

ERF 1769, 17 ARGON ROAD, SANDBAAI: OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USES AND DEPARTURE: WRAP ON BEHALF OF BLUE HORIZONS PROPERTIES CC

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that the following application, applicable to Erf 1769, Sandbaai (the property), has been received, namely:

1. application for consent use in terms of Section 16(2)(o) of the By-Law for a "place of instruction" to operate an indoor shooting range from a section of the existing building on the property for training in firearms that include exams for competency certificates for firearm licence applications and the renewal of existing firearm licences;
2. application for consent use in terms of Section 16(2)(o) of the By-Law for "recreational facilities" to also operate the above indoor shooting range for training in firearm handling and safety for people in the security industry, as well as training to the public for self-defence purposes; and
3. application for departure in terms of Section 16(2)(b) of the By-Law to relax the north-eastern street building line of the property from 5m to $\pm 3.9m$ to accommodate a portion of the proposed expansion of the existing building, as well as to relax the western lateral building line from 3m to 0m to accommodate a portion of the existing building on the property.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments must reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before Friday, **25 June 2021**, quoting your name, address and contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to **Mr H Boshoff** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them to formalize their comment.

ERF 1769, ARGONSTRAAT 17, SANDBAAI: OVERSTRAND MUNISIPALE AREA: AANSOEK OM VERGUNNINGSGEBRUIKE EN AFWYKING: WRAP NAMENS BLUE HORIZONS PROPERTIES CC

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat die volgende aansoek, van toepassing op Erf 1769, Sandbaai, ontvang is, naamlik:

1. aansoek om vergunningsgebruik ingevolge Artikel 16(2)(o) van die Verordening vir 'n "plek van onderrig" om 'n binnenshuise skietbaan vanuit 'n gedeelte van die bestaande gebou op die eiendom te bedryf vir die opleiding in vuurwapens wat eksamens vir bekwaamheidsertifikate vir vuurwapenlisensie-aansoeke en die hernuwing van bestaande vuurwapenlisensies, insluit;
2. aansoek om vergunningsgebruik ingevolge Artikel 16(2)(o) van die Verordening vir "ontspanningsgeriewe" om bogenoemde binnenshuise skietbaan ook te bedryf vir opleiding in vuurwapenhantering en veiligheid vir mense in die veiligheidsbedryf, sowel as opleiding aan die publiek vir selfverdedigingsdoelindes; en
3. aansoek om afwyking ingevolge Artikel 16(2)(b) van die Verordening om die noordoostelike straatboulyn van die eiendom te verslap vanaf 5m na $\pm 3.9m$ om 'n gedeelte van die voorgestelde uitbreiding van die bestaande gebou te akkommodeer, asook die westelike syboulyn te verslap vanaf 3m tot 0m om 'n gedeelte van die bestaande gebou op die eiendom te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) bereik voor of op Vrydag, **25 Junie 2021**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **Mnr H Boshoff** by 028-313 8900. Die Munisipaliteit mag weier om kommentare na die sluitingsdatum te aanvaar. Enige persoon wat nie kan lees of skryf nie kan die Departement: Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 1769, ISITALATO 17 ARGON ESANDBAAI: UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SEMVUME YOKUSETYENZISWA KWAYE NOKUPHAMBUKA: WRAP EGAMENI LIKA OF BLUE HORIZONS PROPERTIES CC

Isaziso sikhutshwa ngokwemiqathango yeSoloty 48 loMthethwana oTshintshweyo kaMasipala waseOverstrand woYilo lokuSetyenziswa koMhlaba wowama-2020 (uMthethwana) ngokwezicelo esilandelayo, esichaphazela isiza 1769, eSandbaai (lepropathi) ezifunyanweyo, ezizezi:

1. isicelo semvume yokusetyenziswa ngokweSoloty 16(2)(o) yaloMthethwana ukulungiselela "indawo yokufunda" ukusebenzisa uluhlu lokudubula ngaphakathi kwecandelo lesakhiwo esele sikhona kwipropati, njengendawo yoqeqesho kwemipu ebandakanya iimviwo yezatifikethi zokufaneleka kwezicelo kwaye ukuhlaziya imvumezama phepha okuba nemipu;
2. isicelo semvume yokusetyenziswa ngokweSoloty 16(2)(o) yaloMthethwana ukulungiselela "izibonelelo zolonwabo" ukusebenzisa olu luhlu lungasentla lokudubula uqeqesho ekuphatheni imipu kunye nokhuseleko kubantu abakwishishini lokhuseleko, kunye noqeqesho kuluntu ngeenjongo zokuzikhusela; kwaye
3. isicelo sokuphambuka ngokweSoloty 16(2)(b) yaloMthethwana uphambuka kumgca wokwakha wesakhiwo kwisitrato esikumantla mpuma ukusuka kwi-5m ukuya kwi $\pm 3.9m$ ukulungiselela ulwandiso lwesakhiwo olucetywayo lwesakhiwo esele sikhona, kunye nokuphambuka kumca wesakhiwo osecaleni osentshona ukusuka kwi-3m ukuya kwi-0m ukulungiselela inxalenye yesakhiwo esele sikhona kwipropati.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, 16 e-Paterson Street, e-Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthethwana zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama ulwesihlanu **25 uJuni (EyeSilimela) 2021**, unike igama lakho, idilesi neenkukacha zoxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuzisa into malunga nesi saziso ungafonela ku**Mnu H Boshoff** kwa ku-028-313 8900. Umasipala angala ukuzamkela izimvo ezifike emva komhla wokuvula. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.

Plan 1: Locality Plan

Erf 1769 Sandbaai

 Subject property (1838m²)

