

LAND USE PLANNING ASSESSMENT REPORT FOR **LANGEBERG MUNICIPAL PLANNING TRIBUNAL**
(In terms of Sections 56, 65 & 66 of the Langeberg Land Use Planning Bylaw PN 264/2015, 30 July 2015)

REM OF PTN 43 OF ZAND RIVIER NO. 106, ROBERTSON: TEMPORARY DEPARTURE FOR OFFICE

Date of meeting: 4 May 2022

Reference number	15/4/12/9	Application submission date	03.01.2022	Date report finalised	21/04/2022
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PART A: AUTHOR DETAILS

First name(s) & Surname	Tracy Brunings
Job title	Assistant Town and Regional Planner
SACPLAN registration number	Pr. Pln A/951/1997

PART B: PROPERTY DETAILS

Property description (Title Deed)	Rem of Ptn 43 Zand Rivier 106, Robertson				
Physical address	±750m W of Robertson off R60	Town	Rural – between Robertson and Silwerstrand		
Current zoning	Agricultural Zone I	Extent (m2 /ha)	7,9742ha.	Are there existing buildings on the property?	Y N
Applicable zoning scheme	Langeberg Integrated Zoning Scheme, 2018				
Current land use	Agricultural			Title Deed number & date	T102815/96
Any restrictive title conditions applicable	Y N	If Yes, list condition number(s)	Pipeline and dam servitudes.		
Any third party conditions applicable?	Y N	If Yes, specify			
Any unauthorised land use/building work	Y N	If Yes, explain			

PART C: APPLICATION DESCRIPTION

Application has been lodged for temporary departure for an office within the primary dwelling house. With reference to the plans at [Annexure A](#), the proposed uses are as follows:

- 650m² of the existing main dwelling to be used for temporary offices.
- Adjoining area next to existing driveway to be used for staff parking.

The photo sheet at [Annexure B](#) illustrates the current existing main dwelling.

PART D: BACKGROUND & SUMMARY OF APPLICANTS MOTIVATION

Rem of Ptn 43 Zand Rivier 106, Robertson comprises a main dwelling, double garage, 2 stores, two dams, labourer houses and ±1,5ha. grazing land with 6,2ha. agricultural water registered at the CBR Water Users' Association. The farm is supplied with municipal water and electricity.

The applicant's motivation report is attached at [Annexure C](#). The applicant motivates that the proposed land uses are desirable in terms of the following:

- The owner owns and lives on an adjoining farm. The main dwelling is currently vacant.
- The property is well suited to Tecko's requirements in terms of accessible location, size and layout of the building

- Tecko requires additional office space for 10 employees in the interim, whilst their new offices are built in the Robertson industrial area where the Teckco cartons are manufactured and stored.
- The house will only be used for office and administrative purposes.
- No manufacturing or storing will occur on the premises.
- Rural Areas Guideline supports businesses serving the needs of the rural community in suitable locations.
- This is a temporary use of existing and unused buildings on a farm
- These buildings can be functionally used for a business that contributes to the sustainability of the farm without any negative impact on the surrounding rural community.
- There are no suitable alternative office buildings available within Robertson.
- Adequate space for parking.

The applicant further motivates that the proposed development is consistent with the SPLUMA and LUPA principles.

PART E: SUMMARY OF PUBLIC PARTICIPATION

Public participation required in terms of Sections 45- 49 of the By-law?

Y

N

Where participation is required,
state method of advertising

Press

Notices

Ward Councillor

Other

PART F: SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION (if applicable)

The application was not advertised. Letters were sent to the surrounding property owners on 9 February 2022. No comments or objections were received from neighbours.

PART G: SUMMARY OF COMMENTS AND OBJECTIONS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

The following departments had no objection to the proposed development:

- ☐ Manager: Civil Engineering Services
- ☐ Manager: Electrical Engineering Services. It is noted that the property already has electricity supply. If additional capacity is required, application must be submitted to the electrical engineering Department
- ☐ Cape Winelands District Municipality: Health
- ☐ Department of Transport
- ☐ Department of Water Affairs (Breede Gouritz Catchment Management Agency: BGCMA)
- ☐ Eskom
- ☐ Ward Councillor

Objections were received from the following Departments (refer to [Annexure D](#)):

The WC Department of Agriculture does not support "the establishment of non-place bound business on agricultural properties, which is neither ancillary nor complementary to the agricultural operations on the property". The proposal is therefore not supported.

