



MEETING OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

A G E N D A

**NOTE: THIS MEETING IS POSTPONED UNTIL TUESDAY, 7 DECEMBER 2021 AT
10:00**

**DATE:
VENUE:
TIME:**

**7 DECEMBER 2021
~~30 NOVEMBER 2021~~
VIRTUAL
10:00**

OVERSTRAND MUNICIPALITY

Office of the Chairperson: MPT
Civic Centre
HERMANUS
7200

22 November 2021

TO : THE MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL

CONVENING NOTICE : SESSION OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

NOTICE IS HEREBY GIVEN that the **Municipal Planning Tribunal (MPT)** will go into session on **Tuesday, 30 November 2021 at 10:00** in the **Glaskas**, to consider the attached agenda.

H JANSER (MS)
CHAIRPERSON : MUNICIPAL PLANNING TRIBUNAL

Distribution:

1. Ms H Janser (Chairperson)
2. Mr S Müller (Vice Chairperson)
3. Mr S Madikane (Member)
4. Mr H Blignaut (Member)
5. Ms R Louw (Member)
6. Mr R Kuchar (Authorised Official)
7. Mr S van der Merwe (Senior Town Planner)
8. Ms H van der Stoep (Senior Town Planner)
9. Mr H Olivier (Town Planner)
10. Secretariat

1. OPENING

2. APPLICATIONS FOR LEAVE OF ABSENCE

3. CONFIRMATION OF MINUTES

3.1 Minutes of a Municipal Planning Tribunal Meeting held on 27 October 2021

3.2 Minutes of a Special Municipal Planning Tribunal Meeting held on 12 November 2021

4. ITEM FOR CONSIDERATION

4.1 REMAINDER FARM NO. 700 (BLOMERIS), DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF CJU SWART

Report attached

4.2 PORTION 13 OF FARM DE DRAAY NO. 563, , OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: MESSRS WRAP ON BEHALF OF THE MELKBOS TRUST, EC MOLTENO AND CL YOUNG

Report attached

4.3 PORTION 94 OF FARM 587, HEMEL-EN-AARDE VALLEY, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURES AND AMENDMENT OF CONDITIONS OF APPROVAL: MESSRS WRAP ON BEHALF OF HAYGROVE HEAVEN (PTY) LTD

Report attached

4.4 PORTION 11 OF FARM 587, HEMEL-EN-AARDE VALLEY, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE AND AMENDMENT OF CONDITIONS OF APPROVAL: MESSRS WRAP ON BEHALF OF HAYGROVE HEAVEN (PTY) LTD

Report attached

**MUNICIPAL PLANNING TRIBUNAL
(MPT)**

30 November 2021

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4.1**REMAINDER FARM NO. 700 (BLOMERIS), DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF CJU SWART****Rem Farm 700 RCAL
SW van der Merwe
25 October 2021****(028) 313 8900****Hermanus Administration**

1. EXECUTIVE SUMMARY

An application was received on 19 March 2019 from Messrs WRAP Project Office on behalf of CJU Swart on Remainder Farm No. 700 (Blomeris), Division Caledon for consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a guest house and tourism accommodation comprising 7 caravan / camp sites.

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

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The application property is zoned for Agricultural Zone 1 purposes and measures 132,58 ha in extent. The property is developed with a farmhouse and associated outbuildings and is traversed by a public road. The property owner inherited the farm in 1989 which is used for small scale livestock farming on parts of the property that is suitable for grazing. Agricultural viability of the property is limited due to the location of protected milkwood trees, wetland areas, a river that runs through the western part of the property and the location of CBA's on the subject property. Given the limited agricultural potential the property owner wants to diversify and seeks to expand the tourism related land uses as provided for in the Zoning Scheme.

The application is for consent use to accommodate a five-bedroom guest house within the main farmhouse. The manager will permanently reside within the guesthouse. Application is also made for consent use for tourism accommodation in order to develop a campsite with seven (7) caravan/camp sites, an office and ablution facility as per the Site Development Plan (attached as Annexure C).

In addition to the proposed guest house, the original application was for thirty (30) campsites, which had been reduced to seven (7) as per the amended SDP that was received to address objections/concerns raised during the public participation process. The evaluation of the application is therefore based on the proposed guest house and the seven (7) proposed caravan/camping sites. An amended application with regard to the aforesaid has been received on 17 September 2019.

4. SUMMARY OF APPLICANT'S MOTIVATION

- ❖ The proposed guest house and campsite is intended to provide additional income for the owner due to the limited agricultural potential of the property.

- ❖ Proposal adheres to the applicable development parameters in terms of the Scheme Regulations.
- ❖ Electricity for the office and ablution facilities will be provided via solar and gas geysers.
- ❖ Drinking water will be obtained from an existing fountain (registered water source).
- ❖ Ablution facilities will be fitted with a separate black and greywater system. Greywater will be contained in a conservancy tank utilised for ablution facilities and the remainder thereof will be used for irrigation purposes.
- ❖ Blackwater will be disposed of into conservancy tanks.
- ❖ No electricity will be provided to the campsites.
- ❖ Access to the proposed guest house is obtained from minor road OP04026 at km 5,43.
- ❖ Access to the proposed campsite is obtained from minor road OP04027 at km 2,46.
- ❖ A wetland vegetation scan was conducted to delineate the edge of the wetland, thereby ensuring environmental sensitive areas is not adversely impacted upon by the proposal.
- ❖ Although some campsites are located within the 32m wetland buffer, the office and ablution facilities will be situated outside the aforesaid buffer.
- ❖ The campsites will be informal brush cut areas, accommodate two (2) guests each (thus fourteen (14) guests in total).
- ❖ The proposal will provide employment opportunities (construction and operational phases).
- ❖ The proposal will support the local economy in the area.
- ❖ The proposal will aid interaction between people of different back grounds.
- ❖ Proposal is compatible with character of the area comprising tourism facilities (i.e. various overnight accommodation options, wedding venues, etc.
- ❖ The proposal will not adversely impact the safety and wellbeing of the surrounding community.
- ❖ The proposal will not impact upon heritage resources.
- ❖ The impact of the proposal can be successfully mitigated in terms of conditions of approval.
- ❖ The proposal will not adversely impact upon the quality of life of adjoining property owners.
- ❖ The proposal is consistent with the PSDF, SDF and Overstrand Policy pertaining to accommodation establishments.
- ❖ The proposal is consistent with the planning principles in terms of LUPA and SPLUMA.
- ❖ The proposal will not detract from the character of the area.
- ❖ The proposal will not adversely impact the natural environment.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Press	N/A	N/A	N/A
Notices	Yes	5 November 2019	13 December 2019
Ward councillor	Yes	4 November 2019	13 December 2019
Total comments	Three (3)		
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?	Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA?	Yes

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

Name	Date received	Summary of comments.
Tourism	22/05/2019	Supported.
Waste Management	11/02/2021	Annexure F.
Building Department	10/06/2019	No objection.
Engineering Services	12/06/2019	Annexure G.
Eskom	13/06/2019	Annexure H.
District Health	01/07/2019	Annexure I.
Fire Services	03/07/2019	Approval is subjected to compliance within the National Fire Protection Regulations SANS 10400 T:2011
Department of Transport and Public Works	15/07/2019	Annexure J.
Open Serve	15/07/2019	Annexure K.
Department of Environmental Affairs and Development Planning: <i>Component: Planning</i>	1/11/2019	Annexure L.
Department of Environmental Affairs and Development Planning: <i>Component: Environmental</i>	12/12/2019	Annexure M.
Breede-Gouritz Catchment Management Agency	12/12/2019	Annexure N.
Environmental Section	16/01/2020	Annexure O.
Department of Agriculture	11/02/2020	Annexure P.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

In the public participation process pertaining to the amended scaled down application two (2) letters of objection were received from G Visser on behalf of Holistic 888, the owner of Berg 'n Dal, Farm 696/1 and S Privett on behalf of the Privett Trust, the

owners of Witkrans 697/1 and Windheuwel 692/2. A letter of comment was received from M Krige. The objections and letter of comment are attached as Annexure D, and the applicant's response thereto as Annexure E.

The main grounds of objection are summarised as follows:

GERT VISSER, OWNER OF PORTION 1 OF THE FARM 696 (BERG 'N DAL)

Objects to the amended scaled down application comprising 7 campsites as the objector is of the view that the proposed camp sites will have a negative impact on the Uilenkraal Valley should it be approved.

1. Noise pollution

Point of objection

The opinion is held that the proposed 7 camp sites with a maximum occupation of 2 people per camp site will still spoil the tranquillity of the surrounding area, where tourist for many years have come to relax and enjoy the peace and quiet in a rural area. The objector is further of the opinion that the number of campers cannot be controlled. This includes potential sources of noise (music, car engines, human "amplified" noise, dogs barking (if allowed)).

Response from Applicant

According to the applicant portable stereos and devices are made to be primarily heard by the users, thus not high volumes that would impact adjoining property owners.

Access and egress by vehicles will not be simultaneously, therefore limiting noise levels and spread these across the day.

Campers will be limited to a maximum of 14 people, thus keeping noise levels and discomfort to neighbours to the minimum. Further, it will be managed by a manager, thus ensuring amenity of adjoining properties are maintained and protected.

Farm owners are permitted to have pets and given the size of the property (132,5774 ha) it is not considered that roaming pets will bark to such an extent that noise levels will become excessive.

Response from Town Planner

The objector's property is situated ± 450 m north east of the camp site and obtained consent use to develop a venue/conferencing facility, including tourism accommodation and self-catering units on his property. The operation of the facilities on the objector's property if not properly managed can also have a significant impact on adjoining property owners. The opinion is held that the objectors' concerns could be sufficiently mitigated in terms of approval conditions to protect the tranquillity of the area and vested right of adjoining property owners in that the use of radio/stereo devices and amplified music at the campsites as well as pets be prohibited and that the campsite be managed by the property owner or manager to ensure that noise level do not impact adjacent property owners. The aforesaid will be incorporated in the approval conditions. Traffic from seven (7) campsites is not projected to have a significant adverse impact onto adjoining property owners.

2. Other forms of pollution (air, light, soil and water pollution) that cannot be adequately managed or mitigated

Point of objection

Increased air pollution from fires, All Terrain Vehicles (ATV's) and generators using fossil fuels. Increased light pollution from vehicles coming and going and buildings on the premises preventing citizens from clearly seeing features of the night sky, migration patterns of birds and activities of nocturnal animals. People camping in proximity of the wetland imposes a higher risk of water and soil pollution.

Response from Applicant

The visual impact from campfires for a portion of the evening is considered minimal, whilst no generators will be provided. Placement of camp sites around the milkwood forest, combined with the sheer size of the property will not make it possible for the objector to see lanterns and torches. Normally campers do not leave the site at night, thus impact from car lights would be minimal. The owner will ensure that the hygiene of the property is of the highest standard to avoid environmental hazard concerns.

Response from Town Planner

The points of objection could also be true having had regard to development rights applicable to the objector's property as highlighted above. Given the size of the property, the fact that access is obtained from a public road that also leads to the objectors' property as well as the Uilenkraal Valley, vehicle access/egress and associated light pollution from seven (7) camp sites will not have a significant impact on the adjoining properties compared to other users of this public road with reference to noise and disturbance and visual impact (i.e. light pollution). The camp sites are screened by a dense milk wood forest screening the camp sites and obscuring it from views. As such, any impact from fires, lanterns and torches are considered minimal.

The property owner will be responsible for the management of the camp sites in accordance with an Environmental Management Plan (EMP) in order to prevent pollution of the ground water. Thus, the opinion is held that the objector's concerns could be adequately mitigated.

3. Fire risk

Point of objection

Open fires synonymous with camp sites poses a huge fire risk for the area, given the alien infestation and flammable wetland.

Response from Applicant

In the highly unlikely event of a fire, the property owners will make use of fire extinguishers.

Response from Town Planner

The applicant's comment is noted. The proposal was circulated to the Fire Department who did not object, subject to compliance with the National Fire Protection

Regulations SANS 10400 T : 2011. This could be mitigated in terms of the approval conditions thus ensuring compliance with SANS 10400T : 2011.

4. Baboons

Point of objection

The objector and other farm owners work with CapeNature to manage large troops of baboons in the area that is still wild and never been fed by humans, whilst guest's are accommodated in closed quarters that are baboon proof. The objector is of the opinion that camp sites in an outdoor setting where a variety of food is available will attract baboons where they will be fed and become a danger.

Response from Applicant

The property owners are committed to make sure that baboon proof bins are used and that they stay closed at all times, whilst guests will be informed that the feeding of baboons is prohibited.

Response from Town Planner

The applicant's comment is noted and will be incorporated in the approval conditions, thereby ensuring the concerns raised are adequately mitigated.

5. Roads and traffic

Point of objection

The objector states that the minor roads 4026 and 4027 that will be used for access are in a poor condition, and that the additional traffic will further deteriorate it. The objector together with Flower Valley and Witkrans maintains minor road 4027 and claims that the Municipality never did any maintenance.

Response from applicant

The applicant is of opinion that insufficient maintenance of the roads cannot be used as an excuse not to support the application and that the objector needs to raise the lack of maintenance with the responsible authority for maintaining minor roads, namely Overberg District Municipality.

Response from town planner

The applicant's comment is noted and agreed with.

6. Supply and demand of tourism accommodation

Point of objection

The objector request proof of the demand for short term caravan / camping since most of the accommodation in the area is not even 50% booked most of the year.

Response from Applicant

The applicant advises the proposal by the property owner is in response to market demand and trends and that there is a need for camping sites in the rural area.

Response from Town Planner

The tourism accommodation in the area that is not even 50% booked as per the objector relates to tourism facilities in a formalised format (i.e. lodges, guest rooms, guest house and self-catering), whilst the objection specifically relates to the proposed camp sites, which is not prevalent in the surrounding area. Accordingly, the proposal will introduce affordable weekend getaway opportunities that is currently in demand as indicated in the comment from Cape Whale Coast Tourism, stating there is increased demand for both self-catering and camping options.

7. Environmental considerationsPoint of objection

The objector suspects that the wetland delineation is not correct requests that a copy of the wetland environmental scan and qualification of Amida Johns in terms of Wetland Ecology.

Response from Applicant

The applicant advised that Annexure C was attached to the application document and that Ms John's has the relevant qualification and being regarded as a specialist in the field.

Response from Town Planner

The notification clearly indicated that full details of the application is available at the office of the planning department, with the name and contact detail of the responsible official where further details could be obtained. The application was also circulated to both the Department of Environmental Affairs, CapeNature and the BGCMA who did not object to the wetland delineation or based on impact on the wetland. DEA&DP also confirmed that the revised proposal does not trigger the provisions of NEMA.

8. Impact on wetlandPoint of objection

The objector is of the opinion that caravans have the same impact on wetland buffers as basic constructions

Response from Applicant

DEA&DP confirmed that the proposal does not trigger the provisions of NEMA.

Response from Town Planner

The application was circulated to the relevant government departments (Department of Environmental Affairs and Development Planning, Cape Nature and BGCMA) who did not raise any objections. Having had regard to the comment from Environmental Management Services all camp sites will have to be located outside the wetland buffer.

9. Legislative shortcomings

Point of objection

The objector is of opinion that there are legislative shortcomings that will be addressed by the municipality and relevant government departments and request that copies of applications and outcome's to DEA&DP, BGCMA and Heritage Western Cape be made available.

Response from Applicant

DEA&DP confirmed that the proposal does not trigger the provisions of NEMA.

Response from Town Planner

The application was circulated to the competent authority pertaining to NEMA, the National Water Act and the National Heritage Resources Act. The respective comments area attached as Annexures L confirming that the proposal does not trigger any further specialist impact assessments or would unacceptably detract from the character of the area.

