

4.2

PORTION 3 OF FARM 585, HEMEL-EN-AARDE VALLEY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: OVERSTRAND MUNICIPALITY

3/585 RCAL (3488/2019)

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Hermanus Administration

1. EXECUTIVE SUMMARY

The application on Portion 3 of Farm 585, Hemel-en-Aarde Valley is in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a consent use in order to accommodate a proposed utility service to accommodate a garden waste chipping area.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, while the proposed Site Development Plan is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The farm measures 70,0957 ha in extent and is zoned Agriculture Zone I.

In 2018, a planning approval was granted to utilise the property for an animal care centre (municipal animal pound) and to utilize the property for authority purposes.

4. SUMMARY OF APPLICANT'S MOTIVATION

- ❖ The proposed garden waste chipping area complies with the definition of utility services, and can be interpreted as "sustainable service delivery technology".
- ❖ Members of the public will bring garden waste to the facility, where it will be mechanically chipped into smaller fractions and removed from the site to use as composting or alternative uses off-site.
- ❖ Benefits include less creation of compost with less environmental impact, requires less energy, cuts climate-changing carbon emissions, reduces landfill waste, reduces burning of waste and is cheaper than to do waste collection and disposal.
- ❖ Only a 17,4m² size control building will be constructed, which will comply with the Zoning Scheme Regulations.
- ❖ The garden waste chipping yard will be 2202m², and ten (10) parking bays will be provided for visitors and four (4) loading bays.
- ❖ There is electricity and water available on-site, whilst sewerage will be dealt with by way of a conservancy tank.
- ❖ Access will be off Divisional Road Dr 01239.

Need and Desirability

- ❖ This is the right place and time for such a facility to alleviate the possible pressure on the Karwyderskraal landfill site and it has numerous environmental benefits. The chipping area is proposed on a cleared site, will not be visible from the Divisional Road due to the surrounding trees, and it would therefore not impact the rural character.

- ❖ It will have a positive economic impact as it will create jobs.
- ❖ It will not trigger listed activities in terms of the National Resources Act, 1999 or NEMA.
- ❖ This application will create a sustainable way to deal with garden waste and lower green-house gasses.
- ❖ It will have a positive social impact in terms of job creation.
- ❖ The existing trees will create a natural noise screen and the contractor will be obliged to prevent nuisances such as noise, air pollution, dust and wind-blown material. It will also be modelled around the facility at the Hermanus Waste Transfer Station, which has minimal noise impact.
- ❖ Surrounding property owners' rights will not be de-valued.
- ❖ The chipping area is not a risk activity or excessively noisy, therefore it would not interfere with land use rights of surrounding property owners.
- ❖ Additional conditions can also be imposed to limit the facility to ensure it will not have an adverse impact on the character of the area.
- ❖ The proposal is in line with the PSDF in that it promotes a transition to innovation within the Waste Management Sector to increase recycling and re-use, promotes a mind-set of reduce, rethink, recycle and promotes the expansion of recycling technologies.
- ❖ The proposal is in line with the Overstrand Municipal SDF, 2006 which promotes the efficient use of energy resources, promotes preservation of the character and form of the existing settlement pattern, and also to promote improvement and maintaining the standard of bulk services with particular reference to solid waste.
- ❖ It is in line with the Planning Principles (in terms of SPLUMA) as follows:

Spatial Justice:

The proposal will unlock employment opportunities for the unemployed rural residents negatively impacted by apartheid.

Spatial Sustainability:

Will promote mixed rural land uses.

Efficiency:

The most efficient use will be made of the subject property in relation to infrastructure, energy and resources.

Spatial Resilience:

It is in line with the spatial resilience principles in the PSDF and SDF.

Good Administration:

A good administration process, including public participation process was followed by the Overstrand Municipality.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Notices	Yes	18 November 2019	24 January 2020
Ward councillor	Yes	18 November 2019	24 January 2020
Total comments	7 (SEVEN)		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			Yes

Was the application processed correctly (if no, elaborate below):	Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)	Yes

6. SUMMARY OF COMMENTS FROM ORGANS OF STATES AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
Telkom	06/12/2019	See Annexure F.
Eskom	03/01/2020	See Annexure G.
Building Control	20/11/2019	No objection.
Operational Manager	21/11/2019	See Annexure H.
Engineering Services	25/11/2019	See Annexure E.
Environmental Department	16/01/2020	See Annexure I.
Department of Transport	18/12/2019	See Annexure J.
Fire Department	8/02/2020	See Annexure K.
BGCMA	12/12/2019	See Annexure L.
EADP	13/12/2019	See Annexure M.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION, APPLICANT'S REPLY TO COMMENTS AND MUNICIPAL ASSESSMENT OF COMMENTS

OBJECTION 1: ILLEGAL DUMPING

The illegal dumping of garden waste will now increase, and there is uncertainty with regards to the hours the facility will operate and who will police it.

Applicant's Response

The facility will provide a facility to the public to dump garden waste under one (1) ton, which would help to alleviate any illegal dumping. The facility will be open from 08:00 to 18:00 from Monday to Friday and 09:00 to 16:00 on Saturdays and there will be an access controller during operating hours and a security guard after hours.

Town Planner's Response

The applicant addressed the comment.

OBJECTION 2: ENVIRONMENTAL IMPACT

The property is situated in the Onrust Mountain Conservancy. This chipping facility is semi-industrial and would lead to significant changes to the well-being of the environment and impact on FONA and FLORA.

Applicant's Response

The facility will not be a dump site, but will only chip garden refuse and then the refuse will regularly be removed and transferred to the Karwydeskraal landfill site. The facility will not in any way interfere with the landscape and conservancy character and the area will even be cleared of alien vegetation, which supports the conservancy.

Town Planner's Response

The application was circulated to Cape Nature and the Municipal Environmental Branch for comments. Cape Nature failed to respond, but the Municipal Environmental Branch indicated their support for the application, subject to strict conditions regarding noise control, control of any possible seepage and groundwater control, visual impact and fire management.

It is clear that the Municipal Environmental Branch is of the opinion that the facility's environmental impact can be controlled to acceptable levels, hence the objection is considered speculative.

OBJECTION 3: SPECIAL CONDITIONS

The owner of Erf 283, Hermanus requests that a special condition be inserted that, should the owner of Erf 283 request that the noise of the chipping machine be reduced, then the municipality will be obliged to do so.

Applicant's Response

The condition cannot be accepted, but the chipping facility will operate during working hours, providing surrounding property owners with peace and comfort after hours, when they are at home with their families.

Town Planner's Response

The objectors' comments are noted, but the applicant did not specifically respond to the objectors' concern, being excessive noise by the chipping machine. It is also to be noted that most surrounding properties are utilised for tourist facilities, training facilities, schools and farming. This means owners, staff and even visitors are present at these properties during working hours; therefore they could be impacted on by any excessive noise from the chipping machine.

OBJECTION 4: IMPACT ON TOURIST ACTIVITIES

There are existing walking and bike trails in the area, which are popular with tourists and locals, which will be impacted on by the increase in traffic.

Tourist facilities in the area including at Southern Right and Bartho Eksteen Wijnskool will be negatively affected.

Applicant's Response

The road opposite the site is wide enough, with only the existing single vehicle bridge that could create a bottle neck, but would not increase accidents. Mountain bike trails are mostly used after hours and over weekends.

Town Planner's Response

This is a valid concern by the objector. This area is identified as a scenic route which promotes tourist facilities and there are existing walking and mountain bike trails, and also the existing quad biking and tree top adventures. By bringing in more traffic, there could be a clash of pedestrian/bike traffic and vehicles, which could raise safety concerns. The fact that vehicles would have to access the area over the single vehicle bridge they will share with bike riders is a further concern for cyclists' safety.

Surrounding tourist facilities such as the surrounding wine farms and restaurants could also be negatively affected by increased traffic and noise.

OBJECTION 5: TRAFFIC CONCERNS

There is traffic concern regarding the bottle neck at the single lane bridge on the Camphill Road. The increase in traffic creates concerns at the R43 intersection, which already backs-up significantly.

The facility will increase traffic and noise on Hemel en Aarde Road and the Camphill Road and R320 intersection. No road upgrades are proposed, but with the increase in traffic, more trucks will be using the Hemel en Aarde and Camphill Roads and the single vehicles bridge, which sturdiness and safety is questioned to carry the additional traffic.

At the existing dump site, it was observed that up to ten (10) vehicles would do drop-offs at the same time, with a constant inflow and outflow of vehicles. Large anticipated trucks must collect the chipped material. However, no Traffic Impact Assessment (TIA) was done in support of the application. The entrance to the chipping facility is at a blind bend and there would be enormous dust or mud, depending on the season.

Applicant's Response

The Western Cape Department of Transport and Public Works, which is the competent authority on district and provincial roads, supports the application subject to certain conditions. The implementation of the conditions is intended to address the concerns raised by the objector.

Town Planner's Response

The application that was submitted did not provide a clear indication as to the number of traffic that would visit the site. It was only indicated in the response to the objectors that approximately thirty eight (38) truckloads of chipping waste will be removed from the site per month.

The comments received from the Department of Transport provided for an additional approval. The conditions entails putting up signage, but also includes conditions which stipulate that the Municipality must provide a Conditional Assessment of the Divisional Road 1239 (Camphill Road) to the Roads Engineer prior to operation and every six (6)

month thereafter, keep record of how many vehicles drop-off and pick-up material, and lastly that the Municipality must unconditionally accept any further conditions stipulated by the District Road Engineer regarding the maintenance of Camphill Road.

Considering the above, it is not clear what the actual traffic impact will be, and also what type of upgrades of the roads will be required. This can also be a risk for the Municipality to accept an open-ended condition with no clear understanding of the possible financial implications.

The new chipping facility will have a significant increase in traffic that could influence traffic safety on the Camphill Road, Hemel en Aarde Road, the various intersections and also the single lane vehicle bridge. The lack of a TIA therefore makes it impossible to measure such impact at this stage, and the objector's concerns regarding the lack of sufficient information and negative traffic impact are valid concerns.

OBJECTION 6: IMPACT ON CAMPHILL SCHOOL CLIENTS

The increase in vehicle and pedestrian traffic would raise safety concerns for the vulnerable children and adults at the two (2) Camphill Communities.

Applicant's Response

The support by the Department of Transport projects a low accident risk to the Camphill Community. The facility is unlikely to create a safety risk to neighbouring properties as the facility will have no items for resale value or attract job seekers, and is therefore unlikely to attract vagrants.

Town Planner's Response

The matter regarding traffic impact was previously addressed.

The applicant's response can be supported to a certain extent, as there are already tourist facilities and training facilities that draw traffic and pedestrian traffic into this area, that allegedly impact the Camphill Community. However, job seekers will visit an area where they see potential for them to obtain a job. They could see the site as an area where they can be in contact with members of the public or garden services busy doing garden work, and possibly requiring more manual labour for the jobs being performed.

OBJECTION 7: INDUSTRIAL NATURE AND IMPACT

The facility will be more of a commercial or industrial nature, and the chipping machine and additional traffic will create dust, fumes and pollution.

Applicant's Response

The garden waste chipping facility will be located 100m from the property boundary, and surrounding trees will buffer dust to neighbouring properties.

In the public tender for the chipping facility conditions to control air pollution, dust control and wind-blown material will be inserted to reduce or prevent such nuisance.

Town Planner's Response

The comments by the objector and applicant are duly noted. It is fair to say that dust of vehicles can be controlled by resurfacing the gravel road, and dust and wind-blown objects will be blocked from the neighbouring properties by the dense trees around the site. Considering the vast open spaces around the site, it is also not foreseen that fumes could have a significant impact on the surrounding area.

OBJECTION 8: NOISE IMPACT

Impact of noise on the quiet mountain valley has not been investigated, and can change depending on weather and wind. Many trees will also be removed for the site, which reduce the ability to screen noise.

No information was provided about measured noise levels or details of the type of chipping machine, to enable objectors to determine possible noise levels. It is therefore difficult to determine if land use rights will be affected. The statement that Hermanus Transfer Station chipping operation has minimal noise impact and this operation will be modelled around such facility is not supported, as ambient noise levels around the Hermanus Transfer Station is much higher than a rural area and the new sites location higher up will make the noise more audible. Surrounding owners had to use chippers for invasive plant clearing, and therefore, other surrounding land owners thus know how noisy they are.

The high noise levels will impact on the peace and tranquillity of the area, which will infringe upon the use and enjoyment and ultimately property values of surrounding properties. It would also affect school learners at Camphill School.

Applicant's Response

The trees around the proposed chipping site, even if some are removed from the site, will still create a natural visual and noise screen.

The chipping equipment to be used was not specified as the successful tenderer will have to provide the machine. Specific conditions in the tender were however inserted to control nuisance, including noise (by ensuring all plant silencers, etc. are in good working conditions). The comments regarding background noise levels for the Hermanus Transfer Station and this site are noted and not disputed. It is, however, mentioned that other land owners in the area used chippers to clear invasive plant species, yet they want to deprive the Municipality of doing same.

In terms of SPLUMA, a Municipal Planning Tribunal may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property that will be affected by the outcome of the application. The assumption made by the objectors of devaluation of property values are therefore, not relevant.

Town Planner's Response

The objector's and applicant's response regarding noise creation are noted. The fact that trees around the site would screen noise is not debated, but the objectors' concerns that no information was provided as to the measure of noise the chipping machine will create, is problematic. It is at this stage impossible to determine if the trees will block the noise sufficiently to acceptable levels.

The comments regarding the background noise are also noted, and the objectors' opinion that the Hermanus Transfer Station and this rural site cannot be compared, are supported.

The surrounding property owners however have an expectancy that the noise would be similar to other chippers used in the area for clearing invasive plants. This could be an unfair comparison, but there is no specific measured information that proves the objectors' concern to be wrong. This is also then why surrounding property owners voiced their concerns regarding impact on peace and tranquillity. It is also general believe that should peace and tranquillity be impacted, property value will also be impacted. The applicant's comment regarding the consideration of properties being devalued in terms of taking SPLUMA decisions are noted, but the devalue concerns stems due to the direct impact of the chipping facility.

Considering the above, it is not clear what the noise impact will be of the chipping plant, due to the lack of measurable information, it is impossible to make such a determination. The concerns of surrounding objectors are however not unfounded, as chipping machines are known to create high noise levels. The objections regarding noise are, however, valid and if the applicant cannot prove low noise impact, such chipping machine should not be allowed to operate in the area.

