The Councilor Ross informed the ward committee that there will be a workshop on 16th September 2024 at 18:00.

6. GENERAL

6.1 CPF

The CPF conveys of thanks to the NRA on a successful AGM and also the election of the new EXCO of the NRA.

A word of thanks to Mayor Ross and Director Moodley for the safety meeting that was held on the 29th August and he wants to thank Director Moodley for her swift and detailed report and operational plan.

Mr Boshoff indicated that with the start of the Police Safety month, the CPF already had an event on the 6th of September and will have another one at the end of the month.

He also mentioned that the CPF is planning an event on heritage day, 7 organizations has already committed to be part of the Potjiekos competition and will serve the community with a warm meal.

The CPF AGM date will be on the 13th of November 2024.

6.2 Elim

- Mr Van Breda enquired about the roads within Elim and the assistance from Western Cape Government.
- Mr Van Breda requires assistance from the Cape Agulhas Municipality with the maintenance of parks in Elim.
- Mr Van Breda requested that the Voelvlei road be tarred.
- Mr Van Breda requested that people be trained by ODM regarding fire fighting and first aid course.
- Mr Van Breda thank Councillor Ross regarding his assistance regarding waste management and connecting him with Mr Linnerts.

6.3 NRA

The NRA has the following concerns:

- Roads in a meeting with Deon Wasserman, it was agreed that Napier will take priority within Cam all roads will be scraped potholes and the potholes will be wet and rolled to ensure compression.
- The bridges. There is a concern that the tender process has delayed the repair of the bridges details on why this delay is required for the residents of Napier.
- Mining Wikus, will represent the NRA in any mining meetings.
- Water and electricity accounts: due to the fact that readings are not taken on a monthly basis and underestimations of usage results in residence receiving a inflated bow due to the sliding scale of tariffs. The June account for usage has been bold incorrectly as it is bold at the new tariff that was effective from the 1st of July.
- Traffic calming and speed control: traffic calming needs to be addressed on Sarel Cilliers and the priorities at this time is Joseph an Adam St. It is requested that law enforcement be on Sarel Cilliers during this week to pull up the cars suspected of speeding. No fines need to be issued

- Planning department: their concerns that the SDF is not being considered when deciding on subdivisions or other applications. CAM need to consider the new heritage inventory that is out for public participation in all applications.
- Municipal dump: there is a concern with the way that the Napier dump is being used with regards to people being turned away with Gordon refuse or household refuse. This needs to be reviewed urgently to stop illegal dumping.
- The NRA has set up an area looking at social impact and we'll be addressing some concerns within the community
- From the meeting held at the informal settlement with the municipal manager the man and directive infrastructure. There are actions that have still not been delivered on this includes black bags and the refuse removal area within the informal settlement.

The new committee has set up the following functions within the committee that will address initial concerns:

1. Election of new office bearers

- a. Chairperson: Kevin Poulter
- b. Secretary: Nadine Fowler
- c. Vice Chairperson: Mat Wood
- d. Finance: Colin Tonkin
- e. Ward Committee: Kevin Poulter

2. Roles and Responsibilities on NRA

- a. Housing and Land - Lucen Stuart
- b. Roads – Mat Wood
- c. Solar - John Moul
- d. Solid Waste - Mat Wood / John Moul / Wikus Marks
- e. Environmental - Colin Tonkin
- f. Social Impact - Wikus Marks / George Murtz
- g. Public Participation – Kevin Poulter / Annelene Kriel
- h. Mining - Wikus Marks
- i. Commonage usage / Municipal Land - Annelene Kriel
- j. Communication - Nadine Fowler / Annelene Kriel
- k. Additional responsibilities will be assigned at future meetings.

Seconded Members

- l. CPF / Safety Security – Angela Altendorf
- m. Napier Heritage and Conservation Body – Kent Georgala

6.3 SPANJAARDSKLOOF

- Willem Van Zyl will contact TWK regarding assistance with wifi.
- The Spanjaardskloof Residents Association requests a meeting with Mr B Neale

6.4 LANDBOU VERENIGING

The Tennis Club has received a Municipal Account of R132000 in March, and it was credited, the same mistake was made again this month, it was again rectified

Mining Application , we are at the 4th application. This application is further then the previous applications, we are now at the point where the The Department of Mineral Resources will either approve it or not approve it. If the application is approved, the Landbou Vereniging will take Cienh to court and visa versa.

Mr De Kock indicated that the processes within Local Government are taking to long and this cause the delay within the development of Argricultural processes and can cause loss in income and food security.

Mr De Kock request information regarding the dumping of household waste at the waste site in Napier.

6.5 CABA

- CABA requests a meeting the Municipal Manager, Councilor Ross
- CABA is prepared to support organizations that cannot afford to pay for venues.
- House Van Der Riet – Mr Poulter has requested builders to make an assessment regarding the cost of the building of house van der Riet as well as a house in the informal settlement.
- Mr Boshoff requested that we review our policies regarding the utilization of our facilities for community based organizations.

6.6 HERITAGE ASSOCIATION

- Gardener for the Municipal offices in Napier, the garden is in a terrible state
- Garden on the corner Rooi Laan and Sarel Celliers that has been neglected and need to be sorted.

6.7 INFORMAL SETTLEMENT

- Broken taps and toilets requiring repair?
- Water wastage due to facilities not being properly managed?
- Water accumulation in streets due to lack of storm water drainage
- Poor condition of roads.
- Absence of stormwater management, leading to frequent flooding.
- Need for sandbags and sails on roofs during bad weather.
- Rubbish dumping on the outskirts due to lack of waste disposal facilities.
- Condition of existing sports facilities.
- Distribution of black bags.
- Training of fire wardens in informal settlement.
- The placing of the shackattack/water trailer.