10. Control number of campers

Point of objection

The objector wants to know how the number of people will be controlled by the property owner and the authorities.

Response from Applicant

The owner of the property is committed to restrict the number of visitors to 14 people. Should the number of people be exceeded the public will be able to submit a complaint to the municipality, resulting in the necessary action being instigated against the property owner.

Response from Town Planner

The property owner will be required to ensure that the number of guests are limited to fourteen (14) people in terms of the approval conditions, whilst the applicant will also be required to keep a register of all paying guests on the property. Non-compliance with approval conditions is an offence in terms of the By-law and will be investigated upon receipt of complaints.

SHAUN PRIVETT, OWNER OF PORTION 1 OF THE FARM NO. 697, WITKRANS

The objector does not object to the proposed guest house and are pleased to see that the number of campsites were reduced from 30 to 7 and is of opinion that it is more in keeping with the low impact tourism being developed in the area but would like to re-iterate their primary concerns, namely:

1. Control of Noise and number of guests/campers

Point of objection

The objector advises that sounds travel in the valley and that they often hear voices and music from De Uijlenes wedding venue 1,5km away, whilst the proposed camp site is 400m away from the guest accommodation on the objector's property, whilst campers can be noisy and play's loud music. The objector is concerned that the proposed camp sites will reduce the market value of their two properties due to its proximity from Witkrans (i.e. 400m from their private residence/guest accommodation) resulting from noise and disturbance emanating from the proposed camp sites thereby affecting the tranquillity and sense of place.

Response from Applicant

The applicant is of the view that the objection is made against the 30 camp sites and not the amended application with only 7 campsites. Considering the much lower scale of the proposal, the impact on the objector will be substantially less, which nullifies the objection submitted.

Response from Town Planner

The objector advised that he is pleased to see that the number of camp sites had been reduced from thirty (30) to seven (7) and is of opinion that the amended application is far more in keeping with the low impact tourism being developed in the area, but re-iterate their primary concerns against the application. Thus, the statement that the objection is limited to the original application comprising thirty (30) camp sites and not the amended scaled down proposal is not correct since the amended proposal will have a far lesser impact on the objector due to the much lower scale.

The impact of the proposal will be considered under the desirability of the proposal in paragraph 12 below.

2. Fire threat

Point of objection

Concerned about the increased fire threat as a result of open fires from the camp sites, being surrounded by highly flammable fynbos, whilst wildfires such as the 2006 fire will have a major negative economic impact. According to the objector, the applicant has a poor record of alien vegetation management that increase wildfire danger and associated risks.

Response from Applicant

In the highly unlikely event of a fire, the property owners will make use of fire extinguishers.

Response from Town Planner

The applicant's comment is noted. The opinion is held that the risk associated with fire could be mitigated in terms of the approval conditions thus ensuring compliance with SANS 10400T : 2011 as per the comment from the Fire Department.

MELISSA KRIGE, OWNER OF FARM PLATBOS

A letter of comment was received from M Krige indicating that indigenous trees on the property form part of an indigenous forest and that a permit is required for any cutting or removal.

Response from Applicant

No response.

Response from Town Planner

Comment is noted, and will be incorporated in the conditions of approval.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner's comment on objections/and response thereon)

See paragraph 7 above.

Internal Departments

No objections, subject to conditions.

**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

The proposed development will not further perpetuity historical spatial imbalances.

Spatial Sustainability

The proposed development will not have a negative impact on agricultural land or following application of mitigation measures on environmentally sensitive areas.

Efficiency

The proposed development will ensure the optimal use of the property in terms of space, land and resources at a scale which is still in keeping with the rural character and fabric of the surrounding area.

Spatial Resilience

The development is in line with the SDF and PSDF that adheres to the principle of spatial resilience.

Good Administration

The application followed the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and the public process has been followed.

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 proposal is consistent with the SDF.

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

N/A

10.6 Impact on Municipal Engineering Services

No municipal services are provided.

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

The proposal does not trigger the provisions of NEMA or the National Heritage Resources Act.

10.8 Existing and proposed zoning comparisons and considerations

The development complies with the applicable development parameters in terms of the Overstrand Land Use Scheme, 2020 that caters for the proposed land uses as a consent use limited to a Site Development Plan.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The subject property is zoned for agriculture purposes and measures 132,58 ha in extent. The property is developed with a main dwelling and has limited agricultural potential, thus not suitable for extensive agricultural practices and is only used for small scale livestock farming. Protected milkwood trees are situated on the property, as well as a wetland and watercourse that traverse the western portion of the property. Portions of the property also contains Critical Biodiversity Areas (CBA's).

The surrounding area is characterised by various tourist business enterprises providing tourism accommodation, mostly in the form of guest houses, self-catering facilities, and guest lodges (i.e. Grootbos). Berg-en-Dal Farm, adjacent the application property obtained consent use for a venue (weddings/conferencing), whilst De Uijlenes Wedding Venue is situated \pm 1,5km south east.

The proposed guest house will be limited to the main dwelling on the farm werf, whilst the camp site had been scaled down to seven (7) sites, in response to the objections and concerns raised by BGCMA thereby ensuring that the camp sites and ablution facilities save for two (2) camp sites are situated outside the wetland.

Forward planning

The proposal is consistent with the Provincial Spatial Development Framework, as it will capitalise on the competitive advantage of the Western Cape prevalent in the area (i.e. agriculture and tourist facilities), provide employment opportunities, will not adversely impact ecological integrity and provision of tourist facilities in a high quality environment.

The Overstrand SDF promotes tourism, economic development and the protection of the natural and built environment. At the same time, diversification of income on agricultural properties are promoted, provided that it does not adversely impact on the agricultural potential of the subject property. The opinion is held that the proposal is consistent with the SDF as will be further elaborated upon below.

Proposed guest house

The proposed five-bedroom guest house will be limited to the existing main dwelling on the property and be operated in accordance with the provisions of the Scheme Regulations, that amongst others requires the owner/manager to reside on the property, whilst any facilities (i.e. meals and liquor) provided be limited to paying guests.

The guest house is supported from a planning point of view and considered in keeping with the rural character of the area. The proposal will unlock additional income, improving the viability of the subject property. The proposal will also provide employment opportunities that is much needed and will benefit the local economy of the area as a whole. No objections were received from adjoining property owners, municipal or government departments. The proposed guest house is therefore considered desirable.

Proposed camp sites

The proposed camp sites are situated on the northern side of the application property and are screened by milk wood trees to the north and northeast from the objectors' properties and bounded by a minor road on the southern side, thus not visually obtrusive. The camp sites will be limited to two people each, with a maximum of fourteen (14) people at any given time.

Due to the location of a wetland along the northern property boundary, a wetland scan had been conducted by ground truthing wetland vegetation in order to delineate a wetland edge. Following receipt of objections as well as comment from BGCMA the SDP pertaining to the camp sites had been amended and scaled down to seven (7) camp/caravan stands, all of which had now been positioned outside the wetland.

It should be noted that no objection was raised by the competent authority regarding the proposal in terms of its impact on the wetland ecology or the natural environment. DEA&DP further confirmed that the amended scaled down proposal does not trigger NEMA.

Objections

Having had regard to the objections received the main concerns relates to the impact of the proposal on the character of the area with reference to noise and disturbance, the environment, and potential fire risk.

The opinion is held that the scaled down application providing seven (7) camp/caravan sites will not have a significant impact on the peace and tranquillity of the surrounding area sufficient to warrant refusal of planning permission. The opinion is held that the proposal could be sufficiently mitigated with approval conditions, limiting the development of the camp/caravan sites to a SDP, maximum occupation of fourteen (14) guests (pertaining to the camp site), that a register be kept of all guests and that the occupation of the camp sites be subject to supervision of the on-site manager, thereby ensuring that the character, peace and tranquillity of the area is protected. The opinion is also held that the scaled down proposal comprising only seven (7) camp/caravan sites are at a scale that will not detract from the character of the rural area.

The application was circulated to the BGCMA, DEA&DP (Land Management and Environment) and Cape Nature. No objections were received.

The applicant will also be required to submit an SDP, indicating the camp sites, the location of milkwood trees, wetland edge and the 32m wetland buffer as well as a designated fire area for each caravan stand in compliance with the Fire Regulations.

Other

The applicant will be self sufficient with regard to services.

A separate black and grey water system will be implemented, both being contained in conservancy tanks. Grey water will be reused in toilets, with excess grey water being irrigated. Sewage will be contained in a conservancy tank and be disposed of by a private contractor to municipal sewage works in Gansbaai.

Drinking water will be extracted from an existing fountain which is a registered water source.

Electricity to the camp site ablutions will be provided via a solar system and gas geysers, whilst the campsites will not have electricity.

The Department of Transport and Public Works and the Engineering Department indicated their support and that there are no concerns regarding accessibility, traffic impact, parking layout and parking provision.

All relevant state and municipal departments support the application.

Having had regard to the above the proposed development comprising a guest house and 7 caravan / camp sites is not considered to have an undue adverse impact on the character of the area or vested rights of adjoining property owners. The proposal, subject to the implication of mitigation measures is therefore considered desirable.

13. RECOMMENDATION

1. that the comments be noted;
2. that the application in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Remainder Farm No. 700 (Blomeris), Division Caledon for consent use in terms of Section 16(2)(o) to accommodate a proposed guest house and tourism accommodation (seven caravan/camping sites, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions
 - (a) that a detailed Site Development Plan be submitted indicating the location and area of the seven camp/caravan sites and associated facilities with coordinates maintaining the 32m wetland buffer, designated fire area for each caravan/camp site, all existing milk wood trees, wetland edge and onsite parking area, prior to the implementation of the development;
 - (b) that the application for consent use for tourism accommodation be limited to a 5-bedroom guest house and seven (7) camp/caravan sites only;
 - (c) that the development of the camp/caravan site be carried out strictly in accordance with the approved SDP;
 - (d) that the maximum number of occupants of the camp sites be limited to 14 people and that a register recording the details of all guests making use of the camp/caravan site be kept on site and at all times be available for inspection by the Municipality
 - (e) that the building plans be submitted to the Building Department for any new buildings and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (f) that all the conditions of Eskom, District Health, Department of Transport and Public Works, Open Serve, Department of Environmental Affairs and Development Planning: *Component Planning*, Environmental Affairs and Development Planning: *Component Environmental*, Breede-Gouritz Catchment Management Agency and Department of Agriculture (attached as Annexures H - N and P), be complied with;
 - (g) that all the conditions imposed by Waste Management, Services Report and Environmental Services (attached as Annexures F, G and O), be complied with;
 - (h) that the use of amplified music by visitors of the campsites be prohibited;
 - (i) that the owner/manager shall reside on the premises and be responsible for the proper management of the guest house and camp / caravan sites;
 - (j) that the guestrooms may not be converted to or used as separate dwelling units/self-catering units;
 - (k) that no kitchen facilities and/or prep bowls be allowed in the guestrooms;

- (l) that no facilities (bar/restaurant or any other) be provided for non-residents of the guest house and that these facilities only be used by bona-fide guests of the establishment;
 - (m) that the selling or serving of liquor on the property will be subject to the owner obtaining the necessary Liquor Licence;
 - (n) that a minimum of one (1) permanently demarcated parking bay per guestroom, two (2) for the owner/manager be provided within the erf boundaries in accordance with the parking layout (attached as per Annexure C);
 - (o) that the applicable rates and service tariffs, as determined by the annual budget is applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (p) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (q) that only a single non-illuminated sign that complies with the Municipal By-Law on Signage, may be displayed on the premises;
 - (r) that the guesthouse and campsites be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
 - (s) that a Certificate of Acceptability from the Health Department of the Overberg District Council and Fire Prevention Certificate be obtained from the Municipal Fire Department;
 - (t) that the property may not be utilised for the purposes of conducting a home occupation;
 - (u) that no disturbance from loud music or any other sources be permitted after 22:00;
 - (v) that no cooking facilities may be provided;
 - (w) that the keeping of pets by campers be prohibited;
 - (x) that this approval does not absolve the landowner from compliance with any other relevant legislation;
 - (y) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (z) that an Environmental Management Plan in respect of the construction and operational management phase of the campsite be submitted for municipal approval.
3. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

14. REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ None of the internal and external government departments have objected to the application.
- ❖ No new municipal services will be required.
- ❖ The application is in line with SPLUMA principles.
- ❖ The application is in line with the SDF.
- ❖ The application will not detract from the character of the rural area.
- ❖ The surrounding area are characterised by tourist related uses (i.e. tourist facilities, tourist accommodation such as guest houses, guest lodges and self-catering).

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Objections/comment received
Annexure E:	Comment on objections/comment
Annexure F:	Comment: Waste Management
Annexure G:	Engineering Services
Annexure H:	Comment: Eskom
Annexure I:	Comment: District Health
Annexure J:	Comment: Department of Transport and Public Works
Annexure K:	Comment: Open Serve
Annexure L:	Comment: Environmental Affairs and Development Planning: <i>Component Planning</i>
Annexure M:	Comment: Environmental Affairs and Development Planning: <i>Component Environmental</i>
Annexure N:	Comment: Breede-Gouritz Catchment Management Agency
Annexure O:	Comment: Environmental Services
Annexure P:	Comment: Department of Agriculture

SIGNATURES**AUTHOR:**

Name: **SW VAN DER MERWE**

SACPLAN Reg No: **A/1850/2014**

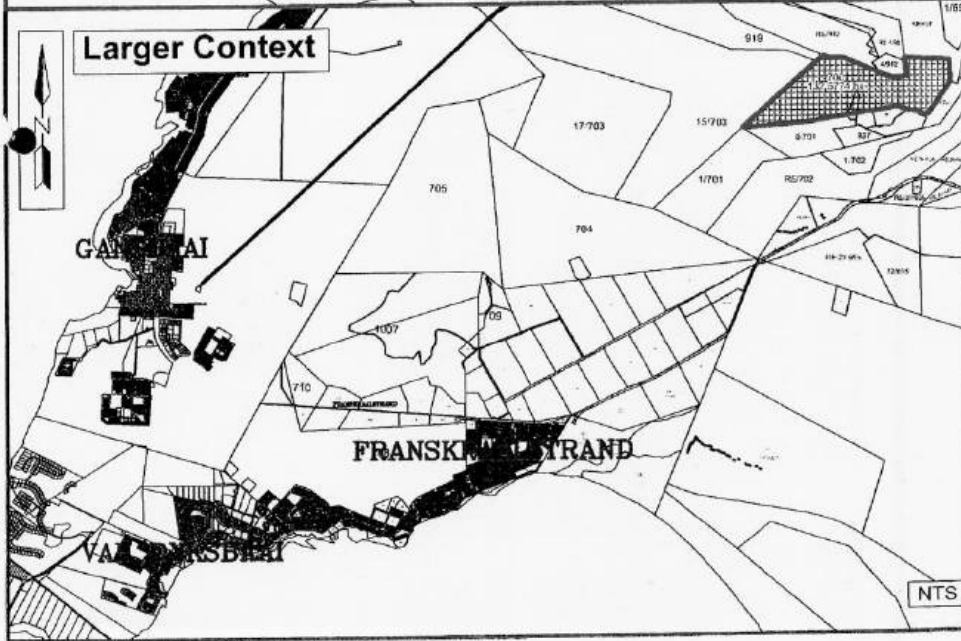
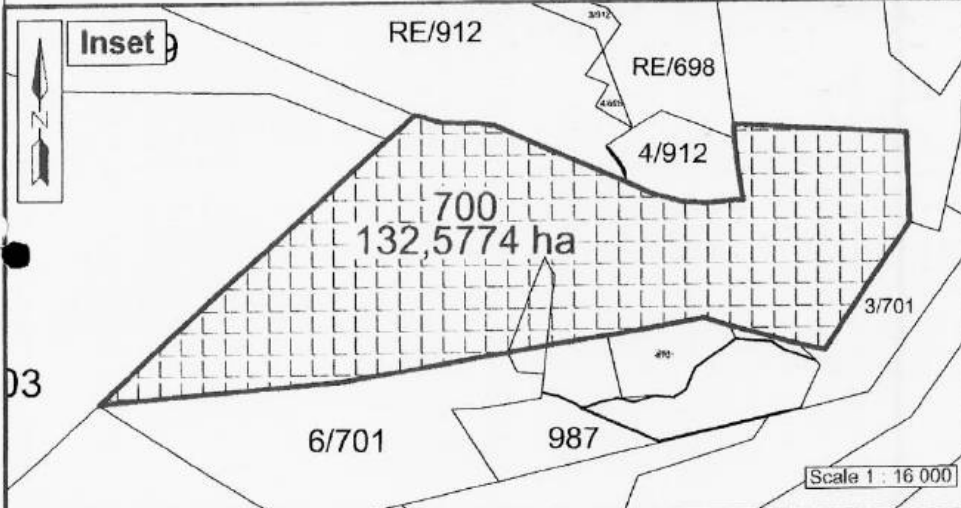
Signature: _____