OBJECTION 9: FIRE RISK

The area has a significant fire risk, with capacity to carry wild fire through Sandbaai and Onrustrivier. The current fire risk due to underground peat fire is evidence of fire higher risk. Any compostable material accumulated on-site would increase fire risk, and also considering the area next to the proposed chipping site did not burn recently, fire risk management on the site is important.

The single vehicle bridge is the only fire escape route out of the area. Has the Greater Overberg Fire Protection Association been consulted regarding those problems?

Applicant's Response

No material will be burnt on-site. The application was circulated to all relevant Municipal Branches for comments and mitigation measures would be introduced if they believe the property is a fire risk.

Town Planner's Response

The objectors' and applicant's response are noted.

The application was circulated to the Municipal Fire Department, who indicated that they had no objection to the application. They stipulated that the structures and area must comply with the National Fire Protection Regulations SANS T: 2011 and the By-Law relating to Community Fire Safety (housekeeping to be improved, accumulation of combustible material must not create a fire hazard or other threatening danger).

OBJECTION 10: SAFETY/SECURITY CONCERNS

The proposed facility will lead to an increase in crime and trespassing in the area, in a fragile community which would lead to policing the area to protect assets and also possible land invasions. The location of the site in the Hemel-

en-Aarde Valley will also lead to an increase in rats and therefore snakes and baboons, thereby creating more safety issues on the mountain bike and hiking trails. Glenfruin already has security concerns and increased public access can lead to an increase and invasion/illegal settlement.

Applicant's Response

Only garden waste will be stored on-site, with low resale value, and it is highly unlikely thieves would want to trespass and steal it. There will also be 24/7 security on-site. There is also no correlation between land invasions and the waste chipping facility.

The garden refuse should not attract baboons, but this will be dealt with by the staff if so required. Although unlikely, but if there are more snakes on-site the SPCA will be contacted to remove the snakes. The concern about land invasions cannot be attributed to the proposal.

Town Planner's Response

The comments of the objectors and applicant are noted. The objections are speculative and were sufficiently addressed by the applicant.

OBJECTION 11: HERMANUS CHIPPING FACILITY IDEAL

The location of the existing chipping facility at the Hermanus Waste Transfer Station is ideal in terms of central location. It is already in a semi-industrial area and close to major roads. It is not clear why the facility must now be moved to a less central location, and it is not clear if the general public or/and garden services were consulted about the move. The existing chipping site already provides job creation, is in line with the need and desirability and is being used for recycling.

Applicant's Response

The current area has been promised to the local community for housing and other municipal uses, possibly a satellite police station or library.

At least three (3) new jobs will be created at the new site.

Town Planner's Response

It is not debated that the existing chipping facility at the Hermanus Waste Transfer Station is ideally located, but it is clear that due to the need for land for housing such land has been identified for other possible purposes.

It is not clear on whether there was consultation with the general public or gardening services regarding to the move of the chipping facility. It is, however not relevant to measure the desirability of the proposed chipping facility of Portion 3 of Farm 585. It is also to be noted that the Municipality also intends moving the whole Hermanus Waste Transfer Station to Erf 243, Hermanus, where the sewerage works in Zwelihle is located. The Municipality will however have to consider both these applications from a desirability perspective, and take a decision on the way forward.

OBJECTION 12: MISMANAGING OF MUNICIPAL PROPERTY

The Municipality is already mismanaging the property allowing the spread of the vegetation, creating a huge fire risk, allowing spread of pollution, allowing falling of timber into the river causing flooding downstream, allowing activities on the property which are in contravention with the Zoning Scheme, not ensuring proper health and safety practices, not securing the borders of the property allowing invaders into the surrounding properties, not providing visible and effective security, and lastly, entering into agreements with outsiders to cut trees in an unprofessional manner, who strays onto other properties and creating environmental hazards. There is also no control over the existing pig farm on the property, creating many problems.

Applicant's Response

No substantive evidence was provided that the property is a fire risk and no clear indication is provided as to what pollution is being referred to. No evidence was provided that existing land uses damage the ecology, or which land uses are in conflict with Zoning Scheme and which health and safety practices are not correctly performed. No planning application will resolve people trespassing land. The prevalence of using outsiders to chop timber also has no relevance to the application.

Note the new chipping facility will have ablution facilities for employees and the public, and there will be an access control building improving security.

The pig farm is also not related to the existing application submitted.

Town Planner's Response

Considering the objections and also the applicant's response, many of the comments are general statements, with no specific evidence in support of such statements. At this stage, land use rights were approved on the property for some office use (Law Enforcement) and an animal care facility (Animal Pound). This facility actually helps improve security in the area. There is also informal farming with pigs on the property, which is a temporary arrangement, which has created some problems for the Municipality, but it is being monitored by Law Enforcement personnel on the site.

The concerns regarding management of the property are noted, but if the claims are correct, it will at least be improved by creating increased control and security and ablution facilities.

OBJECTION 13: PUBLIC PARTICIPATION PROCESS

Camphill did not receive any notice or email regarding the application and were informed by a neighbour. It is not clear which property owners received notices and if the general public was informed. The application should have been advertised to the general public as this will be a public facility.

There should have been direct consultation with affected adjoining property owners before such proposal should have been considered.

Applicant's Response

The Overstrand Municipality is the authority who performs public participation process.

Town Planner's Response

Registered notices were sent to sixteen (16) surrounding properties in the area and next to Camphill and the Hemel-en-Aarde Roads in a radius up to 2km from the subject site.

Camphill School facilities are spread over four (4) properties, being Portion 14 of Farm 585, Portion 10 of Farm 585, Portion 15 of Farm 585 and Portion 2 of Farm 585. Notices were sent to Portion 14 of Farm 585 and Portion 10 of Farm 585, but it was later established that Portion 14 of Farm 585 and Portion 10 of Farm 585 are registered in the name of Hermanus Rudolf Steiner School and Portion 2 of Farm 585 and Portion 15 of Farm 585 in the name of Camphill Farm Community Hermanus. These four (4) properties are, however all referred to as Camphill School, and this is then probably the reason how S Hoodson and J Botha of Camphill Communities Hermanus became aware of the application. Camphill School, however did provide their comments on the application, and therefore did participate in the public participation process.

The comments regarding advertisement in the press or placing notice boards on-site are noted. It is not a requirement in terms of the By-Law to place an advertisement in a newspaper or on a notice board on-site for a consent use application. It is to be noted that when the animal pound application on the property was dealt with as a consent use only notices were also sent out to surrounding property owners and no objections were received about the public participation process for such application.

It is the applicant's (Waste Management Department of Municipality) prerogative if they wanted to consult directly with any surrounding neighbours, but it cannot be enforced.

OBJECTION 14: JOB CREATION

The move of the chipping facility will not create new jobs, but will only relocate existing ones, creating inconvenience to current employees as there is no taxi service in the Hemel-en-Aarde Valley. Appointing rural staff would create movement of pedestrians through Camphill, creating safety and security challenges.

What will happen to existing staff operating the existing chipping facility in Hermanus?

Applicant's Response

The following additional jobs will be created, namely an access controller and two (2) security guards. Staff could be transported by the contractor.

Town Planner's Response

The objector's and applicant's response are noted. It appears that some job opportunities will be created and transport for staff can be dealt with.

The comment regarding appointed rural workers who would walk through Camphill School is very speculative, especially considering the fact that minimal additional people will be appointed.

OBJECTION 15: PRACTICALITY OF THE PROPOSAL

A gravel area will not be suitable for a chipping facility as it would be compressed into the ground and damage equipment. A complete slab will be required.

Applicant's Response

A concrete slab is very expensive. The chipping facility in Hermanus is on hardened gravels with minor maintenance.

Town Planner's Response

The objector's and applicant's comments are noted.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See Paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS

See Paragraph 7 above.

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**10.1 Background**

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

Spatial Justice

N/A

Spatial Sustainability

The farm is not utilized productively as it is only utilised as animal pound and offices. The use of farm for a chipping facility would increase its productivity.

The farm does not have any agricultural activities that will be impacted upon, nor does it trigger any environmental triggers.

Efficiency

It appears to be efficient to utilize the farm for an additional chipping facility; it is not clear whether the preparation of the site to ensure that no pollution of ground water takes place will be financially efficient.

Spatial Resilience

The land could still be utilized for farming in future should the need arise.

Good Administration

Good procedure was followed and with a good public participation process. There is, however some concern about the lack of some information provided addressing traffic impact and noise impact.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Same as Point 10.2 above.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable policies

The SDF allows non-agricultural uses as long as it is not a high potential agricultural land, near to access roads, locations must have minimal impact on aesthetics and also on farming activity.

There are some concerns about the traffic impact into an area with a one (1) vehicle lane bridge. The area is also identified for tourist businesses and a scenic route and there is concern that additional traffic and noise from a chipping machine can have a negative effect on the character of the area.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal Engineering Services

Sewerage will be dealt with by way of a conservancy tank.

10.7 Outcomes of investigations/applications i.t.o other legislation

The farm falls in a CBA area, but no comments were received from Cape Nature. The Municipal Environmental Branch however indicated their support for the application subject to specific conditions.

10.8 Existing and proposed zoning comparisons and considerations

In this area, various other non-agricultural land uses were allowed, such as training centres, tourist facilities, special needs schools, animal pound and municipal offices. The desirability of each activity must however be considered on its own merit.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

At this stage the existing farm house and outbuildings (approximately 765m² in extent) is utilized as an animal care centre (municipal pound) and authority purposes (Law Enforcement offices).

The existing farm is in a dilapidated state, with no existing farming activities other than some pigs being accommodated on the farm on a temporary basis. Existing farming activities would therefore not be affected.

The chipping facility is proposed approximately 100m from the entrance road onto the farm off the Camphill District Road. Vehicles would have to travel via the Hemel-en-Aarde Road, turn-off onto the Camphill Road and cross a single lane bridge before reaching the turn-off onto the farm.

The surrounding area is a mixture of mixed uses and farming, being utilized for municipal office use (Law enforcement), animal pound (Municipal), tourist facilities (wedding venue, accommodation, tree top climbing, quad bike routes, hiking and bike routes), wine farms (farming, wine making and wine tasting), restaurants and protea farming, and lastly a special school facility (Camphill School). It is clear that a mixed use character has been created, but it is important that any additional use should not impact the existing land uses.

In the public participation process, the surrounding property owners clearly voiced their concerns about the possible impact of the proposed chipping facility on the surrounding area. These concerns were discussed in detail in this report, but the concerns regarding traffic impact, noise impact and also if such industrial type facility would fit in with the character of the area will be discussed in more detail.

In the application, no clear information was provided with regard to the number of trips to and from the site. The lack of such information was then also reiterated by the objectors. In the response to the objections the applicant indicated that approximately thirty eight (38) truck trips per month will be made removing the chipped material from the site. It was also indicated that the Department of Transport provided its support for the application, and that such department was the custodian of the Hemel-en-Aarde and Camphill Roads.

The objector's concerns are valid concerns. No clear figures were provided as to the amount of trips to be expected. In the conditional approval by the Department of Transport they also indicated that *"applicant provides a Conditional Assessment of the affected portion of the Divisional Road 1239 (Camphill Road) to the Districts Roads Engineer"* and that this be *"prior to operation and every 6 months thereafter"*. This is an indication that the Department of Transport is not sure as to if any upgrades would be required to the road prior to operation.

The Department of Transport further stipulate that *"the applicant keeps record of how many vehicles drop-off and pick-up material and the applicant unconditionally accepts any further conditions stipulated by the District Roads Engineer"*.

Considering the above, it again clearly shows uncertainty about the possible trip generation and what type of road upgrades will be required. The objectors' fears with regard to traffic safety, especially considering access to the area via a single vehicle bridge, are considered valid concerns. It is therefore impossible to consider the desirability of the application in terms of traffic impact without a TIA, also stipulating proposed road upgrades.

The other major concerns from objectors were noise pollution by the chipping machine. The applicant in his response to the objections did indicate that the person that would obtain the tender for the chipping facility will decide on the type of machine, but will be required to comply with strict conditions including controlling noise levels. This however, does not provide an answer to a clear measurable noise

level (desirable) that can be expected, and what impact such noise will have in an area with low ambient noise, and in a valley where noise will bounce off the hills and mountains.

This type of facility will operate six (6) days per week, even in the times that schools, restaurants and tourist facilities are operating in the area, and increased noise levels would have a negative effect on such facilities.

It is the opinion that the only way to determine the impact of noise in this unique environment is to do some form of sound/noise level test, to determine if such levels will be acceptable. Without such information, it is very difficult to prove that the facility is desirable from a noise perspective.

The objectors were also very concerned about creating an “industrial type” facility in this area, and the potential impact of this activity on the character of the area.

The application is for a consent use for utility purposes for a garden waste chipping area. The application was also forwarded to the Planning Division : Department of Environmental Affairs and Development Planning (EA&DP), as the proposal is outside the Urban Edge on Agricultural Land, and is therefore a requirement for such Department to be informed of the application in terms of LUPA.

EA&DP commented as follows:

“The directorate does not regard a garden waste chipping area to be a “utility service”, which is defined in the Zoning Scheme to be a use required to provide engineering and associated services for the proper functioning of urban development”.

“Further chipping facilities are ideally located within a solid waste disposal site, which has an industrial zoning”.

Considering the above, EA&DP does not support this facility in the proposed location, nor the proposed use allocation. This basically means that the only way to formally establish such a facility in the location will entail a rezoning of land to an appropriate zone, which would then also require an application to EA&DP in terms of LUPA.

It is therefore the opinion that should the Municipality want to establish a garden waste chipping facility on the property, it will have to prepare a much more detailed rezoning application addressing all points of desirability and also indicating how the character of the area will be protected. The application in its existing format does not sufficiently address the desirability of the application or provide sufficient information as to how the character of the area will be impacted on.

Considering the above, the objectors’ opinions that the application does not prove the development to be desirable and therefore could negatively impact surrounding property owners and the character of the area, is supported.