6.8 NAPIER NEIGHBORHOOD WATCH

None

Meeting adjourned at 19:30



Councillor Raymond John Ross

CAPE AGULHAS MUNICIPALITY

NOTICE: APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT, 1999, ACT 25 OF 1999)

Notice is hereby given in terms of Sections 30(5) and 31 of the National Heritage Resources Act, 1999, Act 25 of 1999 that a heritage inventory has been compiled for Napier, and that a number of graded resources are proposed for placement on the Heritage Register (Section 30) and designation as Heritage Areas (Section 31).

A copy of the proposed inventory is available at the Municipal offices and libraries. It is also available on the Municipal Website <https://capeagulhas.gov.za/documents/spacial-planning/>

Motivated comments, objections and representations on the inventory must be submitted in writing on or before **Monday 7 October 2024**. Any comments received after the closing date will not be considered.

Any persons who cannot read or write are invited to visit the municipal offices during normal office hours where a member of staff will assist to transcribe their comments.

Enquiries may be directed to Ms S Nel SunelN@capeagulhas.gov.za. Tel 0284255500.

PLEASE NOTE: Due to the limited functioning of the Bredasdorp Post Office, all comments must be submitted via email or delivered to the nearest Municipal Office.

**E.O PHILLIPS
MUNICIPAL MANAGER**

**Municipal Offices,
1 Dirkie Uys Street, Bredasdorp
Tel: 0284255500
townplanning@capeagulhas.gov.za**

KAAP AGULHAS MUNISIPALITEIT

KENNISGEWING: AANSOEK OM AFWYKING EN TOESTEMMINGSGEBRUIK

Kennis geskied hiermee ingevolge Artikel 15 van die Kaap Agulhas Verordening op Munisipale Grondgebruikbeplanning, 2022, dat die Munisipaliteit die volgende aansoek vir oorweging ontvang het:

Eienaar : BLOMBERG BELEGGINGS PTY LTD
Aansoeker : Town & Country
Eiendom : Farm 127 Bredasdorp
Ligging : Sandy Glen pad, 10km noordwes van Napier
Huidige sonering : Landbou
Voorstel:

Aansoek ingevolge die Kaap Agulhas: Verordeninge op Munisipale Grondgebruikbeplanning, 2022:

- Afwyking ingevolge Artikel 15(2)(c) om 'n gedeelte van die plaas vir 'n jaarlikse musiekfees te benut.
- Toestemmingsgebruik ingevolge Artikel 15 (2)(o), vir doeleindes van vyf selfsorg gastehuse.

Besonderhede van die aansoek is gedurende kantoor ure by Donald October ter insae.

Skriftelik gemotiveerde kommentaar, besware en verhoë ten opsigte van die aansoek ingevolge Artikel 50 van bogenoemde verordening moet voor of op **28 Oktober 2024** by die Munisipaliteit ingedien word. Neem asb kennis dat enige kommentaar wat na die sluitingsdatum ontvang word, nie oorweeg sal word nie.

Enige persoon wat nie kan skryf nie kan gedurende die kantoor ure van die Munisipaliteit na ondergemelde kantoor kom waar Donald October of 'n ander amptenaar sodanige persoon sal help om sy/haar kommentaar en/of besware af te skryf.

LET WEL: As gevolg van minimale funksionering van die Bredasdorp Poskantoor moet alle kommentaar deur epos gestuur word of afgelewer word by die naaste Munisipale Kantore.

**E.O PHILLIPS
MUNISIPALE BESTUURDER**

Munisipale Kantore,
Dirkie Uysstraat 1, Bredasdorp
Tel: 0284255500E
townplanning@capeagulhas.gov.za

Kennisgewing no.: KL 2425-00038

This notice is also available in English on request.
Esi saziso siyafumaneka ngesiXhosa xa kuceliwe.

CAPE AGULHAS MUNICIPALITY

NOTICE: APPLICATION FOR CONSENT USE AND DEPARTURE

Notice is hereby given in terms of Section 15 of the Cape Agulhas: Municipal Land Use Planning By-Law, 2022, that the Municipality has received the following application for consideration:

Owner : **BLOMBERG BELEGGINGS PTY LTD**
Applicant : **Town & Country**
Property : **Farm 127 Bredasdorp**
Locality : **Sandy Glen Road, 10km north-west of Napier**
Existing zoning : **Agriculture**
Proposal:

Application in terms of the Cape Agulhas: By-law on Municipal Land Use Planning, 2022:

- A departure in terms of Section 15(2)(c) for an occasional use, to utilise a portion of the farm for an annual music festival.
- A consent use in terms of Section 15 (2)(o), for purposes of five self-catering guest accommodation houses.

Details of the application can be obtained from Donald October during office hours.

Motivated comments, objections and representations on the application, submitted in terms of section 50 of the said by-law must reach the Municipality in writing on or before **28 October 2024**. Please note that any comments received after the closing date will not be considered.

Any persons who cannot read or write are invited to visit the municipal offices during normal office hours where Donald October or another member of staff will assist to transcribe their comments, objections and representations.

PLEASE NOTE: Due to the limited functioning of the Bredasdorp Post Office, all comments must be submitted via email or delivered to the nearest Municipal Office.

E.O PHILLIPS
MUNICIPAL MANAGER

Notice nr.: KL 2425-00038

Municipal Offices,
1 Dirkie Uys Street, Bredasdorp
Tel: 0284255500
townplanning@capeagulhas.gov.za

Hierdie kennisgewing is ook in Afrikaans beskikbaar op aanvraag.
Esi saziso siyafumaneka ngesiXhosa xa kuceliwe

MOTIVATIONAL REPORT

PROPOSED CONSENT USE: FARM NR 127, BREDASDORP DISTRICT

Ref. BRE/3206

1. INTRODUCTION & BACKGROUND

This office was appointed by Ika Pietersen, on behalf of Blomberg Beleggings Pty Ltd to prepare the town planning application for departure and consent use on Farm Nr 127, Bredasdorp. The application is required to allow for five additional dwellings on the farm that will be used for guest accommodation. The departure is for purposes of a temporary Occasional Use, to accommodate an annual music festival on the farm for the next five years.

