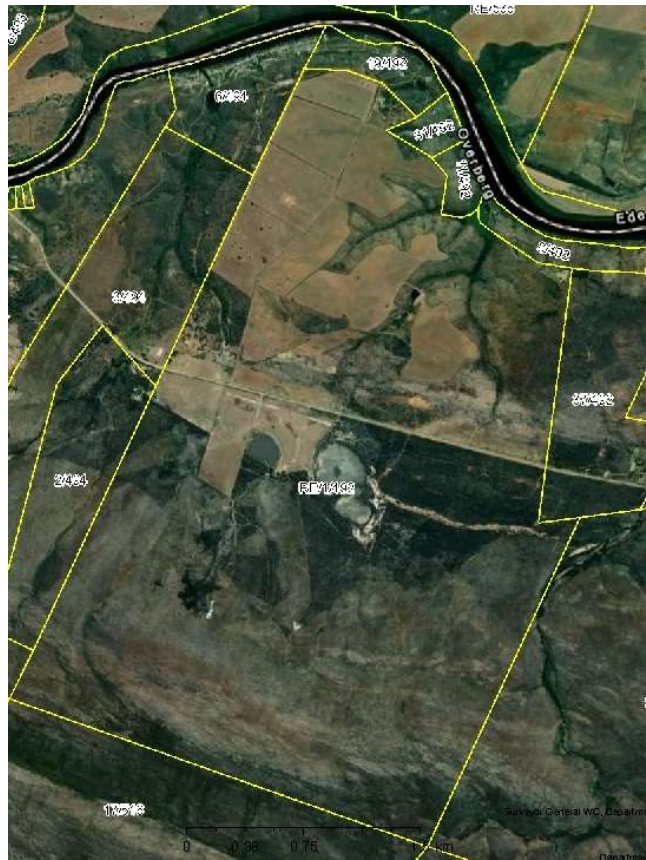


MOTIVATION REPORT

**SWELLENDAM MUNICIPALITY: Application for Consent-use in terms
of Article (0) of the Municipal Land Use Planning Bylaw 2020**



Vorberei deur:



BEKKER & HOUTERMAN LANDMETERS / LAND SURVEYORS

Deeltitels, Kadastrale-, Topografiese-, Ingenieurs en Fotogrammetriese Opmetings

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SECTION 1 INTRODUCTION

1.1 Background

The application property is located near the town of Malgas on the road to Infanta in the Swellendam Municipality and Administrative District Swellendam, Province: Western Cape.

The applicant is applying on behalf of his client to establish a 10 room guesthouse located approximate the main structure that will accommodate a lounge area and kitchen. A lapa/entertainment area is also proposed as part of the establishment.

1.2 General information

a) Property description:

Note: translated from original title deed in Afrikaans to English by author

REMAINDER OF PORTION 1 OF THE FARM MELKHOUTRIVIER NR. 492 , IN THE MUNICIPALITY AND DISTRICT SWELLENDAM, PROVINCE WESTERN CAPE

SIZE: 1051,8749 (ONE THOUSAND FIFTY ONE COMMA EIGHT SEVEN FOUR NINE) HECARES

b) Ownership:

JOHN THEODORUS KEMP

Identity number 601026 5028 08 7

Married in community of property with

PENELOPÉ KEMP

In favor of whom the shared estate in favor of whom the joint estate is excluded at in respect of the undermentioned under the condition set out below (*refer to Title Deed*).

- c) Title deed number: **T 8580 / 2011**
- d) GPS co-ordinates: **34°22'13.163" S, 20°37'26.828" E**
- e) There are no restrictive conditions in the title deeds that will prevent the proposed development.

1.3 Purpose of the application

The purpose of the application is to develop and establish a proposed lodge consisting of the following:

- a) Main structure (Lounges, kitchen, etc.)
- b) 10 Guest rooms to accommodate 2 guests
- c) Lapa area for entertainment

The zoning scheme requirements, infrastructure services and development principles below will motivate how the proposed establishment will be accommodated.

A building plan application will be lodged with the Swellendam Municipality and will comply with the zoning scheme regulations as discussed below. A sketch plan/site development plan indicates a single integrated structure which connects the main structure to the 10 guest rooms. The owner first wants to obtain approval for consent use, before appointing a Architect for final building plan application.

1.4 Zoning and land-use

CHAPTER 2: DEFINITIONS AND INTERPRETATION

“guest-house” is a limited scale commercial establishment which has as its primary source of business the provision of tourist accommodation and meals for transient guests, provide that –

- (i) the individual bedrooms are for short time renting only i.e., the accommodation is solely for bona fide transient guests/holiday use who have permanent residence elsewhere;
- (ii) meals and liquor may be provided to resident guests only;
- (iii) accommodation and related communal facilities such as dining rooms/lounges are provided in buildings consisting of interconnected rooms
- (iv) the building may, in terms of the Liquor Act, 1989 (Act 27 of 1989), be licensed only for the purposes of on-site consumption and subject to any conditions or restrictions which Council may impose;
- (v) a wellness centre may be provided, for resident guests only; and
- (vi) a hotel and hostel not included in the definition.