13. RECOMMENDATION

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Portion 3 of Farm 585 Hemel-en-Aarde Valley for a Consent Use to operate a garden refuse chipping plant, **not be approved** in terms of the provisions of Section 61 of the By-Law, and

2. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

14. REASONS FOR RECOMMENDATION

- ❖ Due to the lack of information regarding traffic impact and noise impact, it is not possible to determine if the application is desirable.
- ❖ The surrounding area is developed with tourist facilities (restaurant, wedding venue, tourist accommodation, tree top climbing, quad biking, hiking and bicycle trails and wine tasting), educational facilities (CTI and Camphill School) and also farming activities (wine farms and protea and farming), and the concerns that such character can be negatively affected is supported.
- ❖ The Department of Environmental Affairs and Development Planning does not support a garden waste chipping facility under a "Utility Zone" use, nor does it support such use in an area not allocated within a solid waste disposal site area.
- ❖ The objections received with regard to concerns regarding the impact on the character of the area and on existing rights on properties, are valid concerns.
- ❖ In terms of the SDF, the Hemel-en-Aarde Valley is a scenic route and farming and tourist facilities should be promoted. The proposed chipping plant could have a negative impact on existing tourist facilities/activities and also impact on future possible activities, especially in terms of traffic concerns and noise concerns. It is therefore the opinion that such chipping facility will not promote farming or tourist activities, and is not in line with the aims of the SDF, 2006.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Site Development Plan
Annexure C:	Motivation Report
Annexure D:	Objections & Applicant's Response
Annexure E:	Services Report
Annexure F:	Comments: Telkom
Annexure G:	Comments: Eskom
Annexure H:	Comments: Operational Manager
Annexure I:	Comments: Municipal Environmental Section
Annexure J:	Comments : Western Cape Government : Transport & Public Works
Annexure K:	Comments : Fire Department
Annexure L:	Comments: BGCMA
Annexure M:	Comments: EADP

SIGNATURE

AUTHOR:

Name: **HENK OLIVIER**

SACPLAN Reg No: **B/8128/2004**

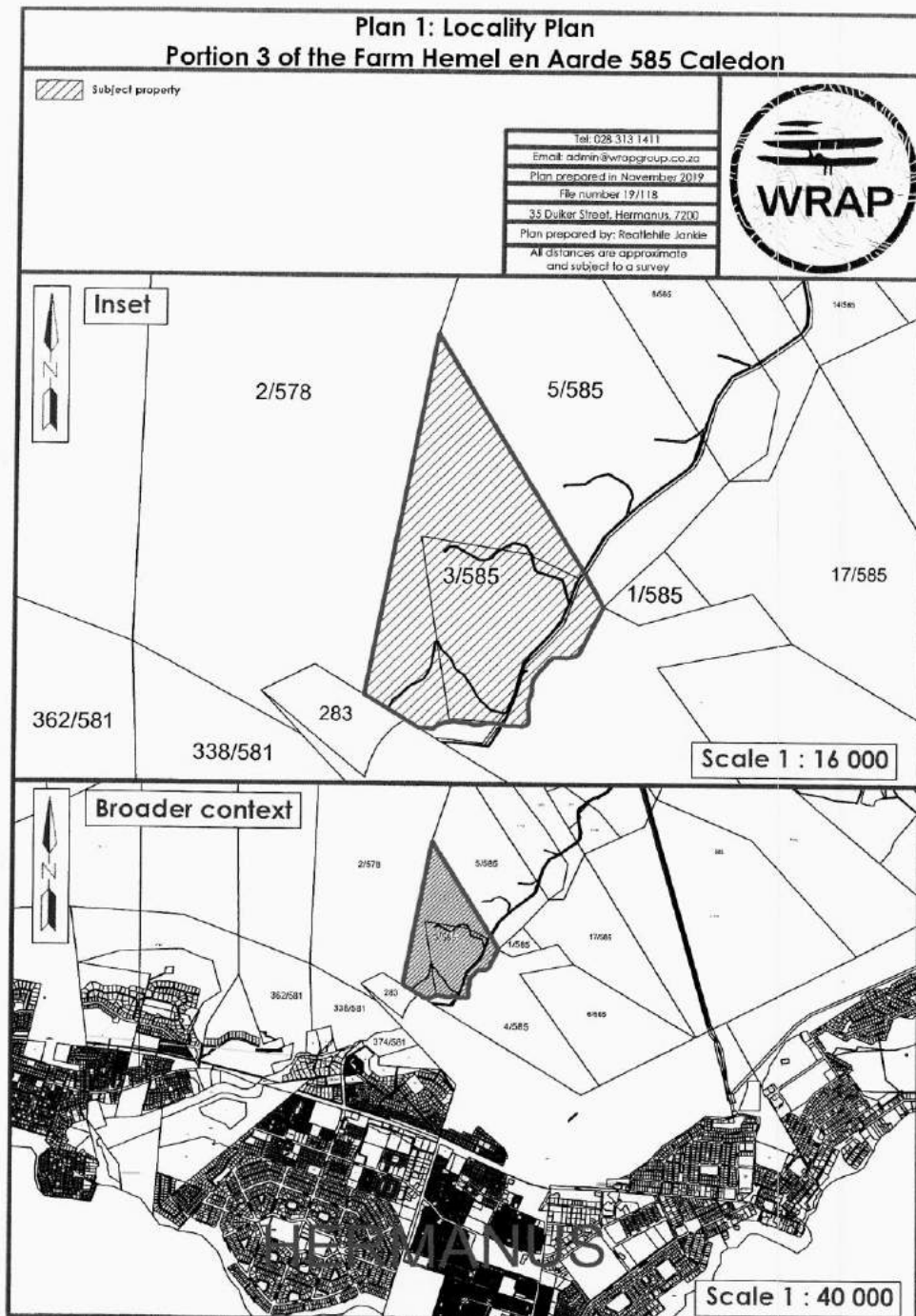
Signature: _____

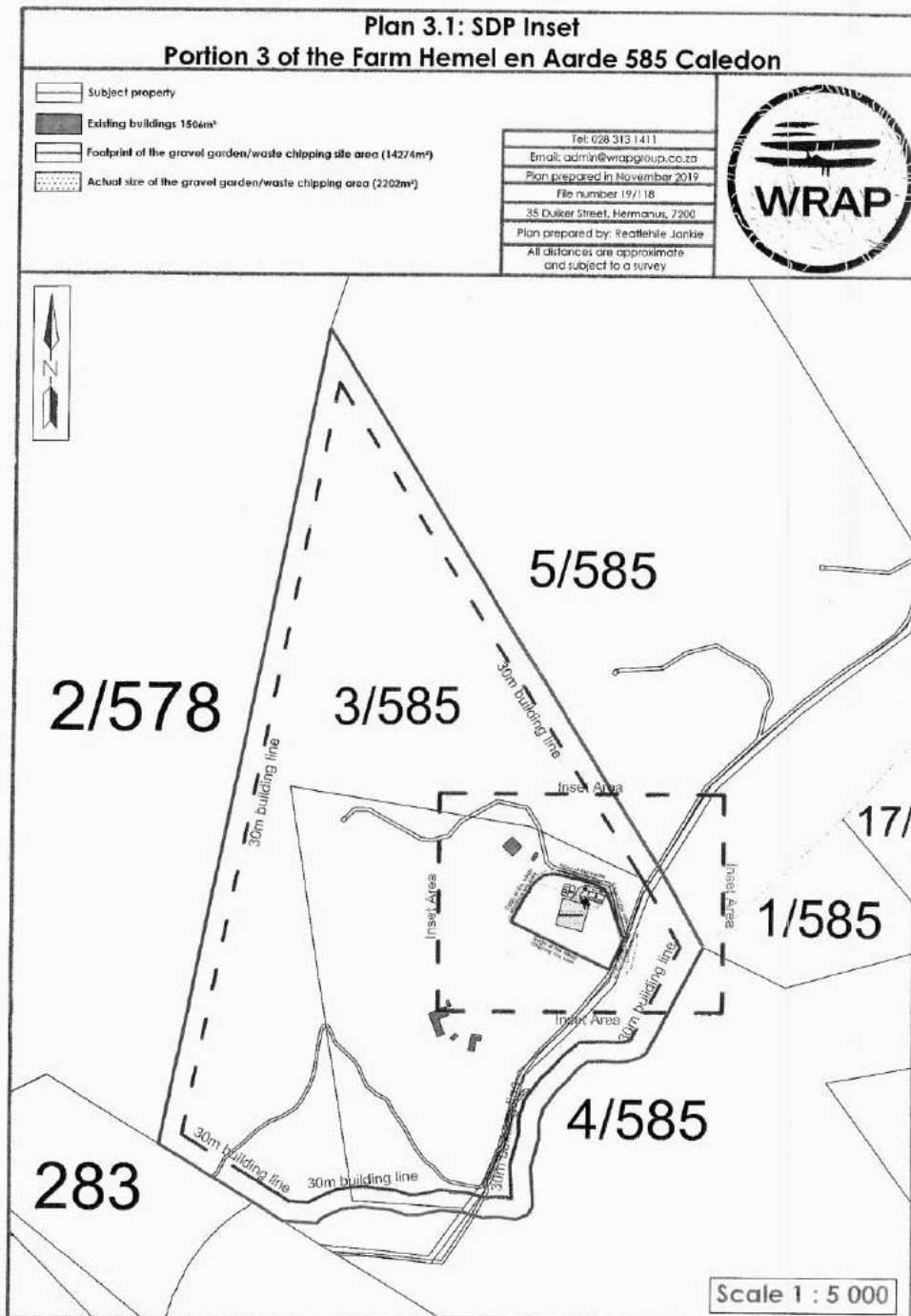
Date: _____

REGISTERED PLANNERName: **H VAN DER STOEP**SACPLAN Reg No: **A/1708/2013**

Signature: _____

Date: _____







EXECUTIVE SUMMARY

1. ABBREVIATIONS

OMZS	Overstrand Municipality Zoning Scheme, 2013
SDF	Overstrand Municipality Spatial Development Framework, 2006
OM	Overstrand Municipality
OM By-Law	Overstrand Municipality By-Law on Municipal Land Use Planning, 2015
OMGMS	Overstrand Municipal Growth Management Strategy, 2010
LUPA	Land Use Planning Act, 2014
DEADP	Western Cape Department of Environmental Affairs and Development Planning
SDP	Site Development Plan
AGR1	Agriculture Zone 1: Agriculture

2. SUMMARY OF STATUS QUO PROPERTY DETAILS

Property description	Portion 3 of Farm Hemel en Aarde 585 Caledon
Registered owner	Overstrand Municipality
Consultant	WRAP Project Office
Restrictive title deed conditions	None
Property extent	81 morgen 501 square roods (70,0943 ha)
Current zoning	Zoning: Agriculture Zone 1: Agriculture Primary use: agriculture, dwelling house, day care centre, guest rooms, home occupation; Consent uses: additional dwelling units, agricultural industry, animal care centre, aquaculture, crèche, farm shop/stall, guest house, hotel, institution, intensive animal farming, intensive horticulture, mining, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, rooftop base station, service trade, tourist accommodation, tourist facilities, transmission tower, utility services , wellness centre, 4 x 4 trail.

3. BACKGROUND

The OM has a mandate to collect garden waste and create an enabling environment for garden waste to continually be reused to incrementally move from linear waste disposal to more circular ones. This proposal is therefore to confer the most appropriate land use rights for a garden waste chipping area.

4. LAND OWNER'S INTENT AND APPLICATION

4.1 A consent use for utility services is sought on the subject property for the establishment of a garden waste chipping area. The OMZS defines utility services as follow:

4.1.1 "utility services" means a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and includes a water reservoir and purification works, electricity substations and



EXECUTIVE SUMMARY

transmission lines, waste water pump stations and treatment works, renewable energy infrastructure such as wind turbines and solar panels, whether above or below ground or water, and may include such **sustainable service delivery technology** as the Council may approve, but does not include road, or transport use.

- 4.2** The proposed garden waste chipping area complies with the definition of utility services as it is used for the proper functioning of urban development as waste disposal and the recycling thereof is pivotal to the proper functioning of urban development. The proposal can also be interpreted as a sustainable service delivery technology.
- 4.3** The garden waste chipping area is intended to function and operate as follows: Members of the public will bring all uncollected garden waste to the garden waste chipping facility. The garden waste will be mechanically chipped into smaller fractions and removed from site for composting or alternative uses off site.
- 4.4** General benefits of collecting, mechanically chipping and composting waste constitutes a form of recycling and derives the following benefits.
- 4.4.1 Recycling conserves natural areas**
The recycling of garden waste results in less new compost having to be created. This therefore reduces the creation of new compost and promotes more circular planting systems.
- 4.4.2 Recycling garden waste saves energy**
Recycled garden waste requires less energy than creating new compost.
- 4.4.3 Recycling garden waste cuts climate-changing carbon emissions**
Recycling garden waste reduces carbon emissions as less energy is required on sourcing new raw materials. Reducing carbon dioxide which is emitted into the atmosphere reduces the adverse impacts of climate change.
- 4.4.4 Recycling garden waste reduces landfill waste**
Garden waste generally tends to end up in landfill sites. The proposed garden waste chipping area will reduce the amount of waste which lands in landfill sites which is positive as land fill sites consume a lot of space. It is also positive as landfill sites pollute the soil water by leaching noxious and toxic liquids over time and release greenhouse gasses like methane into the atmosphere and takes up valuable space.
- 4.4.5 Recycling garden waste reduces the burning of waste**
Recycling garden waste reduces the need to burn waste which is wasteful to valuable resources that could be reused in gardens. The burning process also generates carbon emissions which contribute to climate change and well as potential air pollution problems.
- 4.4.6 Recycling garden waste is cheaper than waste collection and disposal**
The purpose of the proposed garden chipping area is for the public to bring the garden waste to the subject property. This therefore reduces the burden on the OM to collect the waste and saves money which the OM can use for service delivery.



EXECUTIVE SUMMARY

- 4.5 The OM acknowledges the benefits of collecting garden waste on the subject property which would eventually be converted into composting on an alternative site. The following is therefore proposed and applied for.
- 4.5.1 **Consent use** for utility services to accommodate a garden waste chipping area on the subject property in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning Act, 2015.



MOTIVATION

5. RURAL FABRIC

The subject property on the eastern and southern boundary is surrounded by properties which are primarily used for agricultural purposes. To the north and east of the subject property there is mainly mountains. The proposed garden waste chipping area is not disruptive to the surrounding rural fabric.