The farm is currently being used for limited agricultural purposes that include flower picking and the cultivation of lands. There is also an existing camp site, that can accommodate 10 stands, that proved to be very popular with weekenders. The owners would like to develop the farm for eco-tourism. Income from the music festival over the next few years will contribute towards this goal.

2. APPLICATION

Application is made for:

- A departure in terms of Section 15(2)(c) of Cape Agulhas Municipality: By-law on Municipal Land Use Planning (PG 8632 of 15 July 2022), for an occasional use, to utilise a portion of the farm for an annual music festival.
- A consent use in terms of Section 15 (2)(o) of Cape Agulhas Municipality: By-law on Municipal Land Use Planning (PG 8632 of 15 July 2022), for purposes of five self-catering guest accommodation houses.

3. PROPERTY DESCRIPTION

The Remainder of Farm 127 Bredasdorp RD is registered under T21329/2019. The GPS coordinates of the farm are 34°27'25.17"S and 19°45'.03.39"E. The farm is located in a mountainous area and was originally covered with Fynbos. Areas that were historically ploughed

have become overgrown with pine trees after a fire almost twenty years ago. Small sections of the farm are still ploughed. Areas of the farm are still intact with typically Overberg Sandstone Fynbos.

TOTAL AREA	871,1741ha
REGISTERED OWNER	Blomberg Beleggings Pty Ltd
Boundaries: North	Farms 126 and 126/1
East	Farm 345
South	Farms 133, 134 and 132/1
West	Farms 126 and 128

The subject property is located approximately 10km north-west of Napier. The farm falls under the jurisdiction of the Cape Agulhas Municipality and is situated amongst other agricultural properties. Please see attached a locality plan and below an extract from an aerial photo.



Aerial image, indicating the farm extent.

4. CURRENT ZONING

The subject property is zoned as "Agriculture Zone I" in terms of the Cape Agulhas Zoning Scheme By-Law. No change in zoning is proposed and the primary use remains agriculture.

The definition of Agriculture:

"agriculture" Land use description: "agriculture" means the cultivation of land for raising crops and other plants, including plantations, the keeping and breeding of animals, birds or bees, stud farming, game farming, intensive horticulture; intensive animal farming; a riding school or natural veld, and-

(1) includes-

(a) the harvesting, cooling, storing, sorting, packing, and packaging of agricultural produce grown on that land unit and surrounding or nearby farms.

(b) harvesting of natural resources limited to living organisms for delivery to the market.

(c) agricultural buildings or infrastructure that are reasonably connected with the main farming activities, including a dwelling house, agricultural worker accommodation and rooftop base telecommunication stations.

(d) a camping site limited to a maximum of 10 tent or caravan stands subject to the development parameters applicable to "tourist accommodation", provided further that a consent use must be applied for in the following cases-

(i) the property is smaller than 1ha.

(ii) the property is situated within 1km of the high-water mark of the sea or a tidal river.

(iii) more than 10 tent or caravan stands are applied for.

(e) linear infrastructure.

(f) agricultural industry

(2) does not include aquaculture, an abattoir, a farm shop, an animal care centre, any mining activity, utility services and renewable energy structures for commercial purposes.

In terms of the Zoning Scheme By-Law: According to the Integrated Zoning Scheme:

'In addition to a dwelling house, the total number of dwelling units allowed on a land unit in the Agricultural Zone, including a dwelling unit used by a bona fide farm manager, a second dwelling and guest accommodation, but excluding farm worker accommodation, shall not exceed 1 unit per 10 hectares, up to a maximum of 5 dwelling units.'

5. THE DEVELOPMENT PROPOSAL

Due to the farm being mountainous and poor soil preventing traditional farming enterprises, Farm 127 has limited agricultural potential. The natural veld does, however, allow for the harvesting of flowers and some cultivated lands are still maintained. The owners of the farm would like to develop the farm on a small scale for eco-tourism. They want to be able to share the natural beauty of the farm with weekenders and tourists.

Application is made for:

- A) A departure for **Occasional Use**, that will allow for a once-a-year music festival to be held on the farm.
- B) A consent use for **Guest Accommodation** to allow for the use of five additional houses to be used for guest accommodation. One of these houses already exists. The houses will complement the already existing campsite on the farm.

A. Departure for Occasional Use for purposes of an annual music festival

The owners were previously approached to make their farm available for an annual music festival. It took place earlier this year and they were asked to make it available for the next five years. The festival took place in the pine forest on the northern portion of the farm. The income that will be generated by these festivals will assist them to develop the guest accommodation and help to manage the alien tree infestation on the farm.

The zoning regulations do not provide for temporary venues for music festivals as proposed with this application. Application is therefore made for a departure, to allow for the occasional use for a music festival, for the next five years.

The music festival, known as Smalltown Beat, attracts a considerable number of visitors from all over the Western Cape. The layout of the venue for these events is informal, although specific areas are designated for parking, food stalls, ablution, camping and the two music stages in between the pine trees. Please refer to the attached site plan and extract below. All these areas are previously disturbed areas, that does not fall within a Critical Biodiversity area.

Organisers transport everything that is required to the venue and there is no disturbance to any soil or vegetation. Portable toilets and showers are brought in and removed at the end of the festival. Organising these types of events requires comprehensive planning to comply with health and safety regulations in providing enough toilet and shower facilities, drinking water, garbage removal and safe access. Organisers work with the District municipality to ensure fire risks are addressed and special attention is given to road safety. Organisers are in contact with municipal and provincial traffic officials. With the previous festival certain challenges and hindrances to neighbours were identified, that will be mitigated with the following festivals.