Tel: 028 313 1411

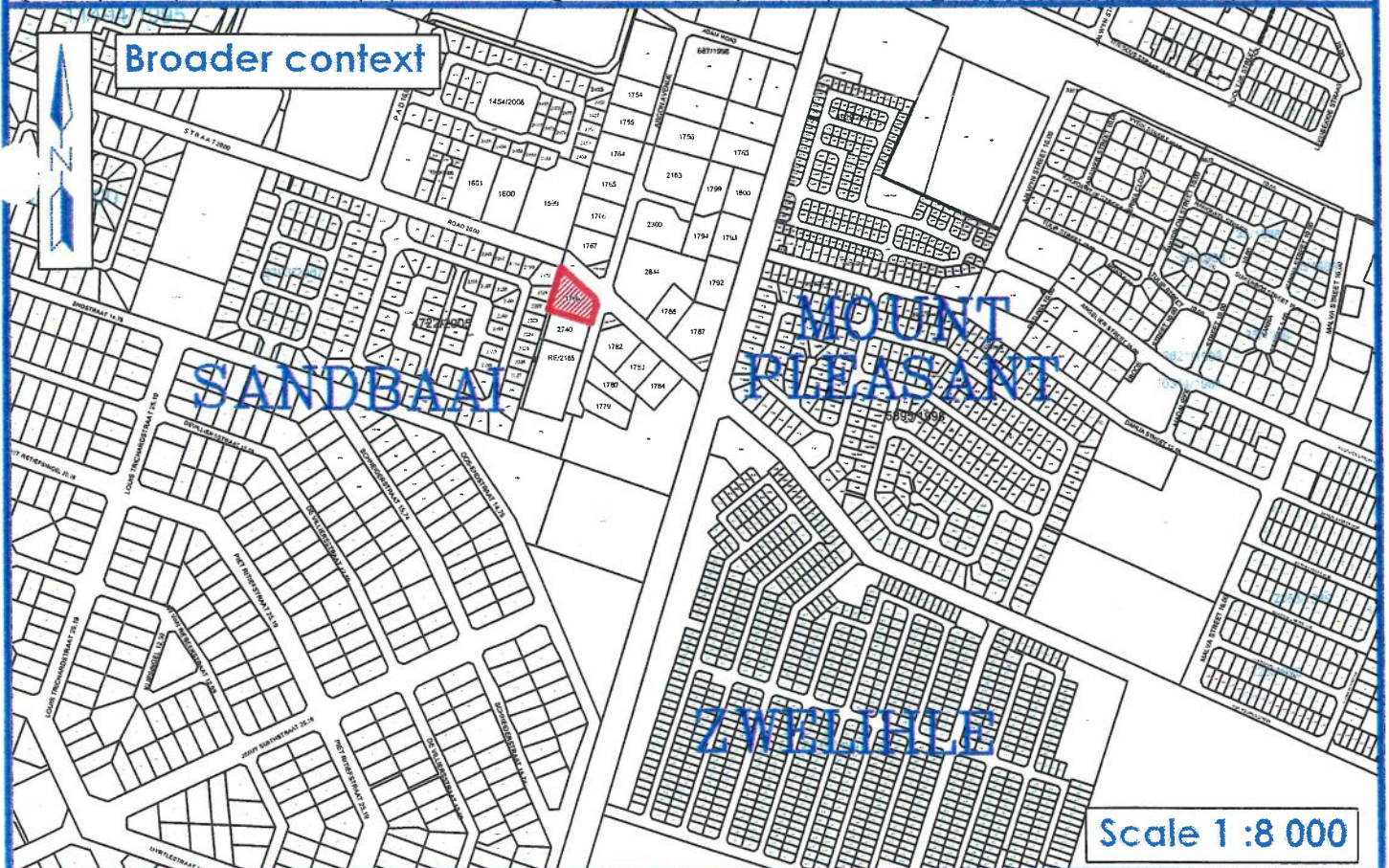
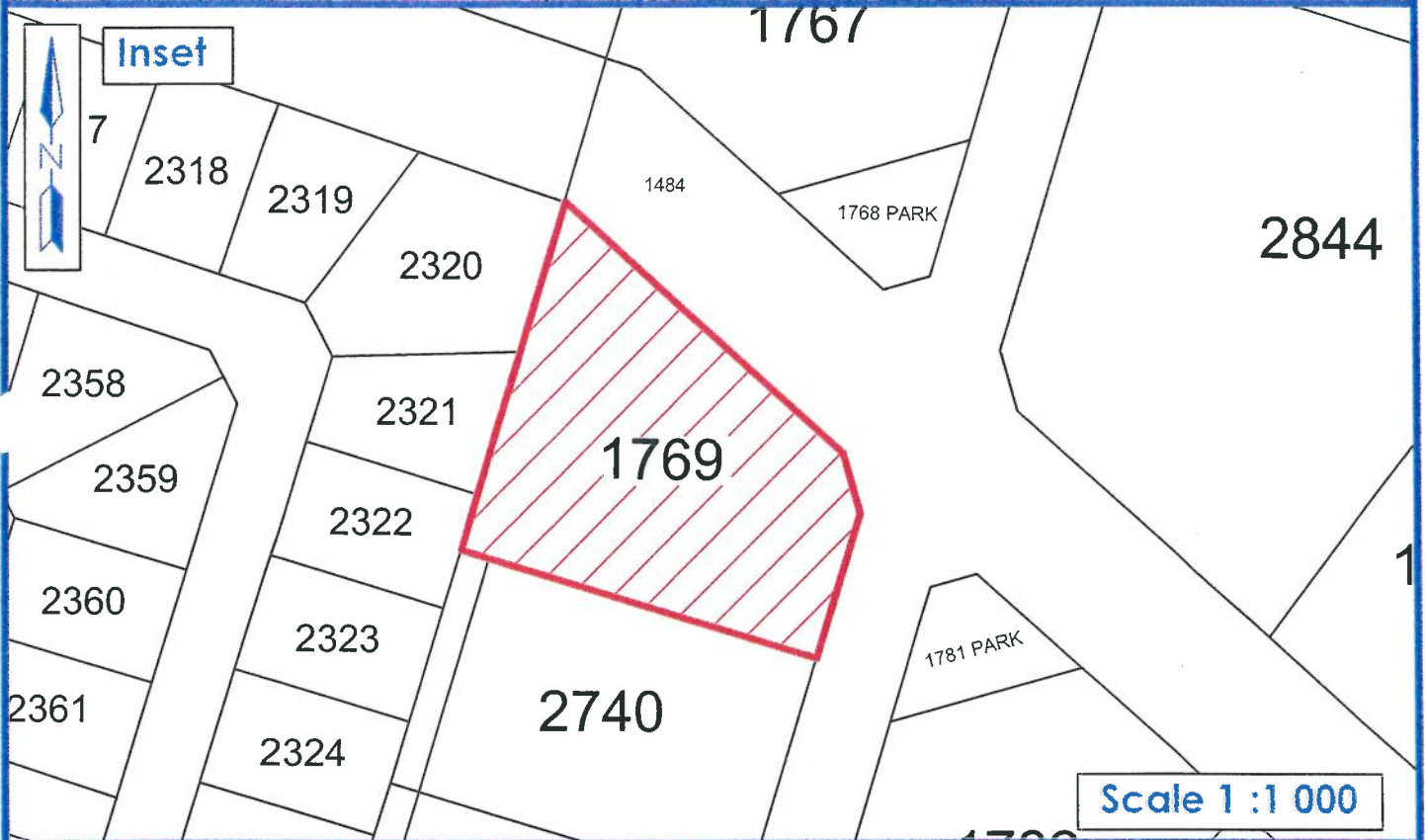
Email: admin@wrapgroup.co.za
Unit B, Corner of Royal and Dirkie Uys
Street Hermanus, 7200

Plan prepared by: Reatlehle Jankie

All distances are approximate
and subject to a survey



Project Office
Town Planning & Project Management





1. ABBREVIATIONS

1.1	OMLUS	Overstrand Municipality Land Use Scheme, 2020
1.2	SDF	Overstrand Municipality Spatial Development Framework, 2020
1.3	OMGMS	Overstrand Municipality Growth Management Strategy, 2010
1.4	OM	Overstrand Municipality
1.5	By-Law	Overstrand Municipality By-Law on Municipal Land Use Planning, 2015, as amended
1.6	LUPA	Land Use Planning Act, 2014
1.7	DEADP	Western Cape Department of Environmental Affairs and Development Planning
1.8	PSDF	Western Cape Provincial Spatial Development Framework, 2014
1.9	SDP	Site Development Plan
1.10	IND1	Industrial Zone 1: General Industry

2. SUMMARY OF PROPERTY DETAILS

2.1	Property description	Erf 1769 Sandbaai
2.2	Registered owner	Blue Horizons Prop CC
2.3	Consultant	WRAP Project Office
2.4	Restrictive title deed conditions	None
2.5	Property extent	1838m ²
2.6	Current zoning and primary rights	(a) Primary uses: industry, agricultural industry, builder's yard, caretaker's accommodation, factory shop, funeral parlour, heavy vehicle service station, industrial café (subject to the provisions of Chapter 16.10), motor repair garage, service trade, service station, transmission apparatus (subject to the provisions of Chapter 16.10), transport use, utility services, warehouse and workshop.
2.7	Consent uses that can be applied for	(b) Consent uses: abattoir, adult entertainment business, aquaculture, business premises, crematorium, dwelling unit, mining, noxious trade, place of assembly, place of entertainment, place of instruction, recreational facilities , restaurant, sale of alcoholic beverages and scrap yard.

3. APPLICANT'S INTENT

- 3.1 The property owner (hereafter referred to as the applicant) envisages renting out a portion of the subject property to Tactical Security Solutions, trading as Tactical Security Academy (TSA);
- 3.2 TSA envisages establishing a tactical shooting academy (hereafter referred to as an indoor shooting range) that would consist of 4 shooting lanes, proposed on the first floor of the building on the subject property (refer **Plan 5**);



- 3.3 The shooting range is proposed to be built in a concrete casing or cocoon, padded with diversion pads and encapsulation bullet blocks on the floor and walls of the cocoon. The range is proposed to be 10m in length;
- 3.4 TSA envisages establishing a training facility (place of instruction) where the primary focus is on training employed and to be employed security personnel in all facets of firearm handling and safety. Training will also be offered to the general public how to handle and care for and safely store of a firearm owned for self-defence purposes; and
- 3.5 The type of firearms that are intended to be used at the shooting range are the following:
 - 3.5.1 All handguns (pistols and revolvers);
 - 3.5.2 Shotguns (not slugs); and
 - 3.5.3 Rifles up to 7,62mm (No tracers will be allowed).

4. LAND USE APPROVALS REQUIRED TO ACHIEVE THE OWNER'S INTENT

For the applicant and TSA to achieve the intent highlighted in Section 3 of this report, approval of the following are required:

4.1 Consent use for a recreational facility in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

4.1.1 The OMLUS defines recreational facilities as follows:

"recreational facilities means the use of land to practice a particular sport or combination of sports and general recreation and includes a clubhouse and associated infrastructure and buildings, indoor and outdoor swimming pools and associated infrastructure, and a shooting and driving range but does not include any building or structure that is used for business or any other use not aligned to or dependant on the sport concerned."

4.1.2 This proposal is for the establishment and operation of an indoor shooting range that provides training in firearm handling and safety primarily to people employed in the security industry or people in training to obtain specific certification in the security industry. Training will also be offered to the public for self-defence purposes. The proposed land uses comply with the definition of recreational facilities which includes a shooting range;

4.1.3 Considering that crime is a growing concern that affects residents in all parts of the country, the need for proper and suitably trained, qualified security personnel who are proficient in firearm handling and safety is growing;

4.1.4 While the training will occur within a controlled environment, the students will also be trained techniques to control shock and anger in crisis situations which will ensure that students are appropriately trained to not act irrational in handling a firearm in life threatening situations;

4.1.5 The training will also cover the legal requirements of licensing and owning a firearm and how firearms must be used in crime and life-threatening scenarios to ensure that students use firearms responsibly;

4.1.6 There is also a small shop proposed, supporting the indoor shooting range, where students and the general public can purchase ammunition, apparel and gear related to the industry. This small shop is intended to contribute towards the viability of the shooting range and can be interpreted as forming part of the land use for which consent is sought; and



4.1.7 The proposed shooting range is located in an industrial area which is the most suitable area for the location of the land use rights that are sought.