Date: _____

Plan 1: Locality Plan Farm Blomeris Number 700 Caledon

File number 18/139(A)
This plan was prepared in February 2019
Plan prepared by: Realistic Jonkie
All distances are approximate
and subject to a survey

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EXECUTIVE SUMMARY

2. ABBREVIATIONS

Abbreviation	Particulars
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
SPLUMA	Spatial Planning and Land Use Management Act, 2013
LUPA	Land Use Planning Act, 2014
PSDF	Western Cape Provincial Spatial Development Framework 2014
IDP	Overstrand Municipality Integrated Development Plan
IDF	Integrated Development Framework
DEADP	Western Cape Department of Environmental Affairs and Development Planning
SDP	Site Development Plan
AGRI	Agriculture Zone 1: Agriculture

3. SUMMARY OF STATUS QUO PROPERTY DETAILS

Applicant	WRAP (Wright Approach Consultancy)
Farm number and extent	Farm Blomeris 700 Caledon
Registered owner	Cornelis Janse Uys Swart
Title deed	T42772/2003
Restrictive conditions	None
Applicable zoning scheme	OMZS
Current land use	Small-scale livestock farming

4. BACKGROUND AND OWNERS INTENT

The owner of the subject property inherited the subject farm in 1989 and is engaged in small scale livestock farming on the parts of the property which are suitable for grazing. The agricultural viability of the subject property is limited as the following geographic constraints exist on the property:

- There are protected milkwood trees on the property;
- There are wetland areas;
- A river runs through the western part of the farm; and
- There is a critical biodiversity area on a part of the subject property.

The property owner intends to operate a guest house with 5 rooms. The manager will reside in the guest house. This proposal is therefore to confer the most appropriate land use rights for the proposed land uses.

Considering that the subject property has limited agricultural potential, the property owner seeks to expand the tourism related land uses on the subject farm. The following land uses are therefore proposed.

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EXECUTIVE SUMMARY

- A proposed camping site with 7 caravan camp sites; and
- An ablution block.

Considering the above, application is made for the following.

- **Consent use** for a guest house with 5 lettable bedrooms; and
- **Consent use** for tourist accommodation for a proposed camping site with 7 caravan camp sites and an ablution block.

5. TECHNICAL PROCEDURES FOR THE PROPOSAL

The following table describes the rationale for the proposal:

Proposal	Rationale
<p>Consent use for a guest house which 5 lettable rooms.</p>	<p>The OMZS provides the following definition for a guest house. <u>"guest house means a dwelling house, or second dwelling unit which is used for the purpose of temporary lodging of guests or lodgers on compensation, the provision of meals for guests, visitors or tourists, and is occupied by the owner or occupant, or manager of the property, and may include an in-house cash bar and restaurant, provided that these facilities are only for the use of the bona fide guests or lodgers and may not be accessible to the general public, but does not include a hotel, guest rooms, residential building or boarding house."</u></p> <p>The property owner wants to operate a 5-bedroom guest house on the subject property that complies with the above definition which is aesthetically appealing and maintained to be in an excellent condition to enhance the comfort of guests (refer Plan 5). The property owner intends to convert an existing garage into a manager's quarters (will be interleading with main house) and the existing office into a lettable bedroom (refer Plan 6). The reason why the owner of the subject property wants to operate a guest house is because there is limited land available on the subject property to have a large-scale agricultural business. The income from the guest house will enable the farm owner to derive some income sustain himself and family and maintain the visual look of the existing buildings and farm so that it can be visually appealing to visitors and</p>

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	<p>neighbours. This application is to confer the most appropriate land use rights to the subject property to enable the owner to operate the subject guest house in a manner which is in harmony with the prescripts of the OMZS and By-Law.</p>
<p>Consent use for tourist accommodation to accommodate 7 proposed camping sites with an ablution block</p>	<p>The OMZS provides the following definition for tourist accommodation.</p> <p><i>"tourist accommodation means the letting of rooms or individual units on a temporary basis to paying lodgers or guests, and includes a guest house, bed and breakfast, backpacker's establishment, and camp sites, provided that the use complies with the requirements of any other relevant legislation"</i></p> <p>The OMZS provides the following definition for a camp site.</p> <p><i>"camping site means a property or part thereof in which tents or caravans are used for the short-term accommodation of visitors and holiday makers, and includes ablution, cooking and other associated facilities for the use of such visitors and infrastructure related to the operation of the camping site, and may include accommodation facilities for the owner, manager and staff with the permission of Council"</i></p> <p>The owner of the subject farm wants to establish 7 camp sites for caravans and tents (refer to Plan 4). The proposal for a camping site with 7 caravan camp sites and an ablution block is of a small scale and not projected to interfere with the ability of neighbouring property owners to occupy respective properties in comfort as noise levels which will be emitted from the subject property will be minimal. The traffic impact will therefore also be of a minimal scale.</p> <p>The camping site is proposed to exclusively be used for temporary short-term accommodation and not for permanent habitation.</p> <p>There is a huge demand for short term rental caravan camping sites on the subject</p>

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	<p>property and within the vicinity. The intent of the property owner is therefore to respond to this growing demand and to ensure that the services and facilities which are offered on the subject property can contribute towards marketing the subject farm and surrounding rural area as a viable tourist destination.</p> <p>Considering the fact that subject property has little potential for a large-scale agricultural enterprise, the proposed camping site is intended to provide an additional income stream for the property owner.</p>
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Considering the above, WRAP has been appointed to apply for the required consent uses.

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6. RURAL FABRIC

The rural fabric of the farms in Gansbaai is dominated by commercial farms, tourist related accommodation options and caravan camping sites. These land uses are highly valued by the rural residents. This application is to confer the most appropriate land use rights for a 5-bedroom guest house and for a camping site with 7 caravan camp sites and an ablution block. The proposed land use rights are in harmony with the prevailing rural fabric of the area.

7. ZONING

The compliance or deviation of this proposal with the development parameters of AGR 1 can be illustrated as follows:

Portion A			
	Zoning Scheme Parameters	Development proposal	Comply/ deviate
Primary use	Agriculture, day care centre, dwelling house , guest rooms and home occupation.	Dwelling house; Agricultural barn; Storeroom; and Labourers cottage.	Comply
Consent use	Additional dwelling units, agricultural industry, aquaculture, animal care centre, 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 and 4x4 trials.	Guesthouse with 5 lettable rooms. Tourist accommodation in the form of a camping site with 7 caravan camp sites and an ablution block.	Applied for
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.	The existing buildings measure 944m ² . The proposed individual camping sites will not contain any buildings or structures. The only buildings is the ablution.	Comply
Building lines	Street building line is 30m Common boundary building line is 30m	The building located the nearest to the side building line is 185m from the building line.	Comply
Height	(i) The maximum height of a building, measured from the base level to the top of the roof is 8,0m provided that:	(i) The height of the dwelling house is 4,915m;	Comply

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	<p>(ii) Agricultural buildings other than dwelling units shall not exceed a height of 12m measured from the base level to the top of the roof; and where Council is satisfied that a greater height is necessary for the agricultural function of the building, it may permit such greater height; and</p> <p>(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 bona fide agricultural activities, are exempt from the requirement of 16.6.</p>	<p>(ii) No building exceeds 12m on the subject property;</p> <p>(iii) Comply</p>	
Parking	<p>Parking and access shall be provided on the land unit in accordance with 17.1</p> <p>Dwelling 2 onsite parking bays per dwelling unit provided that on even less than 400m² only one onsite parking bay needs to be provided.</p> <p>Guest house 1 bay per bedroom/2 persons accommodated.</p> <p>Caravan camping site There are no parking requirements in the OMZS for a caravan camping site. It is therefore proposed that each caravan camping site have 1 parking bay as each family which will make use of one site will arrive in 1 car.</p>	<p>There are 7 parking bays available for the owner/manager and the 5-bedroom guest house.</p> <p>There are 7 camp sites proposed and 7 parking bays are provided.</p> <p>A total of 14 parking bays are required on the property and 14 parking bays are provided.</p>	Comply
Site development plan	<p>Council may require that a site development plan be submitted for approval in accordance with 16.3.</p>	<p>An SDP is submitted (refer Plan 4)</p>	Comply

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8. SERVICES

8.1 Electricity

Electricity for the ablution facilities will be provided by means of solar power from solar panels installed on the roof of the ablution facilities. The camp sites will not be equipped with electricity as most caravans are equipped with their own electrical systems. The ablution facilities will be equipped with gas geysers.

8.2 Water

There is an existing registered water source (fountain) on the subject property from which potable water is extracted. Water to the proposed 7 camp sites will be provided from the source.

8.3 Sewage

The ablution facilities will be equipped with a separate grey- and black water system. Grey water will be contained in a separate conservancy tank and re-used in the toilets. Excess of grey water will be used for irrigation.

Black water will be contained in a conservancy tank and removed by a private contractor to the sewage works in Gansbaai.

8.4 Access and egress

Access to the existing primary dwelling and guest house is gained from minor road number OP04026 from km marker 5.43 and access to the proposed camping site is proposed to be gained from minor road number OP04027 from km marker 2.46.

9. ENVIRONMENTAL CONSIDERATIONS

The owner of the subject property has always been aware of the presence of a wetland on the subject property. Cape Farm Mapper was consulted for the delineation of the wetland and it was suspected that the position of the indicated wetland is not correct. Amida Johns was appointed to conduct a wetland vegetation scan of the subject farm and to "ground truth" the edge of the wetland (refer **Annexure C**). A "ground truth" delineation of the edge of the wetland has been provided which has been incorporated into the SDP (refer **Plan 4**) to ensure that no environmentally sensitive areas on the subject property are adversely impacted by the approval and implementation of this proposal. Although some of the camp sites are located within the 32m buffer from the wetland edge, no construction or development will take place on these campsites and will only be used as a site to park a caravan, tent and vehicle. All structures such as the ablution block will be constructed outside the 32 m buffer area. The SDP shows the edge of the milkwood forest and the location of the proposed camp sites. None of the camp sites will be in the forest and no milkwood trees will be taken out or damaged for purposes of establishment of the camp sites.

Access to the camping sites will be via an existing jeep tracks which will not be upgraded. The proposed camping sites and parking will be informal brush cut areas and no additional vegetation removal will be required. The camping sites will accommodate 2 guests each and no more than 14 people will be accommodated and therefore Listing Notice 3, Activity 17 is not applicable to the proposed development. The proposal does not constitute a listed activity.

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10. DESIRABILITY

Section 66(1)(c) of the OM By-Law as indicated below highlights that desirability is a relevant consideration which must be addressed in a town planning application in accordance with the guidelines issued by the Provincial Minister.

DEADP issued the "Provincial support document on Relevant Considerations 2015" which should be considered before the Municipality makes a decision. The desirability guideline in the document will be used to assess the desirability of the approval and implementation of this proposal.

Element for consideration	Motivation of the impact of the approval and implementation of this proposal.	Impact Positive or Negative
Economic impact	The economic impacts of this proposal can be summarised as follow: <ul style="list-style-type: none"> • The proposed guest house will employ permanent staff who will derive an income from their employment; • The additional people who will be employed during the operational phase of the camping sites can be regarded as a positive economic impact; and • The guests of the proposed guest house and camping site will spend money in other establishments within the greater Gansbaai. This will result in other businesses generating an additional income stream, if this application is approved and implemented which can be regarded as a positive economic impact. 	Positive
Social impact	Camping sites are generally characterised by interaction of people from different backgrounds within the communal open spaces. This will subsequently contribute to intercultural interaction which will contribute to social cohesion.	Positive
Scale of the capital investment	The owner of the subject farm has invested a substantial amount of money in the existing dwelling house. The owner therefore wants to increase investment in the subject property by establishing a guest house and camping site which illustrates the commitment of the property owner towards the built environment of the Gansbaai rural area.	Positive
Compatibility with surrounding uses	The subject property is located within close proximity to the following establishments which offer tourist overnight accommodation and tourist related facilities: Strandskloof Caravan Park; Uilenkraalsmond Holiday resort; Uylenvlei Retreat; Grootbos; Bodi Khaya;	Positive

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	<p>De Uijlenes Rustic Farm & Forest Wedding venue; Fountainbush Cottage; Witkrans Farm Cottages; and Brunia Guest House.</p> <p>The proposed guest house and camping site are therefore in harmony with the prevailing rural fabric of the area.</p>	
Impact on safety, health and wellbeing of the surrounding community;	<p>The additional genteel guests which are projected to visit the subject guest house and camping site will be additional surveillance on the subject property. This additional surveillance is projected to decrease the likelihood of crime occurring on the subject property and neighbouring properties.</p> <p>The proposed guest house and camping sites will not in any way compromise on the health and wellbeing of the surrounding community.</p>	Positive
Impact on heritage	<p>No building on the subject property is older than 60 years as the earliest building plan on the property was approved in 6 March 2002. The property owner will however contact Heritage Western Cape should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered when the caravan camping sites are demarcated on the farm.</p>	Positive
Whether the imposition of conditions can mitigate an adverse impact of the proposed land use	<p>The imposition of conditions of approval on the subject proposal is essential as it will ensure that the land use rights which surrounding property owners enjoy are not impacted on.</p> <ul style="list-style-type: none"> • That all signage complies with the Overstrand Municipality By-Law on Signage. This will ensure that all signage will not be visually intrusive; • That all development parameters in the applicable AGR1 zoning and other title deed restrictions be complied with. This will ensure that the scale of the subject development remains within reasonable bounds; • That the number of rooms in the proposed guest house will be limited to 5 rooms; • That the number of camping sites be limited to 7; • That the camping site only be used for short term tourist accommodation and not for permanent habitation purposes; • That all prescripts of the fire department be complied with to ensure that the subject building does not become a fire risk to the occupant as well as clients; 	Positive

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	<ul style="list-style-type: none"> • That all land uses on the subject premises do not interfere with the peace, comfort or become an unbearable nuisance to surrounding property owners; and • That all other relevant legislation be complied with. 	
Aspects which impact on quality of life (including views, sunlight, privacy, visual impact, character)	<p>The existing dwelling house from which the proposed guest house will be operated, will not create any additional visual impact.</p> <p>The camping site is located in an area which is not highly visible from minor road OP04026. This has been strategically positioned to ensure that the prospective camping sites is not a visual intrusion on road users.</p> <p>The neighbour's quality of life, views, sunlight and privacy will therefore not be adversely visually impacted upon.</p>	Positive

11. OMAE

The Overstrand Municipality Policy on Accommodation Establishments provides a set of guidelines which enhance the development parameters that are applicable for accommodation establishments. The alignment of the proposed 5-bedroom guest house was assessed in terms of the relevant sections of this guideline.