The Department of Environmental Affairs and Development Planning comments as follows in terms of the WC Land Use Planning Guidelines: Rural Areas (March 2019): "Non-place bound businesses should be located within urban areas and should only be considered in the rural area when exceptional cases and locational factors warrant such a land use. A vacant dwelling unit and the financial contribution in the way of rental income towards the owner of the subject property does not constitute an exceptional case, in this Directorate's opinion, particularly where the business has an appropriately zoned premises within the urban edge".

PART H: APPLICANT'S RESPONSE TO DEPARTMENTAL COMMENTS AND OBJECTIONS ([Annexure E](#))

The applicant responds as follows with regard to the above comments from the WC Department of Agriculture and the DEA&DP:

The proposed use is temporary. Tecko plan to build their offices within 5 years – hence the reason for the application for a 5-year temporary departure. The building of their offices was delayed due to economic circumstances relating to drought and the pandemic.

Whilst the applicant acknowledges the WC Land Use Planning Guidelines, 2019 are agreed with, there is definite unique and place-specific motivation in support of the application:

- The use is temporary and cannot set a precedent. New offices are in process.
- The site is located between Robertson and Silwerstrand and between the farm stores of Affie Plaas, Ou Meul and Elana's i.e. between urban and rural business uses.
- No impact on neighbours, traffic, environment or agriculture.
- Meets the needs for accessible and safe offices for 10 staff members in one building.
- The current economic climate requires support from authorities to adjust and make use of existing opportunities.

PART I: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

With reference to Section 65 of the Langeberg Land Use Planning Bylaw, PN 264/2015 of 30 July 2015 an application is required to be assessed, *inter alia*, in terms of the following:

- desirability of the proposed use (with reference to Province's "[Relevant Considerations Guideline](#)");
- compliance with relevant plans (IDP, SDF, PSDF): The proposal must be consistent with the [forward planning vision](#) for the application area. Only in exceptional circumstances should deviation from these policies and/or plans be considered;
- compliance with relevant policies and principles;
- compliance with the principles referred to in Chapter VI of the [Land Use Planning Act, 2014 \(Act 3 of 2014\)](#): In terms of section 49 of LUPA consideration must be given to applicable spatial development frameworks and structure plans, and the desirability of the proposal must be determined. In addition, the proposal must be consistent with the land use planning principles referred to in section 59 (spatial justice, spatial sustainability, efficiency and good administration); and
- compliance with the [Spatial Planning and Land Use Management Act, 2013 \(Act 16 of 2013\)](#): The proposal must be consistent with the principles of spatial justice, spatial sustainability, efficiency, spatial resilience and good administration. Public interest, constitutional transformation imperatives, facts and circumstances of the application, rights and obligations of those affected, impact on engineering services/social infrastructure/open space requirements, *inter alia*, must be taken into account.

Rem of Ptn 43 Zand Rivier 106, Robertson is zoned Agricultural Zone I in terms of the Langeberg Integrated Scheme, 2018. Offices are defined as: "a property used for the conducting of an enterprise primarily concerned with administrative, clerical, financial or professional duties, and includes – medical consulting rooms and a clinic". Offices are a primary right in the Business Zone I (business premises) and Business Zone IV; a consent use in the Business Zone II. Offices are not permitted within the Agricultural Zone, as separate uses from the primary agricultural land use on a farm.

Chapter 12 of the Rural Guidelines, 2019, relating to Rural Business (pp 56 & 57) recommends that "non place-bound business (businesses not ancillary to agriculture or serving rural needs) should be located in urban areas". As such, as noted by the WC Department of Agriculture and DEA&DP, the proposed use is not considered to be in line with the WC Land Use Planning Guidelines, 2019 relating to rural businesses.

However, there are a number of mitigating factors which require consideration, which are consistent with Chapter 17 (Development Applications) of the Rural Guidelines, 2019 (p70-71):

- Offices related to farming activities are considered as an ancillary use in the Agricultural zone. Tecko operates as a service industry supplying packing materials to the agricultural sector, which could be argued to be an ancillary use in support of the agricultural sector and the processing of local products.
- The proposed offices will occupy existing buildings, with existing services and do not detract from farming production, agricultural sustainability or the scenic heritage and cultural landscape.
- The use will not compromise the natural environment, the rural economy or ability of the municipality to deliver on its service mandate.
- The existing vehicular access will be used and the Department of Transport supports the proposed temporary use. The site has good accessibility to Robertson and the Tecko industrial premises in the Robertson industrial area and there is sufficient space for parking in accordance with the Zoning Scheme requirements.
- The use is temporary, for a maximum period of 5 years, where-after the building in question can be re-used for the primary uses permitted in the Agricultural Zone.