6. ZONING

The following zoning parameters were assessed in conjunction with the Agricultural zoning as this is a relevant consideration in terms of Section 66 (1) (a) of the OM By-Law:

Agriculture Zone 1: Agriculture			
	Parameters	Proposal	Deviate or comply
(a) Primary use	agriculture, dwelling house, day care centre, guest rooms, home occupation;	N/A	N/A
(b) Consent use	additional dwelling units, agricultural industry, animal care centre, aquaculture, crèche, farm shop/stall, guest house, hotel, institution, intensive animal farming, intensive horticulture, mining, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, rooftop base station, service trade, tourist accommodation, tourist facilities, transmission tower, utility services , wellness centre, 4 x 4 trail.	Garden waste chipping area which is a utility service.	Application motivated
Development rules			
Floor space	The total floor space of all buildings on the land unit, may not exceed 5 000m ² ; provided that Council may relax this requirement if it is satisfied that such buildings are required for genuine farming activities on the land unit.	Existing buildings are 1506 m ² in extent. The garden waste chipping area will only have a small building which will be used as an access and control area.	Comply
Building lines	Street and common boundary building lines are all 30m	No building lines are encroached upon.	Comply
Height	(i) The maximum height of a building, measured from the base level to the top of the roof is 8,0 m, provided that; (ii) Agricultural buildings other than dwelling units shall not exceed a height of 12,0 m measured from the base level to the top of the roof; and where Council is satisfied that a	(i) The chipping area will not be housed in a building but will be an open gravel area. The proposed access control building measures 17,4m ² in extent and will not	Comply



MOTIVATION

	greater height is necessary for the agricultural function of the building, it may permit such greater height; and (iii) Earth banks and retaining structures shall comply with 16.6, provided that earth banks and retaining structures, which in the opinion of Council are associated with the bona fide agricultural activities, are exempt from the requirements of 16.6.	exceed the 8m height restriction; (ii) N/A; (iii) Comply	
Parking	<p>Parking and access shall be provided on the land unit in accordance with 17.1.</p> <p>Section 17.1 of the OMZS does not have any parking requirements for a garden waste chipping area. The following parking is however provided.</p> <p>Loading 1 bay per 500m² for the first 1 000m² of GLA, thereafter 1 bay per 1 000m².</p>	<p>There are 10 parking bays to be used by visitors and the manager.</p> <p>The garden waste chipping area is 2202 m² in extent and 4 loading bays are provided as required.</p>	Comply

7. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and can be illustrated as follows:

7.1 Solid waste

Solid garden waste will be dropped off on the subject property, mechanically chipped into smaller fractions and removed from site for composting.

7.2 Electricity

The small access control building will connect to the existing electricity network.

7.3 Water

The proposed building will connect to the existing potable water network available on the subject property.

7.4 Sewage

Sewage on the proposed small access control building will be disposed of by means of a conservancy tank.

7.5 Access and egress

Access and egress are gained from Divisional Road Number DR01239 at the 0,469km marker and the approval and implementation of this proposal will not alter this.



MOTIVATION

8. NEED AND DESIRABILITY

The need and desirability for the approval and implementation of this proposal will be illustrated in accordance with Section 66 (1) (c) of the OM By-Law and DEADP Provincial Support Document on Relevant Considerations, 2015. The purpose of addressing the desirability of this proposal is to place the decision maker in a position to consider whether any positive advantages will accrue to the area or community by approving this application.

8.1 Need and desirability

Desirability also 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 type of land use/activity being proposed? Considering that the existing landfill site in Korwyderskraal has capacity that is constantly being reduced due to additional waste which is dumped on a weekly basis, the approval and implementation of this proposal is submitted at the right time. The proposal is also regarded as desirable as a garden waste chipping area has numerous environmental benefits as elucidated in Section 4 of this motivation report.

8.2 Impact on views, sunlight and character of the area

The proposed garden waste chipping area is proposed on a cleared site. The small access control building is of a scale which cannot be regarded as visually intrusive. The proposed site is elevated and close to the mountains and the activities proposed on the flat surface will not be visible from Divisional Road Number DR01239 due to the trees which block the view and the slightly elevated location of the property. Considering that the chipping will occur out in the open, no sunlight enjoyed by surrounding property owners will be interfered with. The surrounding rural character of the area will therefore not be altered with the approval and implementation of this proposal.

8.3 Economic impact

The proposed garden waste chipping area will require labour to operate effectively. This will therefore unlock employment opportunities which will primarily benefit the unemployed and can be regarded as a positive economic impact, particularly in the current economic climate where companies are shedding jobs rather than creating jobs.

8.4 Impact on heritage

None of the provisions in the National Heritage Resources Act, 1999 are triggered by this proposal.

8.5 Environmental impact

No listed activities in terms of the National Environmental Management Act are triggered by this proposal.

9. SPLUMA MOTIVATION REQUIREMENTS

The following are relevant considerations in terms of Section 42 (c) of SPLUMA and is motivated as follows:

9.1 Public interest

The capacity of the existing landfill site in Hermanus is reduced weekly due to the additional waste which is dumped there which leads to greenhouse gasses being emitted on the



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premises. The OM recognises that this method cannot be the only way of waste disposal and proposes that garden waste chipping area be established to promote a sustainable use of waste. The approval and implementation of this proposal will promote sustainability and is therefore in the public interest.

9.2 Social impact

The employment opportunities which will be created on the subject property will give unemployed rural residents a sense of purpose and hope which will be a positive psychological social impact. Increase in employment numbers also potentially decreases crime levels which is a positive social impact.

9.3 Noise impact and the wellbeing of the surrounding community

There are existing trees around the chipping area which provide a natural visual and noise screen. The contractor of the proposed chipping area is obliged to prevent nuisances such as:

- 9.3.1 Noise (by ensuring that all plant silencers, etc are in good working order and by limiting the operations to the prescribed hours);
- 9.3.2 Air pollution (by ensuring that the plant is in optimal working condition);
- 9.3.3 Dust (by ensuring that unnecessary airborne material is not generated during operations); and
- 9.3.4 Wind-blown material (by reducing the amount of chipped material exposed and picking up that which has been scattered in the area).

There is a chipping operation at the Hermanus Transfer Station which has a minimal noise impact which the proposed chipping area will be modelled on.

9.4 Opportunity costs

An opportunity cost in the context of land use planning refers to the devaluation or forgoing a valued land use right of interested and affected parties when an application is approved. The approval and implementation of this proposal does not result in an opportunity cost as surrounding property owners' rights will not be devalued.

9.5 Respective rights and obligations of all those affected

The evaluation of the land use rights and obligations of all those affected will be maintained if this proposal is approved. This proposal also acknowledges that mutual rights of neighbours to freely use and enjoy respective properties on the one hand and for the proposed garden waste chipping area to not unduly infringe on the rights which neighbours enjoy. The land use of the proposed garden waste chipping area is not a risk activity or excessively noisy activity and would therefore not interfere with the land use rights of surrounding property owners.

10. PROPOSED CONDITIONS OF APPROVAL

The impositions of conditions of approval is a relevant consideration in terms of the DEADP Provincial Support Document on Relevant Considerations, 2015.

10.1 The following stringent conditions of approval are proposed to not have an adverse impact on the residential character of the area it is recommended that:

- 10.1.1 No noxious land uses are permitted in the proposed garden waste chipping area;
- 10.1.2 The extent of the activity must be limited to utility services for the use of garden waste chipping area as depicted in the delineation in the SDP;

File 19/118
Portion 3 of Farm Hemel en Aarde 585 Caledon
November 2019
Page | 7

AMPHEN



MOTIVATION

- 10.1.3 Building plans which depict the structures of the SDP shall be submitted to the OM Building Control Department within 3 months of the approval of this proposal;
- 10.1.4 The facility must comply with Health and Safety legislation; and
- 10.1.5 All other conditions of approval which are made by other departments will have to be complied with.

11. SPATIAL PLANNING POLICIES

The consistency of this proposal with all relevant spatial planning policies was investigated. This is a relevant consideration in terms of Section 66 (1) (h), (i) (u) (k) and (l) of the OM By-Law:

11.1 PSDF

The aim of the PSDF is to give spatial expression to the national and provincial development agendas and serves as a basis for coordinating, integrating, and aligning ground delivery of national and provincial departmental programmes. The framework also aims to communicate the government's spatial development intentions to the private sector and civil society.

Policy proposals which are pertinent to this application was assessed, and the outcome is as follows:

11.1.1 The PSDF promotes a transition to innovative in the waste sector to increase recycling and reuse.

The OM is committed to incrementally transition from the prevalent linear waste disposal to innovative disposal of garden waste which would lead to composting and instil a reuse mentality as illustrated by this proposal.

11.1.2 A mindset of 'reduce, rethink, recycle' still needs to be mainstreamed.

The availability of a garden waste chipping area on the subject property will contribute to the mainstreaming of the mentality of reduce, rethink and recycle which is not yet prevalent in the OM.

11.1.3 Expand recycling technologies.

The approval and implementation of this proposal will contribute to expanding facilities and technologies which allow for recycling in the OM.

11.2 SDF

The SDF identifies areas where growth and changes are projected and contains policy proposals which ensure that this occurs to the benefit of the inhabitants of the area. Policy proposal in the SDF which are pertinent to this proposal are recorded below.

11.2.1 Promote the efficient use of energy resources.

The proposed garden waste chipping area is intended to promote recycling which entails the efficient use of energy resources as less energy is required to recycle compared to sourcing the new raw material.

11.2.2 Preserve the character and form of the existing settlement pattern.

The subject property is zoned AGR 1. The proposed consent use for utility services on the subject property is not a departure from the existing character and settlement pattern of the Hemel en Aarde.



MOTIVATION

11.2.3 Improve and maintain the standard of bulk services with particular reference to solid waste.

This proposal is intended to improve the disposal method of solid waste in the OM by promoting circular waste disposal instead of a linear system.

12. PLANNING PRINCIPLES

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

12.1 Spatial Justice

Spatial justice in the context of spatial and land use planning refers to development proposals which redress the past apartheid spatial development imbalances. The apartheid development pattern entailed formal economic activities being located and concentrated in urban centres far from rural dwellers which resulted in a fragmented spatial structure and high travel distances and cost. This proposal which will unlock employment opportunities for the unemployed rural residents contribute to combating the apartheid development imbalance which resulted in rural residents being economically neglected.

12.2 Spatial Sustainability

Spatial sustainability refers to the need of promoting compaction, mixed use urban environments which allow for a functional space economy to flourish. The proposed garden waste chipping area contributes to mixed rural land uses which comprise of agriculture and utility services.

12.3 Efficiency

Efficiency in the context of land use planning refers to the need to create a settlement that optimally make use of space, infrastructure, energy, land and resources. The intention of this proposal is to make efficient use of the potential of the subject property within the limits of the infrastructure, energy and resources capacity available on the subject site.

12.4 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. This proposal is aligned with the spatial resilience principles contained in the PSDF, and SDF.

12.5 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. It is accepted that the OM will uphold the principles of good administration.



EVALUATION AND RECOMMENDATION

13. EVALUATION

The rationale for the approval and implementation of this proposal can be summarised as follows:

The purpose of this proposal is to obtain land use approval for the proposed garden waste chipping area with the intent of instilling a recycling ethos among the residents of Hermanus as well as creating contextually appropriate employment opportunities.

This proposal is in synchrony with all spatial planning policies and planning principles. This illustrates that the property owner did not arbitrarily invent this proposal but was informed by relevant policies before concluding to forge ahead with this proposal.

14. RECOMMENDATION

14.1 It is recommended that the following be approved:

Consent use for utility services to accommodate a garden waste chipping area on the subject property in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning Act, 2015.



Project Office

Town Planning & Project Management

TP. D. (Heard)
(J. Olivier)



Our Reference: 19/118
Your reference: RCAL 3/585 3488/2019

19 February 2020

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200

Attention: Mr Henk Olivier

PORTION 3 OF FARM 585, BESEMHOOT KLOOF, HEMEL EN AARDE CALEDON: APPLICATION FOR CONSENT USE

Comments and objections were received from:

- Midnight Storm Investments 295 Pty Ltd (N Wessels);
- Redbuild Trust (J Makepeace);
- Burger & Noordwyk Attorneys (IS van Noordwyk) on behalf of Messrs. Burgers, Van Noordwyk, Van Blommenstein & Botha;
- Camphill Communities Hermanus (S Hodson & J Botha);
- F Barnard; and
- RC Johnson.

FILE NO: P11W 3/585 ✓
Hemel & Aarde
SCAN NO:
Farm 585
COLLABORATOR NO:
385737

Project Planning | Project Feasibility | Land Use Applications | Project Execution Management | Liquor Licensing

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TP

21 FEB 2020

Established 2002

Response to objections pertaining to impact related considerations

<p>Objection</p> <p>"Lately we have seen increased activity of people dumping their waste (garden, building and household waste) on our property and especially portion 4 of farm 585 along the R320. This in itself is a problem, but we foresee an escalation of this should the proposed plant be established in a rural area where it is now becoming a common practice to "dump" on weekends. Will this plant be open on weekends and who will administer or police the increased activity in the area?"</p>	<p>Comment</p> <p>It is envisioned that the facility will be open to the public Monday to Friday from 8:00 to 18:00 on Saturdays and public holidays from 9:00 to 16:00 and closed on Sundays. The facility entrance will be manned by an access controller during operational hours and there will be a security guard on site after hours at the facility.</p> <p>The dumping of waste by the public on the property of the objector is not related to the submitted proposal but done by people who have no regard for the law. The proposed waste chipping area would also provide the public with ample space for garden waste under 1 ton to be dumped free of charge, which would avert the need for dumping on the objector's property which is in the interest of the objector.</p>
<p>Objection</p> <p>"The affected and other properties around RCAL 3/585 fall within a registered conservancy, namely the Onrus Mountain Conservancy and members are committed to the conservation of nature and the environment on their properties. Garden waste chipping activity of the proposed magnitude i.e. for a whole municipal area and beyond is semi industrial and will be responsible for significant changes to the landscape and well-being of the environment. We cannot see how this utility can be seen to be in keeping with the spirit and mandate of a Conservancy area."</p>	<p>Comment</p> <p>The subject property will not be a dumping site where the waste will accumulate over time but will be used for the chipping of the incoming garden waste which would then be transported to the Karwyderskraal landfill site. The approval and implementation of this proposal will therefore not interfere with the landscape or conservancy character of the area considering that the garden waste will not accumulate on the site. In order to implement the project, the subject area will be cleared of alien vegetation, which will be supporting the conservancy.</p> <p>The average volume of chipped material removed from the site monthly for 2019 was 2280m³/month which equates to 38 truckloads of 60m³ chipped material off site monthly.</p>
<p>Objection</p> <p>"This application must be viewed in conjunction with previous applications and resolutions of Council granting consent use and departure for Overstrand Skills Training network and the establishment of an amphitheatre in 2012 as well as the application for consent use and departure for the extensive development of municipal property for an</p>	<p>Comment</p> <p>Each land use planning application is assessed and evaluated in relation to the erf/farm where the application is submitted for. It is therefore unreasonable to expect the submitted report to be motivated in conjunction with other previous municipal developments in the area.</p>



animal care centre and departures for the establishment of office space to be used for Law Enforcement and a possible future police unit. When these are viewed in conjunction with this latest application it is clear that a process of piecemeal consent applications and development is taking place on municipal land without the holistic consideration of a long term plan for the properties and the adequate consideration of the environmental, traffic and other impacts that this may have. If viewed individually, the applications may seem innocuous but when viewed together it is clear that it is the intention to continuously embark upon knee jerk developments without a holistic approach and plan for the three municipal properties, which together total a significant 166 hectares in extent."