Up to 5 rooms need to apply for Special Consent or a Departure from the Zoning Regulations. All rooms to be interleading with the main dwelling.
Five bedrooms will be rented out in the existing dwelling and will also house the manager.
Meals/liquor may be served to residents only.
Meals will be provided to guests only.
The owner/manager must occupy the premises personally.
The owner/manager will occupy the subject premises.
An approved unilluminated advertising sign to a maximum size of 2000 cm² may be displayed. Any other signage not on the property must be applied for separately at the Tourism Bureau.
The subject property will comply with the Overstrand Municipality By-Law Relating to Outdoor Advertising and Signage.
One or more fire extinguishers must be provided to the satisfaction of the municipal Head of the Fire Department. Obtain specifications regarding fire extinguishers.
There will be one or more fire extinguishers on the subject property and will be to the satisfaction of the Head of the Fire Department.

12. SPATIAL PLANNING POLICIES

This proposal was assessed for consistency with the existing spatial planning initiatives and policies. The alignment of this proposal with the rural fabric envisaged by local and provincial authorities will be assessed.

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.

Below is a list of the spatial logic that underpins the PSDF and how this proposal is in sync with the spatial logic.

- **Capitalise**

The PSDF underscores that the competitive advantage of the Western Cape must be capitalised on. The competitive advantage which is prevalent in the Gansbaai rural area are agriculturally viable farms as well as tourist accommodation with associated tourist facilities. The conferring of the appropriate land use rights for the proposed guest house and a proposed camping site with 7 caravan camp sites and an ablution block sites is intended to capitalise on the existing competitive advantages in the subject rural area.

- **Employment creation**

The PSDF cites that the existing and emerging regional economic nodes need to be consolidated to offer the best prospects to generate jobs and stimulate innovation. The proposed 7 caravan camping sites will stimulate innovation as employees will come up with innovate ways of enhancing services provided to customers.

- **Protection of the ecological integrity**

Any development along lakes, rivers and dams are forbidden from compromising on the ecological integrity, tourism potential and landscape character. The owner of the subject property has intentionally appointed a specialist to ensure that none of the proposed camping sites will compromise on the sensitive ecological integrity of the wetland.

- **Tourism quality**

The foundation of the tourism industry in Overstrand is cited as being based on providing a high quality and unique environment. The SDP (refer **Plan 4**) and the photos of the proposed guest house (refer **Plan 5**) illustrate that the owner of the subject property intends to provide a high-quality guest house on the property. This also indicates that the proposed camping sites will be in harmony with the prevailing high-quality tourism environment which is prevalent on the subject property.

SDF

The objective of the SDF is to formulate strategic spatially based policy guidelines and proposals where the needs, changes and growth in the area can be managed to benefit the inhabitants and the environment in the Overstrand Municipality. The compliance of this proposal with the SDF will herewith be illustrated.

Policy proposals pertinent to this proposal can be recorded as follow.

- **Promote tourism based on the ecological and heritage value of the region**

This proposal promotes a harmonious blend between a camping site and natural systems. This is intended to enhance the experience of the campers on the subject property by allowing visitors to witness natural systems and have a great sense of appreciation for the natural systems.

- **Maintain the unique village character.**

The low density and non-permanent nature of the proposed camping site will enable the prevailing rural fabric on the subject property to be protected as prescribed by the SDF.

- **Maintain the dominance of the natural environment.**

There is a dominance of critical biodiversity areas and wetlands on the subject property which will be maintained in the current form, should this application be approved and implemented.

13. PLANNING PRINCIPLES

The proposal was analysed for consistency with the planning principles to provide a recommendation to the OM for the application in terms of Section 42 of SPLUMA and Chapter VI of LUPA.

Spatial Justice

Refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access opportunities, facilities, services and land. The additional employment opportunities which will be created on the subject property will mostly benefit the historically marginalised. This will make it possible for prospective employees who are currently unemployed to be able to afford access to opportunities, quality services, facilities and access to housing. The approval of this proposal will therefore enable the owner of the subject property to address spatial development imbalances caused by apartheid land use and spatial planning.

Spatial Sustainability

Spatial sustainability in the context of land use planning means promoting mixed use environments which allow for a functional space economy to flourish. The approval and implementation of this proposal will entail small scale farming, a guest house and a caravan camping site. This therefore promotes a mixture of complementary land uses and creates an enabling environment for a functional space economy to flourish on the subject farm.

Efficiency

Efficiency refers to the need to create rural areas that optimise on the use of space, energy, infrastructure, resources and land. This proposal is intended to efficiently make use of the tourism potential, space, energy, resources and land on the subject farm within services capacity limits on the property while maintaining the valued rural character of the area.

Spatial Resilience

This proposal is aligned with the PSDF and SDF. The approval and implementation of this application will thus ensure that the subject farm will be able to resist, absorb and accommodate environmental and economic shocks in a timely and efficient manner due to the diversification of land uses proposed in the application.

Good Administration

Good administration in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure

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a joint planning approach is pursued. The proposed development will promote consultative planning as the Municipality will advertise the proposal to the public to allow the comments of the public to be taken into consideration. WRAP will also respond to the comments of the public and take the comments into consideration in the planning of the project. All these measures will ensure that a joint planning approach is pursued to the benefit of the owner of the properties and the community.

WRAP

EVALUATION, CONCLUSION AND RECOMMENDATION

14. EVALUATION AND CONCLUSION

The following is a synopsis of the essential elements that make this proposal viable and practical:

Application
<ul style="list-style-type: none"> • Consent use for a guest house with 5 lettable rooms; and • Consent use for tourist accommodation to accommodate a proposed camping site with 7 caravan camp sites and an ablution block.

Rural fabric
This proposal is in harmony with the valued prevailing rural fabric of the area.

Zoning
<ul style="list-style-type: none"> • The existing dwelling house, agricultural barn, store room and labourers cottage are a primary right; • The proposed guest house and camping site are consent uses and are applied for; • The maximum permissible floor coverage on the subject property is 5 000m² and the existing buildings are 944m²; • There is a 30m building line applicable to the subject property and the nearest building is 185m from the boundary line; • No height restrictions are exceeded; and • There are 37 parking bays required for the proposed land uses and 37 parking bays are indicated in the SDP.

Services availability

Service	Availability yes or no
Electricity	Yes, solar and gas.
Water	Yes, as there is an existing fountain on the property.
Sewage	Yes, conservancy tank for black water and grey water will be re-used.
Access and egress	Yes, as access can be gained from surrounding minor roads.

Environmental considerations

The proposed SDP indicates that none of the proposed camp sites are located within the wetland or the milkwood forest. This proposal can therefore be regarded as environmentally sound.

Desirability

Element for consideration	Motivation	Impact Positive or Negative
Economic impact	The proposed guest house and camping sites will be a positive economic impact in Gansbaai.	Positive
Social impact	The intercultural interaction which will occur in the proposed guest house and camp sites can be regarded as a positive social impact which will enhance social cohesion.	Positive

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EVALUATION, CONCLUSION AND RECOMMENDATION

Scale of the capital investment	The substantial amount of money which the property owner will invest in the proposed camping site illustrates the commitment of the property owner towards the enhancement of the rural environment.	Positive
Impact on safety, health and wellbeing of the surrounding community;	The approval and implementation of this proposal is projected to enhance the safety, health and wellbeing of the surrounding community.	Positive
Impact on heritage	The subject farm is not heritage sensitive.	Positive
Whether the imposition of conditions can mitigate an adverse impact of the proposed land use	The are several conditions of approval which are proposed to ensure that the approval and implementation of this proposal does not adversely impact on neighbouring property owners.	Positive

OMAE

The proposed 5-bedroom guest house complies with all the prescripts of the OMAE.

Spatial planning policies

The compliance of this proposal with the pertinent spatial planning policies was assessed:

Policy	Motivation	Compliance Yes or No
PSDF	The approval and implementations of this proposal will achieve the following: <ul style="list-style-type: none"> • Capitalise on the tourism competitive advantage which the subject property has to offer; • Create employment opportunities; and • Provide a high-quality tourism environment. 	Yes
SDF	The approval and implementations of this proposal will achieve the following: <ul style="list-style-type: none"> • Promote tourism which is based on the ecological value of the subject property; • Maintain the prevailing rural character of the area; and • Maintain the dominance of the natural environment. 	Yes

Planning Principles

Policy	Motivation	Compliance Yes or No
Spatial Justice	Should this application be approved, the implementation thereof will enable the property owner to address spatial development imbalances cause by apartheid spatial and land use planning.	Yes
Spatial Sustainability	The land use diversification which is proposed on the subject property will enhance the spatial sustainability on the subject property.	Yes

File 18/139 (A)

Farm Blomeris 700 Caledon
March 2019 & amended September 2019
Page 22

WRAP

EVALUATION, CONCLUSION AND RECOMMENDATION

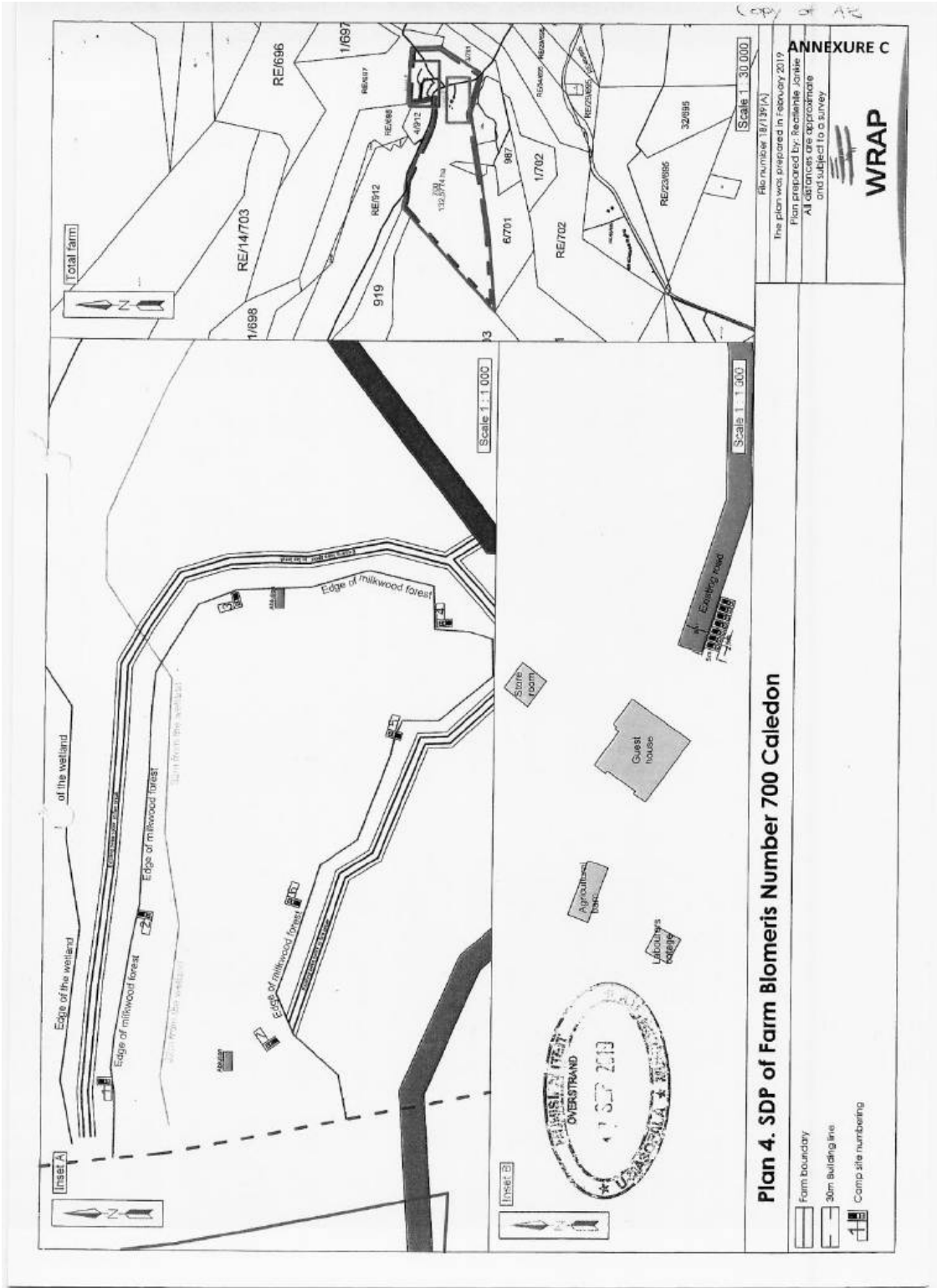
Efficiency	This proposal promotes the efficient use of space on the subject property while maintaining the rural fabric of the area.	Yes
Spatial Resilience	This proposal is aligned with the spatial resilience policy proposal which pertain to this property.	Yes
Good administration	The OM has a credible history of promoting good administration in the processing of land use applications.	Yes

15. RECOMMENDATION

This motivation report has illustrated that the application to confer the most appropriate land use rights for the proposed guest house and camping site is desirable and will enhance the prevailing rural character of the area.

Considering the above, it is recommended that the following be **approved**:

- **Consent use** for a guest house with 5 lettable rooms in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015; and
- **Consent use** for tourist accommodation to accommodate a camping site with 7 caravan camp sites and an ablution block in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015.



Plan 4. SDP of Farm Blomeris Number 700 Caledon

ANNEXURE C
 WRAP

Plan number 18/137/A
 The plan was prepared in February 2019
 Plan prepared by: Seelohle Joubert
 All distances are approximate
 and subject to survey

- Farm boundary
- 30m Building line
- Camp site numbering

TP. N. Ahoort
(S. Udin Name)

ANNEXURE D 1/15



FILE NO:	Farm 700
	Blomeris
SCAN NO:	44
COLLABORATOR NO:	1366702

PO Box 868, Gansbaai, Overberg, Western Cape, 7220
Tel: 082 554 7494

13 December 2019

Overstrand Municipality
Department: Town Planning
16 Paterson Street
Hermanus

Per Email for Attention: aconradie@overstrand.gov.za

SUBJECT: FARM 700 BLOMERIS, CALEDON DIVISION, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: WRAP (obo CJU SWART) - AMENDED

Holistic 888 (PTY) LTD is the registered owner of Berg n Dal Farm, Portion 1 of the farm Wind Heuvel 696.

We fully complied with your documented criteria as stated below.

"Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (t) 0283132093 / (e) aconradie@overstrand.gov.za) on or before 28 June 2019, quoting your name, address and contact details, interest in the application and the reasons for comment."

1. We responded per email to aconradie@overstrand.gov.za
2. We emailed our response / comments on **13 December 2019**.
3. Our name / farm name, address and contact details are clearly quoted.

Farm Name: Berg n Dal

Address: Farm B25, Flower Valley road, Uilenkraal, Gansbaai.