None of the activities compromise high potential agricultural land or sensitive natural areas. An overlay was done with the critical biodiversity areas and none of the uses are in these areas.

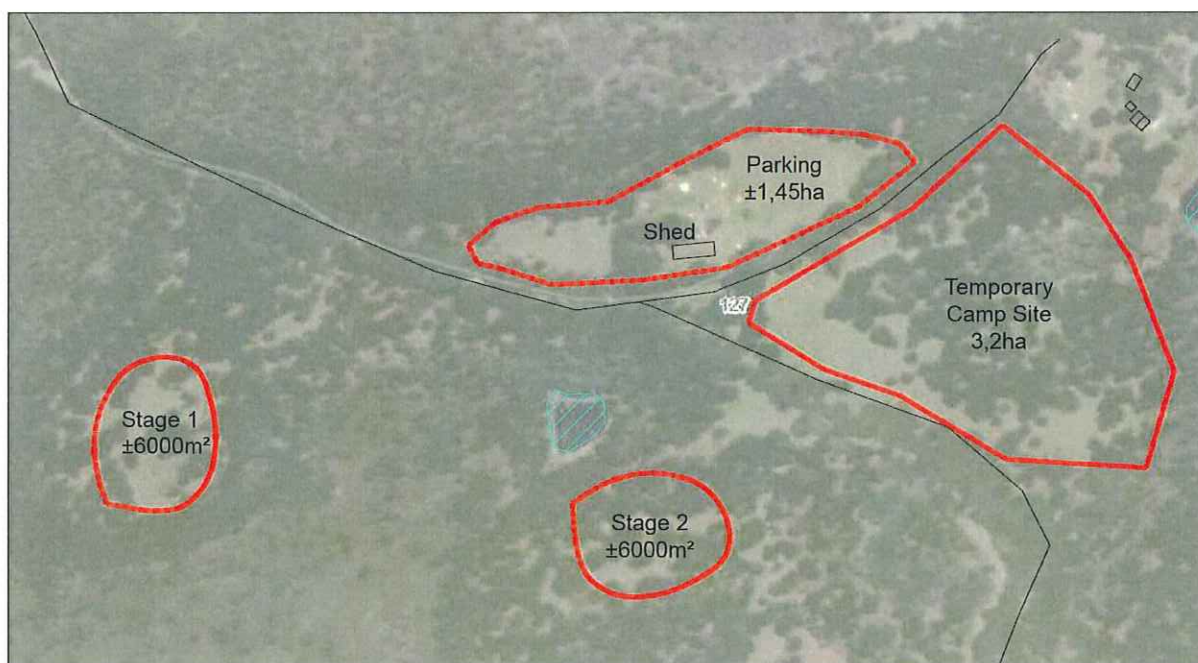


Fig. 1 Plan showing the approximate location and size of the areas that forms part of the occasional use.

B. A Consent Use for Guest Accommodation

The size of the property is 871,1741ha in extent; therefore, the property qualifies for a maximum of five additional units. There is already a main house and one additional unit. The owner would like to use the existing additional house and erect four additional houses over time for guest

accommodation purposes. The owner envisages placing the proposed dwellings along an existing road on areas infested with alien trees / vegetation, that is already disturbed. Alien trees are specifically present along these road areas where disturbance took place. This placement will prevent the unnecessary removal of natural vegetation and will also be more economical since access is existing.

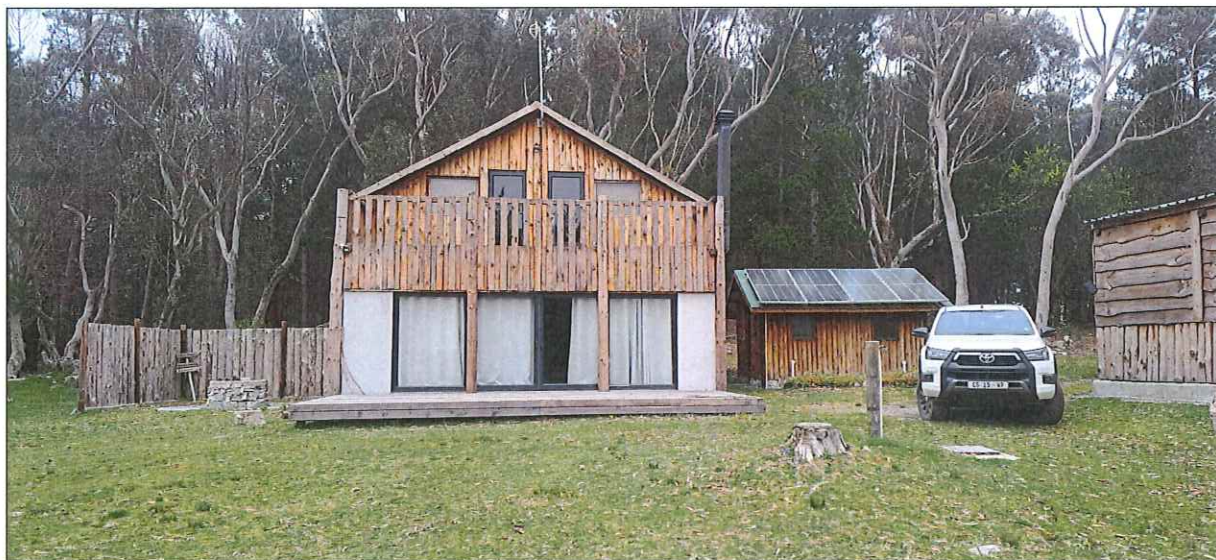


Photo of the existing house, the camp site ablution and the lapa.

The existing house has a floor area of roughly 120m², two bedrooms and a kitchen. This house is next to an area currently used as a campsite. The campsite has its own ablution. Please refer to the attached floor plan to illustrate the location of the different uses.