4.2 Consent use for a place of instruction in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended:

4.2.1 The OMLUS defines a place of instruction as follows:

*“place of instruction” means a place for education at pre-school, school or post-school levels (including a day care centre, a crèche, a farm school, a nursery school, a primary school, a secondary school, a college, a lecture hall, a university, a research institute, an environmental research or other educational centre) and associated uses such as boarding hostels or a civic facility for the promotion of knowledge to the community such as a convent, a monastery, a public library, a public art gallery or museum or a **place of instruction** in sport **or other physical discipline** where the main objective is instruction (as opposed to participation by the public sector as competitors or spectators) but excludes a reformatory, industrial school, commercial conference facility, institution, health centre or in-house business training centre.”*

4.2.2 A consent use for a place of instruction is required for the indoor shooting range as the definition includes the “*place of instruction ... or other physical disciplines*”. This development proposal for an indoor shooting range entails training that conforms to the definition of a place of instruction.

4.2.3 The proposed training facility (place of instruction) will have a structured and accredited curriculum. This will comprise of the continual assessment of the learners through writing exams in the examination room (refer to **Plan 5**) and conforms to the definition of a place of instruction. Exams will include the obtainment of competency certificates for firearm license applications and the renewal of existing licences;

4.2.4 The students of the training facility will derive the following benefits for participating in the training proposed on the subject property:

4.2.4.1 Improvement of hand-eye coordination which increases the concentration levels and the ability to focus on the target while blocking out all other surrounding distractions;

4.2.4.2 Encourages core body strengths such as achieving proper balance and posture when firing a firearm, which has long-lasting benefits for the learners;

4.2.4.3 Improving long-range eyesight capabilities of learners; and

4.2.4.4 Improving mental discipline, boosting confidence, reducing stress and increasing stamina.

4.3 Departure from the 5m north-eastern street building line prescribed in the Overstrand Municipality Land Use Scheme, 2020 to 3,9m to accommodate the proposed expansion of the existing building intended to be used as a place of instruction / recreational facilities in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended; and

Departure from the 5m north-eastern street building line prescribed in the Hermanus Business Park Design Guide Document to 3,9m to accommodate the proposed expansion of the existing building to be used as a place of instruction / recreational facilities in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.



- 4.3.1 The portion of the subject property that is proposed to encroach on the street building line, is the proposed entrance where new security shutters are proposed for installation. The subject property will entail the storage of firearms and gun powder and the necessary precautions need be taken through the installation of high-quality security shutters to ensure that unauthorised entries and break-ins are prevented. This is necessary as it would safeguard the safety of the general public. The only place where the new security shutters can be installed, is at the location proposed over the building lines. The applicant has considered installing the shutters in the existing building but it would not be possible to retrofit it for that purpose due to the extraordinary security measures that have to be taken;
- 4.3.2 The area that encroaches on the street building line will primarily be used as a controlled entrance to the subject property and therefore does not constitute a habitable room;
- 4.3.3 The portion of the proposed building that encroaches on the street building line measures 1,5m² and constitutes a minimal encroachment; and
- 4.3.4 The encroachment area would not form part of the actual shooting range. The non-disruptive nature of the land use will therefore not unlock the generation of noise and therefore not interfere with the ability of surrounding property owners to occupy their respective properties in comfort.

4.4 Departure from the 3m western side building line to 0m to accommodate the existing building in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

- 4.4.1 The subject property has a 0m side building line in terms of Section 8.1.2 (d) (ii) of the OMLUS, 2020. Section 8.1.2 (d) (iii) highlights that where a land unit zoned Industrial Zone 1: General Industry (IND1) abuts a zone that is not an industry zone, the building line of the particular zone, whichever is greater, shall apply. The subject property abuts properties that are zoned General Residential Zone 1: Town Housing (GR1). The building line on the perimeter of the properties zoned GR1 as highlighted in Section 6.2.2 (d) (i) is 3m and will therefore be used to motivate the departure that is sought;
- 4.4.2 The approved building plans illustrate that an uncovered patio has been approved and a departure from the side building line is applied for as this is covered;
- 4.4.3 The portion of the building that encroaches on the side building line measures 38m² and the length thereof along the boundary line is 12,7m. This size cannot be regarded as excessive or imposing on surrounding property owners; and
- 4.4.4 The portion of the building that encroaches on the current 3m side building line was approved as a living room that has a bedroom located adjacent thereto (refer to **Annexure D**). This thereby ensures that no industrial land uses are unlocked over the building line thereby guaranteeing that the neighbouring residential property owners are not exposed to noise-generating activities over the building line.

5. PRECAUTIONARY MEASURES INSTITUTED IN CUSTOMERS AND PUBLIC INTEREST

- 5.1 The following precautionary measures will be put in place on the subject property to avoid the proposed indoor shooting range from being a nuisance or placing surrounding property owners in danger:
 - 5.1.1 The range will be built in a concrete cocoon and padded completely with 40mm thick diversion pads. The bullet trap will consist of dual vulcanize encapsulating rubber pads.



EXECUTIVE SUMMARY

- The blocks are designed to absorb and to encapsulate all bullets. (No bullets will be able to go right through the dual vulcanising and rubber pads);
- 5.1.2 All walls, ceiling and floors will be padded with diversion pads that have been tested to prevent any redirection of any projectiles. These diversion pads have been used in SAPD airborne test areas and are of high quality;
 - 5.1.3 The shooting range will consist of 4 lanes with cubicles. Each shooter will be completely separate from each other. No shooter will have access to the front of the range;
 - 5.1.4 All shooters will always be under supervision and assisted by the range officer;
 - 5.1.5 All doors in and out of the range will be fitted with biometric access control systems. All doors will have an "in use" or "free" light system at each door to indicate status. Once the range is in use, nobody can access the range unless authorised by the range commander;
 - 5.1.6 The range will be fitted with auto retriever paper targets. The rails will be mounted to the ceiling and each shooter can then operate its target and adjust distances. The range will be monitored and recorded by a CCTV system;
 - 5.1.7 An extractor fan will be installed in the back wall to suck all gassed air out of the range areas and an aircon will let fresh air in from the front of the range at all times;
 - 5.1.8 All users of the range will be wearing ear protection and safety goggles;
 - 5.1.9 Sound will be absorbed by the rubber pads and cladding. Noise to the in- and outside will be reduced completely;
 - 5.1.10 All areas will be marked, and safe zones will be clearly indicated. The firearm officer will be on-site during all operating hours;
 - 5.1.11 The shooting range will have easy escape routes to be used during an emergency and a battery backup system will ensure power for light and other requirements at all times.
 - 5.1.12 Details regarding the safety specifications of the shooting range are attached (refer to **Annexure C**).
 - 5.1.13 TSA has also submitted an application to the National Regulator for Compulsory Specifications to obtain approval for a small-arms shooting range. The outcome of this application will be forwarded to the OM when availability.

Considering the safety precautions which would be instituted on the subject property as listed above, the health and safety of the public will not in any way be placed in jeopardy or compromised.

6. APPLICATION

Considering the land use rights sought by the applicant, the following is applied for:

- 6.1 **Consent use** for a place of instruction in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended;
- 6.2 **Consent use** for a recreational facility in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended;
- 6.3 **Departure** from the 5m north-eastern street building line prescribed in the Overstrand Municipality Land Use Scheme, 2020 to 3,9m to accommodate the proposed expansion of the existing building intended to be used as a place of instruction / recreational facility in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended;



EXECUTIVE SUMMARY

- 6.4 Departure** from the 5m north-eastern street building line prescribed in the Hermanus Business Park Design Guide Document to 3,9m to accommodate the proposed expansion of the existing building to be used as a place of instruction / recreational facilities in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended; and
- 6.5 Departure** from the 3m western side building line to 0m to accommodate the existing building in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