It is further noted that there are no suitably located and sized Industrial zoned sites within the Robertson area. The Langeberg SDF, 2015 is proposed to be reviewed / re-written (tenders are currently under consideration) and the need to identify land for industrial purposes has been identified as a key requirement of this process.

In terms of the SPLUMA and LUPA principles, the proposed temporary use of the main dwelling on Rem 43 Zandrivier 106 will promote efficiency and spatial sustainability in terms of the efficient use of existing buildings and with no adverse impact on agricultural land or environmentally sensitive land. Spatial resilience and good administration will be facilitated through accommodating flexibility in terms of land use management systems and supporting existing industrial land uses within the Langeberg Municipal Area until suitable office space is available.

There are no conditions of title that restrict the proposed development. No additional cadastral entities are being created, and no levies are payable.

Weighing up the positive and negative considerations, the application is recommended for approval.

PART J: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS (N/A)

PART K: RECOMMENDATION

That the application for temporary departure for an office of 650m² in the existing main dwelling located on Rem of Ptn 43 Zand Rivier 106, Robertson, be approved in terms of Sections 60 of the Langeberg Land Use Planning Bylaw, 2015 subject to the following conditions in terms of Section 66 of the Bylaw:

1. The development and use of the property and buildings must be substantially in accordance with the plans marked ZAND RIVIER 106/43/R ROB-LBM-LP and TP (May 2022).
2. **No manufacturing, packing or storage may take place on Rem of Ptn 43 Zand Rivier 106, Robertson.**
3. Prior to the use commencing:
 - 3.1. Provision must be made for parking in accordance with the Zoning Scheme requirements. The parking and loading area/s must be as compact and unobtrusive as possible and must be located and managed so as not to adversely impact on the daily agricultural activities on the farm and surrounding area.
 - 3.2. A Fire Plan must be submitted to the Langeberg Municipality's Fire Department for approval and inspection.
4. Water supply, waste water disposal, sewage disposal and refuse disposal services must be provided by the owner. Such services must be provided in accordance with the requirements of the Langeberg Municipality, Cape Winelands District Municipality's Environmental Health Department and the Department of Water Affairs (BGCMA).
5. The conditions imposed by the Cape Winelands District Municipality (Health) in their letter dated 14 February 2022 must be complied with.

6. With regard to Municipal Electricity, existing electrical services must be used. If additional capacity is required, a formal application must be submitted to the Manager: Electrical Engineering.
7. The restrictions of any law and regulations relating to noise control are applicable to the property and the owner is obliged to ensure that the operation does not cause any undue noise nuisance, as described in the Western Cape Noise Control Regulations (PN 200/2013 of 20 June 2013).
8. Only the existing access points onto MR 293 may be used, to the satisfaction of the Department of Transport.
9. No name, advertising sign or tourism board may be erected without written approval of the administering authority.
10. The owner must sign the attached agreement with respect to the implementation of all conditions of approval. Where there is any uncertainty regarding the conditions, the Town Planning Department must be contacted.

Reasons for Decision:

1. There are currently no alternative suitably located and sized office buildings within the business and industrial areas of Robertson.
2. The proposed use is temporary.
3. There will be no adverse impact on land under agricultural production or the natural environment or scenic resources.
4. No objections have been received from the neighbours.
5. The proposed use is consistent with the relevant considerations set out in Chapter 17 of the WC Land Use Management Planning Guidelines, 2019.

PART L: ANNEXURES

Annexure A: Locality and Site Plan
 Annexure B: Photo sheet
 Annexure C: Applicant's Motivation Report
 Annexure D: Objections from WC Department of Agriculture and DEA&DP Land Use
 Annexure E: Applicant's Response to Objections
 Annexure F: Departmental Comments: CWDM
 Annexure G: Extract from Chapter 17 of the WC Land Use Management Planning Guidelines, 2019.

PART N: SIGNATURES FOR AUTHORISATION

Authorised for submission to Tribunal

.....
JV BRAND
MANAGER: TOWN PLANNING / BESTUURDER : STADSBEPLANNING

.....
DATUM

.....
M JOHNSON
DIRECTOR: ENGINEERING SERVICES / DIREKTEUR: INGENIEURS DIENSTE

.....
DATUM

SKEDULE / SCHEDULE 1

Ooreenkoms / Agreement

aangegaan deur / entered into by

.....
Volle name en van / Full name

.....
Identiteitsnommer / Identity number

.....
Adres / Address

(die aansoeker / the applicant)

met die Langeberg Munisipaliteit / with the Langeberg Municipality

ten opsigte van die volgende ontwikkeling, soos goedgekeur op:
in respect of the following development, as approved on:

... May 2022

REM OF PTN 43 OF ZAND RIVIER NO. 106, ROBERTSON: TEMPORARY DEPARTURE FOR OFFICE

Die aansoeker aanvaar die voorwaardes ten opsigte van bogenoemde goedkeuring en onderneem om toe te sien dat die voorwaardes uitgevoer word.