Objection

"Par 9.5 The land use of the proposed garden waste chipping area is not a risk activity or excessively noisy activity and would therefore not interfere with the land use rights of surrounding property owners.

The Motivation does not contain any factual information which supports this statement."

Comment

The Overstrand Municipality Zoning Scheme defines "risk industry" as follow.

"Risk industry means an undertaking where material handled or the process carried out is liable to cause combustion with extreme rapidity and give rise to poisonous fumes or cause explosion, and includes major hazardous installations and activities involving dangerous and hazardous substances that are controlled in terms of national legislation;"

The activities which are proposed on the subject premises do not constitute risk activities/industries hence the substantiation in the motivation report.

Objection

"Our clients are, notwithstanding their objection as stated herein above and without prejudice to any of their rights, prepared to withdraw their objection, if the following condition is included in the conditions of

Comment

The condition of approval proposed by the objector cannot be accepted in the proposed format.



approval referred to in Paragraph 10 of the Motivation:

"In the event that the noise created by the chipping activity is audible on Erf 283, Hermanus, the Overstrand Municipality shall, at the request of the registered owner/s of Erf 283 Hermanus, be obliged to take the necessary steps on the chipping area to reduce noise levels to a level where the noise created by the chipping machine is no longer audible on Erf 283 Hermanus."

Should Council approve the application on the grounds contained in the Motivation, there is no valid reason not to include the above proposed condition as a condition of approval."

It is rather proposed that the chipping activities on the property is limited to "working hours" in other words that no chipping activities may take place after hours.

The proposed limited working hours will ensure that the activities on the subject property do impact on the ability of surrounding property owners to occupy their respective properties in peace and comfort after hours when they are at home with their families.

Objection

"The Hermanus trails are very popular, not only to locals, as you know. A busy area (entrance to the proposed site), as well as at other points on the trails, that the bike trails intersect with will create other challenges, namely:
An increase in potential accidents (cars and bikes); and
A decrease in the attraction and concomitant decrease in mountain bike tourism."

Comment

The road which accesses the proposed garden waste chipping area is wide enough for two vehicles to pass each other in opposite directions the only potential bottle neck is the single vehicle bridge and is therefore not projected to increase the potential for accidents.

The mountain bike trails are mostly used after hours and over weekends, if cyclists encounter traffic in the area it will be dealt with as with any other crossing of public roads on the trails.

Response to objections pertaining to traffic related considerations.

Objection

"The increase in the volume of traffic from the R320 (Caledon Road) in and out of Camphill Road will have a number of implications which need to be properly explored especially the Camphill bridge!! Inadequate road infrastructure

The traffic on the valley road is increasing daily and the noisy trucks and busses in particular are of great concern to those living close to the road especially near the approach to the intersection with the R43. The

Comment

The Western Cape Department of Transport and Public works which is the competent authority on provincial roads provided the following comment regarding the submitted planning application under Section 7.

"Accordingly, this Branch offers no objection to the application in terms of the Land Use Planning Act No 3 of 2014, subject to the following



proposed plant would not only generate considerably more traffic on the R320- private cars and bakkies with trailers, garden services etc - but the large trucks which would be used to remove the chipped material will add significantly to the noise pollution.

The timing of the robot at the intersection of the R320 and R43 creates significant backup on the R320 at times already and at these times traffic coming around the corner at speed has to brake very sharply and dangerously when faced with unexpected traffic backup after a blind corner. The use of air brakes by trucks in this area also impacts on the relative peace and quiet.

Further, in parts the R320 road is narrow and winding and the speed limits in some sections of this road are too high for safety. Consideration needs to be given to speed limit changes and signage as well as "no air brakes" signs.

The intersection of the Camphill Road and the R320 is relatively dangerous and no mention is made in the application of any road upgrades considering what will be a major increase in traffic. Again, the speed limits in the area of this intersection would probably need to be adjusted accordingly along with relevant warning signs.

The increase in the volume of traffic from the Caledon Road into, up and out of Camphill Road will have a number of very negative implications, primarily:

The turn off from the Caledon Road onto the Camphill Road (and vice versa) is dangerous (eg line of sight, especially towards the Caledon side) and this would need to be very carefully addressed.

The Camphill Road and bridge is simply not designated for large volumes of traffic and, in particular, heavy duty traffic and will disintegrate far sooner than it should, creating additional access and egress challenges.

The sturdiness and safety of the bridge would need serious attention. For obvious reasons, given the nature of our two communities, Camphill absolutely cannot afford to have no egress route, note even for a few

conditions."

There were however conditions of approval which were imposed which are intended to avert the concerns raised by the objector. The submitted proposal can therefore not be regarded as being a traffic risk to surrounding property owners.



hours.
"TRAFFIC

I have observed on many occasions the traffic generation and the nature of the traffic at the existing facility. It is a constant stream of bakkies and trailers, with many private cars also visiting all day long. Peak hour seems to be late afternoon when there are often 10 drop-offs happening simultaneously. One leaves another one arrives. In addition, very large articulated trucks are used to collect the chipped material for composting. There is no way that this activity can be considered to be benign from a traffic point of view and there is no indication of a Traffic Impact Assessment having been done in support of this application.

The intersection of the R320 and the Camphill Road, is already a perilous intersection at the best of times. The sight lines are poor when the grass is long and the R320 traffic travels fast. More traffic will create many more turning movements across the traffic than is currently the case.

The single lane bridge over the Onrus River will be a bottleneck and may be structurally inadequate for the heavy trucks used. The truck turning circles will also need to be examined to determine if the huge articulated trucks used to cart away chipped material can negotiate it.

The access point to the proposed chipping area is on the inside of a bend and a rise in the Camphill road and the sightlines are very poor and I think this intersection will also present problems.

The access road to the proposed chipping area is currently unpaved and will generate enormous dust and mud depending on the season - especially considering the volume and nature of the traffic. A condition of any approval should be that it be paved to prevent this. A good deal of money and effort was recently put into the surfacing of this road



specifically to eliminate these problems.

The new facility will, no doubt, also add to the need for signage at the R320 intersection with the R43 and the Camphill Road. Signage at this intersection needs to be rationalised for the benefit of the public and the users of Camphill Road."

Objection

"The two Camphill Communities, as you are aware, are home to vulnerable children and adults and their safety is our highest priority. Substantially increased traffic, regardless of the proposed facility being located nearer the start of the Camphill Road, will mean increased vehicle and no doubt foot – traffic up to our gate. The resultant increase in safety and security issues for us would be a great challenge."

Comment

The approval granted by the DTPW illustrates that the approval and implementation of this proposal is not projected to be an accident risk to the Camphill community.

The increased movement of people into and out of the subject property is unlikely to be a safety risk to the neighbouring property owners as the subject property is likely to only attract members of the public who will dump garden waste. The subject property is therefore not projected to attract criminals due to the low resale value of garden waste. Vagrants are unlikely to be attracted to the subject property as the subject land uses are not like urban commercial land uses which attract vagrants and job seekers. The approval and implementation of this proposal is therefore unlikely to cause security issues for surrounding property owners.

Response to objections pertaining to fire, noise, dust and pollution.

Objection

"Noise, fumes and dust
The proposed location is not a commercial or industrial area and the impact on a relatively quiet and beautiful valley and mountain conservation area has clearly not been investigated properly. The life of the land creates echoes and sound movement, which are variable depending on the weather and wind. Likewise, dust and fumes from machinery and vehicles is likely to be blown around onto neighbouring

Comment

The proposed site for the garden waste chipping area is located 100m from the farm boundary (this is the closest distance to the farm boundary) and characterised by high trees in its surrounding. This space and tree buffer therefore reduce the amount of dust which would be blown to neighbouring properties as well as reduces the noise impact on neighbours.



<p>properties. Dust from unpaved roads and working areas will likely be significant too.</p>	
<p>Objection "Par 9.3 There are existing trees around the chipping area which provide a natural visual and noise screen. Most of the trees which are currently on the proposed chipping area will in all probability be removed when the area is cleared which will reduce the effect of the trees serving as a noise screen substantially."</p>	<p>Comment The statement refers to the fact that there are trees around the chipping area. Even if the trees on the chipping area itself are removed, there will still be trees around it that will not be removed, and the natural visual and noise screen will therefore still be prevalent. See layout plan submitted with application.</p>
<p>Objection "Fire risk It has been brought to the attention of the local landowners in recent meetings with GOFPA and the Fire Department that this area is a significant fire risk, which has the capacity to carry wildfire through to Sandbaai and Onrus if prevailing weather conditions permit. The current fire risk due to the unstoppable, smoldering, underground peat fire is dangerously high as evidenced by the constant monitoring by the Fire Department and the enormous cost and number of hours, which have been put in since the underground fire was detected early in 2019. As a result of the material increase in combustible material that would accumulate on site (refuse and chips), the risk of fires starting would increase significantly. The forest on both sides of the Camphill Road did not burn properly during the January 2019 fires and therefore the establishment of such a facility would pose a massive safety risk to all inhabitants, not just those that live along the Camphill road, but also to the north east and south west of the area. A fire in the area would mean that the escape route – across the Camphill road bridge – would be impossible. Has the Greater Overberg Fire Protection Association been consulted</p>	<p>Comment The proposed garden waste chipping area does not in any way entail the burning of waste on the subject premises. The approval and implementation of this proposal will therefore not have any impact on the fire risk of the subject property which is asserted by the objector. The OM has circulated the submitted planning application to all relevant departments for comments and mitigation measures will be introduced by the OM if there is a reasonable belief that the subject property is a fire risk.</p>



regarding the suitability of the proposed location for a garden waste dumping and chipping area? Specifically, their "Do's and Don'ts of Red Days" need to be taken into consideration."

Objection

"Erf 283 Hermanus (herein referred to as Erf 283) is adjacent to Portion 3 of Farm 585. The proposed chipping area is approximately 600 metres from the eastern boundary of Erf 283.

One of the main characteristics of Erf 283 is the peace and tranquility that the area in which it is located, offers. Any disturbance of the peace and tranquility will certainly infringe upon the use and enjoyment of Erf 283. It will certainly also affect the value of the property adversely.

The chipping of garden refuse is a noisy activity. Our clients' main concern therefore is the extent of the noise that will be created by the chipping activity on the proposed chipping area. If the noise will be audible on Erf 283, it will have a serious detrimental effect on their land use rights.

The Motivation in support of the Application under consideration does not contain any information regarding:

Measured noise levels of the chipping of garden refuse on the proposed chipping area; and/or details of the type of chipping machine that will be allowed / used which will enable our clients to obtain information from manufacturers or suppliers of chipping machines of noise levels which chipping machines create.

As result of the failure by the Applicant to provide the information referred to hereinabove, our clients are not in a position to determine whether their land use rights will be effected or not."

Comment

The objector assumes that the approval and implementation of this proposal will lead to the devaluation of the above properties.

SPLUMA highlights the following in Section 7 (vi) of SPLUMA highlights the following:

"A Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application."

The submission of an objection based on the assertion that the property values will be decreased is therefore not a relevant consideration for the MPT when making a decision.

The Chipping equipment to be used was not specified as the equipment could change over time as the chipping operation is carried out by the successful contractor on behalf of the municipality and this is on a 3 year tender cycle, see extract out of current tender regarding plant and control of nuisances:

"2.2 PLANT

All plant used on the Site shall be suitable for the application and prevailing site conditions, of adequate rated capacity, in good working conditions, and shall be so designed and constructed as to cause a minimum of dust, noise and air pollution. The plant shall be operated by



properly qualified and experienced operators. In the event of a breakdown occurring, the Contractor shall be capable of calling upon such back-up or replacement plan within forty eight hours as is necessary to ensure that the operation is not placed in jeopardy. The maximum chip size produced by the chipping plant shall be 50mm in any direction.

"2.3.3 Control of nuisances

The Contractor shall take all reasonable measures to operate the Site so as to reduce and, where possible, prevent nuisances, such as:

- Dust (by ensuring that unnecessary airborne material is not generated during operations).
- Air pollution (by ensuring that plant is in optimal working condition).
- Noise (by ensuring that all plant silencers, etc. are in good working order and by limiting the operations to the prescribed hours).
- Wind-blown material (by reducing the amount of chipped material exposed and picking up that which has been scattered in the area).
- No chipping is to be done on Sundays."

Objection	Comment
<p>"Par 9.3 There is a chipping operation at the Hermanus Transfer Station which has a minimal noise impact which the proposed chipping area will be modelled on.</p> <p>The statement does not provide any assurance at all that the noise of the chipping operation at the proposed area will not affect the owners of surrounding properties. General noise levels at the Hermanus Transfer Station are high. These noise levels are created by, inter alia, heavy traffic and in particular by heavy transport vehicles. The noise levels are substantially higher than current noise levels at the proposed chipping</p>	<p>The comments regarding the different background noise levels for the two locations are noted and not disputed.</p>



area which is situated in a quiet rural area. The noise levels at the current facility in Hermanus affect the audibility of the noise created by the chipping operation at the Transfer Station. It cannot therefore serve as a valid basis for a statement that the noise that will be created at the proposed chipping area will not affect owners of surrounding properties. In reality, the equipment used is very noisy. To rely on good maintenance is wishful thinking. I visit the existing facility every week, and to say that it has minimal noise impact is only because it is in a generally noisy area. The Hemel en Aarde Valley is supposed to be an environmentally sensitive area and all applications by the private sector are/would be aggressively judged against this principle. The proposed facility is located high up and on calm days the noise will travel far. The noise from the existing facility is not really offensive because it is located in a noisy and busy area."