Contact Person: Gert Visser (Director Holistic 888 and Joint owner of Berg n Dal)

Contact No: 0825547494

Email: gvisser@mweb.co.za

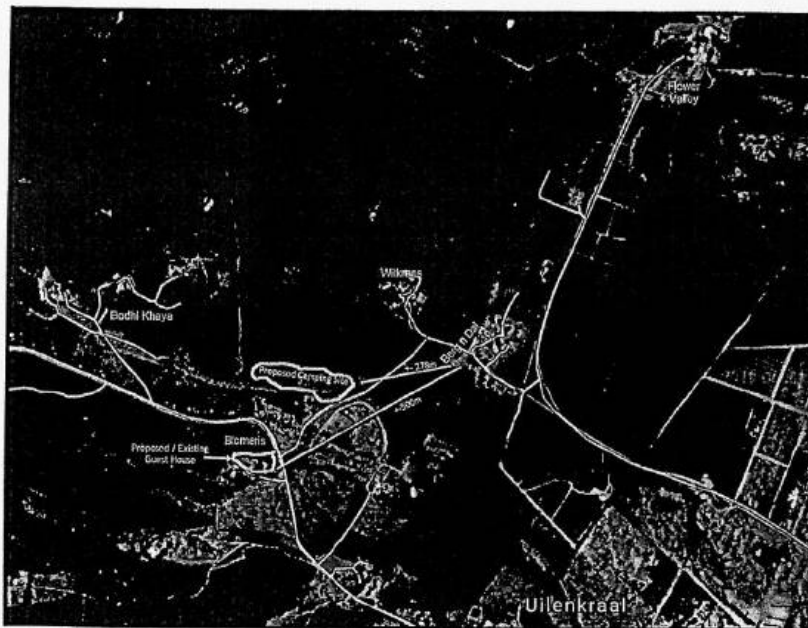
Page 1 of 7

13 DEC 2019



Interest in the application and the reasons for comment:

Our farm is in close proximity to the proposed amended 7 x Camp Sites (approximately 278metres) and approximately 500metres from the proposed / existing Guest house depicted below using Google Maps.





Introduction

Holistic 888 (PTY) LTD became the registered owners of Berg n Dal farm on 24 May 2018 with the main intention to develop and promote eco-tourism in the valley and have invested substantially over the past year to accomplish this.

We have employed a full-time farm manager and also provide work on an ongoing basis to local casuals and are planning to employ more full time local people as we progress.

We have also embarked on an alien clearing program with Environmental Affairs (Natural Resource Management Program) facilitated by Flower Valley Conservation.

Although we understand and trust that this application was also distributed to all relevant Government Departments (i.e. Environmental Affairs, BGCMA, Transport & Public Works / Road Network Management, Western Cape Heritage and others), and will be scrutinized by them, **we hereby record that we are opposed to the amended 7 site camping ground development**, as we believe that we and all other landowners in the Uilenkraal Valley will be impacted negatively should this development be approved.

We have the following concerns regarding the proposed development application and believe that the various types of pollution cannot be adequately managed / controlled in terms of the **Camping sites**.

1. Noise Pollution

7 x Camping sites with 2 people per site in an open air environment will still spoil the tranquility in this beautiful valley where sound travels far, and where tourists have come for many years, in existing establishments, to relax and have peace and quiet in a rural area.

We are also not convinced that the amount of campers per site will and can be controlled?

Noise sources at camp sites that cannot be fully controlled / managed, regardless of the applicant's intention, are:

- Music (Car systems, portable and amplified devices, portable TV's etc.)
- Engine noise from all types of vehicles at all hours of the day and night.
- Human "amplified" noise.
- Dogs barking (if they are allowed)



2. Other forms of Pollution

- **Air Pollution** - Will increase due to the many camp fires and ATV (All Terrain Vehicles) burning fossil fuels, use of generators etc.
- **Light Pollution** – Lights from vehicles coming and going, camp site lighting and lighting from buildings etc.

Light pollution prevents citizens from clearly seeing features of the night sky and has also been shown to impede the migration patterns of birds and the activities of nocturnal animals.

- **Water & Soil Pollution** – With so many people camping in an open air environment and close to a wetland, there is a higher risk of water and soil pollution (sewage spillage, detergents and improper disposing of plastic bags and other rubbish)

We believe that none of the abovementioned types of pollutions can be adequately controlled / managed, and will have a serious negative impact on the existing environment.

3. Fire Risk

Camp sites are synonymous with open fires and can be a huge fire risk for the whole area given the alien infestation and flammable wetland in close proximity.

4. Baboons

We have been working with Cape Nature and other farm owners attempting to manage the large troops of baboons in the area.

The baboons in this area are still wild and have never been fed by humans that we are aware of.

We all ensure that guests are well informed about the baboons, and furthermore guests are accommodated in closed quarters that are mostly baboon proof.

It is well known that camp sites, with their many visitors and variety of food in an outdoor setting, attract baboons and they are also often fed where-after they become a serious nuisance and danger to humans.



5. Roads and Traffic

Both minor roads 4026 and 4027 that will be used for access to the proposed camp site are in poor condition and additional traffic of this magnitude will further deteriorate them and also result in various types of pollution as previously described.

We have been maintaining minor road 4027 together with Flower Valley and Witkrans for the past year and according to the previous Berg n Dal owner and neighbors the municipality has never maintained it, and they always had to perform the maintenance themselves.

6. General

- 6.1 Some unfounded statements are made e.g. Page 10/11 "There is a huge demand for short term rental caravan camping sites on the subject property and within the vicinity. The intent of the property owner is therefore to respond to this growing demand and to ensure that the services and facilities which are offered on the subject property can contribute towards marketing the subject farm and surrounding rural area as a viable tourist destination."

We request proof of this "Huge Demand" and sustainability in terms of the demarcated location as most of the accommodation in the area is not even 50% booked during most of the year.

- 6.2 Page 14 Environmental Considerations "The owner of the subject property has always been aware of the presence of a wetland on the subject property. Cape Farm Mapper was consulted for the delineation of the wetland and it was suspected that the position of the indicated wetland is not correct. Amida Johns was appointed to conduct a wetland vegetation scan of the subject farm and to "ground truth" the edge of the wetland (refer Annexure C)"

We request a copy of Annexure C and wish to confirm the qualification of Amida Johns in terms of Wetland Ecology.

- 6.3 Page 14 Environmental Considerations "Although some of the camp site are located within the 32m buffer from the wetland edge, no construction of development will take place on these campsites and will only be used as a site to park a caravan, tent and vehicle. All structures such as the ablution block and office/kiosk will be constructed outside the 32 m buffer area."



We believe that Caravans have the same detrimental impact on Wetland buffers as basic constructions.

- 6.4 Page 14 "The Camping site will accommodate 2 guests each and no more than 14 people will be accommodated..."

We would like to know how the number of people will be controlled by the applicant and the authorities, and should there ever be more than 14 people camping, will the operation be shut down?

- 6.5 Page 18 Protection of the ecological integrity "Any development along lakes, rivers and dams are forbidden from compromising on the ecological integrity, tourism potential and landscape character. The owner of the subject property has intentionally appointed a specialist to ensure that none of the proposed camping sites will compromise on the sensitive ecological integrity of the wetland."

We request a copy of the specialist report and their qualification in terms of Wetland Ecology.

- 6.6 We believe that there is a shortcoming pertaining to the following Legislations that we trust will be addressed by the Overstrand and the respective responsible Government Departments.

- 6.6.1 National Environmental Management Act and the applicable listed activities that might require an EIA.

We request confirmation from the Department of Environmental Affairs and Development Planning (DEA&DP) regarding the applicability of the act pertaining to this application.

We further request all submissions made to DEA&DP by the applicant.

- 6.6.2 Heritage Resources Act

We request copies of the application to Heritage Western Cape and the ROD from HWC.

- 6.6.3 National Water Act of 1998

We request copies of the comments from Breede Gouritz Catchment Management Agency and the submission made to them by the applicant.

**Conclusion**

Holistic 888 (PTY) LTD believes that there is a place under the sun for everyone provided that others interests are respected and also taken into consideration.

We therefore have no objection to the 5 bedroom guesthouse, but we do believe that the Camping Sites are not in harmony with the rural fabric of the Uilenkraal valley, and furthermore lacks legislative content as aforementioned.

We further trust that our objection and comments will be received in the same spirit as it was intended and trust that the application in terms of the camping sites will be rejected.

Yours sincerely



Gert Visser
Director
Holistic 888 (PTY) LTD
Tel: 082 554 7494
Email: gvisser@mweb.co.za



TP. - A. Theart
(S. Udmanne)

Page 1 of 2
8/15

Alida Municipality - Farm 700 Blomeris, application for consent use

FILE NO:	Kaim 700
	Blomeris
SCAN NO:	Farm 700
COLLABORATOR NO:	1366962

From: "Sean Privett" <sean@privett.co.za>
To: <aconradie@overstrand.gov.za>
Date: 2019/12/13 04:06 PM
Subject: Farm 700 Blomeris, application for consent use
Cc: <sean@privett.co.za>, "Michelle Privett" <michelle@privett.co.za>
Attachments: objection campsites Blomeris 700.pdf

Dear Mr. Muller

Thank you for the opportunity to comment on this application. Firstly we are pleased to see that the number of campsites has been reduced from the original 30 sites to 7 caravan/camp sites. This would appear to be far more in keeping with the low impact tourism that is being developed in the area. Furthermore as stated previously we have no objection to the consent use for the 5 room guest house in the current farm house. However as the closest, and therefore potentially most effected, neighbour we would like to re-iterate our primary concerns as provided in our comments on the original application dated 26 June 2019 and hereto attached for your reference.

1. Control of noise and numbers of campers

Sound travels in the valley and we often hear voices and music from the De Uijlenes wedding venue which is 1.5km away. The proposed campsite is 400m from our guest accommodation and private residence on Witkrans. Groups of campers can be noisy and play loud music. There is no guarantee of the applicant's assertion "that the expected genteel guests will provide security benefits to the area". We are concerned that the development of a campsite so close to our existing residence and tourism accommodation could negatively impact on the sense of place, tranquillity and security of the area and thereby on our nature based tourism enterprise and the livelihoods of the staff we employ. We would like to know how the management of the proposed campsite is going to control and limit the maximum number of campers to 14? How are they going to control day visitors and how are they going to manage noise levels? Are they going to allow music and if so until what time? These may seem like trivial concerns but once approved, who will be responsible for ensuring the terms of the approval are adhered to?

We are also concerned that the proposed campsite will reduce the market value of our two properties owing to the proximity and associated potential noise/disturbance that will emanate from the proposed camp sites (a potential sale of one of our properties has fallen through as a result of the campsite application).

2. Fire threat

We are concerned about the increased fire threat posed by the proposed campsite development. The surrounding area is characterized by highly flammable fynbos which is uniformly in excess of 13 years old. Open fires associated with camping facilities provide a significant increased fire threat to the region. A large wild fire such as occurred in 2006 would have a massive negative economic, ecological and social impact on the region. The applicant has a poor record with regards alien vegetation management on their property and this increases the wildfire danger and associated risks.

We appreciate that the owners of Blomeris are striving to develop the tourism potential of their property, however we are not in favour of a campsite in the proposed location so near to our current tourism operation.

Sincerely

17 DEC 2019

Sean Privett
On behalf of the Privett Trust and Fynbos Trail cc

Fynbos Escapes cc | Witkrans Accomodation | www.witkrans.com | 0824111008

Privett Trust
Witkrans Farm
Gansbaai
May 13, 2019

Schalk van der Merwe
Senior Town Planner
Overstrand Municipality
Po Box 20
Hermanus 7200

26 June 2019

Proposed Consent Use over Blomeris, Farm 700, Caledon District

Dear Schalk

We wish to comment on the proposed consent use on Blomeris, Farm 700. The proposal is for tourist accommodation and tourist facilities in order to provide 5 guestrooms in a guesthouse and 30 campsites and associated office block and office/kiosk.

The Privett Trust has owned Witkrans 697/1 since 2008 and Windheuvel 696/2 since 2017. Both of the properties were purchased by Privett Trust on the basis of the natural beauty, conservation value and tranquility of the location. Over the last eleven years we have invested significant financial and human resources into the properties in order to develop self-catering accommodation and hikers accommodation for The Fynbos Trail (www.fynbostrail.com) on the basis of the regions aforementioned tranquility and natural beauty. The Fynbos Trail has become established as one of South Africa's leading slackpacking hiking trails, consistently being placed No 1 on Tripadvisor for things to do in Gansbaai as well as having received the Getaway Award for 'Best Adventure Destination' in 2016. During the last year alone, 500 local and international nature lovers have hiked the Fynbos Trail, all of whom spend one night of their trail at Witkrans. Furthermore we hosted 1200 bed nights of self-catering visitors over this period. The trail and accommodation is marketed on the basis of the valleys unique natural beauty, peace and tranquility, as is all the other existing tourism products within the area. We currently employ eleven staff in our business, nine of whom are from the local community.

While we have no issues with the owners of Blomeris developing their property for tourism, or the establishment of the proposed guesthouse at the existing farmstead, we are extremely concerned about their proposal to develop a campsite with 30 sites and associated infrastructure on the property. According to the proposal "the proposed land use rights are in harmony with the prevailing rural fabric of the area." Furthermore the motivation states that 'the campsites will not in any way compromise on the health and wellbeing of surrounding communities.' We strongly disagree with these statements as the development of the proposed campsite will negatively impact on the current low

Overstrand Municipality
 June 26, 2019
 Page 2

impact, nature based tourism offerings of the valley, on the overall sense of place and directly on our nature-based tourism products and our family's personal peace and wellbeing.

A full campsite over the weekends or holiday periods will potentially bring anywhere between 100 to 180 visitors onto the camp site. These proposed campsites are only 400m away from our private residence and guest accommodation on Witkrans and just over 1000 m from our guest accommodation at Windheuvel (see Figure 1 below).

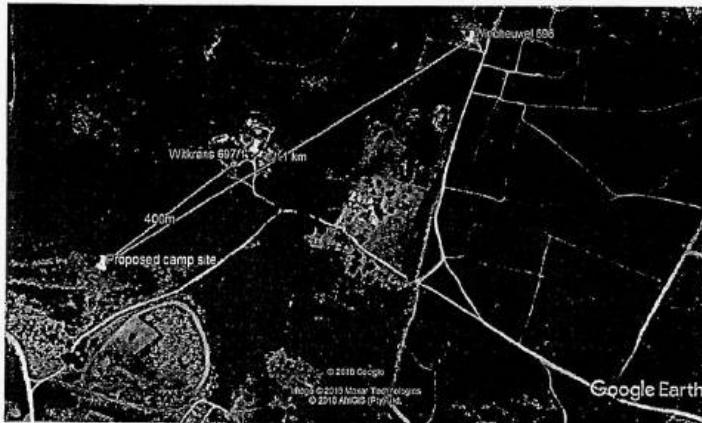


Figure 1. Proximity of proposed new campsites on Blomeris, Farm 700 to existing private residence and guest accommodation on Witkrans 697/1 and Windeuvel 696/2.

Sound travels in the valley and we often hear voices and music from the De Uijlenes wedding venue which is 1.5km away. Campsites are notorious for loud music, drunken and unsocial behavior. There is no guarantee of the applicant's assertion that the expected genteel guests will provide security benefits to the area. There is no fencing or access control between the proposed campsite and our guest accommodation and private residence on Witkrans and we are concerned about the increased likelihood of trespassing and theft. We believe that the development of a campsite so close to our existing residence and tourism accommodation will directly and dramatically negatively impact on the sense of place, tranquility and security of the area and thereby on our nature based tourism enterprise and the livelihoods of the staff we employ.

We have no doubt that the proposed campsite will also significantly reduce the market value of our two properties owing to the proximity and associated noise/disturbance that will emanate from the proposed camp sites.