The applicant accepts the conditions in terms of the abovementioned approval and undertakes to ensure the execution thereof.

Geteken op die / Signed on the dag van / day of 20.....

te / at

.....
Aansoeker / Applicant

.....
Datum

12/106

to Robertson

"AFFIE"
PLAAS
Trunk Road 31/1 / R60

19/106

railtrack

11/106

ANNEXURE A

**ZAND RIVIER 106/143R
ROB - LBM - LP**

22/106

32/106

43/106

dam

Main Road 293

canal

44/106

43/106

11/106

to Worcester

5/106

6/106

30/106

23/106

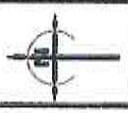
Silverstrand
Golf Estate

13/106

26/106

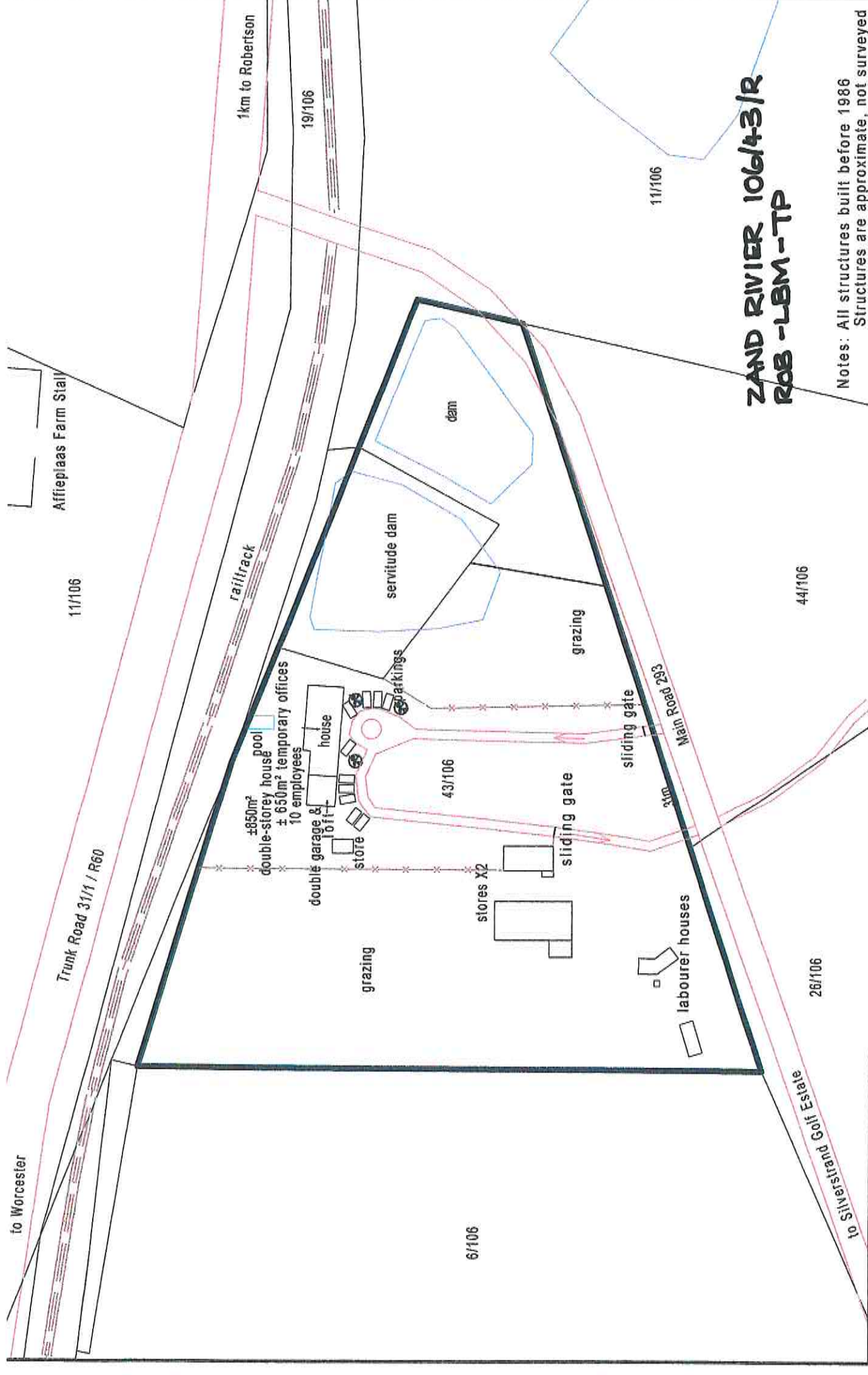
43/106

LOCATION PLAN: PORTION 43 OF FARM ZAND RIVIER NO 106, DISTRICT ROBERTSON



SCALE 1: 5000

PLAN: P43F/06R



SITE PLAN: PORTION 43 OF FARM ZAND RIVIER NO 106, DISTRICT ROBERTSON:
TEMPORARY DEPARTURE FOR OFFICES IN DWELLING HOUSE ON AGRICULTURE ZONE I

PLAN: P43F106R

SCALE 1:1500

ZAND RIVIER 106/43/R
ROB -LBM-TP

Notes: All structures built before 1986
 Structures are approximate, not surveyed

Umsiza
 PLANNING
 Town and Regional Planner

11/106

19/106

11/106

44/106

26/106

6/106

'Agter die Bos' Farm / Portion 43 Zand Rivier No 106, Robertson RD



MOTIVATIONAL REPORT

APPLICATION FOR A TEMPORARY DEPARTURE ON THE REMAINING EXTENT OF PORTION 43 OF THE FARM ZAND RIVIER No 106, ROBERTSON RD: OFFICES IN EXISTING DWELLING HOUSE

1. INTRODUCTION / PURPOSE

The purpose of this application is to obtain approval in terms of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) for a temporary departure to use the existing dwelling house on the Remaining Extent of Portion 43 of the farm Zand Rivier No 106 for office purposes.

Tecko Packaging Solutions, suppliers of cartons to the wine and greater agricultural industries in the Robertson and wider area, wants to use the existing dwelling house on the application site for administrative and office purposes. No manufacturing or storing will take place on this premises.

2. LEGISLATION APPLICABLE

2.1 LANGEBERG MUNICIPAL LAND USE PLANNING BY-LAW, P.N. 264/2015 & LANGEBERG MUNICIPALITY: INTEGRATED ZONING SCHEME BY-LAW, P.N. 71/2018