7. LAND USE FABRIC

7.1 The compatibility of this proposal in relation to surrounding land uses will be illustrated in figure 1 and 2.

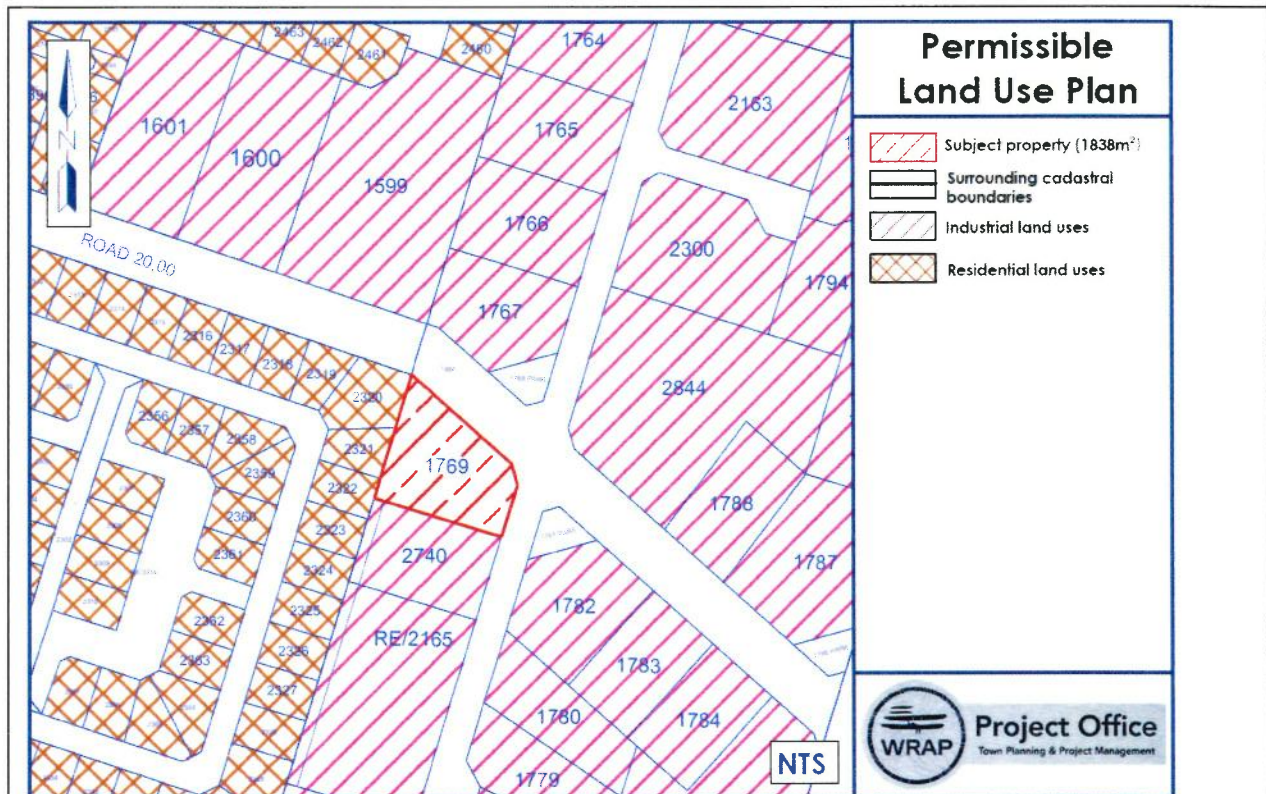


Figure 1: Illustrates the permissible land uses in terms of the zoning within the immediate surrounding of the subject property.

- 7.1.1 Figure 1 illustrates that the subject property is located in an area that is predominantly zoned for industrial purposes and this proposal for an indoor shooting range is compatible with the predominantly industrial nature of the land uses within the vicinity;
- 7.1.2 The proposed indoor shooting range will not unlock any noxious land uses and activities and is in keeping with the low-intensity industrial land uses of the area.

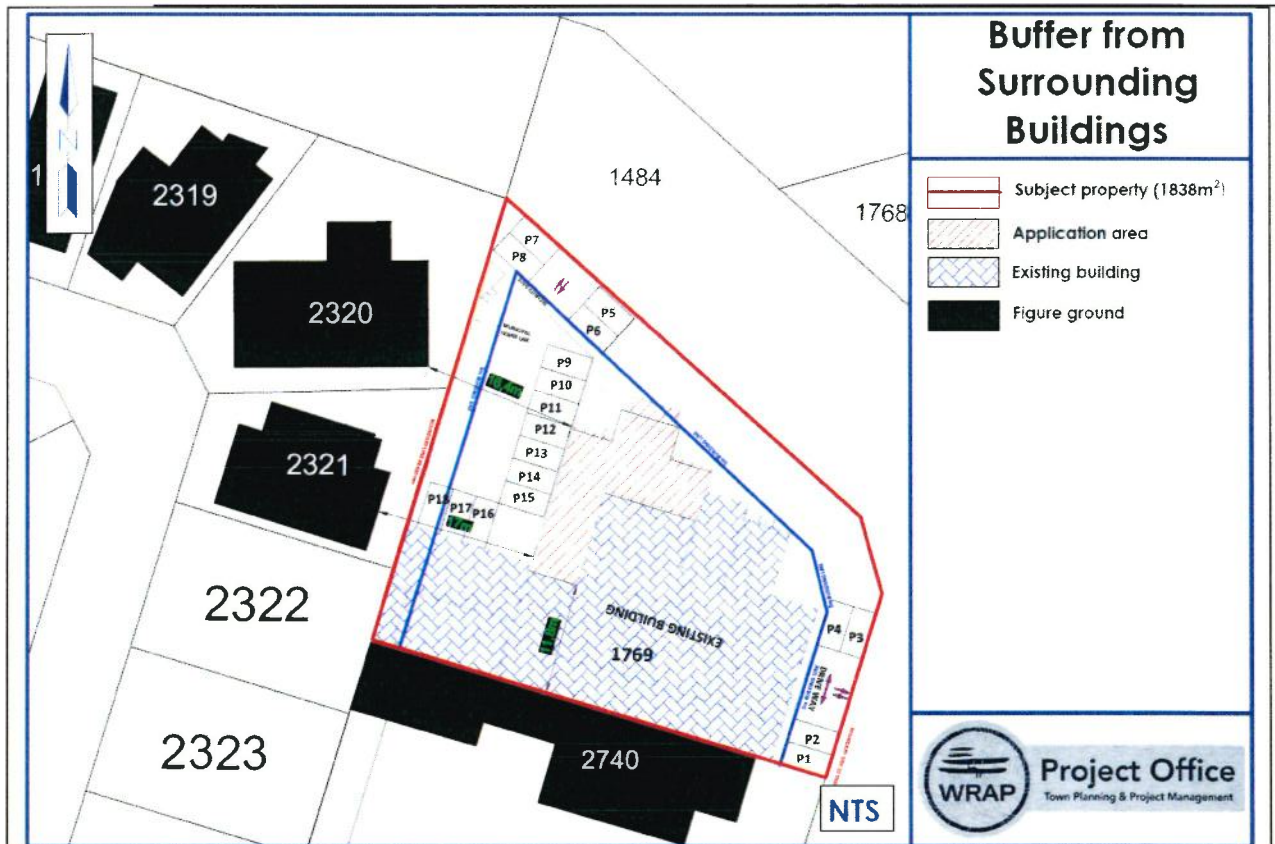


Figure 2: Illustrates the buffer between the subject property in relation to the surroundings.

7.1.3 Figure 2 illustrates that the proposed location of the indoor shooting range is 16,4m and 17m from the nearest building that is used for residential purposes; and

7.1.4 The parking bay and manoeuvring space between the proposed indoor shooting range function as a buffer between the proposed use and neighbouring residential uses.

7.1.5 It has herewith been illustrated that the location of the subject property and the nature of the land use rights which are sought are not projected to result in neighbouring property owners occupying respective properties in discomfort.

8. TITLE DEED

Title deed T29085/2009 was perused and there are no restrictive title deed conditions that prohibit this consent use and departure application.

9. ZONING

This proposal was assessed in conjunction with the IND1 zoning as this is a relevant consideration in terms of Section 66 (1) (a) of the OM By-Law. There are no additional buildings proposed on the subject property, except from a small extension to the main entrance.



MOTIVATION

Industrial Zone 1: General Industry (IND 1)		Parameters	Land use	Existing / proposed
9.1	Primary use	industry, agricultural industry, builder's yard, caretaker's accommodation, factory shop, funeral parlour, heavy vehicle service station, industrial café (subject to the provisions of Chapter 16.10), motor repair garage, service trade, service station, transmission apparatus (subject to the provisions of Chapter 16.10), transport use, utility services, warehouse and workshop.	Industry	Comply
9.2	Consent uses (which may be applied for)	abattoir, adult entertainment business, aquaculture, business premises, crematorium, dwelling unit, mining, noxious trade, place of assembly, place of entertainment, place of instruction, recreational facilities , restaurant, sale of alcoholic beverages and scrap yard.	Place of instruction and recreational facilities.	Applied for and motivated
Development rules				
9.3	Floor factor	The maximum floor factor on the land unit shall not exceed 2.	0.31	Comply
9.4	Coverage	The maximum coverage for all buildings on the land unit shall not exceed 75%.	52,34%	Comply
9.5	Height	The maximum height of any building measured from the base level to the top of the structure is 12,0 m, provided that where a structure of greater height is required for the industrial function of the property, the Municipality may grant approval for such greater height.	8,5m	Comply
9.6	Building lines	(i) The street building line shall be 5,0 m. (ii) The side and rear building line shall be 0 m.	(i) 3,9m; (ii) 0m; and (ii) 0m.	(i) Departure motivated; (ii) Departure motivated;