Overstrand Municipality
June 26, 2019
Page 3

Furthermore, we have the following additional concerns regarding the proposed development application:

1. Impact on natural vegetation

The site development area for the proposed campsites lies between a wetland system and endangered Western Cape milkwood forest. According to the application a specialist was appointed to ensure that none of the proposed camping sites will compromise on the sensitive ecological integrity of the wetland. We question this on the following basis:

- 1.1 Whether Amida Johns (who is noted as the appointed specialist) is a freshwater ecologist and has the expertise to identify and map the wetland ecosystems and its boundary.
- 1.2 Whether she accurately mapped the edge of the wetland (during winter) and the boundary of the milkwood forest as we question the accuracy of the diagram provided which shows a vague sequence of straight lines as the edge of these vegetation types?
- 1.3 We note that there was recent mechanical clearing of natural vegetation on the site (during 2019) in the vicinity of the proposed camping area and associated damage to fynbos including the vulnerable *Leucadendron coniferum* and indigenous forest trees.
- 1.4 That the existing convenient "road in firebreak" network shown in the development plan is non-existent (see figure 2) and puts doubt as to whether the specialist was ever on site for accurate ground truthing.
- 1.5 There is no proof provided that the area proposed for the campsite and associated infrastructure has ever been ploughed, and it has definitely not been ploughed in the last decade. Therefore the site selection and access for the campsites needs to be carefully checked and vetted for species of conservation concern (eg. *Leucadendron coniferum*).

Overstrand Municipality
 June 26, 2019
 Page 4

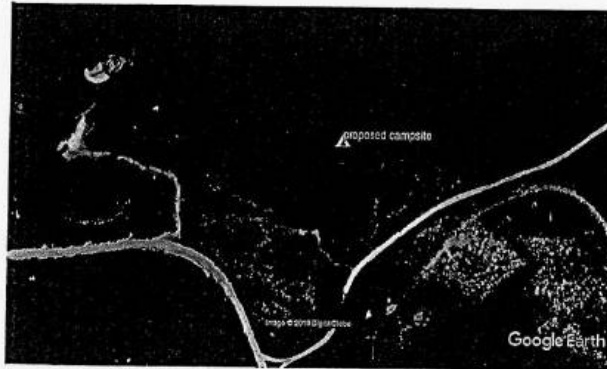


Figure 2. Showing location of the existing campsite and no evidence of existing road in firebreaks.

2. Fire threat

We are concerned about the increased fire threat posed by the proposed campsite development. The surrounding area is characterized by highly flammable fynbos which is uniformly in excess of 13 years old. Open fires associated with camping facilities provide a significant increased fire threat to the region. A large wild fire such as occurred in 2006 would have a massive negative economic, ecological and social impact on the region. The applicant has a poor record with regards alien vegetation management on their property and this increases the wildfire danger and associated risks.

3. Biodiversity conservation

The motivation infers that the proposed consent use can be supported from a desirability point of view due to the fact that it is in line with land use tendencies within the area.

We do not agree with this statement. In essence the proposed development of a campsite is directly opposed to the current conservation and nature based tourism economy of the valley. Sensitive fauna such as Western leopard toad, Cape leopard, Bushbuck, Blue mantis flycatcher, Knysna woodpecker, Forest buzzard amongst many others frequent the milkwood forests and fynbos in the area of the proposed campsite.

The campsite and associated infrastructure will negatively impact on this sensitive fauna of the valley and the general sense of place and sanctuary which we have all strived to develop over the last two decades.

We thank you for considering our position on this application.

Overstrand Municipality
June 26, 2019
Page 5

Sincerely,

Sean Privett

On Behalf of Privett Trust

Alida Conradie - Farm 700 RCAL

From: "Melissa Krige" <info@platbos.co.za>
To: <aconradie@overstrand.gov.za>
Date: 2019/12/09 12:04 PM
Subject: Farm 700 RCAL
Cc: "Krige trees" <krigetrees@gmail.com>

Dear S Muller,

Re: Farm 700 RCAL / Application ID: 2989/2019

Thank you for the amended notice received by registered post.

We have No Objections to the application, but note the following:

We are pleased to hear that no milkwoods will be cut for the facilities but the wording on Page 8 (under point 4. Background and Owners Intent) needs to be amended for record purposes:

All of the indigenous trees on the site are protected as they form part of an indigenous forest. Ref: [SECTION 7(1) OF NATIONAL FORESTS ACT, 1998, AS AMENDED] and a permit is required for any cutting or removal. <https://www.daff.gov.za/daffweb3/Branches/Forestry-Natural-Resources-Management/Woodlands-and-Indigenous-Forest-Management/License-and-Registration>

Sincerely,

Melissa Krige on behalf of the Platbos Conservation Trust

Platbos Forest Reserve, Grootbos Rd, Gansbaai, 7220, Western Cape, South Africa
Tel: 082 4110448
PO Box 1438
Gansbaai
7220
www.platbos.co.za | info@platbos.co.za



TP - A. Thord
(S. Jd Name)

Project Office
Town Planning & Project Management



Our reference: 18/139 A
Your reference: Farm 700 RCAL (2989/2019)

13 January 2020

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200

Attention: Mr Schalk van der Merwe

FARM BLOMERIS 700 CALEDON: APPLICATION FOR CONSENT USE

Your letter 18 December, refers.

An application for the for a consent use for a guest house with 5 lettable rooms and tourist accommodation to accommodate a camping site with 30 sites, ablution block, office/kiosk, was submitted in March 2019.

Objections and comments regarding the application were received from:

- G Hamilton obo Bodhi Khaya Retreat;
- M Krige obo Platbos Conservation Trust;
- R Bailey obo Flower Valley Conservation Trust;
- S Dumont obo Doo Little Escape Farm;
- ER Burger;
- S Privett obo Privett Trust;
- G McIver obo Lomond Wine Estate;
- A Botha obo Louis Botha Family Trust;
- G Visser obo Holistic 888 (Berg 'n Dal);
- M Lutzeyer obo Grootbos Private Nature Reserve;
- Open Serve; and
- Department of Environmental Affairs and Development Planning.

FILE NO: <i>Kam Blomeris 700</i>
SCAN NO: <i>Farm 700</i>
COLLABORATOR NO: <i>1374358</i>

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

Wright Approach Investments
136 CC
(Reg No. 2002/060745/23)

35 Duiker Street,
P O Box 1247
Hermanus, 7200

Tel: +27 (0)28 313 1411
Fax: +27 0865083248

Email: admin@wrapgroup.co.za
Web: www.wrapgroup.co.za

TP 17 JAN 2020

Established 2002



Two meetings were held between the applicant and the objectors on 4 July 2019 and 12 August 2019 respectively. The concerns of the objectors were discussed and after careful deliberation, the applicant decided to scale the proposed development with regards to the camping site down from 30 to only 7 sites. The amended application was circulated to the objectors and objections/comments made by the following individuals are herewith responded to.

- G Visser obo Holistic 888 (Berg 'n Dal); and
- S Privett obo Privett Trust.

The amended application was also supported by M Krige obo Platbos Conservation Trust who objected to the initial application.

Response to noise related considerations.

Objection	<p><i>"Noise Pollution</i></p> <p><i>7 x Camping sites with 2 people per site in an open-air environment will still spoil the tranquillity in this beautiful valley where sound travels far, and where tourists have come for many years, in existing establishments, to relax and have peace and quiet in a rural area.</i></p> <p><i>We are also not convinced that the amount of campers per site will and can be controlled?</i></p> <p><i>Noise sources at camp sites that cannot be fully controlled/ managed, regardless of the applicant's intention, are:</i></p> <ul style="list-style-type: none"> • <i>Music (Car systems, portable and amplified devices, portable TV's etc.)</i> • <i>Engine noise from all types of vehicles at all hours of the day and night.</i> • <i>Human "amplified" noise.</i> • <i>Dogs barking (if they are allowed)."</i>
Response	<ul style="list-style-type: none"> • Portable stereos and electronic devices are designed and made to primarily be heard by the users and the volumes thereof do not allow high volumes which guarantees that neighbouring farm owners will not be impacted by the noise levels. Vehicle music will be monitored by the and controlled by the manager to ensure that noise levels do not become excessive; • Cars and bakkies will not enter and egress the subject site simultaneously but will do so in intervals. This will therefore keep noise levels to a minimum and spread these across the day. Considering that the proposal has been scaled down, vehicular movement will be minimal; • A maximum of 14 people who would reside in the proposed camping site is not projected to lead to the emission of excessive noise which would lead to the discomfort of neighbours. The manager who will be appointed will also monitor the noise levels and instruct the guests to reduce noise in the highly unlikely event that noise levels become unacceptable. • The subject farm is 132,5774 ha in extent and a few pets which will roam around the farm are not projected to bark to such an extent that the noise levels become excessive. All farm owners are permitted to have dogs on farms and the owner of the subject farm is not an exception to this rule.



Objection	<p>"Sound travels in the valley and we often hear voices and music from the De Uijlenes wedding venue which is 1.5km away. The proposed campsite is 400m from our guest accommodation and private residence on Witkrans. Groups of campers can be noisy and play loud music. There is no guarantee of the applicant's assertion "that the expected genteel guests will provide security benefits to the area". We are concerned that the development of a campsite so close to our existing residence and tourism accommodation could negatively impact on the sense of place, tranquillity and security of the area and thereby on our nature-based tourism enterprise and the livelihoods of the staff we employ. How are they going to control day visitors and how are they going to manage noise levels? Are they going to allow music and if so until what time? These may seem like trivial concerns but once approved, who will be responsible for ensuring the terms of the approval are adhered to?"</p>
Response	<p>The management will monitor all noise emitted on the subject property and issue warnings to the visitors in the highly unlikely event that the noise becomes excessive. The objector may also contact SAPS to bring the noise levels down in the unlikely event of excessive noise being emitted.</p>

Response to alleged air pollution related considerations.

Objection	<p><i>"Other forms of Pollution</i></p> <p><i>Air Pollution - Will increase due to the many camp fires and ATV (All Terrain Vehicles) burning fossil fuels, use of generators etc.</i></p> <p><i>Light Pollution - Lights from vehicles coming and going, camp site lighting and lighting from buildings etc.</i></p> <p><i>Light pollution prevents citizens from clearly seeing features of the night sky and has also been shown to impede the migration patterns of birds and the activities of nocturnal animals.</i></p> <p><i>Water & Soil Pollution - With so many people camping in an open-air environment and close to a wetland, there is a higher risk of water and soil pollution (sewage spillage, detergents and improper disposing of plastic bags and other rubbish)</i></p> <p><i>We believe that none of the above-mentioned types of pollutions can be adequately controlled / managed and will have a serious negative impact on the existing environment."</i></p>
Response	<ul style="list-style-type: none"> • A campfire is normally not lit throughout the night but only for a short period, before campers go to sleep. The visual impact thereof will be minimal. There will also not be any generators on the subject property; • The sheer size of the subject farm will not make it possible for the objector to see most of the camp torches and lanterns which will be lit on the subject farm and the placement of the campsites around the Milkwood forest will also not make it possible to see all campsites from a specific point. Guests normally check in at a camping site during the day and therefore do not all enter at night. Campers also normally visit rural camping sites because of the remoteness of the area and do not leave the sites at night. The impact of car lights will therefore be very minimal. A candle is a very small lighting devise which emits light which is not easily



	<p>visible from afar. Lighting from users of the campsite will have an insignificant visual impact. Light also does not impede on the migration patterns of birds.</p> <ul style="list-style-type: none"> The owner will ensure that the hygiene on the subject property is of the highest standard to avoid the environmental hazard concerns which are highlighted by the objector.
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Response to objections related to fire considerations.

Objection	<p><i>"Fire Risk</i> <i>Camp sites are synonymous with open fires and can be a huge fire risk for the whole area given the alien infestation and flammable wetland in close proximity.</i></p> <p><i>We are concerned about the increased fire threat posed by the proposed campsite development. The surrounding area is characterized by highly flammable fynbos which is uniformly in excess of 13 years old. Open fires associated with camping facilities provide a significant increased fire threat to the region. A large wild fire such as occurred in 2006 would have a massive negative economic, ecological and social impact on the region."</i></p>
Response	<p>In the highly unlikely event of fire starting at one of the camp sites, fire extinguishers will be used by the camp site owners and management to extinguish the fire before it spreads to other parts of the subject farm. The proximity of the proposed camping site to a wetland coincidentally means that any fire will not spread to surrounding farms as the wetland would act as a natural fire break.</p>

Objection	<p><i>"That the existing convenient "road in firebreak" network shown in the development plan is non-existent (see figure 2) and puts doubt as to whether the specialist was ever on site for accurate ground truthing."</i></p>
Response	<p>The scaled down proposal does not show a fire break.</p>

Response to objections related to the baboons.

Objection	<p><i>"Baboons</i> <i>We have been working with Cape Nature and other farm owners attempting to manage the large troops of baboons in the area. The baboons in this area are still wild and have never been fed by humans that we are aware of. We all ensure that guests are well informed about the baboons, and furthermore guests are accommodated in closed quarters that are mostly baboon proof. It is well known that camp sites, with their many visitors and variety of food in an outdoor setting, attract baboons and they are also often fed where-after they become a serious nuisance and danger to humans."</i></p>
Response	<p>The property owner is committed to ensuring that all baboon-proof bins will be closed at all times. The guest will also be informed that the feeding of baboons is strictly prohibited.</p>

Response to access related considerations.

Objection	<p><i>"Roads and Traffic</i></p>
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	<p>Both minor roads 4026 and 4027 that will be used for access to the proposed camp site are in poor condition and additional traffic of this magnitude will further deteriorate them and also result in various types of pollution as previously described.</p> <p>We have been maintaining minor road 4027 together with Flower Valley and Witkrans for the past year and according to the previous Berg n Dal owner and neighbours the municipality has never maintained it, and they always had to perform the maintenance themselves."</p>
Response	<p>The insufficient maintenance of roads which is claimed by the objector cannot be used as an excuse to justify the refusal of the submitted application. It is therefore suggested that the objector raise the maintenance concerns pertaining to minor road 4026 and 4027 with the District Municipality which is responsible for maintaining minor roads.</p>

Response to objections pertaining to supply and demand of tourist accommodation.

Objection	<p>"Some unfounded statements are made e.g. Page 10/11 "There is a huge demand for short term rental caravan camping sites on the subject property and within the vicinity. The intent of the property owner is therefore to respond to this growing demand and to ensure that the services and facilities which are offered on the subject property can contribute towards marketing the subject farm and surrounding rural area as a viable tourist destination."</p> <p>We request proof of this "Huge Demand" and sustainability in terms of the demarcated location as most of the accommodation in the area is not even 50% booked during most of the year."</p>
Response	<p>The development proposals which developers draft are normally in response to market demands and trends and not done arbitrarily or whimsically. The submitted proposal illustrates that there is a definite need for camping sites in the rural area which the owner of the subject property is responding to.</p>

Response to environmentally related considerations.

Objection	<p>"Page 14 Environmental Considerations "The owner of the subject property has always been aware of the presence of a wetland on the subject property Cape Farm Mapper was consulted for the delineation of the wetland and it was suspected that the position of the indicated wetland is not correct. Amida Johns was appointed to conduct a wetland vegetation scan of the subject farm and to "ground truth" the edge of the wetland (refer Annexure C)"</p> <p>We request a copy of Annexure C and wish to confirm the qualification of Amida Johns in terms of Wetland Ecology."</p>
Response	<p>Annexure C, indicating the wetland delineation, was attached to the application document. Amida Johns has the relevant qualifications required and is a highly regarded specialist in the subject field.</p>
Objection	<p>"Page 14 Environmental Considerations "Although some of the camp site are located within the 32m buffer from the wetland edge, no construction of development will take place on these campsites and will only be used as a</p>



	<p>site to park a caravan, tent and vehicle. All structures such as the ablution block and office/kiosk will be constructed outside the 32 m buffer area. We believe that Caravans have the same detrimental impact on Wetland buffers as basic constructions.</p> <p>We believe that there is a shortcoming pertaining to the following Legislations that we trust will be addressed by the Overstrand and the respective responsible Government Departments.</p> <p>National Environmental Management Act and the applicable listed activities that might require an EIA.</p> <p>We request confirmation from the Department of Environmental Affairs and Development Planning (DEA&DP) regarding the applicability of the act pertaining to this application.</p> <p>We further request all submissions made to DEA&DP by the applicant."</p>
Response	An environmental response issued by DEADP confirmed that the proposed camping sites do not constitute a listed activity.