Objection

"Both Camphill and the surrounding landowners use chippers on a regular basis (primarily for invasive plant clearing) and we know how noisy they are. One just can't escape that fact.

The prevailing wind is generally up the valley and not down it. There's little doubt that the noise will regularly carry right up to Camphill. The intellectually disabled residents at Camphill, to varying degrees, are adversely affected - and even traumatised - by noise, especially consistent 'hard on the ear' noise both the school learners, as well as the adults.

Response to crime and trespassing related considerations.

Objection

"From noise pollution, fire risk, to attracting baboons and other disturbances and from a security perspective, the location of said plant raises serious questions!! We are being hit hard by thieves stealing power

Comment

The objector alleges that chippers are used on the objector's premises on a regular basis for invasive plant clearing and alleges that it is noisy however wants to deprive the owner of the subject property from doing the same which is contradictory.

Comment

There is a road on the north, east and west around the subject site which is wide enough to act as a fire break.



cables and copper theft and it seems this plant will attract more unsavory character."

Garden waste primarily consists of wood and other garden material which does not contain fruit and therefore should not attract the baboons. The approval and implementation of this proposal is therefore not projected to be a disturbance to the objector.

It is unlikely for thieves to trespass into the subject property with the intent of stealing garden waste as it virtually has a very low resale value and would require tons of it to be stolen at one go which is highly unlikely. The site will also have staff on site in the day and a security guard after hours, so it should in fact increase the security for that piece of the property.

Objection

"The mere location of said plant here in the Hemel en Aarde Valley will magnify the fragile farm community and its ability to police the area and protect its assets. Especially from a "land invasion" point of view the proposed plant's location raises serious questions."

Comment

There is no correlation between land invasions and the establishment of a waste chipping area.

Objection

"Waste sites generally attract various types of vermin (rats etc) and garden waste site such as the one proposed will be no different. As you also know, vermin attract snakes to the area. This increases the safety risk at and, just as importantly, next to the site (the road, the mountain bike trails, the hiking trails etc). We also wonder about the increased attraction for baboons and the resultant risk around their presence."

Comment

The management of the proposed garden waste chipping area will contact the SPCA to remove snakes from the premises in the highly unlikely event of the presence thereof. This will therefore not increase the safety risk to the mountain bike trails and the hiking trails.

Garden waste which primarily comprises of branches, grass cutting, and other organic waste should not attract baboons. Should the baboons pass the site the staff will have to encourage them to leave. The approval and implementation of this proposal is therefore not projected to attract additional baboons to the subject site.



Response to objections pertaining to the location of the proposed waste chipping area.

<p>Objection "it is not clear in the application as to why there is a need to move the chipping facility from its current location, which appears to be far more suitable than the proposed Hemel en Aarde Valley site for various reasons."</p>	<p>Comment The current area has been promised to the local community for housing and other municipal uses possibly a satellite police station or library.</p>
<p>Objection "There is an already existing and easily accessible refuse/chipping facility in town. We can't understand why you want to move it away from the much more central point its currently situated at."</p>	<p>Comment The current area has been promised to the local community for housing and other municipal uses possibly a satellite police station or library.</p>
<p>Objection The existing chipping area is a public facility widely used by the garden service industry and the public. They should be consulted on its' relocation. The chipping facility and the Transfer Station for general waste can be considered separately. The existing facility is currently in a location which is central and convenient for the greatest portion of the public and the industry, and is adjacent to an existing main road which is busy and semi industrial and suitable for an activity which generates a lot of traffic and noise, which the Camphill Road definitely is not.</p>	<p>Comment The current area has been promised to the local community for housing and other municipal uses possibly a satellite police station or library.</p>
<p>Objection "GENERAL COMMENT While the motivation for having a chipping/ recycling facility in the town is not disputed, the entire application appears to ignore the fact that there is already an existing facility, and that therefore the purported benefits arising from the re-zoning are therefore largely overstated because they exist already, eg. job creation, need and desirability, recycling etc. This undermines the whole motivation."</p>	<p>Comment The current area has been promised to the local community for housing and other municipal uses possibly a satellite police station or library. There will be at least three additional jobs created by this facility, namely an access controller and two security guards</p>



Response to objections pertaining to the management of the subject property.

Objection	Comment
<p>"Further, we would like to state that in our view it is a poor show that the municipality are even allowed to own or manage this property at all as is borne out by their historical and continuing mismanagement, or to be more blunt, total neglect of the property in question by inter alia:</p> <ul style="list-style-type: none"> • allowing the unhindered spread of alien vegetation to neighbouring properties, with all the risk that this entails; • doing nothing to deal with the huge fire risk associated with the land management or lack thereof; • allowing the spread of pollution; • allowing the felling of timber directly into the river course and not ensuring that the "afslag" is cleaned up and not left to wash down the river, causing destruction and flooding of downstream property as well as destroying the fragile ecology of the river; • the lack of adequate control over activities that are conducted by members of the public on the property which are often in contravention of the zoning and consent use of the property; • not ensuring that proper health and safety practices are carried out by contractors or members of the public who lawfully operate on the property; • not providing abatement facilities for members of the public who lawfully operate on the property; • not demarcating nor securing the borders of the property in any way, thus allowing (supposedly) authorised and non-authorised members of the public such as wood-cutters, cyclists, walkers, motorcycle riders, possible criminals to trespass and stray onto and invade the adjoining and bordering properties; • not providing visible and effective security on the property; • entering into agreements with outsiders to fell timber, who have not been controlled nor conducted their activities professionally in accordance with good forestry management and indeed not even 	<ul style="list-style-type: none"> • The objector has not provided substantive evidence of why it is believed that the subject property is a fire risk; • The objector is not clear on the alleged type of pollution as well as and the source thereof which makes it difficult to respond to this allegation; • The objector has not provided any evidence to support the claim that existing land uses damage the ecology of the area; • The objector is not clear on which land uses on the subject property contravene the zoning and any existing consent uses. This makes it difficult to provide a detailed response to these allegations; • The objector is not clear regarding which health and safety practices carried out on the subject property are not operated legally; • There are abatement facilities proposed next to the garden waste chipping area for employees as well as the public; • The problem of people trespassing the surrounding properties cannot be attributed to the submitted planning application; • There is an access control building proposed which will be used to assess all security related concerns raised by the objector and the chipping area will have an after-hours security guard; • The prevalence of outsiders chopping timber on the subject property is not related to the submitted proposal.



identifying the borders and allowing them to stray way off the municipal land and felling and extracting timber on adjoining properties leaving a total mess and environmental hazard for the owners thereof to clean up afterwards.

Response to objections pertaining to procedural aspects.

Objection	Comment
<p>"We (Camphill) only became aware of the proposed facility from a concerned neighbour and via no direct correspondence (neither post nor email nor any clearly displayed public notices). Surely this cannot be right. If as an established community on the Camphill road, we didn't receive any notification of the municipality's intention, did any others? Did any of the other landowners in the lower Hemel en Aarde valley receive this notification? Also, shouldn't the general public, who will be/continue to be the direct users of the facility, be consulted through formal processes for their comments and input? PUBLIC INTEREST It appears that this application was not advertised in the press or on the property. The application is in respect of a public facility which is used by many citizens of Overstrand and the garden service industry who have thereby not had the opportunity to comment. As such, I believe it would be right to air this proposal more widely."</p>	<p>The OMI is the responsible authority for disseminating all information relating to public participation and not WRAP.</p>

Response to objections pertaining to employment related objectives.

Objection	Comment
<p>if the plan is to merely relocate the chipping facility from town, surely there would be no additional employment opportunities? You'll just be engaging existing employees? If so, this would be much more of an inconvenience to those employees as there is currently no taxi service up the Camphill Road.</p>	<p>There will be at least three additional jobs created by this facility, namely an access controller and two security guards. The staff could be transported by the contractor, as they currently do when the chip at alternative sites.</p>



Camphill has an ongoing challenge of locals walking straight through our property from time to time on their way to town. If additional 'rural residents' are to be employed, there will no doubt be an increase in unauthorised people going through Camphill on their way to the proposed chipper site. This is an additional security and safety challenge for us.

Objection

"PUBLIC INTEREST

I strongly believe the garden refuse area is utilised by many private individuals as well as businesses whom deliver garden refuse in a well maintained and practical location with easy access at present and if you plan to relocate it this should be an exercise in public participation. Currently the garden refuse site is very practical in its location and accessibility for most of its users. It provides employment currently which seems to negate one of your primary motivations that the new facility will do. What happens to the current employees who run the current site? Surely, they will continue to be employed. It is not clear why you propose to move the facility since it is working perfectly well."

Comment

The current area has been promised to the local community for housing and other municipal uses possibly a satellite police station or library.

There will be at least three additional jobs created by this facility, namely an access controller and two security guards.

Response to objections not related to the submitted application.

Objection

"PROPOSED SITE

The current situation of the proposed site is an extremely fire sensitive and the adjacent 'PIG FARM' is already a major concern with pigs roaming freely and living in totally disgusting situations. As you are no doubt aware there have been several articles written about it and complaints lodged with the municipality from concerned citizens. There seems to be little or no control over the public use of this area already. We have had several meetings with the fire department concerning the lack of control over alien vegetation in this area, the haphazard tree felling by private entrepreneurs whom have no regard to the proper

Comment

These concerns are not related to the submitted planning application.



clearing and leave masses of ground fuel for fires in their wake. The environmental aspect of this proposal needs a serious look at."

Objection

"SECURITY
The Glenfruin community has had many security infractions from this location and we are concerned that since it is fairly remote there could be a possibility of land invasion/illegal settlement if there is increased public access and temporary or permanent workers coming and going in the area.
We believe there should be more public participation and a direct consultation with affected, adjoining property owners before such a step could even be considered."

Comment

The concern of land envisions is one that is prevalent among most property owners however cannot be attributed to the submitted proposal.

Response to an objection pertaining to the practicality of the submitted proposal.

Objection

"PRACTICALITY
Just a further point, a gravel area (as proposed) will not be suitable for the chipping activity. The gravel will end up in the compost, being compressed into the ground and will damage the equipment. You need a concrete slab to do the job properly."

Comment

A concrete slab as proposed would be ideal but is very expensive to establish. The chipping operations when they occurred behind the transfer station on the hardened gravel area worked well, with minor ongoing maintenance of the gravel wearing course.

SDP

The submitted SDP was amended after comments and inputs were received from the Solid Waste Planning Department regarding the submitted parking and loading configuration (refer **Annexure A**). It is requested that the OM use the attached SDP to evaluate the feasibility of this proposal.



Conclusion

The objections are noted however there is no evidence presented by the objectors which illustrate that the approval and implementation of this proposal will lead to surrounding owners occupying respective properties in comfort.

Yours faithfully

A handwritten signature in black ink, appearing to read "Rea Jankie", is written over the typed name.

REA JANKIE

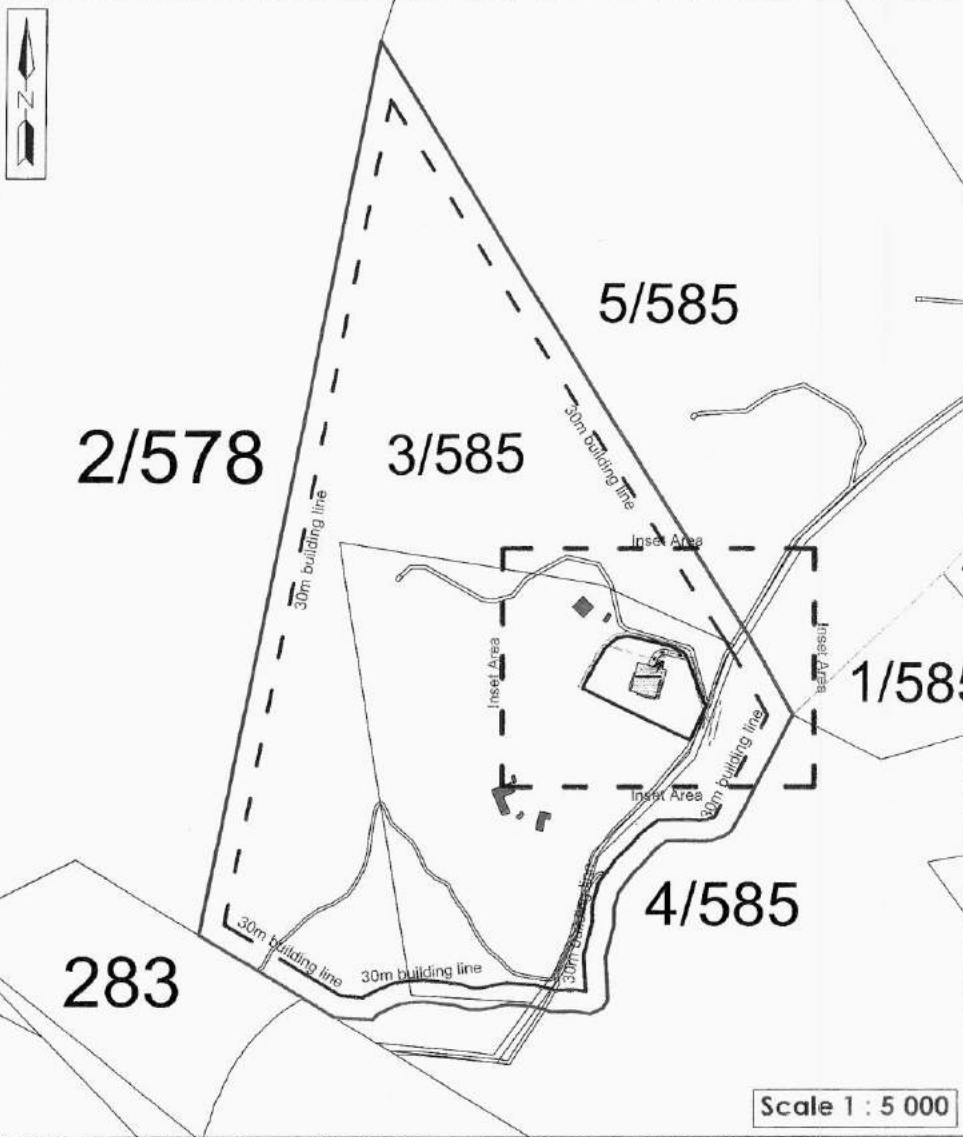
TOWN PLANNER (B/8392/2017)