MOTIVATION

		<p>(iii) Where a land unit abuts a zone that is not an industry zone, the building lines of the particular zone, this is 3m, shall apply.</p> <p>(iv) Notwithstanding the above, the Municipality may stipulate greater building lines for considerations of public health and safety, fire control and in order to enforce any law or right.</p> <p>(v) The general building line exemptions in 16.1 apply.</p>	<p>(iv) Subject to the request of the Municipality; and (v) N/A</p>	<p>(iii) Departure motivated; (iv) Subject to the request of the Municipality; and (v) N/A</p>
9.7	Setback	<p>(i) A setback of 8,0 m from the centreline of the road applies.</p> <p>(ii) Notwithstanding the above, the Municipality may stipulate a setback for considerations of public health and safety, fire control and in order to enforce any law or right.</p> <p>(iii) The provisions of 16.2 apply.</p>	<p>(i) 4m; (ii) Subject to the request of the Municipality; and (iii) N/A.</p>	<p>(i) Comply (ii) Subject to the request of the Municipality; and (iii) N/A</p>
9.8	Boundary walls	<p>A wall of 2,1 m high must be erected where a land unit has a common boundary with another land unit that is not zoned General Industry (IND1) or Risk Industry (IND2) or when hazardous substances are stored on site.</p>	<p>A boundary wall is erected between the subject property and a neighbouring property that is zoned General Residential Zone 1: Town Housing.</p>	<p>Comply</p>
9.9	Parking and access	<p>Parking and access shall be provided on the land unit in accordance with 17.1.</p> <p>Place of instruction</p>	<p>There will be 5 students and 2,5 parking bays will be required;</p>	<p>Comply</p>



MOTIVATION

		<p>0.5 bays per student and plus 1 bay per classroom or office.</p> <p>Industrial Two bays per 100 m² GLA up to 500 m², thereafter one per 100 m² GLA</p>	<p>There are 5 classrooms/offices and 5 parking bays will be required.</p> <p>Industrial GLA 507,57m² and requires 10,15 bays</p> <p>There are 17,65 parking bays required and 18 are provided.</p>	
<p>9.10 Loading</p>		<p>The minimum off-street loading must be provided to the satisfaction of the Engineering Department.</p>	<p>The approved building plans (refer to Annexure D) illustrate that the existing building has an internal loading zone.</p>	<p>Comply</p>

10. HERMANUS BUSINESS PARK DESIGN GUIDE DOCUMENT

The Hermanus Business Park Design Guide Document provides additional development parameters, and this development proposal will be assessed in conjunction thereto.



MOTIVATION

	Parameters	Proposal	Deviate or comply
10.1 Building lines	<p>All internal access roads 5.0 metres set back from site boundary.</p> <p>All side and rear boundaries for the industrial erven require nil set-back provided that council may require set back building lines in the interest of public health or in order to enforce any law or right.</p>	3,9m	Departure motivated
10.2 Height	<p>No building shall exceed two storeys in height at any point.</p> <p>The maximum height of the roofs shall not exceed 7.5 metres above ground at any point.</p>	2 storeys	Comply
		8,5m and is approved.	Comply



11. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA:

11.1 Solid waste

Solid waste generated on the subject property is collected on a weekly basis and the approval and implementation of this application will not alter that. The shooting range will not generate any toxic waste.

11.2 Electricity

The existing building is connected to the electricity grid available in Sandbaai and the approval and implementation of this proposal will not alter that.

11.3 Water

The existing building is connected to potable water and the approval and implementation of this proposal will not alter this.

11.4 Sewage

The existing building is connected to the sewage network available on the subject property and the approval and implementation of this proposal will not alter that.

11.5 Access and egress

11.5.1 Access and egress to the subject property are gained from Argon Road and Bergsig Street; and

11.5.2 The parking bays (refer to **Plan 3**) are delineated similarly as the delineation per the approved building plans (refer to **Annexure D**). Additional parking bays are proposed for this development proposal to comply with the prescribed parking requirements as illustrated in section 9.9.

12. SPLUMA MOTIVATION REQUIREMENTS

The following are relevant considerations in terms of Section 42 (c) of SPLUMA:

12.1 Public interest

The approval and implementation of this proposal will contribute towards increasing the range of educational facilities available for security personnel and the general public to obtain the necessary shooting training and to improve proficiencies. Considering that crime is increasing, the availability of training facilities to increase the shooting proficiency of security personnel and the general public, improves the likelihood of people to defend themselves when their lives are in danger, which is in the public interest.

12.2 Opportunity costs

Opportunity cost in the context of land use planning refers to the devaluation or foregoing of a valued land use right of interested and affected parties when an application is approved and implemented. The rubber padding used on the walls of the shooting area is of such a nature that the level of sound which will emanate from gunshots to the surrounding area is minimised. The walls of the shooting range area will be thick enough with the



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necessary protection put in place thereon to ensure that bullets do not penetrate the walls of the building. Considering these safety measures which will be put in place in the subject property, neighbours are not projected to incur any opportunity cost with the approval and implementation of this proposal.

12.3 Respective rights and obligations of all those affected.

An industrial area is the most preferred location for a shooting range and the approval thereof constitutes a land use that is compatible with the surrounding area. This by implication means that the respective rights which are enjoyed by surrounding property owners are unlikely to be negatively affected by the approval and implementation of this proposal.

13. POLICY FRAMEWORK

13.1 The compliance of this proposal with the applicable spatial development policies was assessed. These policies are instrumental in guiding spatial development and providing prescripts of what constitutes sound town planning development patterns. The compliance of this proposal in conjunction with provincial and local policies which are key development informants will be illustrated.

Applicable policy	Administrative authority
Western Cape Provincial Spatial Development Framework, 2014 (PSDF)	Provincial
Overstrand Municipality Spatial Development Framework, 2020 (SDF)	Municipal
Overstrand Municipal Growth Management Strategy, 2010 (OMGMS)	Municipal

13.2 PSDF

13.2.1 Policy preface

The PSDF is a product of a provincial inter departmental and inter-governmental collaboration under the guidance of the interdepartmental steering committee with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns of urban areas in the province.

13.2.2 Broad policy objectives

The objective of the policy is to promote liveable settlements with quality infrastructure and high architectural integrity. The development principles in the PSDF are informed by other spatial planning policies which are aimed at creating a policy alignment between different spheres of government. The intent is to ensure that spatial development is uniformly guided according to spatial development principles which have been agreed upon by the relevant stakeholders.

13.2.3 Consistency of the proposal with the policy

13.2.3.1 Provincial spatial planning themes highlights that there is a strong correlation between the urban space economy and creating a safe environment. While layout design can reduce the likelihood of some spaces being crime hotspots, this does not eliminate crime. Considering this, the training which security forces will receive



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on the subject property to enhance crime-fighting skills will contribute towards enhancing safety in the urban space economy as prescribed by the PSDF.

13.2.3.2 The PSDF highlights that more effort needs to be put in place to reduce crime and other social ills. The subject indoor shooting range will also admit people who want to learn how to use a firearm exclusively for self-defence purposes. Considering that the scourge of crime has resulted in some people finding themselves in situations of life and death where shooting warning signals is the only way in which a life can be preserved, the training which will be offered on the subject property will play an instrumental role in saving many lives.

13.2.3.3 The policy highlights that the quality of education and quantity of training facilities in the Western Cape needs to be improved and increased. There is currently only one handgun shooting range in the Overstrand. This proposal which entails the establishment of an indoor shooting range is of high quality and contributes towards increasing training facilities which is in harmony with the policy prescripts of the PSDF.

13.3 SDF

13.3.1 **Policy preface**

The SDF's purpose is to ensure compliance with national, provincial and district legislation policies and principles. The SDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

13.3.2 **Broad policy objectives**

The broad policy objectives of the SDF include enhancing the image of the Overstrand as a liveable urban area that accommodates a variety of life. Development proposals should also capitalise on the unique sense of place which settlements and urban areas in the Overstrand are renowned for. The SDF promotes developments that enhance the visual quality and attraction of the built environments while preserving the social and cultural attributes which are valued by inhabitants.

13.3.3 **Consistency of the proposal with the policy**

13.3.3.1 The subject property is designated for industrial purposes in terms of the spatial proposal plan. The proposal for an indoor shooting range is most suitable in industrial areas and not within commercial and residential areas. This proposal does not entail a rezoning thereby retaining the industrial zoning of the subject property. This proposal is therefore in harmony with the land-use proposal pertinent to the subject property.

13.3.3.2 The SDF highlights that the unique character of the Greater Hermanus needs to be protected. This proposal primarily entails the internal alteration of the existing building and the only addition will be the area proposed over the street building line. This constitutes a minor alteration of the building façade. The character of the existing building, as well as the contribution thereof towards the surrounding area, will therefore retain the unique character of the subject property in relation to the immediate surroundings;



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13.3.3.3 The SDF highlights that urban growth in Hermanus should be confined within the existing urban edge. The proposal does not entail the expansion of the existing urban edge and is aligned with the prescript of the SDF.