Objection	<p>"Page 18 Protection of the ecological integrity "Any development along lakes, rivers and dams are forbidden from compromising on the ecological integrity, tourism potential and landscape character. The owner of the subject property has intentionally appointed a specialist to ensure that none of the proposed camping sites will compromise on the sensitive ecological integrity of the wetland."</p> <p>We request a copy of the specialist report and their qualification in terms of Wetland Ecology.</p>
Response	The Wetland Vegetation Scan which was submitted with the planning application illustrates the qualifications of Amida Johns.

Objection	<p>"We note that there was recent mechanical clearing of natural vegetation on the site (during 2019) in the vicinity of the proposed camping area and associated damage to fynbos including the vulnerable <i>Leucadendron coniferum</i> and indigenous forest trees.</p> <p>There is no proof provided that the area proposed for the campsite and associated infrastructure has ever been ploughed, and it has definitely not been ploughed in the last decade. Therefore, the site selection and access for the campsites needs to be carefully checked and vetted for species of conservation concern (eg. <i>Leucadendron coniferum</i>)."</p>
Response	The property owner made every attempt during the clearing of the alien vegetation to avert clearing indigenous vegetation.

Objections pertaining to the scale of the submitted proposal.

Objection	"Page 14 "The Camping site will accommodate 2 guests each and no more than 14 people will be accommodated ..."
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	<i>We would like to know how the number of people will be controlled by the applicant and the authorities, and should there ever be more than 14 people camping, will the operation be shut down?"</i>
Response	The owner of the subject property is committed towards restricting activities on the subject property to 14 people. The general public may however lay a complaint to the OM in the highly unlikely event that this number is exceeded. This would lead to action taken against the property owner.

Response to objections pertaining to heritage resources.

Objection	<i>"We request copies of the application to Heritage Western Cape and the ROD from HWC."</i>
Response	The submitted proposal does not trigger any listed activities in terms of the National Heritage Resources Act.

Response to water related considerations.

Objection	<i>"We request copies of the comments from Breede Gouritz Catchment Management Agency and the submission made to them by the applicant."</i>
Response	The BGCMA has no water related objection to the submitted proposal.

Objection	<i>"We are also concerned that the proposed campsite will reduce the market value of our two properties owing to the proximity and associated potential noise/disturbance that will emanate from the proposed camp sites (a potential sale of one of our properties has fallen through as a result of the campsite application)."</i>
Response	<p>The objection is based on the assumption that the approval and implementation of this proposal will lead to the devaluation of the above properties.</p> <p>SPLUMA highlights the following in Section 7 (vi) of SPLUMA highlights the following:</p> <p>"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."</p> <p>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.</p>

Response to objections related to the clearance of alien vegetation.

Objection	<i>"We are concerned about the increased fire threat posed by the proposed campsite development. The surrounding area is characterized by highly flammable fynbos which is uniformly in excess of 13 years old. Open fires associated with camping facilities provide a significant increased fire threat to the region. A large wild fire such as occurred in 2006 would have a massive negative economic, ecological and social impact on the region. The</i>
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	<i>applicant has a poor record with regards alien vegetation management on their property and this increases the wildfire danger and associated risks."</i>
Response	<p>The concerns highlighted by the objector regarding alien vegetation on the subject property is noted and is also a concern to the owner of the subject farm.</p> <p>The existing income from the farm is just not sufficient to spend money on the removal of alien vegetation and forms the base of the application for tourist related facilities which can generate additional income which can be used for the clearance of alien vegetation.</p>

Response to objections pertaining to the impact and implication of the approval and implementation of this proposal.

Objection	<p>"We wish to comment on the proposed consent use on Blomeris, Farm 700. The proposal is for tourist accommodation and tourist facilities in order to provide 5 guest rooms in a guesthouse and 30 campsites and associated office block and office/kiosk.</p> <p>While we have no issues with the owners of Blomeris developing their property for tourism, or the establishment of the proposed guesthouse at the existing farmstead, we are extremely concerned about their proposal to develop a campsite with 30 sites and associated infrastructure on the property. According to the proposal "the proposed land use rights are in harmony with the prevailing rural fabric of the area." Furthermore, the motivation states that 'the campsites will not in any way compromise on the health and wellbeing of surrounding communities.' We strongly disagree with these statements as the development of the proposed campsite will negatively impact on the current low impact, nature based tourism offerings of the valley, on the overall sense of place and directly on our nature-based tourism products and our family's personal peace and wellbeing."</p>
Response	<p>The objection is made against 30 camping sites and not the 7 sites illustrated in the amended application. Considering that the application submitted is of a much lower scale than 30 camping sites, the impact on the objector will be substantially less which nullifies the objection submitted.</p>
Objection	<p>"A full campsite over the weekends or holiday periods will potentially bring anywhere between 100 to 180 visitors onto the camp site. These proposed campsites are only 400m away from our private residence and guest accommodation on Witkrans and just over 1000 m from our guest accommodation at Windheuwel"</p>
Response	<p>There will be a maximum of 14 visitors in the proposed camping site and not 180 as asserted by the objector.</p>
Objection	<p>"Sound travels in the valley and we often hear voices and music from the De Uijlenes wedding venue which is 1.5km away. Campsites are notorious for loud music, drunken and unsocial behaviour. There is no guarantee of the applicant's assertion that the expected genteel guests will provide security benefits to the area. There is no fencing or access control between the proposed campsite and our guest accommodation and private residence</p>



	<p><i>on Witkrans and we are concerned about the increased likelihood of trespassing and theft. We believe that the development of a campsite so close to our existing residence and tourism accommodation will directly and dramatically negatively impact on the sense of place, tranquillity and security of the area and thereby on our nature based tourism enterprise and the livelihoods of the staff we employ."</i></p>
<p>Response</p>	<p>De Uijlens is a place of entertainment and the submitted town planning application cannot be refused based on the alleged unruly behaviour of other property owners.</p> <p>Because the campsite which the objector refers to plays loud music, accompanied by drunken and unsocial behaviour, it is opportunistic to assume that the same will occur on the subject property when the management and rules of the subject camp site will be different to those which the objector has become accustomed to. The expected genteel guests which will visit the subject camp site will therefore not interfere with the peace and comfort which the objector enjoys in the area.</p>

Conclusion

The objections primary relates to environmental and water considerations for which authorisation has been obtained. The small scale of the amended proposal also is not projected to have any adverse impact on surrounding property owners.

The fact that the objections were reduced from 12 to 2 also indicates that the surrounding property owners are more accepting of the amended application.

Yours faithfully

A handwritten signature in black ink, appearing to read "Rea Jankie".

REA JANKIE
TOWN PLANNER (B/8392/2017)

ANNEXURE F



File reference:	RCAL 700 (2969/2019)
Date:	23 May 2019
	U

INTERNAL MEMORANDUM

From	:	Town Planning Department
Town Planner	:	Schalk van der Merwe

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>	Local Heritage Committee
<u>Operational Services</u>	Traffic Department	<u>Ward Councillor (Clr. R. De Coning)</u>	<u>Waste Management</u>
<u>Tourism</u>			

Applicant	WRAP (obo CJU SWART)
Property Details	FARM 700 BLOMERIS, CALEDON DIVISION
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.	Site Development Plan	
4.	Motivation	

YOUR DEPARTMENT'S COMMENTS:

No objection for solid waste planning.	
The solid waste generated by the proposed activities will need to be properly managed, transported and disposed of at the Gansbaai landfill site by the applicant.	
If the waste is stored or accumulated prior to been transported for disposal then the site should have a dedicated waste storage area as per part U of the National Building Regulations (SANS 10400).	
Signature:	<i>[Signature]</i> Date: 23 MAY 2019

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 property/ies are in accordance with the approved building plans.

COMMENTS REQUIRED

28 JUNE 2019

BY:

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: FARM 700 BLOMERIS, CALEDON
DIVISION (2989/2019)**

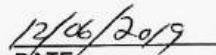
Electricity	:	Eskom area
Stormwater	:	No services available
Water	:	No services available
Sewer	:	No services available
Roads and traffic	:	No services available

Conditions:

1. that the developer arrange with ESCOM for the provision of electricity and that he complies with all conditions as may be set by ESCOM;
2. that no water service from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permit from the applicable authorities (water affairs, health, BOCMA etc.) for the use of any other water resources and the extraction thereof;
3. that the quality of potable water comply with SANS0241 standards and that relevant proof be submitted to the Senior Manager : Engineering Services, Overstrand Municipality;
4. that no sewerage service from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permit from the applicable authorities (water affairs, health, etc.) for the use of any sewage disposal;
5. that the owner will be responsible for the removal of sewerage from the proposed development, and the safe disposal thereof at a licensed municipal sewerage treatment facility.
6. that, alternatively, the developer will be responsible to obtain the necessary approval, licences and permits from the applicable authorities (water affairs, health, etc.) for the use of any other method of sewage disposal;
7. that the owner is responsible for the removal of all refuse generated on the property and the disposal thereof at a registered municipal waste transfer station or –waste disposal facility.
8. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and the Department of Water Affairs for approval;

9. that the developer complies to all the conditions set by Department Of Water & Environmental Affairs;
10. that on-site parking facilities are provided as per Planning Schedule and to the satisfaction of the Department: Operational Services;
11. that the developer will arrange with Provincial Administration to obtain approval for any new access from the Provincial road.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE



FILE NO:	Farm 700
SCAN NO:	
COLLABORATOR NO:	1293439



OVERSTRAND MUNICIPALITY

Date:
13.06.2019

TP A Theart
(Suidmerwe)

ATTEN: A CONRADIE

Enquiries:
Mrs Toni Parkes
Tel 021 980 3919

WAYLEAVE APPLICATION: PROPOSED CONSENT USE, FARM 700 BLOMERIS, CALEDON
DIVISION, OVERSTRAND MUNICIPAL AREA

OUR REF: 00898-19
YOUR REF: RCAL700

I hereby inform you that Eskom 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.

- 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

- 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

- 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

- f) That existing Eskom power lines and infrastructure are acknowledged as established

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

Eskom Holdings SOC Limited Reg No 2002/015527/30

14 JUN 2019

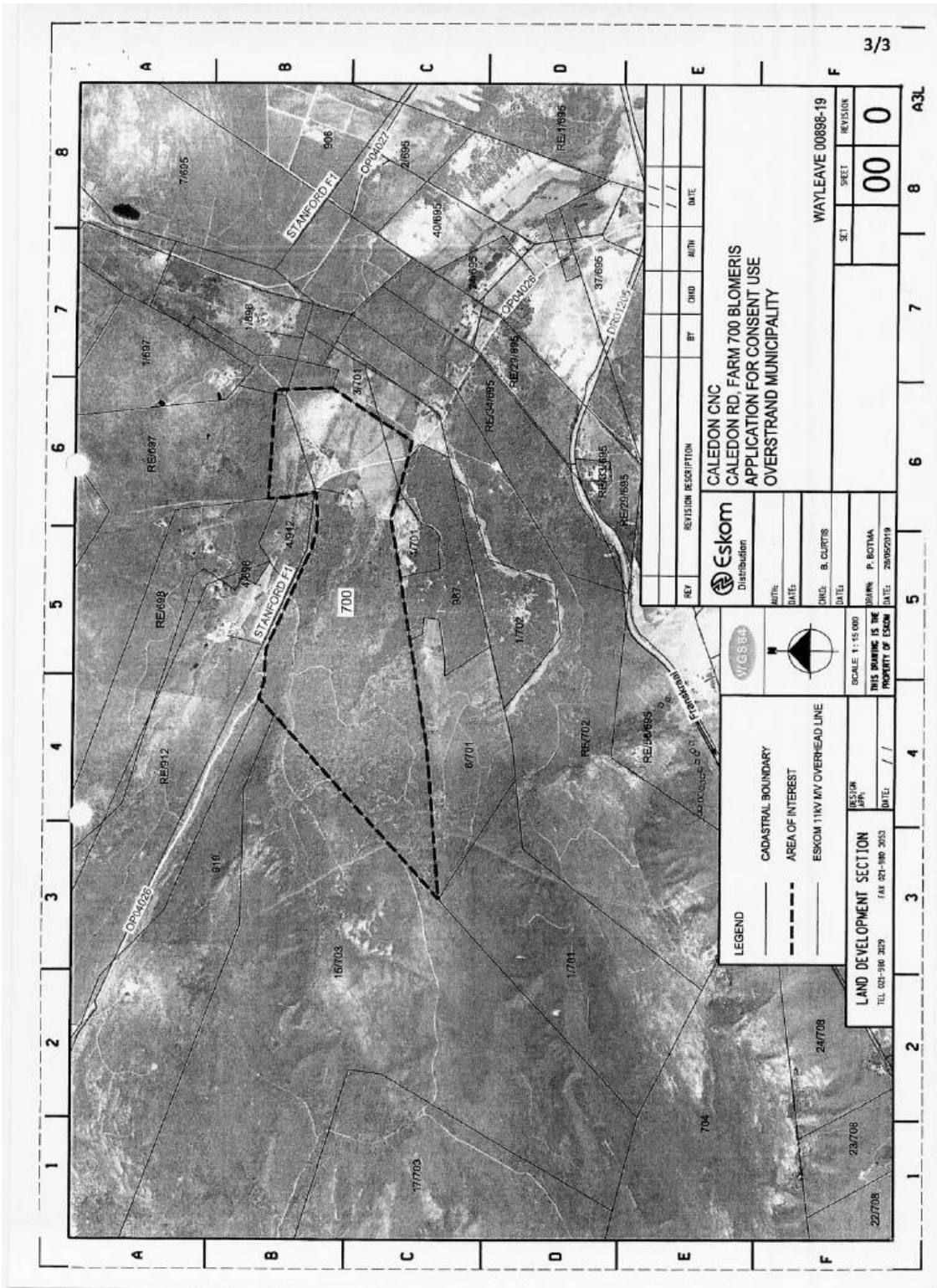


infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.

- 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.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)



REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE

Eskom
Distribution

DATE: / /
DATE: / /
DATE: / /
DATE: / /

DRAWN: P. BOTMA
DATE: 2006/2019

SCALE 1:15 000
THIS DRAWING IS THE PROPERTY OF Eskom

ESKOM
TEL: 021-380 2019 FAX: 021-380 2053

WAYLEAVE 00898-19

SET	SHEET	REVISION
	00	0

3/3

A3L

OVERBERG

DISTRIKSMUNISIPALITEIT
DISTRICT MUNICIPALITY
UMASIPALA WESITHILI



MELD ASB/PLEASE QUOTE

Ons Verw./Our Ref.: 18/3/19/6/2/2

Navrae/Enquiries: C Adams

Bylyn/Ext.: 028-3131243

Privaatsak: X22

Private Bag:
BREDASDORP
7280

Tel: (028) 4251157

Fax: (028) 4251014

Hermanus Office

15 Flower Street

Hermanus

7200

1 July 2019

Town Planning Department
Overstrand Municipality
PO Box 20
HERMANUS
7200

CONSENT USE: FARM 700 BLOMERIS, A DIVISION OF CALEDON

Water

Drinking water must comply with SANS 241 as amended. Grey water from kitchen facilities cannot be used for irrigation as it contains organic material from wash-ups and should therefore be part of the black water. Grey water from showers and baths to be used for irrigation. Applicant should confirm compliance of potable water, by means of sampling results with a registered lab which did analysis.