The owner of land or his/her agent may apply to the Municipality in terms of Subsection 18(1)(b) of the Langeberg By-law on Municipal Land Use Planning, PN 264/2015, to utilize land on a temporary basis for a purpose not permitted in terms of the primary rights of the zoning applicable to the land for a period not exceeding five years.

The application site is zoned Agricultural Zone I with "Agriculture" as primary use according to the Integrated Zoning Scheme (IZS) By-law.

"Agriculture" means agricultural buildings or infrastructure that are reasonably 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.

As the zoning does not allow an office building that is not related to the farming activities, application is made for a temporary departure of five years.

The 30m building line applicable in this zone is not applicable as all structures were in existence before the prescribed legislation (1986).

According to the IZS, four parking bays are required for each 100m² GLA for office purposes.

The application site has ample space for the required 26 parking places (650m² lease area), but all 26 parking bays are not indicated on the site plan as only ten office employees will make use of the offices. No additional parking spaces are required as clients are visited/serviced by Tecko employees at their own premises.

2.2 WESTERN CAPE LAND USE PLANNING GUIDELINES RURAL AREAS, MARCH 2019

The rural area guidelines support businesses serving the needs of the rural community in suitable locations throughout the landscape, i.e. only 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.

The long term impact on the municipality (resources and financial), agricultural activities, production and sustainability, risks and finances, landscape (scenic, heritage and cultural) should be considered when decisions are taken.

3. THE PROPERTY

The Remaining Extent of Portion 43 of the farm Zand Rivier No 106, district Robertson is 7,9742 ha in extent and belongs to the Kloppers Familietrust according to Title Deed T102815/1996.

4. LOCATION & EXISTING LAND USE & SERVICES

The Remaining Extent of Portion 43 of the farm Zand Rivier No 106 / "Agter die Bos" is located 1km to the west of Robertson on the inner corner of R60/Trunk Road 31/1 and the Silverstrand road/Main Road 293. The Affieplaas Farm Stall is located opposite the farm on the other side of R60.