The floor area of the proposed additional dwellings will not exceed 120m² each. Guests will reside in the additional dwellings on a temporary basis. Cottages will be designed to blend in with the natural area where it is to be located. The colour of the cottages (walls & roof) will be chosen in accordance with the surrounding landscape.

It should be noted that although four new dwellings will be built on the application area, the land use on the property will remain agriculture, and no change of land use on the farm is envisaged. This area is unusable for agricultural purposes due to the topography and especially soil quality.



Existing camp site area, in front of the existing additional house.



A historically man-made dam, that forms part of the attraction to visitors, located next to the existing camp site.



The disturbed area where the new additional dwellings are proposed.

The attached Site Development Plan indicates the existing and proposed buildings, along with the location of roads. The four new additional houses are proposed just below the 500m contour line.

None of the floor areas of the proposed additional dwellings will exceed 120m² each. One of the five additional dwellings applied for, already exists.



Extract from the site plan, indicating proposed and existing buildings and structures.

6. ACCESS & ADDITIONAL TRAFFIC

6.1 ACCESS

- Access to the farm is taken from the Sandy Glen Road, the DR1222, over Portion 1 of Farm 126, from an existing access point.
- Access to the farmyard, camp site and site for the additional dwellings exists.
- For the annual music festival, additional requirements in terms of escape roads and access points are negotiated with the District Municipality directly, before the event takes place.

6.2.1 PARKING FOR THE MUSIC FESTIVAL

- Parking for purposes of the music festival is provided for on an open piece of land.



Open area, that will be used for parking purposes.

6.2.2 Parking for the additional dwellings

- Parking at the existing additional dwelling and camping area exists.
- Parking to be provided next to each of the proposed additional houses as prescribed by the relevant regulations.
- The additional units will not attract high volumes of traffic.

7. SERVICES

Water

Rainwater harvesting tanks will be installed at each new house for purposes of potable water. Drinking water is however already obtained from a fountain on the farm and water will be stored in tanks with sufficient capacity for the proposed dwellings.

Rainwater is an excellent source of good quality water that can be collected and stored (Red Book, 1994). Based upon the Red Book (1994), and the successful use of rainwater at most farms throughout the country,

Sewerage

A closed system conservancy tank will be used for all the units and emptied as required.

Electricity

Electricity will be generated by solar panels. A donkey-system for warm water already exists at the existing house and camp site. A similar warm-water system will be installed at the new houses.

Rubbish removal

All rubbish will be removed to a licensed municipal dumping site.

For the occasional use, services are primarily carted in, and it is then again removed after the festival. No rubbish is left behind. Water is, however, made available, since it is readily available.

8. 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.

Uses are kept away from any CBA-areas and proposed on already disturbed portions of the farm. Roads are existing and will not have to be widened.

9. EXISTING POLICY FRAMEWORKS

9.1 Western Cape Spatial Development Framework: Rural Land Use Planning and Management Guidelines

The Western Cape Provincial Government has developed guidelines to provide guidance to its social partners on land use planning and management outside the urban edge (i.e. in rural areas). Forming part of the roll-out of the Provincial Spatial Development Framework (PSDF), their objectives in introducing rural land use planning and management guidelines are:

- To safeguard the functionality of the province's life supporting ecosystem services (i.e. environmental goods and services).
- To maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, cultural and scenic rural landscapes, and natural resources.
- To provide clarity to the provincial government's social partners on what kind of development is appropriate beyond the urban edge, suitable locations where it could take place, and the desirable form and scale of such development

According to these guidelines, the principles underpinning the Western Cape's rural land use management guidelines are as follows:

Decisions on rural development applications should be based on the following sustainable land use principles:

- social inclusion,
- effective protection and enhancement of the environment,
- prudent use of natural resources, and
- maintaining high and stable levels of economic growth.
- Good quality and carefully sited development should be encouraged in existing settlements.
- Accessibility should be a key consideration in all development decisions.
- New building development in the open countryside away from existing settlements should be strictly controlled regarding scale, height, colour, roof profile, etc.
- Priority should be given to the re-use of previously developed sites in preference to greenfield sites.
- All development in rural areas should be well developed and inclusive, in keeping and scale with its location, and sensitive to the character of the rural landscape and local distinctiveness.

These guidelines made the following recommendations with regard to the placing of additional dwelling units on Farms:

- Development to target existing farm precincts and disturbed areas, with the employment of existing structures and footprints to accommodate development.
- Development associated with farm diversification or “value adding” should:
 - not result in excessive expansion and encroachment of building development and land use into the farm area; and
 - not to be located in visually exposed areas given the extensive landscape of extensive landscape areas.
 - Development (i.e. farm diversification or “value-adding”) to be located within or peripheral to the farmstead precinct or outposts and should be accommodated in reused, converted or replaced farm building (i.e. existing footprint) or to target disturbed areas.

It is the considered opinion that the proposal for five additional dwelling units and the temporary occasional use is consistent with the Provincial Government’s draft Rural Land use Management guidelines.

9.2 Cape Agulhas Spatial Development Framework (2024)

According to this document, the following is noted:

‘Agriculture is a major contributor to the provincial and municipal economy; therefore, agriculture should be protected from inappropriate land uses that will impact agricultural opportunities. The competitive strength of the region resides in its food chain including a stable agriculture sector producing for the export market as well as the associated food and beverage processing industries. Cape Agulhas agricultural sector is diverse and comprises of grains such as wheat and barley, canola, vegetables, flowers as well as livestock including meat and wool. Challenges that the agriculture industry face in the Municipality includes the availability of good quality water for irrigation purposes and extreme events such as severe draught and hailstorms. The key agricultural resources that must be protected are:

- cultivated land;
- pastures;
- fynbos areas used for flower harvesting; and
- streams, aquifer recharge areas, and catchments.'

'Tourism is a significant economic driver in the Municipality. Tourism provides a development mechanism to ensure a sustainable mix between local communities, cultures, and the environment; its contribution to potential growth may extend beyond local economies.'