13.4 **OMGMS**

13.4.1 **Policy preface**

The policy was created to manage the urban growth of the OM where densification would play a pivotal role in the effective implementation of infrastructure and community facilities provision. The policy carefully considered market cycles, municipal budgeting and capital spending.

13.4.2 **Broad policy objectives**

The policy primarily promotes densification and acknowledges that densification is coupled with the need for increased community/educational facilities in the OM to avoid the existing facilities from being overpopulated. The policy also broadly promotes optimal land use planning and the creation of safe and attractive urban spaces in the OM.

13.4.3 **Consistency of the proposal with the policy**

13.4.3.1 The subject property is located within an industrial node and is designated for commercial purposes. The proposed consent uses and departures that are sought in this application do not entail a change in the zoning of the subject property and therefore consistent with the spatial designation prescribed in the OMGMS;

13.4.3.2 The policy cites that development proposals should ideally remain within the scale, character, bulk, height and architectural styling of the site and surrounding. This proposal does not entail any significant alterations to the façade of the subject building and is therefore in harmony with the character in the industrial area as prescribed in the policy; and

13.4.3.3 The policy cites that development proposals need to contribute towards making developments attractive and creating safe urban environments. The approval and implementation of this proposal will entail some renovations to the subject property to make it more suitable for a shooting range which will contribute towards making the subject property more attractive. The training which will be conducted on the subject property contributes towards ensuring that security forces are appropriately skilled to combat crime. This will contribute towards the creation of safe urban environments as prescribed by the policy.

14. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains planning principles by which each development application must be guided. Policy proposals in SPLUMA which are pertinent to this proposal are the following:

14.1 **Spatial Justice**

Spatial justice in the context of land use planning refers to addressing spatial development imbalances caused by apartheid planning. The apartheid development pattern entailed shooting academies being in remote locations or in proximity to metropolitan areas. This consequently denied the residents in smaller municipalities access to shooting academies that were in close proximity and resulted in dwellers in smaller municipalities having to travel extended distances to access this kind of training. This proposal for a shooting range within

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an industrial area within the Hermanus urban edge is the first of its kind and is intended to bring shooting training facilities in the area which was neglected in the apartheid era. The contrast of this proposal to apartheid spatial development imbalances is a hallmark of spatial justice.

14.2 Spatial Sustainability

Spatial sustainability entails the creation of viable communities. The presence of well-trained security forces in communities that are geared towards combating crime contributes towards the creation of viable and safe communities which is a hallmark of spatial sustainability.

14.3 Efficiency

Efficiency in the context of land use planning refers to the need to enable urban areas to optimally make use of space, land and resources. This proposal entails the optimal use of space on the subject property within the services and engineering capacity of the subject site which is a hallmark of efficiency.

14.4 Spatial Resilience

Spatial resilience in the context of land use planning refers to spatial plans, policies and land use management systems that should enable the communities to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner. The owner of the subject property intends to rent out a portion of the property to function as an indoor shooting range operated by TSA and rents out the remainder of the building to a different tenant. The diversification of tenants on the subject property which are from different industrial sectors by implication means that if there is a downturn in the economic activity of one tenant that struggles to pay rent due to unforeseen market conditions, the industries of the other tenants may not be affected which who would continue paying rent. The spatial planning policies which are pertinent to the subject property promote diversification and flexibility of land uses and the subject property which will enable the owner to accommodate and recover from shocks promptly which is a hallmark of spatial resilience.

14.5 Good administration

The OM is the organ of state which is responsible for good administration by means of public participation and complying with the prescribed time frames in the By Law. The OM has a credible history of upholding the principles of good administration.

15. NEED AND DESIRABILITY

The need and desirability for the approval and implementation of this proposal in accordance with Section 66 (1) (c) of the OM By-Law and DEADP Provincial Support Document on Relevant Considerations, can be illustrated as follows:

15.1 Need and desirability

Desirability, amongst others, refers to two components where need refers to “time” and desirability refers to “place”. In other words, is it the right time and is it the right place for locating the proposed type of land use/activity? The land use of the proposed indoor shooting range is proposed at the right time as TSA has observed that there is a growing demand for security forces and people who want to learn shooting skills for self-defence in

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instances of grave danger. The proposed shooting academy is proposed at the right place as it is located in an industrial area and therefore compatible with the surrounding area.

15.2 Impact on views, sunlight and character of the area

The shooting academy is proposed within the existing building and will therefore not alter the scale and size of the existing building which neighbouring property owner have become accustomed to. The character of the area will be retained in the current format.

15.3 Economic impact

The approval and implementation of this proposal will lead to the creation of multiple employment opportunities during renovations and when the indoor shooting range is in operation. The proposed shooting range constitutes positive economic spinoffs for the prospective employees which is a direct positive economic impact.

The proposed shooting range will also source firearm related goods and equipment from other businesses to ensure that the operations thereof becomes viable which will invariably contribute towards the income growth of other businesses which is an indirect economic impact.

15.4 Impact on safety and wellbeing

The training of security personnel and the general public to be equipped with the skills to respond appropriately to crime scenarios will contribute towards the creation of safer living environments and therefore contributes towards the wellbeing of residents.

15.5 Social impact

All learning institutions generally contribute towards learners creating long-lasting bonds and ties with each other which become a valuable social capital in the future and enhances upward socio-economic mobility. The proposed shooting academy is projected to foster the same spirit among students and constitutes a positive social impact.



16. EVALUATION

- 16.1** This motivation report has illustrated that there is a definite need for an indoor shooting range in the Hermanus industrial area to contribute towards training people to appropriately respond to crime scenarios.
- 16.2** This proposal is in harmony with relevant spatial planning policies which are pertinent to this site and illustrates that this was informed by policy and not arbitrarily invented.

17. RECOMMENDATION

It is recommended that the following is approved:

- 17.1 Consent use** for a place of instruction in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended;
- 17.2 Consent use** for a recreational facility in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended;
- 17.3 Departure** from the 5m north-eastern street building line prescribed in the Overstrand Municipality Land Use Scheme, 2020 to 3,9m to accommodate the proposed expansion of the existing building intended to be used as a place of instruction / recreational facilities in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended;
- 17.4 Departure** from the 5m north-eastern street building line prescribed in the Hermanus Business Park Design Guide Document to 3,9m to accommodate the proposed expansion of the existing building to be used as a place of instruction / recreational facilities in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended; and
- 17.5 Departure** from the 3m western side building line to 0m to accommodate the existing building in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

Plan 3: Site Development Plan Erf 1769 Sandbaai

Subject property (1838m²)

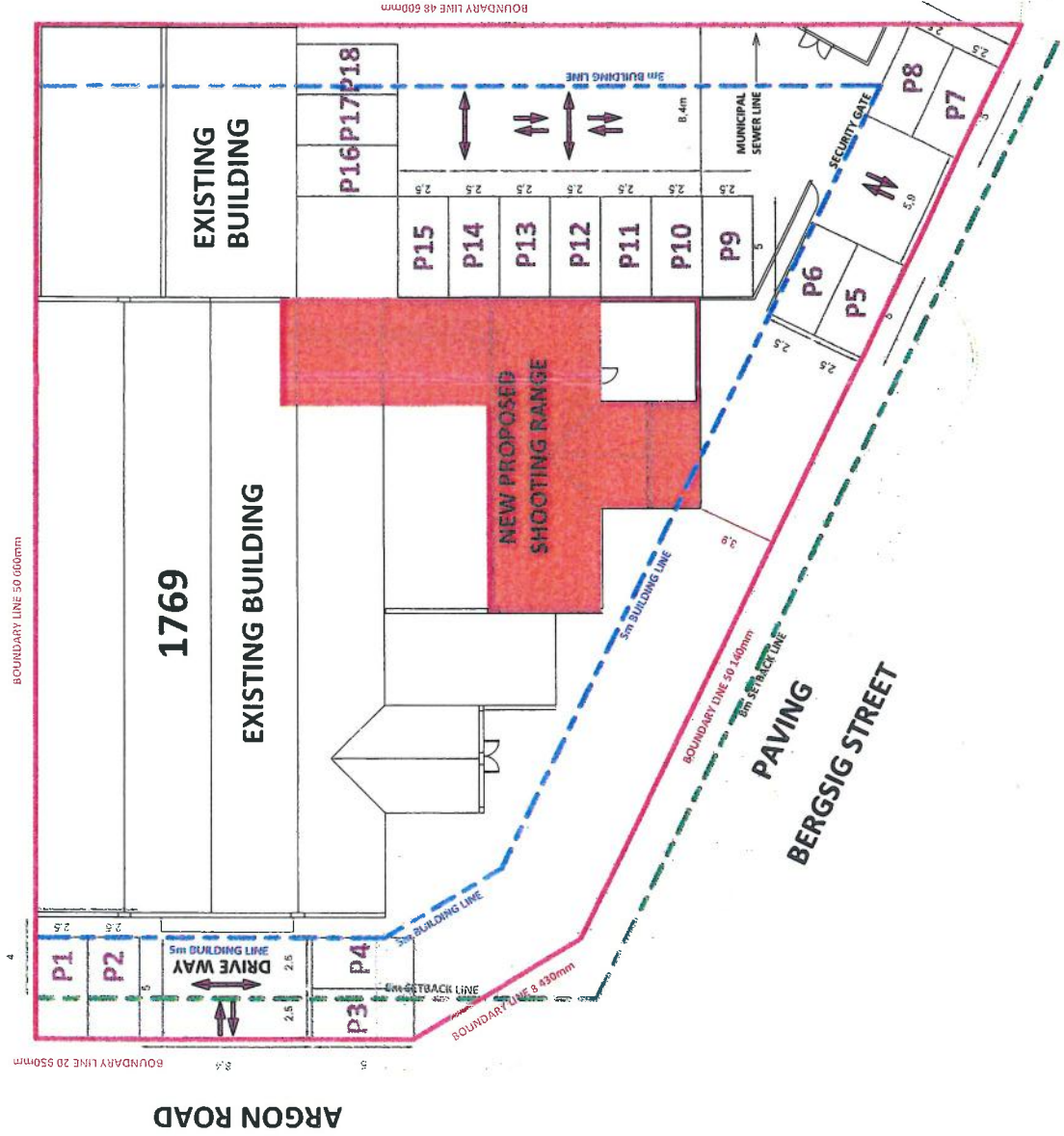
Development parameter	Maximum permissible	Proposal
Floor factor	2	0,31
Coverage	75%	52,34%
Height	12m	8,5