Annexure A



Plan 3.1: SDP Inset Portion 3 of the Farm Hemel en Aarde 585 Caledon

-  Subject property
-  Existing buildings 1806m²
-  Footprint of the gravel garden/waste chipping site area (14274m²)
-  Actual size of the gravel garden/waste chipping area (2202m²)

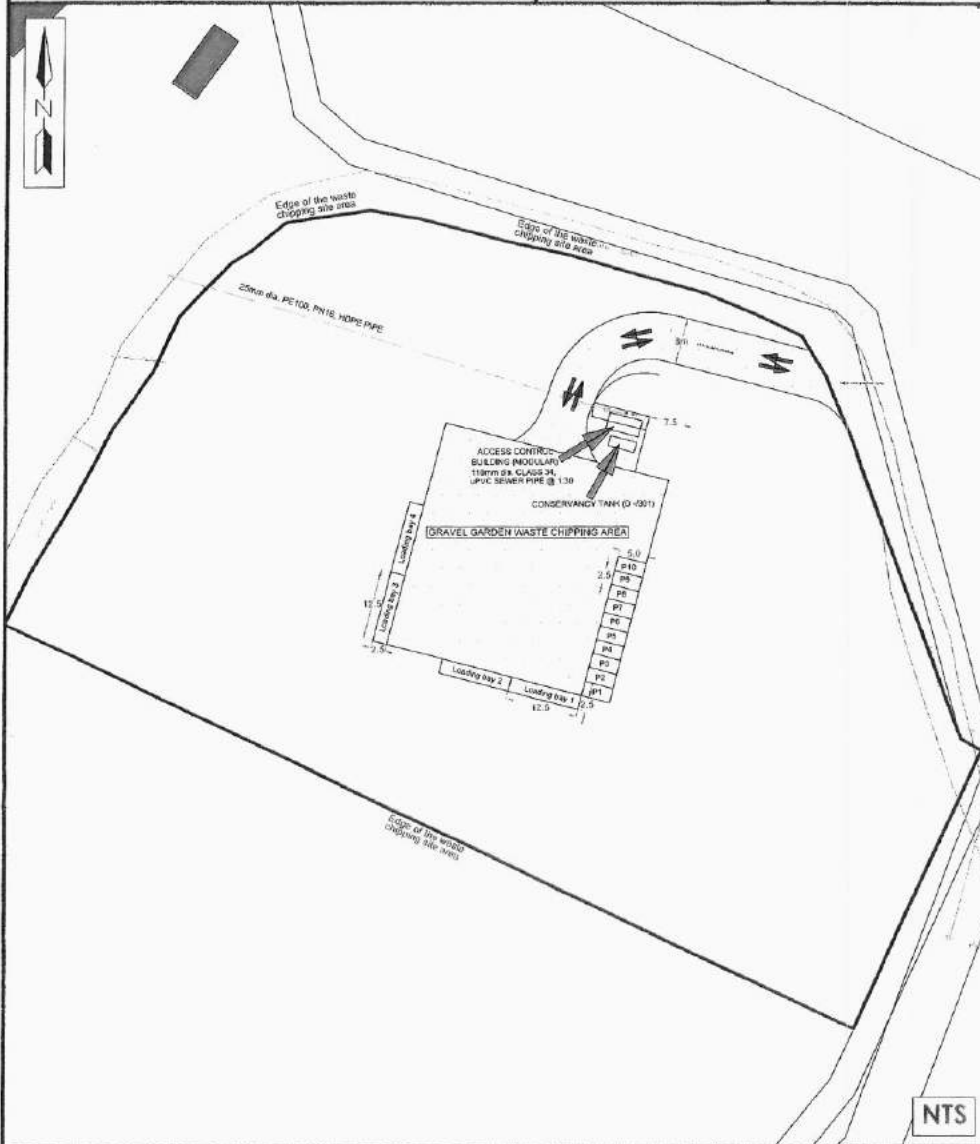
Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Plan prepared in February 2020
 File number 19/118
 35 Duiker Street, Hermanus, 7200
 Plan prepared by: RealEstate Jankie
 All distances are approximate
 and subject to a survey



Plan 3.2: SDP Inset
Portion 3 of the Farm Hemel en Aarde 585 Caledon

-  Footprint of the gravel garden/waste chipping site area (14274m²)
-  Actual size of the gravel garden/waste chipping area (2202m²)

Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Plan prepared in February 2020
 File number 19/118
 35 Duiker Street, Hermanus, 7200
 Plan prepared by: Reathile Jankie
 All distances are approximate
 and subject to a survey



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: PORTION 3 OF THE FARM 585, HEMEL EN
AARDE VALLEY (3488/2019)**

Stormwater (SW) : In Order
Electricity : Escom Area
Water : In Order
Sewer : In Order
Roads and traffic : In Order

Conditions:

1. that only the existing water connection and sewer conservancy tank will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010 Drainage*;
3. that on-site parking facilities be provided as per the Planning Schedules, and to the satisfaction of the Directorate: Infrastructure and Planning;
4. that any additional and / or extended vehicle entrances will be for the owner's account;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
6. that stormwater be allowed to discharge through Ptn 3 of the Farm 585, Hemel en Aarde, unobstructed;
7. that no on-street parking be allowed.

D.P. Hendriks
DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

25/11/2019
DATE



ANNEXURE F 1/4

TP - A Theart
(H Olivier)

Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

Candice Spammer

Tel: 021 414 5582

Fax: 086 480 0617

Email: spammec1@telkom.co.za

Our Ref.: WWIP_WHMN4315_19

Your Ref.: RCAL 3/585 3488

6 December 2019

Attention: S Muller

Overstrand Municipality
HERMANUS

PLANT AFFECTED – COPPER & OPTIC FIBRE:

APPLICATION FOR CONSENT USE: PORTION 3 OF FARM 585, BESEMHOUD KLOOF, HEMEL EN AARDE
VALLEYWith reference to your application received 18 November 2019.

As important OPTIC FIBRE cables and other infrastructure are affected, please contact our representative Frederik Swart at 028 514 1199 / 081 363 7815 / FrederikS@openserve.co.za 48 hours prior to commencement of construction work.

I hereby inform you that OpenServe approves the proposed work indicated on your drawing in principle. This approval is valid for 12 MONTHS ONLY, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

- 9 DEC 2019

51 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001

FILE NO: Ptn 3/585
SCAN NO:
COLLABORATOR NO: 1364705

As per sketch attached, OpenServe infrastructure **WILL BE AFFECTED**, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should OpenServe infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All OpenServe rights remain reserved.

Yours faithfully



For Selwyn Bowers
Operations Manager
Wayleave Management: Western Region



This wayleave, Reference Number WWIP_WHMN4315_19 is valid for 12 months from date here of and is subject to the following conditions:

1. No mechanical plant or vibrator type compactors may be used within three metres of any Open Serve plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and **Frederik Swart** at telephone number **081 363 7815 /** email address : **FrederikS@openserve.co.za** must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of Open Serve Plant will be indicated on site.
3. A written request must be submitted to Open Serve for consideration should the applicant require our plant to be relocated. The cost of such relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existence of the indicated plant and to notify Open Serve immediately should the applicant locate any Open Serve plant which is not indicated on the plans.
5. Should the applicant expose any Open Serve plant, the safeguard thereof will be the applicant's full responsibility.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for the damage or loss as a result thereof.

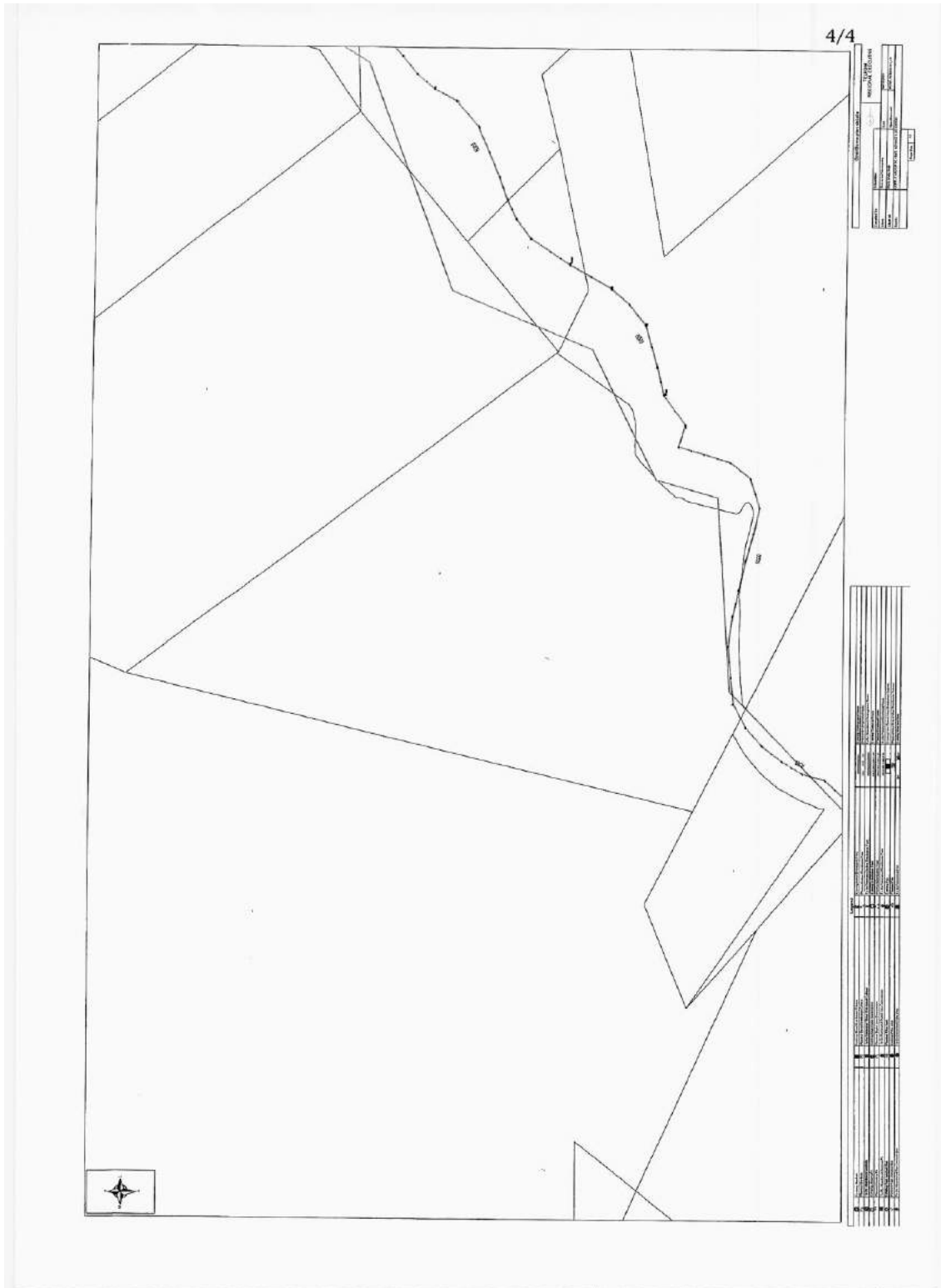
Date: 06 December 2019

By: C Spammer

For Wayleave Management
Western Cape

Legend	
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / AJB	
6. Jointing Pillar (PJ)	
7. Pipe Junction Box (B/S)	
8. Robot Control	
9. Pole	
10. Stay	
11. Strut	
12. Aerial Cable (A/C)	

The pipeline indicated contains **OPTIC FIBRE** cables.
Frederik Swart @ telephone 028 514 1199 / 081 363 7815 /
FrederikS@openserve.co.za must be contacted at least 48 hours
before commencement of work.



ANNEXURE G 1/3



TR. P. Theart
(C. J. Olivier)

OVERSTRAND MUNICIPALITY

Per email: Loretta@overstrand.gov.za

FILE NO: PIN 3 / 585
Momod & Naide
SCAN NO: 05
COLLABORATOR NO: 1373452

Date:

3 January 2020

Enquiries:

Shaun Swanepoel

Tel 021 980-3913

Fax 086 660 0941

Attention: Loretta Gillion

Dear Madame

RE: CONSENT USE IN TERMS OF SECTION 16(2)(O) FOR UTILITY SERVICES TO ACCOMMODATE A GARDEN WASTE CHIPPING AREA.

YOUR REF: RCAL 3/585(3488/2019)

OUR REF: 02996-19

Eskom has no objection to the abovementioned application, provided the following conditions are adhered to:

- a) The following building and tree restriction on **either side of centre line** of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11kV	9.0 m
66 kV	11.0 m
132 kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.

- c) No work or no machinery nearer than the following **distances from the conductors**:

Voltage	Not closer than:
11kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.