Access (separate in and out) is obtained from Main Road 293.

The farm consists of the following:

- Primary dwelling house (±650 m²) consisting of

- 6 bedrooms, three bathrooms, 6 living areas, kitchen, washing room, office and loft room/store;
- Garden around the house and in between the entrance and exit roads;
- Two large stores and one small store;
- One single and one double labourer house hosting three families;
- Dam;
- Servitude dam (in favour of HJ Bruwer); and
- 1,5 ha grazing.

The farm receives municipal water and electricity and has two septic tanks for sewage purposes, one at the primary dwelling house and the other at the worker's houses.

Six comma two (6,2) hectares agricultural water from the Robertson Canal and additional from the Breede River is registered at the Central Breede River Water Users Association for Re/Ptn 43 of the farm Zand River No 106.

5. THE PROPOSAL

In terms of Section 15(2)(c), application is made for a temporary departure over a period of five years to use the primary dwelling house (approx. 650m² of the total size of 850m²) on the farm for office purposes (10 employees).

[Double garage and loft will still be used by owner for storage purposes.]

6. NEED AND DESIRABILITY OF PROPOSED FACILITY

6.1 Need

The owner of the application farm has bought another, larger farm, Zandrivier, on the other side of R60 where he and his family are farming.

Although the small scale agricultural activities on Portion 43 Zand Rivier No 106 has been continued by the current work force on the farm, the large farm house is vacant and not in use.

Despite of many attempts, the letting of the property for residential purposes has not been successful due to the large house and high premium. People does not want to pay such large amounts on renting a house when they can rather pay off their own property.

Due to the accessible location, size and layout of the building, Tecko Packaging Solutions has recognized the opportunity to use the house for office purposes and indicated their interest in the lease of the house on a temporary basis as their current lease of five year ends at the end of December 2021.

Tecko is in dire need of alternative, more economical and safe office space until *offices is built on their own property at 23 Wolhuter Street, Robertson* where the Tecko cartons are manufactured and stored.

The owner of the application site has agreed to this alternative use and signed a contract for the leasing of the vacant house to Tecko for the following five years, subject to all legal requirements.

The house will only be used for office and administrative purposes by the work employees of Tecko (8-10 persons).

The five year leasing period will give the owner more time for clarity on the future operation/use of the farm.

6.2 Desirability (including impacts and services)

The proposed temporary use is desirable because:

- It is a temporary use of an existing vacant building that meets the office requirements of the Tecko employees;
- A vacant building is used optimally without any structural changes;
- Affordable, attractive and safe working environment;
- Safe and controlled access with gates and adequate parking inside the property;
- No clients are received at the offices as the Tecko personnel do site visits with no additional trip generation to the offices;
- No smell or noise impacts;
- No additional services required;
- Although the number of employees are probably twice the average number of residents in a farmhouse, the office use over 8 hours will have a definite lower use of services in comparison with residential use with ovens, baths, washing machines, dish washers etc. over a 24 hour period every day; and
- The offices will be near and close to especially the farming community on the western side of Robertson.

Usually offices are preferable within business zones of cities/towns where they are accessible to the public and supportive and near other businesses and offices.

In this case, the location is not important to clients as clients are visited by Tecko employees. This is only a supportive function (no manufacturing) of an industry aimed on the agricultural sector. The application is only for temporary approval until

the Tecko employees can move in their own offices on their own, secured site within the industrial area of Robertson.

Offices related to farming activities is a common ancillary use of agricultural land. Although the proposed offices will not be related to this farm in particular, Tecko provides an important service in direct correlation with the agricultural sector.

There is a large shortage of appropriate and safe office space in Robertson, especially which can accommodate 10 employees.

The large house on the application site is vacant and will deteriorate if not in use.

The temporary use of the house for offices will not impact negatively on the *surrounding environment or will have any negative impact on the long term on the municipality or agricultural sector.*

Due to the additional income, municipal taxes, municipal service fees, WUA fees and salaries will be affordable that will ensure the maintenance of the farm.

6.3 Adherence to Development Principles in SPLUMA and LUPA

- Spatial Justice

- A vacant farm house will be made available for a low impact land use (office use during the day) on a temporary basis to a company that serves the rural agricultural community.

- Spatial Sustainability

- Large, functional and suitable building to accommodate offices without structural changes;
- Accessible, near town and within the rural community;
- Safe with controlled access; and
- Contribution to small farm income.

- Efficiency

- Use of an existing, vacant building;
- Existing and adequate services; and
- Low environmental impact.