With the farm being mountainous, with poor soil quality, the proposal enhances the economic viability of the farm, while promoting tourism in a sustainable way. The farm's value lies in its natural environment and the owners would like to share this with tourists, while rehabilitating the natural veld that became overgrown with alien trees. Alien trees not only threaten the natural fynbos, but also holds a severe fire risk.

9.3 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 paragraphs 9.1 and 9.2 of 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 proposed uses contribute towards making the farm economically more sustainable. It strengthens existing tourist facilities in the area, by providing visitors with an alternative experience, thereby giving them reason to visit the area for longer and more often. The development contributes to establish a tourist orientated character, attracting more visitors to the area.
Spatial Sustainability	The proposal is in line with existing overhead planning documents.

	The development proposal is sensitive to the natural environment and developed agricultural land by accommodating the proposal on disturbed areas. It's got a small infrastructure and services footprint.
Spatial Efficiency	The proposed uses make use of existing resources. The proposal adds value to the existing farm activities.
Spatial Resilience	The proposal is in line with current tourist demands, requiring a more and diverse tourist destinations, generally of the grid and untouched.
Good Administration	This principle has no direct bearing on the application, however, the Cape Agulhas Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.

10. DESIRABILITY

10.1 Title Deed

- There are no restrictions in terms of the Title deed, that could have an influence on this application and that have to be removed.

10.2 Physical Characteristics of the Property

- Farm 127 is located in a mountainous terrain. The additional dwellings will be located next to an existing internal farm road. New houses will not be visible from public roads.

- Portions of the farm are transformed for purposes of agriculture, consisting of the existing houses and ploughed lands. Various roads / tracks traverse over the farm supplying access to lands and access for flower pickers.
- The proposed houses will not impact negatively on the physical characteristics of the property, since no additional access roads are planned and it will be on already transformed areas.
- The occasional use is only once a year on transformed areas and has no impact on the physical characteristics of the property.

10.3 Overhead Planning

The project complies with the overhead planning for the area:

- The proposal is in line with the Spatial Development Framework for this area.

10.4 Compliance with SPLUMA & LUPA

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

10.5 Agricultural Activities

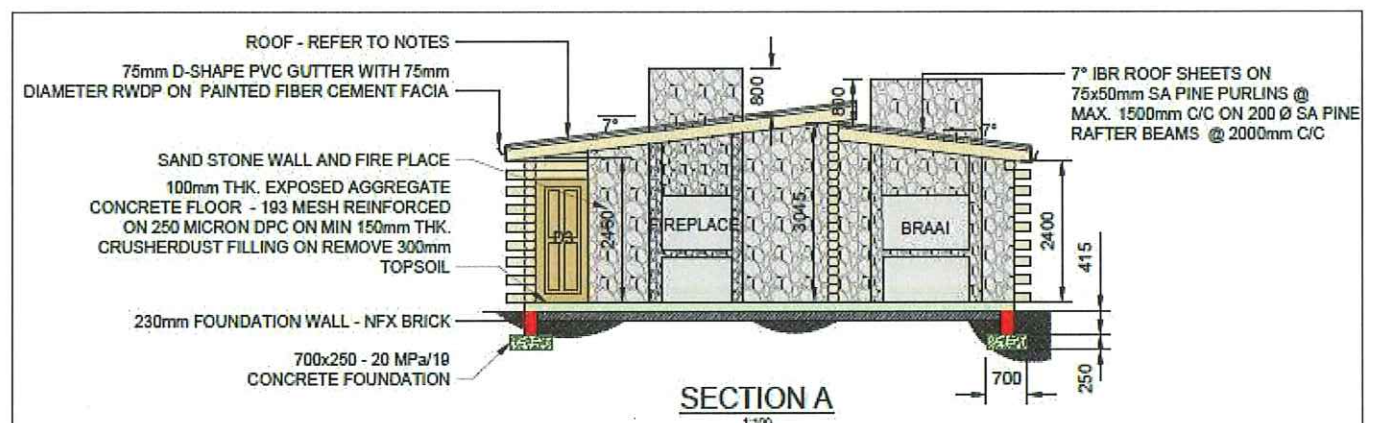
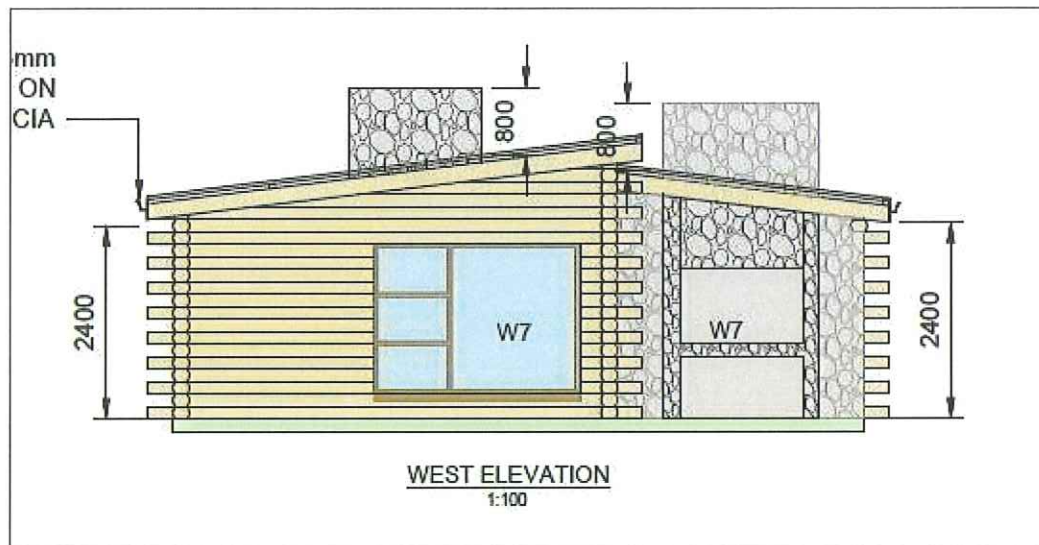
The consent use and temporary occasional approval will diversify the use of the farm, without impacting on the agricultural potential of the farm.