- e) That a **minimum ground clearance** of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11kV	6.3 m
66kV	6.9 m
132kV	7.5 m

Distribution Division - Western Region [Land Development]
Western Region
Eskom Road, Brackenfall, 7560, PO Box 222, Brackenfall, 7561 SA.
Tel +27 86 003 7566 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/30



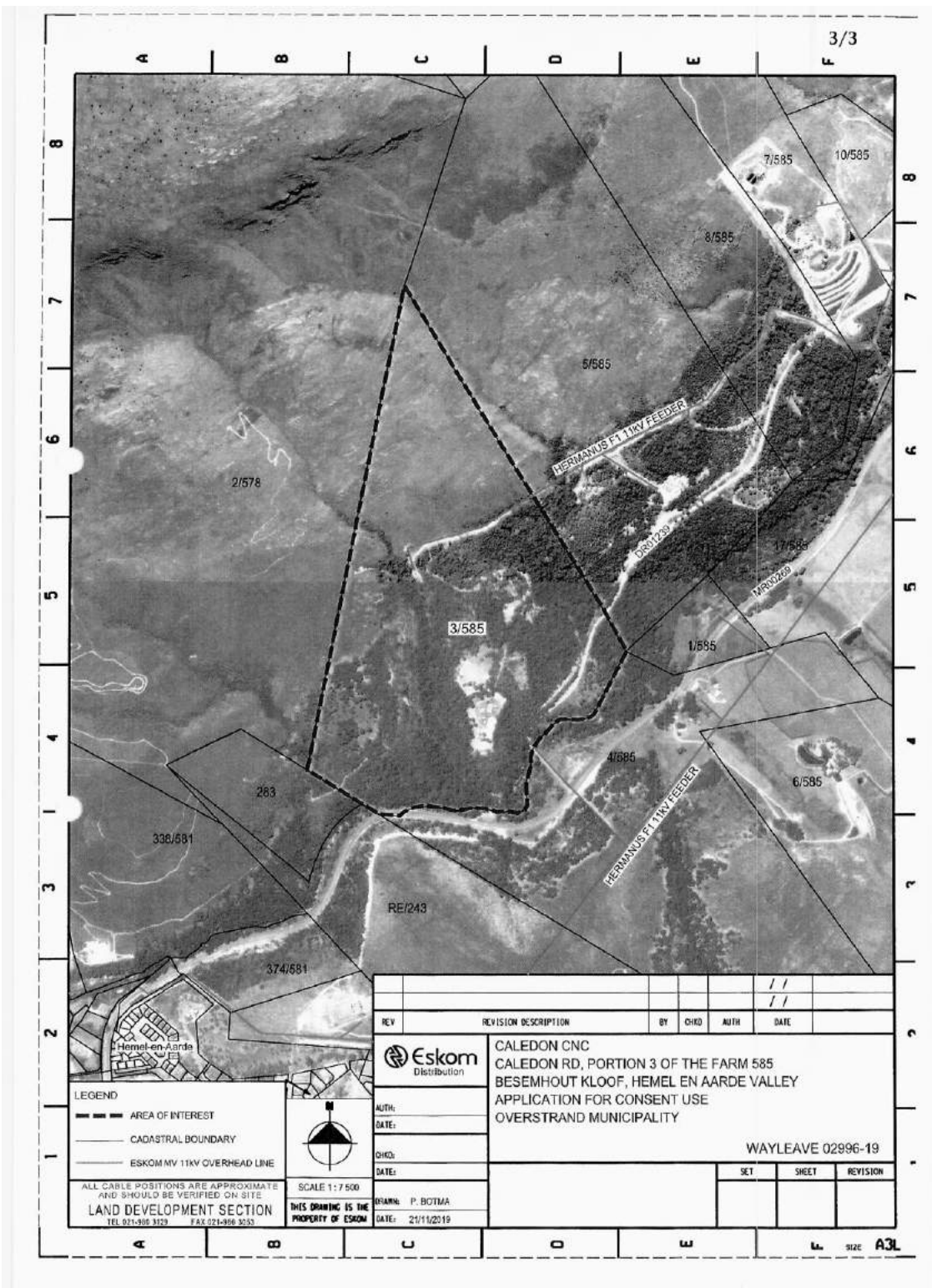
15 JAN 2020

- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- k) Eskom shall at all times have unobstructed access to and egress from its services.
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- m) DIRK SWART, CALEDON CNC must be contacted on +27 28 214 5710 before working in close proximity to the overhead power lines.

Kindly contact **Shaun Swanepoel** at Tel: 021 980 3913, should you require any further information.

Yours sincerely

Shaun Swanepoel
LAND DEVELOPMENT (BRACKENFELL)
(Transmitted electronically and thus not signed)



LEGEND
 - - - - - AREA OF INTEREST
 ——— CADASTRAL BOUNDARY
 ——— ESKOM MV 11KV OVERHEAD LINE

ALL CABLE POSITIONS ARE APPROXIMATE AND SHOULD BE VERIFIED ON SITE

LAND DEVELOPMENT SECTION
 TEL 021-896 3129 FAX 021-896 3133



REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

Eskom Distribution

CALEDON CNC
 CALEDON RD, PORTION 3 OF THE FARM 585
 BESEMHOOT KLOOF, HEMEL EN AARDE VALLEY
 APPLICATION FOR CONSENT USE
 OVERSTRAND MUNICIPALITY

WAYLEAVE 02996-19

SET	SHEET	REVISION

DRAWING: P. BOTMA
 DATE: 21/11/2019

3/3

SIZE A3L

Munisipaliteit – U-Masipala – Municipality
OVERSTRAND

INTERNAL MEMORANDUM

Aandag / For Attention:	Town Planning department: H. Olivier	Van / From:	Department Operational Services
Afskrif / Copy:		Datum / Date:	21 November 2019


Ref: Ptn 3 of Farm 585, Hemel & Aarde


1. APPLICATION FOR PROPOSED CONSENT USE ON PTN 3 of Farm 585, HEMEL & AARDE

The Department: Operational Services (Hermanus) has no objection to the application for proposed consent use on Ptn 3 of Farm 585, Hemel & Aarde as indicated in the application, subject to the following conditions:

1. That the applicant must comply with all statutory requirements that may be applicable to the undertaking of the proposed development on Ptn 3 of Farm 585, Hemel & Aarde.
2. That the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage.
3. That on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning.
4. That any additional and / or extended vehicle entrances will be for the owner's account.
5. That, upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Manager: Operational Services (Hermanus) for written approval.
6. It is incumbent upon the applicant / developer to ensure that all operational requirements in terms of water, sewerage and stormwater provision to the property are met.

Yours faithfully


 T.I. Marx
 Principal Technician: Operational Services
 Hermanus


 P. Burger
 Senior Manager: Operational Services
 Hermanus

C:\Users\tmarx\Desktop\departures\Peter\Ptn 3 of Farm 585,Hemel & Aarde 2019-11-21.docx

2019 -11- 22

Office of the Director:
Infrastructure & Planning
Environmental Management

MEMORANDUM

Kantoor van die Direkteur:
Infrastruktuur & Beplanning
Omgewingsbestuur

Date : 16 January 2020
To: Loretta Gillion (Town Planning)
From: Penelope Aplon (Environmental Management)
RE: **Portion 3 of Farm 585: Garden waste chipping facility**

The Environmental Management Section is in support of the establishment of a garden waste chipping facility. The following issues should however be considered and addressed further.

Noise

The operating time and frequency of the operation of the chipper should not cause a disturbing noise to adjacent land owners. In cases where noise complaints are received, the relevant mitigating measures must be put in place by the operator.

Seepage and groundwater pollution

It is recommended that the proposed "gravel garden waste chipping area" should be lined to prevent ground water penetration. The area should also be sloped to prevent seepage into adjacent streams.

Visual impact

It is proposed that the facility should be screened with trees to minimize the visual impact. The relevant municipal department must indicate what the estimated maximum duration will be for the chipped material to be on site.

Fire management

The proposed site is located in a high fire risk area and the responsible department which will operate the facility must ensure that the relevant precautionary measures are in place to prevent the outbreak and spread of fires from the site.

This office reserves the right to revise these comments based on the availability of additional information.

Kind regards,



Penelope Aplon
Environmental Manager



ROAD NETWORK MANAGEMENT
Email: Grace.Swanepoel@westerncape.gov.za
Tel: +27 21 483 4669
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

TP- N. Olivier
(11.01.19)

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-21/200 (Job 27474)
ENQUIRIES: Ms GD Swanepoel
DATE: 18 December 2019

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: Mr H Olivier

Dear Sir

FILE NO: PIN 3 / 585
Hendriks Road ✓
SCAN NO:
PTN 3
COLLABORATOR NO:
1369731

**PORTION 3 OF FARM BESEMHOOT KLOOF 585, CALEDON: DIVISIONAL ROAD 1239:
APPLICATION FOR CONSENT USE**

1. Your letter RCAL 3/585 dated 18 November 2019 refers.
2. The subject property is located 2km north from Hermanus and takes access off Divisional Road 1239 at approximately km0.45.
3. This application is Consent Use in order to accommodate a garden waste chipping area.
4. It is understood that members of the public will drop off garden waste which will be broken up into smaller pieces using the chipper. The chipped pieces will then be collected and processed further into compost or other uses.
5. This Branch anticipates that in addition to members of the public dropping off garden waste, the facility will also be used by commercial landscaping companies.
6. As no Traffic Impact Statement has been undertaken, this Branch has to include several conditions in its comment.
7. Accordingly, this Branch offers no objection to the application in terms of the Land Use Planning Act No 3 of 2014, subject to the following conditions:
 - 7.1 A concealed access sign be installed on the approach to the access;

- 7.2 The Applicant provides a condition assessment of the affected portion of Divisional Road 1239 to the District Roads Engineer, Paarl (021 863 2020) prior to operation and every 6 months thereafter;
- 7.3 The Applicant keep records of how many vehicles drop-off and pickup material and
- 7.4 The Applicant unconditionally accepts any further conditions stipulated by the District Roads Engineer, Paarl with respect to, but not limited to, the maintenance required for the affected portion of Divisional Road 1239.

Yours faithfully



SW CARSTENS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

File reference: RCAL 3/585
(3488/2019)
Date: 18 November 2019
LI



INTERNAL MEMORANDUM

From : Town Planning Department
Town Planner : H Olivier

TO:

<u>Area Manager</u>	<u>Building Department</u>	<u>District Health</u>	<u>Electrical Department</u>
<u>Environmental Officer</u>	<u>Fire Department</u>	<u>Infrastructure and Planning</u>	<u>Local Heritage Committee</u>
<u>Operational Services</u>	Traffic Department	<u>Ward Councillor (Cllr. A. Coetzee)</u>	<u>Waste Management</u>

Applicant	WRAP (obo OVERSTRAND MUNICIPALITY)
Property Details	PORTION 3 OF FARM 585, BESEMHOOT KLOOF, HEMEL EN AARDE VALLEY, A DIVISION OF CALEDON
Application Description	APPLICATION FOR CONSENT USE

ATTACHMENTS:

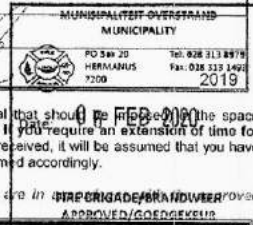
1. Notice	Should the information be insufficient for you to make an informative comment, please list any additional documentation that you would require to make informed comments.
2. Locality Plan	
3. Motivation	
4. Site Development Plan	

YOUR DEPARTMENT'S COMMENTS:

The Fire Department have no objection provides that the structure and area complied to the National Fire Protection Regulations SANS-T:2011 and the By-Law relating Community Fire Safety

(Housekeeping to be improved; accumulation of combustible material must not create a fire hazard or other threatening danger.)

Signature: *E. Schreiner* Date: _____



Please provide your comments (with specific reference to any conditions of approval that should be imposed) in the space provided above or in a separate Memo **by not later than the date stipulated below**. If you require an extension of time for submission of comments, kindly request this in writing. Should no comments be received, it will be assumed that you have no objection to the proposal and where appropriate, the Mayoral Committee will be informed accordingly.

Building Control Department to confirm that all structures on the properties are in accordance with approved building plans.

COMMENTS REQUIRED BY: 24 January 2020

ANNEXURE L 1/2



TP. D. Theart
(H. Olivier)
cell H. Bignart

BREEDE-GOURITZ
CATCHMENT MANAGEMENT AGENCY

51 Baring Street Worcester 6850, Private Bag X3055 Worcester 6850

FILE NO:	PN 3	585
Mend s. Maide		
SCAN NO:	11	
COLLABORATOR NO:	1366875	

Enquiries: V Ligudu Tel: 023 346 8000 Fax: 023 347 2012 E-mail: vligudu@bgcma.co.za

REFERENCE NO: 4/10/1/G40H/BESEMHOUT KLOOF 585/3 CALEDON

Date: 12 December 2019

The Municipal Manager
Overstrand Municipality
P. O. Box 20
Hermanus
7200

Attention: H Olivier

RE: PORTION 3 OF THE FARM NO 585 BESEMHOUT KLOOF, HEMEL EN AARDE VALLEY, DIVISION CALEDON: APPLICATION FOR CONSENT USE: WRAP (obo OVERSTRAND MUNICIPALITY.)

With reference to the application received by this office on the 27/12/2019, requesting comments.

The Breede-Gouritz Catchment Management Agency (BGCMA) has the following comments:

- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered.
- No storm water runoff from any premises containing waste, or water containing waste emanating from premises may be discharged into a water resource.
- No pollution of surface water or groundwater may occur due to any activity on the property.
- The minimising of waste must be promoted and alternative methods for waste management must be investigated.
- No permanent structures maybe constructed within the 100-year flood line of any watercourse (seasonal or permanent river, stream, etc.).

Disposal of sewage

- The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act of 1998, (Act 36 of 1998).
- When a conservancy tank is used for the disposal of sewerage, this office must be furnished with a signed copy of the contract between the contractor and the municipality to pump the conservancy tank.

13 DEC 2019

www.bgcma.co.za

Water for domestic use

- Water provided for domestic use must comply with the SANS 241: 2015 guidelines for drinking water.

The BGCMA reserves the right to revise initial comments and request further information based on any additional information that may be received.

Please contact the above-mentioned official if you have any queries.

Yours faithfully


MR JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)

ANNEXURE M

DIRECTORATE: DEVELOPMENT MANAGEMENT
(REGION 2)E-mail : Helene.Janser@westerncape.gov.za

Tel: +27 21 483 3544 Fax: +27 21 483 3633

Private Bag X9086, 1 Dorp Street, Cape Town, 8000

www.westerncape.gov.za/eaddTP - D. Alhead
(H. Olivier)

REFERENCE: 15/3/2/12/803

The Director: Infrastructure & Planning
Overstrand Municipality
PO. Box 20
HERMANUS
7200

FILE NO: PIN 31585
Hemel & Aarde
SCAN NO:
PTN3
COLLABORATOR NO:
1374492

Sir

e-mail: Holivier@overstrand.gov.za

COMMENT: APPLICATION FOR CONSENT USE: PORTION 3 OF THE FARM HEMEL EN AARDE NO. 585, DIVISION CALEDON

1. The abovementioned application submitted, refers.
2. This Directorate does not regard a garden waste chipping area to be a "utility service", which is defined in the Zoning Scheme to be a use required to provide engineering and associated services for the proper functioning of urban development.
3. Further, chipping facilities are ideally located within a solid waste disposal site, which has an industrial zoning.
4. The Section Head, Ms. Mare-Liez Oosthuizen of this Directorate's Environmental Section can be contacted on (021) 483 5756 or via e-mail: Mare-Liez.Oosthuizen@westerncape.gov.za with regards to any environmental queries or the applicability of the NEMA EIA Regulations, 2014 (as amended).
5. The above comment is based on the information provided and on the information extracted from forward planning documents for the area.
6. This Directorate reserves the right to amend its comment, should any additional or new information be obtained.

K. MUNRO

DIRECTOR: DEVELOPMENT MANAGEMENT: REGION 2

DATE: 13.12.2019

2nd Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 3544 Fax: +27 21 483 3363

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za

17 JAN 2020