The proposed establishment can be accommodated as a **Consent-use: Guest-house** in accordance to **SECTION 3.15.4 (d) (vii)** of the **SWELLENDAM MUNICIPALITY: INTEGRATED ZONING SCHEME BY-LAW, 2020** and **Agricultural Zone (AZ)** applies:

Land use parameters

Primary uses	Consent uses
• Agriculture • Agricultural building • Bed and breakfast establishment • Crèche • Dwelling House • Employee housing • Limited occupational practice • Nursery • Pack Store	• Additional dwelling-unit (larger than 30m²) • Agricultural industry • Agri-village • Antenna Structure • Camping Site • Community facility • Farm Shop • Farm Stall • Guest-house • Heli-port; Air strip • Intensive feed farming • Kennel • Quarry • Occasional Use • On-farm educational institution • Picnic and braai facilities • Place of Assembly • Renewable Energy Structure • Riding School • Special use • Service Trade • Tourist facilities

13.5.4 Land use management provisions

(d) Provisions for Consent uses

In approving consent uses or any other application in this zone in terms of the scheme, the Municipality shall give regard to the following land use management provisions and these provisions shall apply in all cases, unless a departure is specifically granted in this regard:

(vii) Guest-house

- (aa) The use may be carried out from an altered dwelling-house, or a specifically constructed facility which comprises a single integrated structure.

- (ab) The dwelling houses to be able to revert / convert to a dwelling unit for use by a single family without significant structural change.
- (ac) No more than 10 bedrooms, accommodating no more than 20 people, whichever is more restrictive, are allowed per guest-house, provided that the Municipality may further limit the numbers if it is regarded as being in the interest of the area.
- (ad) A site development plan (SDP) detailing the layout and number of rooms and units, any related facilities to be provided, reception areas, communal areas, on-site parking as per the Municipality requirements, landscaping, advertising signs and street image, must accompany the application being submitted to the Municipality.
- (ae) All advertising and signage to be subject to the applicable Municipal by-law.
- (af) Meals and liquor may only be supplied to residing guests. –
- (ag) Related activities include e.g. a dining room or restaurant, lecture room, wellness centre or similar types of uses, provided that these facilities are only used by residing guest up to a maximum of 20 people for a 10 bedroom facility. The facilities must relate to the extent of the guest-house to ensure that they are not used by the general public and will subject to an approved SDP.

SECTION 2 PROPOSAL

2.1 Background

Previously there existed an illegal camp site on the property and this campsite has been demolished. The proposed development intends to replace the camp site and upgrade the facilities on at a new location, to provide for a more up-scale experience.

The guesthouse will comprise of a reception to welcome guests, an open plan lounge/dining area that will include a bar area, 2 guest toilets (male and female), a kitchen. The lounge/dining area will open to a undercover patio through folding/stacking doors that will provide access to a enclosed/covered walkway and 5 bedrooms with ensuite bathrooms to each side. The covered patio and walkway will look on to a lapa and swimming pool in the centre. The entire building structure will be connected through covered and enclosed walkways.

The site development plan indicates the position of the proposed guest-house. A proposed floor plan is also included. The owner will appoint a Professional Architectural Draughtperson at a later stage to finalise a complete building plan application submission and does not wish to incur the costs at this stage of the application.

2.2 Proposed site development plan

The proposed site development plan indicates the position of the new guest-house development and all other existing structures.

2.3 Infrastructure services

A proposed new Gatehouse for entrance to northern section of farm will create access to servitude: Right of Way, 5,00m. The gatehouse and servitude will provide access to the establishment along existing infrastructure and roads.

All electricity needs for the Guesthouse will be from Solar systems produced on the farm, and thus will be off the national grid. The establishment is also developed in a natural environment and alternative power resources will have a lesser impact on the overall environment.

Sewer reticulation will be accommodated by a septic tank system and serviced by the owner of the land at his own cost. The establishment will also utilize and upgrade existing water reticulation systems.

SECTION 3 MOTIVATION

The Spatial Planning and Land Use Management Act, 2013 (Act no. 16 of 2013) describes 5 development principles which need to be adhered to as stipulated in Section 5 of the act. The Western Cape Land Use Planning Act, 2014 (Act no. 3 of 2014) further elaborates on these 5 principles in Section 59 of the act.

Any development proposal and/or application must adhere to the following 5 development principles:

3.1 Spatial justice

The current owners have the right to develop the property and no other parties have any rights to the property. New temporary employment opportunities will be created during the construction and establishment phase of the development. Permanent employment opportunities will also be created when the establishment is operational and local citizens of the area will be considered and preferred.

3.2 Spatial sustainability

The location of the establishment is considered in the proposed position to provide an alternative sustainable development use to generate new opportunities and resources.

3.3 Efficiency

Efficiency is demonstrated by utilizing a portion of the existing property that is vacant and not developed. The proposed development is considered to be the optimal use.

3.4 Spatial resilience

The applicant applies and makes use of established legislation, rules, regulations, etc. to obtain the right to develop, sub-divide and improve the property on behalf of the owners.

3.5 Good administration

As the needs of land owners changes the municipality, applicants, etc. have to adapt to promote responsible development for the future.

SUMMARY

In view of the above, I trust that there is sufficient motivation to consider this application positively and to offer an absolute positive addition to Swellendam's residential development.

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P.T. Houterman

Professional Land Surveyor, Reg. Nr.: PLS0914

Date: 26 September 2022