10.6 Character of the Area

The area surrounding the farm is characterised by agricultural uses and tourist facilities. With the proposed houses being small and clustered in one area, the facilities will fit in with the character of the area, without having a negative impact.

10.7 Visual Impact

The units will be located on the lower lying topographical area and will not be located on a ridgeline or prominent skyline. The architectural style of the cottages will blend in with the surrounding area and will not have a negative visual impact. The owner anticipate to make use of sandstone and wood, as building material



Architectural section and elevation of what is planned.

10.8 Potential of the Site

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

10.9 Economic Benefit

- The proposed uses will contribute toward making the farm economically sustainable.
- It allows the owner to faster eradicated the alien plantation.

- During the music festivals visitors book accommodation in Napier and Bredasdorp, that also benefit the wider community economically.
- Shops and restaurants are supported during the annual music festival.

11. CONCLUSION

The proposed consent use and departure will result in a low impact development, making use of infrastructure that is already partially available. The consent use will not have an undue negative impact on surrounding neighbours. With the previous festival, certain challenges were experienced, that will be addressed with future events.

It can be concluded that the

- A departure in terms of Section 15(2)(c) of Cape Agulhas Municipality: By-law on Municipal Land Use Planning (PG 8632 of 15 July 2022), for an occasional use, to utilise a portion of the farm for an annual music festival.
- A consent use in terms of Section 15 (2)(o) of Cape Agulhas Municipality: By-law on Municipal Land Use Planning (PG 8632 of 15 July 2022), for purposes of five self-catering guest accommodation houses.

meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and the Cape Agulhas Municipal Land Use Planning Bylaw, is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by the Cape Agulhas Municipality.



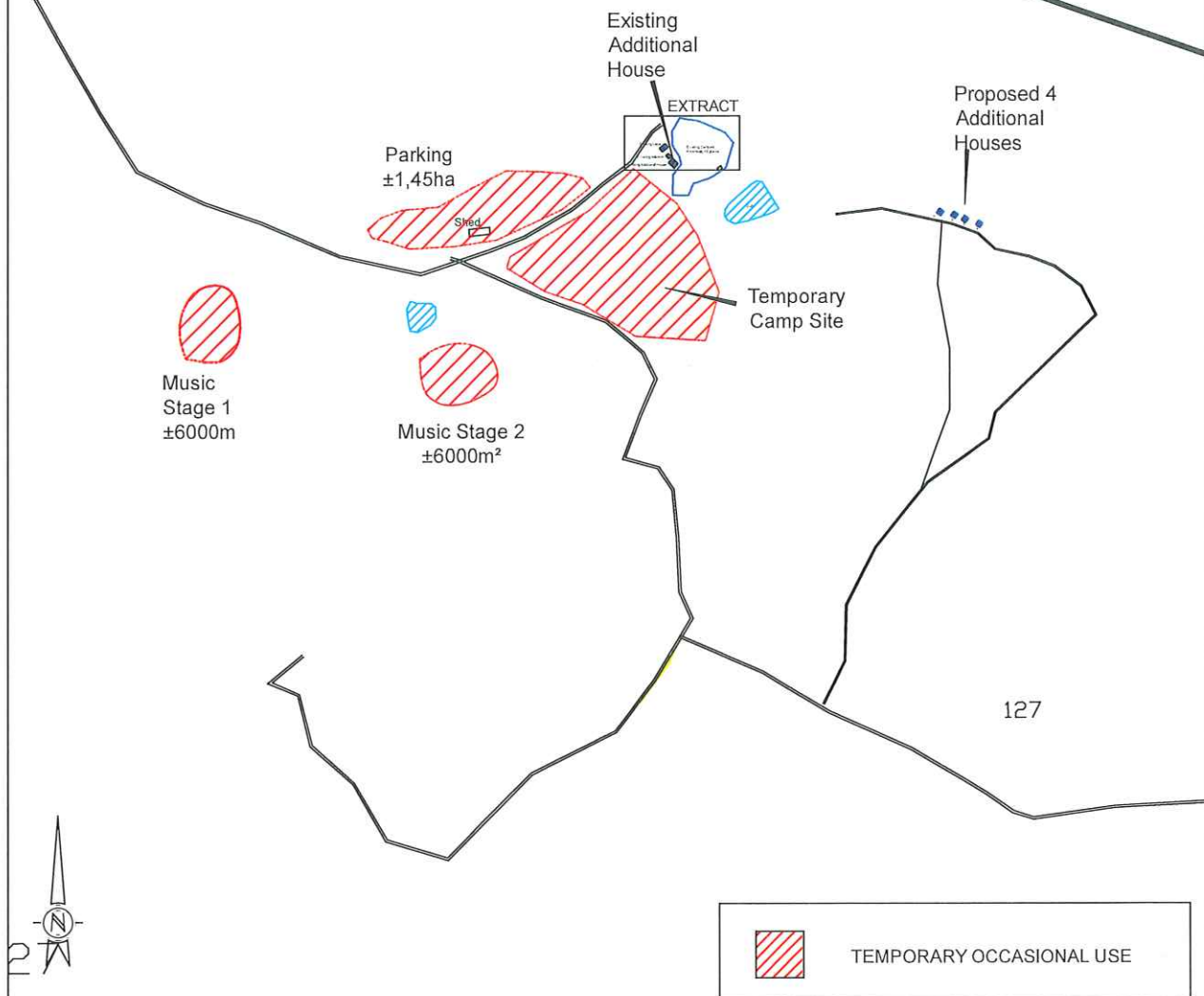
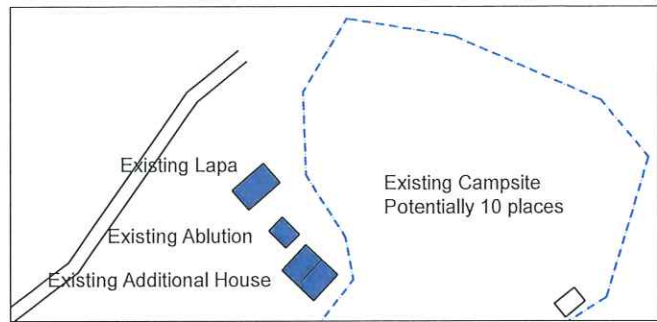
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PROJECT
SITE PLAN: FARM 127 BREDASDORP RD
CAPE AGULHAS MUNICIPALITY