- Spatial resilience

The proposed office use will not impact negatively on the farms' activities or *contribute to any environmental degradation.*

Income from the office use will contribute to a small and non-sustainable farm's livelihood. The farm will still be managed and maintained by the owner living nearby and workforce living on the application site.

- Good administration

Good administration will be followed in the required integrated approach between *land owners, planning consultants and the administered authority (Municipality)* guided by policies and legislation with inputs by all role players.

7. CONCLUSION / SUMMARY

The application adheres to the rural guidelines of:

- placing a facility appropriately,
- contributing socio-economically to the owner of the farm and the operator of the business, and
- do not impact negatively on the environment.

As the proposed temporary use of the house on the application site adheres to all SPLUMA's development principles and is both needed by the owner and Tecko's employees as well as desirable from a land use point of view, the application is considered favourable.

OUR REFERENCE : 20/9/2/5/5/346
YOUR REFERENCE : -
ENQUIRIES : Cor van der Walt

Langeberg Municipality
Private Bag X2
ASHTON
6715

Att: T Brunings

**PROPOSED DEPARTURE: DIVISION ROBERTSON
PORTION 43 OF THE FARM ZANDRIVIER NO 106**

Your application of 09 February 2022 has reference.

The Western Cape Department of Agriculture: Land Use Management does not support the establishment of non-place bound business on agricultural properties, which is neither ancillary nor complementary to the agricultural operations on the property. The proposal is therefore, not supported.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2022-04-07

Copy:
Umsiza Planning
PO Box 649
ROBERTSON
6705



ENQUIRIES: K Munro

REFERENCE: 15/3/2/12/BL2

The Manager: Town Planning

3 Piet Retief Street

MONTAGU

6720

FOR ATTENTION: TRACY BRUNINGS

**REQUEST FOR PLANNING COMMENT: APPLICATION FOR TEMPORARY DEPARTURE:
REMAINING EXTENT OF PORTION 43 OF THE FARM ZAND RIVIER NO. 106, ROBERTSON ROAD**

1. Your request for comment, dated 8 February 2022, has reference.
2. The purpose of the application is to obtain approval for a temporary departure to use part of an existing dwelling house (650m² of the total size of 850m²) on the Remaining Extent of Portion 43 of Farm 106 for office purposes for TEKCO Packaging Solutions (suppliers of cartons to the wine and greater agricultural industries).
3. The application property is approximately 2.81ha in extent and is zoned as Agricultural Zone I. The property is located 1km west of Robertson.
4. TEKCO has a manufacturing plant and sales office situated in Robertson (9 Wolhuter Street) (Re/Erf 1067) with approximately 80 employees. The application, however, is to utilise part of the dwelling unit on the subject property purportedly until such time as suitable office space is built on their property in Wolhuter Street.
5. Whilst the Western Cape Land Use Planning Guidelines: Rural Areas (March 2019) advocates for rural business 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 on its mandate or undermine

the right to farm, said rural businesses are required to be place-bound and ancillary or complementary to the agricultural operations on the property.

6. Non-place bound businesses should be located within urban areas and should only be considered in the rural area when exceptional cases and locational factors warrant such a land use. A vacant dwelling unit and the financial contribution in the way of rental income towards the owner of the subject property does not constitute an exceptional case, in this Directorate's opinion, particularly where the business has an appropriately zoned premises within the urban edge.

**Kobus
Munro**

Digitally signed by Kobus
Munro
Date: 2022.02.11 13:10:02
+02'00'

DIRECTOR: DEVELOPMENT MANAGEMENT REGION 2

Tracy Brunings

From: Anna-Christa Redelinghuys <annachris@mweb.co.za>
Sent: Monday, 11 April 2022 12:36
To: Tracy Brunings
Cc: 'ELIZMA BOTHA'
Subject: FW: PT 43 FARM ZAND RIVIER, ROBERTSON

Hallo Tracy

Sien terugvoering van Tecko onder.

Ek verstaan die riglyne en stem saam, maar hierdie aansoek het definitiewe uitsonderlike en plek-spesifieke motivering:

- Dit is net 'n tydelike gebruik;
- Tydelike gebruik kan nie regtig 'n presedent skep nie;
- Voldoen aan groot behoefte vir baie, toeganklike, geskikte en veilige kantore in een gebou;
- Geen aanbod vir spesifieke behoefte binne Robertson SSK nie;
- Belangrik vir volhoubaarheid van bedryf/besigheid en dus werskepping, veral in vandag se moeilike ekonomiese klimaat ;
- Nuwe kantore in proses;
- Geen impak op bure, omliggende omgewing of landbou nie;
- In leë gebou wat tussen die dorp en Silwerstand geleë is, ook tussen drie padstalle (Affie Plaas en Oude Meul op TR31/1 en Elana's op MR293), dus midde stedelike gebruike; en
- Geen impak op karakter van omgewing – die huis/ "kantore" is verskans agter die bome en die verbygaande verkeer is nie eers bewus van die tydelike kantoor-gebruik nie.