Parking	Required	Proposal
	17,6	18

Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Based on plans prepared by Julie
 Unit B, Corner of Royal and Dirkie Uys
 Street Hermanus, 7200
 Plan prepared by: Reathle Jankie
 All distances are approximate
 and subject to a survey



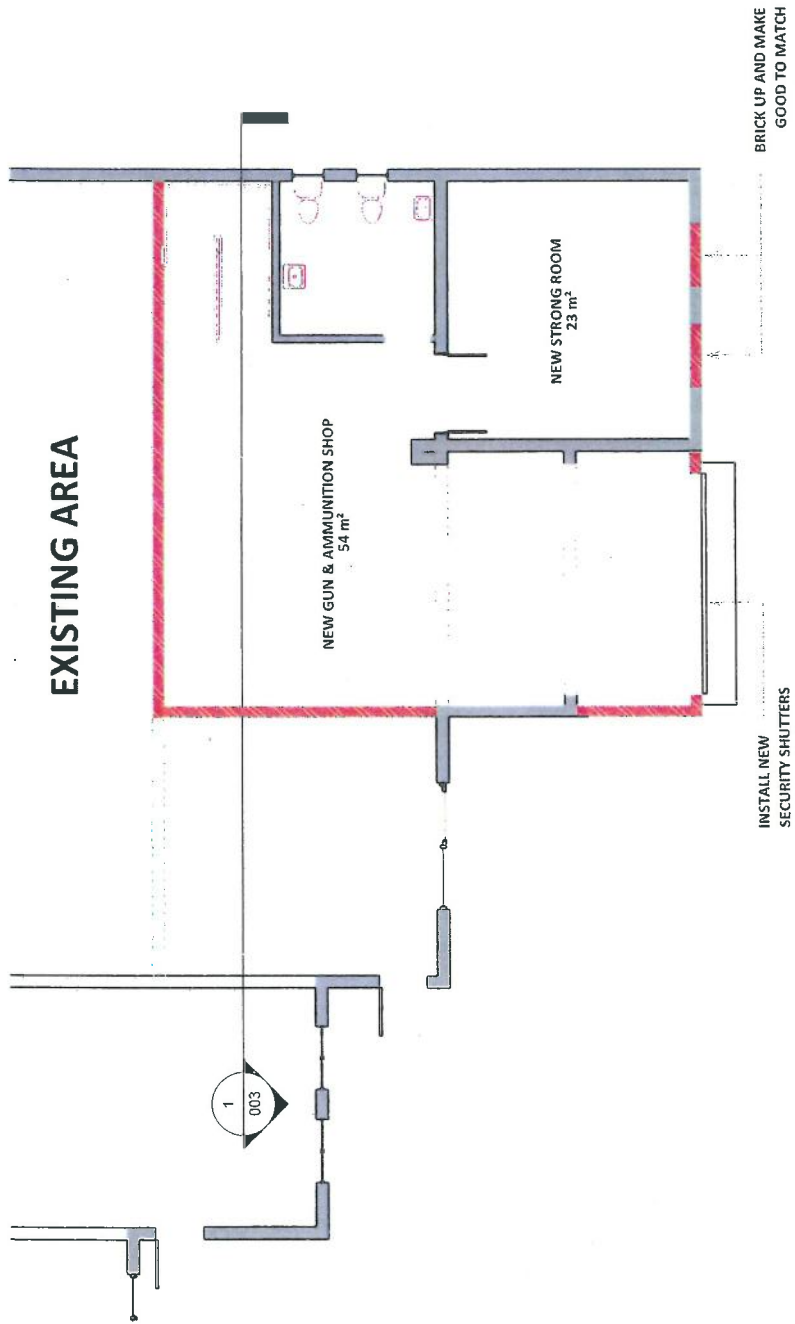
2740



Scale 1 : 250



**Plan 4: Ground Floor
Plan of the
Application Area
Erf 1769 Sandbaai**



Scale 1 : 100

Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Based on plans prepared by Julie
Unit B, Corner of Royal and Dirkie Uys
Street Heimanus, 7200
Plan prepared by: Reathlelle Jankie
All distances are approximate
and subject to a survey

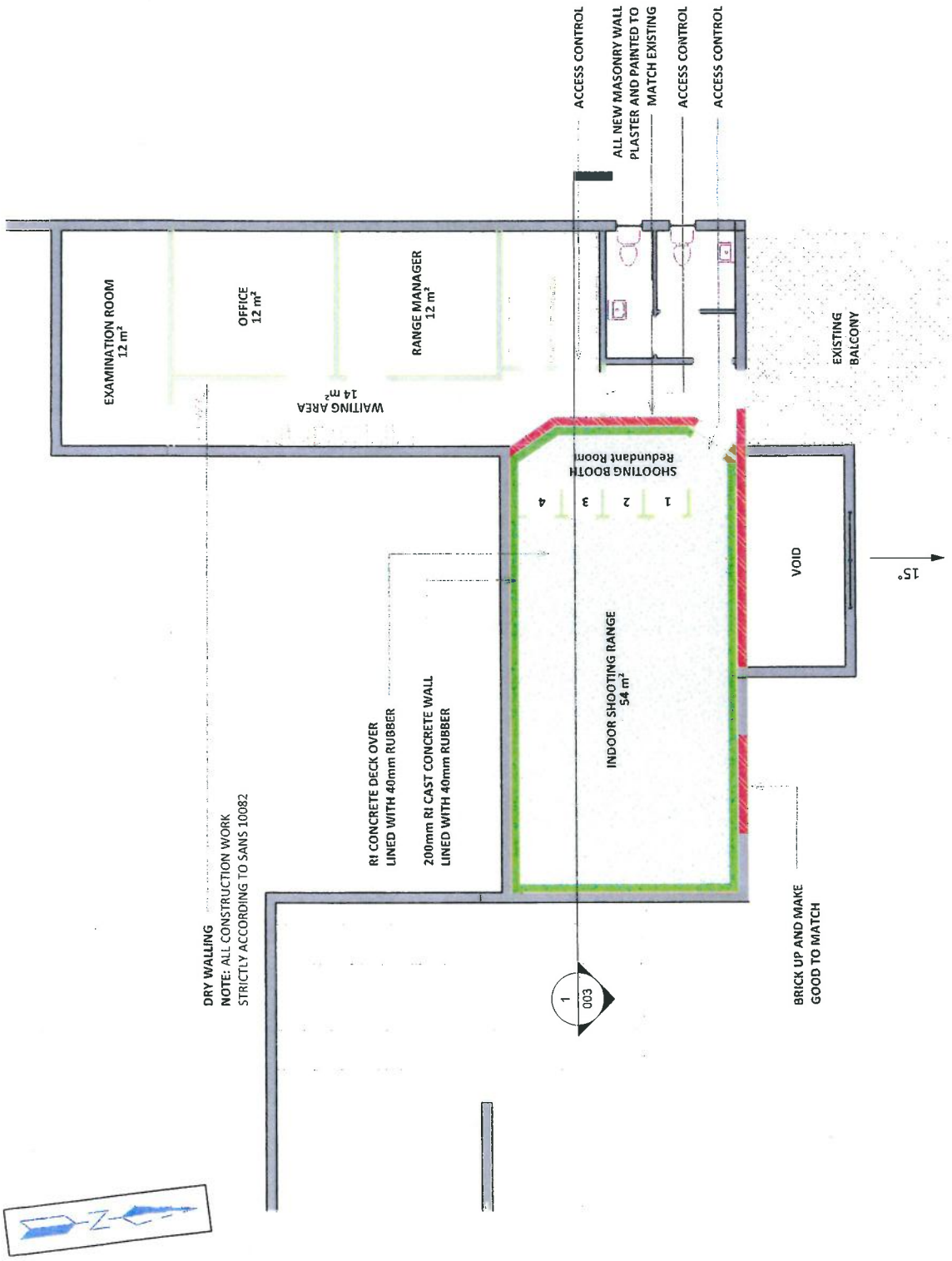


**Plan 5: First
Floor Plan of the
Application Area
Erf 1769 Sandbaai**

Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Based on plans prepared by Julie
 Unit B, Corner of Royal and Dirkie Uys
 Street Hermanus, 7200
 Plan prepared by: Realetjie Jankie
 All distances are approximate
 and subject to a survey