 Land Surveys • Town Planning

DRAWN LT	CHECKED LT
SCALE 1:20 000	DATE SEPT 2024
DWG No. BRE/3026.1	REVISION
Notes: All distances & sizes are subject to final survey	

EXTRACT



TEMPORARY OCCASIONAL USE

Town & Country

Creative Land Solutions

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PROJECT

SITE PLAN: FARM 127 BREDASDORP RD
CAPE AGULHAS MUNICIPALITY



Land Surveyors • Town Planners

DRAWN

LT

CHECKED

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SEPT 2024

DWG No.

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REVISION

Notes:

All distances & sizes are subject to final survey

CAPE AGULHAS MUNICIPALITY

DRAFT BY-LAW FOR THE KEEPING AND IMPOUNDMENT OF ANIMALS

Notice is hereby given in terms of Section 160(4)(b) of the Constitution read together with Section 12(3)(b) of the Local Government: Municipal System Act, 2000 (Act 32 of 2000) that the Draft By-Law for the keeping and impoundment of animals is available for public comment.

The Draft By-Law aims to provide for the care, control and management of animals and the procedures, methods and practices to regulate the impoundment of stray or dangerous animals or animals that constitutes a nuisance.

The Draft By-Law is available on the Municipal Website <https://capeagulhas.gov.za/documents/by-laws/draft/>

Representations and comments on the Draft By-Law must be lodged in writing with the undersigned at the address stated on this advertisement by no later than MONDAY 28 OCTOBER 2024.

Enquiries can be directed to Ms Tracey Stone at Tel 028 425 5500 / E-Mail Traceys@capeagulhas.gov.za

Persons who cannot read or write, may also contact the aforementioned person during normal office hours for assistance.

EO PHILLIPS
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27/9/2024

KONSEP VERORDENING VIR DIE AANHOU EN SKUT VAN DIERE

KENNISGEWING geskied hiermee kragtens die bepalings van Artikel 160(4)(b) van die Grondwet saamgelees met Artikel 12(3)(b) van die Munisipale Stelselwet (Wet 32 van 2000) dat die Konsep Verordening vir die aanhou en skut van diere beskikbaar is vir publieke insette

Die Konsep Verordening maak voorsiening vir die sorg, beheer en bestuur van diere sowel as die prosedures, metodes en praktyke vir die skut van rondloper en gevaarlike diere, of diere wat 'n oorlas is.

Die Konsep Verordening is beskikbaar op die Munisipaliteit se webwerf <https://capeagulhas.gov.za/documents/by-laws/draft/>. Besware en kommentaar op die konsep verordening moet skriftelik by die ondergetekende ingedien word by die adres soos gemeld op die advertensie teen nie later as MAANDAG 28 OKTOBER 2024.

Navrae kan gerig word aan Me Tracey Stone by Tel 028 425 5500 / E-Pos Traceys@capeagulhas.gov.za

Persone wat nie kan lees of skryf nie, kan ook vir bovermelde persoon kontak gedurende gewone kantoorure vir bystand.

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27/9/2024

CAPE AGULHAS MUNICIPALITY

DRAFT NUISANCES, BEHAVIOUR IN PUBLIC PLACES AND CRIME PREVENTION BY- LAW

Notice is hereby given in terms of Section 160(4)(b) of the Constitution read together with Section 12(3)(b) of the Local Government: Municipal System Act, 2000 (Act 32 of 2000) that the Draft Nuisances, Behaviour in Public Places and Crime Prevention By- Law is available for public comment.

The Draft By-Law aims to provide measures to regulate conduct or behaviour in private and public places to prevent nuisances and crime within the Municipal Area of jurisdiction.

The Draft By-Law is available on the Municipal Website <https://capeagulhas.gov.za/documents/by-laws/draft/>

Representations and comments on the Draft By-Law must be lodged in writing with the undersigned at the address stated on this advertisement by no later than MONDAY 28 OCTOBER 2024.

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27/9/2024

KONSEP-OORLAS, GEDRAG IN OPENBARE PLEKKE EN MISDAADVOORKOMING-VERORDENING

KENNISGEWING geskied hiermee kragtens die bepalings van Artikel 160(4)(b) van die Grondwet saamgelees met Artikel 12(3)(b) van die Munisipale Stelselwet (Wet 32 van 2000) dat die Konsep-Oorlas, Gedrag in Openbare Plekke en Misdaadvoorkoming-Verordening beskikbaar is vir publieke insette.

Die konsepverordening het ten doel om maatreëls intstel om gedrag binne sekere privaat en openbare plekke te reguleer ten einde oorlaste en misdaad binne die munisipale jurisdiksiegebied te voorkom.

Die konsep verordening is beskikbaar op die Munisipaliteit se webwerf <https://capeagulhas.gov.za/documents/by-laws/draft/>. Besware en kommentaar op die konsep verordening moet skriftelik by die ondergetekende ingedien word by die adres soos gemeld op die advertensie teen nie later as MAANDAG 28 OKTOBER 2024.

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27/9/2024