Ek glo die regering sal mense bystaan/ondersteun om by omstandighede aan te pas en bestaande geleenthede te benut, veral as dit geen negatiewe impak het nie en slegs tydelike uitkoms bied.

Groete
Anna-Christa

From: ELIZMA BOTHA [mailto:elizma@tekco.co.za]
Sent: Monday, 11 April 2022 08:31
To: Anna-Christa Redelinghuys
Subject: RE: PT 43 FARM ZAND RIVIER, ROBERTSON

More Anna-Christa – ons beplanning is om dit binne 5 jaar te bou (daarom ook die tydlyn vir die huurkontrak hier by Billy-hulle).

Droogte en Covid het ons beplanning met 'n hele paar jaar teruggesit ongelukkig.

Please note: For more effective processing, please CC sales@tekco.co.za and orders@tekco.co.za in all order-related communication.



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNKEBA:
FAXS/FAX/IFEKSI:
E-POS/E-MAIL/IE-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

ST McLean
023 626 8302
-
smcclean@capewinelands.gov.za
15/2/6/1

Van Reenensstraat 44 Street
✉ 50
ROBERTSON
6705

14 February 2022

The Municipal Manager
Langeberg Municipality
Private Bag X 2
ASHTON
6715

For attention: M. Johnson
Director: Engineering Dept.

PROPOSED APPLICATION: Temporary Departure to existing dwelling house on farm for office purposes: Portion 43 of the farm Zandrivier No 106, Robertson

Notice for comments dated 09 February 2022 Ref: 15/4/12/2 refers:

Municipal Health Services of the CWDM supports the application subject to:

1. Service Delivery:

No domestic services (drinking water, sanitation, electrical and refuse removal services) are supplied by CWDM.

2. Waste Management:

Domestic refuse/waste and refuse must be collected, stored in an approved collection area and removed in such a manner so as not to form any environmental health risks \ nuisances.

ENDORSEMENT:

As per application received: No manufacturing or storage to take place on the premises concerned.

This office reserves the right to call for additional requirements if deemed necessary at any later stage;

Yours sincerely,

For: Municipal Manager
Mr. H Prins
STM

CHAPTER 17: DEVELOPMENT APPLICATIONS

In approving development applications, authorities must **consider the impact** that a development may have on the municipality, agriculture and the rural landscape and must ensure through appropriate conditions and other measures that activities are appropriate in a rural context, that the development generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate.

In assessing proposed developments in rural areas, the following criteria should be applied:

- Environmental authorisation.
- Compatibility with land use activities suitable in the WCBSP category it is situated in, and subject to an environmental impact assessment.
- Does not alienate unique or high value agricultural land, or compromise existing farming activities.
- Does not compromise the current or future possible use of mineral resources.
- Is compatible with the cultural and scenic landscapes within which the development is proposed.
- Does not lead to inefficient service delivery or unjustifiable extensions to the municipality's reticulation networks.
- Does not impose real costs or risks to the municipality delivering on its mandate.

- Does not infringe on the authenticity of rural landscapes.

- Due consideration of any coastal management/set-back lines and zone risks.

Due consideration must be given to good administrative practice whereby procedures for preparation and amendment of spatial plans, policies, zoning schemes as well as procedures for development applications, include transparent processes of public participation, particularly taking due consideration of gender-specific requirements and that of the less advantaged communities into account. Policies, legislation and procedures must be clearly set in order to inform and empower men and women, and redress gender-based disadvantages and particularly those less advantaged.

Development applications should contain detailed information and maps indicating the habitat type(s) on the site and location of CBAs, ESAs and any other special or rare biodiversity features.

It is therefore necessary for the applicant to, when submitting a land use application, motivate for the development and why the land use cannot be accommodated in the urban area and to provide information on the **long term** effect that the development may have on:

- the municipality (resources and financial),
- agricultural activities, production and sustainability, risk and finances,
- biodiversity and ecological infrastructure and
- the scenic, heritage and cultural landscape.

Past gender-based spatial and other development imbalances must be redressed through improved access to land, use of land, resources, economic

ANNEXURE G