Scale 1 : 100



DRY WALLING
 NOTE: ALL CONSTRUCTION WORK
 STRICTLY ACCORDING TO SANS 10082

8.5

BRICK UP AND
MAKE GOOD TO
MATCH

BRICK UP AND MAKE
GOOD TO MATCH

BRICK UP AND MAKE
GOOD TO MATCH

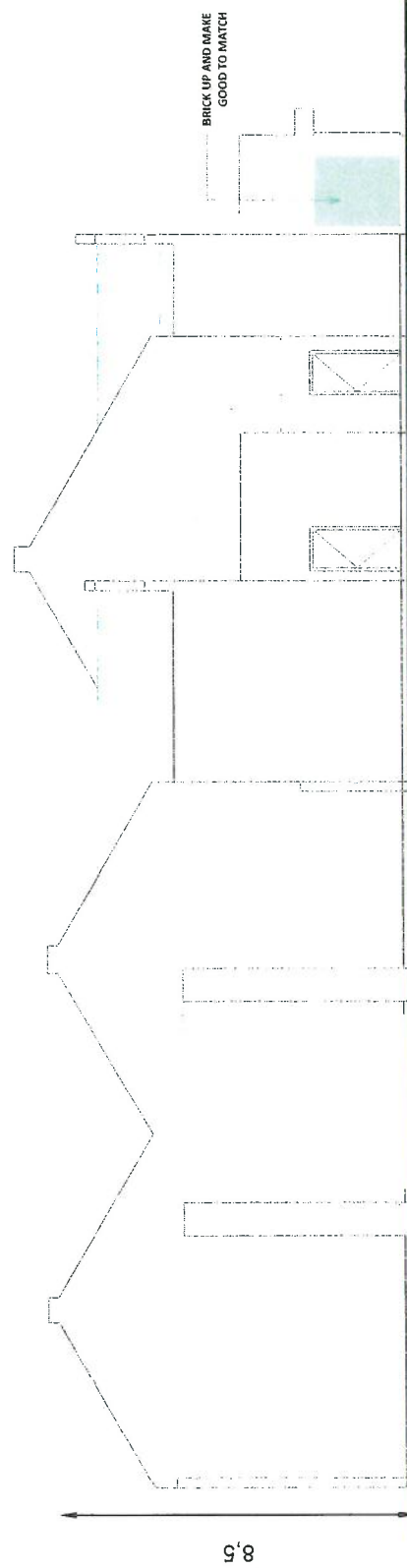
Elevation along Bergsig Street

Scale 1 : 100

Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Based on plans prepared by Julie
 Unit B, Corner of Royal and Dirkie Oys
 Street Hermanus, 7200
 Plan prepared by: Reatilehle Jankie
 All distances are approximate
 and subject to a survey


Plan 6: Elevations
Erf 1769 Sandbaai

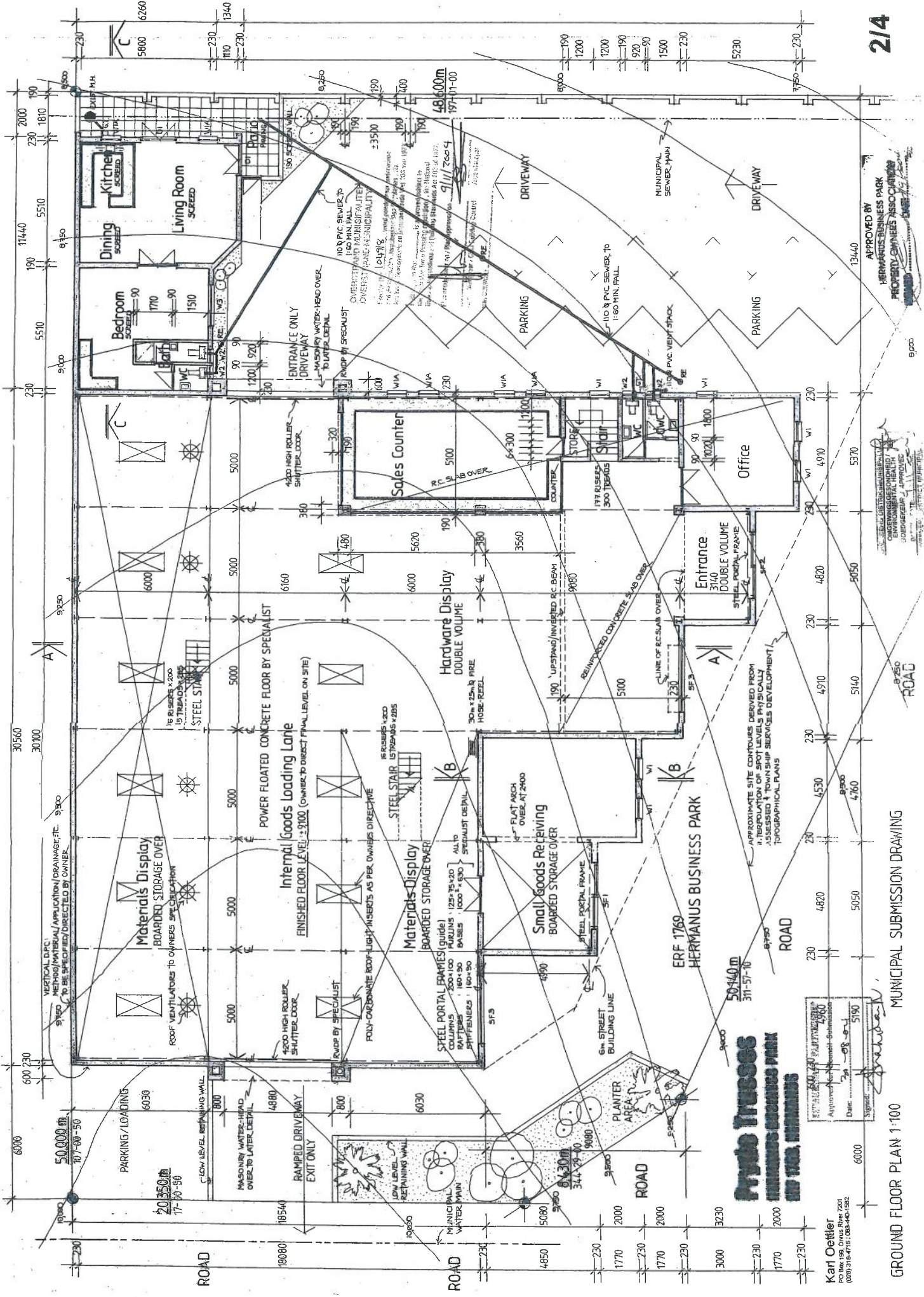




Elevation along Argon Road

Scale 1 : 125

<p>Plan 7: Elevations</p> <p>Erf 1769 Sandbaai</p>		<p>Tel: 028 313 1411</p>
		<p>Email: admin@wrapgroup.co.za</p> <p>Based on plans prepared by Julie</p> <p>Unit B, Corner of Royal and Dirkie Lys Street Hermanus, 7200</p> <p>Plan prepared by: Reallehlie Jankie</p> <p>All distances are approximate and subject to a survey</p>
		 <p>Project Office Town Planning & Project Management</p>



APPROVED BY
HERMANUS BUSINESS PARK
PROPERTY OWNERS ASSOCIATION

APPROVED BY
ENGINEER
DATE: 17/10/20

APPROVED BY
DATE: 17/10/20

APPROXIMATE SITE CONTOURS DERIVED FROM INTERPOLATION OF SPOT LEVELS PHYSICALLY ASSESSED & TOWN-SHIP SERVICES DEVELOPMENT TOPOGRAPHICAL PLANS

ERF 1769
HERMANUS BUSINESS PARK
50140 m
311-57-10

Pyro Trusses
HERMANUS BUSINESS PARK
17th St, HERMANUS

Karl Oetler
PO Box 198, Ouders River 7201
(021) 516-4715; 083-440-182

GROUND FLOOR PLAN 1:100

MUNICIPAL SUBMISSION DRAWING