Waste

Containers for the collection of refuse to be supplied on the premises. Refuse to be removed to the municipal waste dumping site.

Food

If meals are to be served to guests in the Guest house, the owner must apply to ODM for a Certificate of Acceptability. The kiosk must also apply for a Certificate of Acceptability.

Your co-operation in this regard will be appreciated

Yours truly,

MUNICIPAL MANAGER
CA/nc

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word.
All correspondence must be addressed to the Municipal 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

REFERENCE: 16/9/6/1-21/180 (Job 26983)
ENQUIRIES: Ms GD Swanepoel
DATE: 2 July 2019

The Municipal Manager
 Overstrand Municipality
 PO Box 20
HERMANUS
 7200

Attention: Mr S van der Merwe

Dear Sir

FILE NO:	
SCAN NO:	
COLLABORATOR NO:	1350058 1297182

FARM BLOMERIS 700, CALEDON DIVISION, OVERSTRAND MUNICIPAL AREA: MINOR ROADS 4026 AND 4027: PROPOSED CONSENT USE

1. Your letter Farm 700, RCAL dated 23 May 2019 refers.
2. The subject property is located 9km east of Gansbaai and takes access off Minor Roads 4026 and 4027.
3. This application is for consent use in order to accommodate a guesthouse with 5 lettable rooms and tourist accommodation consisting of a camp site (30 sites), ablution block and office/kiosk.
4. As this Branch is under no obligation to maintain the affected Minor Roads, the Applicant must prepare a Report on the current condition of the Minor Roads and liaise with the District Roads Engineer, Paarl (021 863 2020), with respect to the required future maintenance.
5. This Branch offers no objection to the application in terms of the Land Use Planning Act, No 3 of 2014, subject to the Applicant preparing a Report on the condition of the affected portion of Minor Road 4027 and accepting the maintenance conditions specified by the District Roads Engineer, Paarl.

Yours faithfully


SW CARSTENS
 For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

ENDORSEMENTS

1. Overstrand Municipality
Attention: Mr S van der Merwe (e-mail: svdmerwe@overstrand.gov.za)
2. WRAP
Attention: R Jankie (e-mail: wrap@telkomsa.net)
3. District Roads Engineer
Paarl
4. Mr SW Carstens (e-mail)
5. Mr F Fakier (e-mail)

ANNEXURE K 1/4



TR A Theart
CH Olivier

FILE NO:	Farm 700
	GR
SCAN NO:	
COLLABORATOR NO:	1302051

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_WFKS2150_19

Your Ref.: Farm 700 RCAL 2989/2019

9 July 2019

Attention: S Muller

Overstrand Municipality
HERMANUS

APPLICATION FOR CONSENT USE: FARM 700 BLOMERIS

With reference to your letter received May 2019.

I hereby inform you that Open Serve 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.

As per the drawing supplied, Open Serve infrastructure **will not be affected**. However, care should still be taken should it be evident that there is in fact Open Serve network present on the actual sites.

Please notify this office immediately if you locate any Open Serve plant that was not indicated. Please contact our representative **Frederik Swart** at telephone number **028 514 1199 / 081 363 7815 / FrederikS@openserve.co.za**

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.


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



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

All Open Serve rights remain reserved.

Yours faithfully



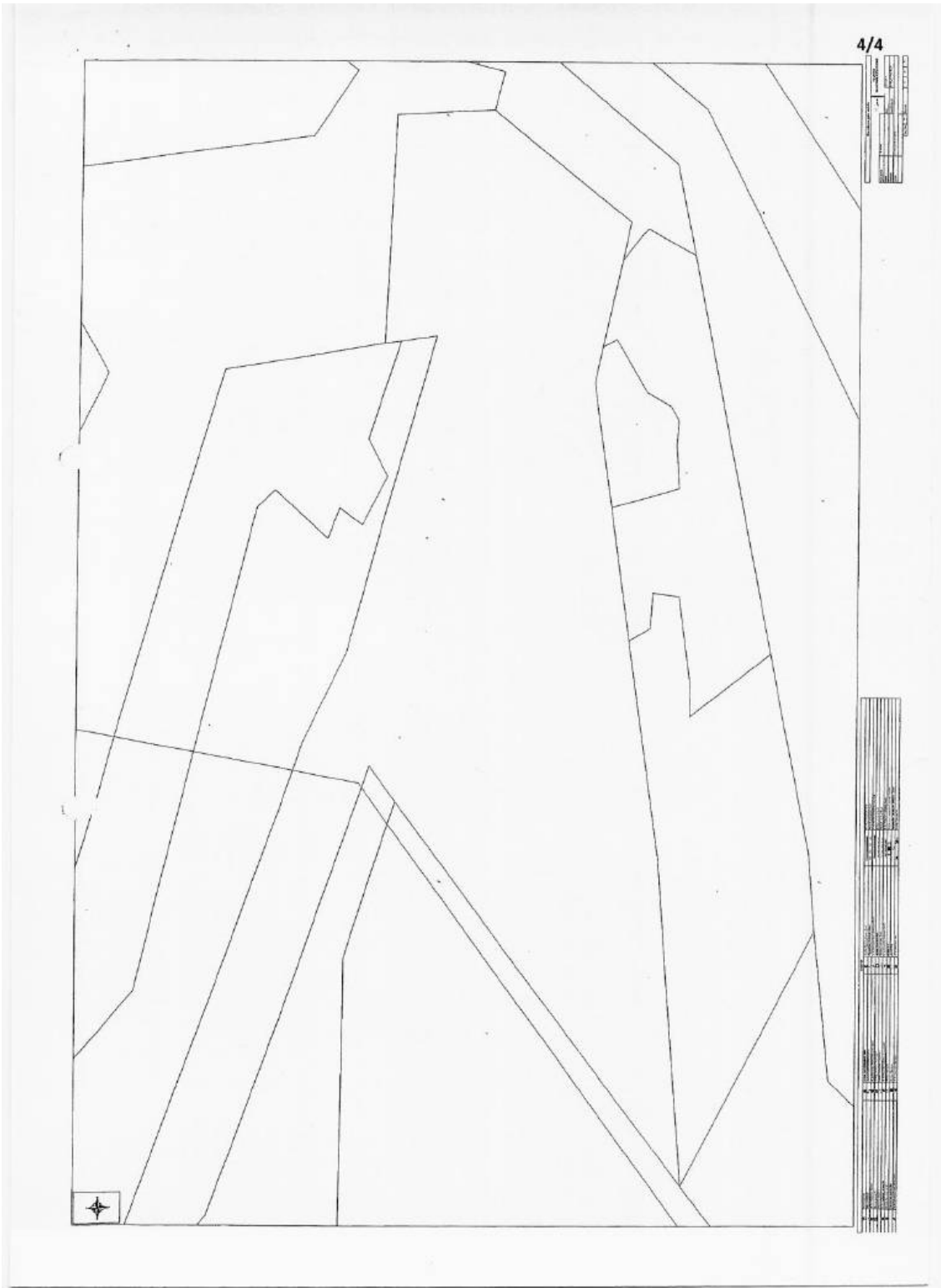
Selwyn Bowers
Operations Manager
Wayleave Management: Western Region

PLANT NOT AFFECTED

If any plant not indicated exists and information or supervision is required please contact this office at least 48 hours before any work commences.

Frederik Swart		081 363 7815	
<u>Reference number</u> WWIP_WFKS2150_19	<u>Marked Up</u> Candice Spammer	<u>Date</u> 09-Jul-19	







DIRECTORATE: DEVELOPMENT MANAGEMENT
(REGION 2)

E-mail: development@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/eadp

TP - A. Th... ANNEXURE L 1/2
(S. v. d. Merwe)

REFERENCE: 15/3/2/12/B03

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



Sir

FILE NO: Farm 700 Blomeris
SCAN NO: 29
COLLABORATOR NO: 1357989

e-mail: development@overstrand.gov.za

COMMENT: AMENDED APPLICATION FOR CONSENT USE: FARM 700 BLOMERIS, DIVISION CALEDON

1. The abovementioned amended application and this Directorate's previous letter dated 12 June 2019, refers.
2. This Directorate has no objection to the development proposal to establish guesthouse facilities with 5 lettable rooms, and tourist accommodation consisting of a caravan camping site with an ablution block.
3. The amended proposal consisting of 7 caravan camping sites is in line with principles of the Western Cape Land Use Planning Guidelines: Rural Areas, 2019, which restricts camping sites to a low impact scale of a maximum of 10 camping sites, as to keep development within the context of the area and its surrounding character.
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: marie-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.

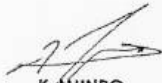
2nd Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 3544 Fax: +27 21 483 3633

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

Page 1 of 2

TP 19 NOV 2019

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: 13.11.2019



Western Cape
Government
Environmental Affairs and
Development Planning



Development Management
Region 1

TP. A. Ince
(S. Johnstone)

REFERENCE: 16/3/3/6/E2/27/1383/19
ENQUIRIES: Ntanganedzeni Mabasa
DATE: 2019 -12- 12

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

FILE NO:	Farm 700 Blomeris
SCAN NO:	
COLLABORATOR NO:	1366480

Attention: SW van der Merwe

Tel: (028) 313 8900
Fax: (028) 313 2093

Dear Sir

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) APPLICATION FOR THE PROPOSED CONSENT USE ON FARM NO. 700, BLOMERIS, CALEDON.

1. The abovementioned document dated 04 November 2019, as received by this Department on 08 November 2019, refers.
2. This letter serves as an acknowledgement of receipt of the abovementioned document by this Department.
3. According to the information contained in the correspondence, this Department notes the proposal entails the following:
 - 3.1 An application for a proposed consent on Farm No. 700, Blomeris in terms of the Overstrand By-Law on Municipal Land Use Planning to accommodate the following:
 - 3.1.1 Conversion of an existing house into a guesthouse with 5 lettable rooms; and
 - 3.1.2 Tourist accommodation consisting of a camping site with 7 caravan camp sites and an ablution block that will accommodate a maximum of 14 people.

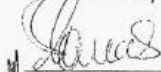
38 Riebeek Street, Cape Town, 8001
Tel: (021) 461 9000 Fax: (021) 461 9093
Email: info@ecdp.gov.za

28 Riebeek Street, Cape Town, 8001
Tel: (021) 461 9000 Fax: (021) 461 9093
Email: info@ecdp.gov.za

13 DEC 2019

- 3.2 The existing buildings measure approximately 944m², and the proposed individual camping sites will not contain any buildings or structures. The only building is the ablution block.
 - 3.3 The site contains a wetland, milkwood trees and a watercourse traverses the western portion of the farm.
 - 3.4 Although some of the camp sites are located within the 32m buffer of the wetland edge, no construction or development will take place on the camp sites and will only be used to park a caravan, tent and vehicle.
 - 3.5 Access to the camp sites will be via existing tracks that will not be upgraded.
 - 3.6 The current zoning of the site is Agricultural Zone 1 and the current use is small-scale livestock farming.
4. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that, based on the information provided, the proposed application for the proposed consent use on Farm No. 700, Blomeris will not trigger listed activities as defined in terms of the EIA Regulations, 2014 (as amended). Environmental Authorisation is therefore not required.
 5. The above is based on the following:
 - 5.1 An existing house will be converted into a guesthouse.
 - 5.2 The camp sites will accommodate a maximum of 14 people.
 - 5.3 No construction will be undertaken within 32m of the watercourse on the site.
 6. Should any revision of the proposed development trigger any listed activity(ies) as defined terms of Listing Notice 1, 2 & 3, an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.
 7. The applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
 8. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully



**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**



BREED-GOURITZ
CATCHMENT MANAGEMENT

TP. D. /head
(S. van der Merwe)
cc: 11. Bignat.

ANNEXURE N 1/2 Key

FILE NO:	Farm 700 ✓
SCAN NO:	Blomeris
COLLABORATOR NO:	Farm 700
	1368533

51 Baring Street Worcester 6850, Private Bag X3055 Worcester 6850

Enquiries: F. Smith Tel: 023 346 8000 Fax: 023 347 2012 E-mail: fsmith@bgcma.co.za

Our Reference no: 4/10/1/G40M/Farm Blomeris 700, Caledon RD

Date: 12 December 2019

Overstrand Municipality
P. O. Box 20
Hermanus
7200

For Attention: S. W. van der Merwe

Sir/Madam,

FARM BLOMERIS, CALEDON DIVISION, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: WRAP (obo CJU SWART).

With reference to the Amended Notice, as contained within your latest letter dated 04/11/2019, together with the report by WRAP (18/139 A), herewith the following:

The BGCMA has no objection against the proposed consent use, based on the following:

1. An initial letter dated 23/05/2019 was sent to BGCMA for comment. BGCMA then requested extension (30/07/2019) to enable a site visit and consultation with the property owner. The site visit was conducted on 06/08/2019.
2. During this consultation, it was found that a wetland is present on the property. This was confirmed by the Freshwater Ecologist of the BGCMA. The applicant was then advised to amend the original proposal in order to safeguard the wetland.
3. The amended application was received by BGCMA. BGCMA is confident that the applicant understands the importance of preserving the wetland as the mandement of plans includes the reduction of thirty (30) camping sites to only seven (7).
4. The applicant furthermore, should ensure that all relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use be adhered to.
5. Polluted storm water should be contained and managed in such a way that it does not pose an additional threat to surface- and groundwater resources.

6. An Agreement between Overstrand municipality and the applicant should be put in place for the receiving and treatment of raw sewage from the camping site.
7. Water for drinking purposes should adhere to SANS: 241 quality standards.

Please be advised that no activities may commence without the appropriate approvals/authorizations (where needed) from the responsible authority.

The onus remains with the registered property owner to confirm adherence to any relevant legislation that such activities might trigger and/or need authorization for.

Also be advised that the comment provided is in the interest of responsible water resource management. The BGCMA will gladly comment on any additional information provided for review. The BGCMA reserves the right to revise initial comments and request further information based on any additional information that might be received.

Please do not hesitate to contact this office if you have any further queries.

Please ensure to quote the above reference in doing so.

Yours faithfully,



P.P.
JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)

Office of the Director:
Infrastructure & Planning
Environmental Management

OVERSTRAND ENVIRONMENTAL SECTION

Kantoor van die Direkteur:
Infrastruktuur & Beplanning
Omgewingsbestuur

Enquires Benjamin Kondokter
Navrae
Imibuzo

Ref Farm 700 Blomeris

Datum
Date 16 January 2020
Isuku

To Alida (Town planning) via email

**RE: APPLICATION FOR CONSENT USE OF FARM 700 BLOMERIS,
CALEDON DIVISION**

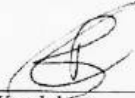
Overstrand Environmental Management Section wishes to comment on the application for consent use of Farm 700 Blomeris. The above mentioned application does not have any implications on the NEMA Regulations and Overstrand Environmental Management Overlay Zone (EMOZ) but the Environmental Management Section wants to comment the following:

- **Refuse waste must be removed on a regular basis at the camp site and guest house to a registered waste dumping site according to the Waste Management Act**
- **No structures must be erected within the 32m of a watercourse**
- **Owner must apply for a permit for trimming /cutting of protected trees (milk wood trees) at DEFF (Forestry)**

The Environmental Management Section does not have any objection to the above mentioned application.

Please feel free to contact me should any questions arise.

Regards



B. Kondokter
Nms: MR S MULLER
DIRECTOR: INFRASTRUCTURE & PLANNING

Cc: Penelope Aplan: Environmental Manager



**Western Cape
Government**

Agriculture



TP - n. / (ANNEXURE P 1/2)
(S. vd Merwe)

Cor Van Der Walt
LandUse Management
Email: LandUse.Elsenburg@elsenburg.com
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/4/2/141
YOUR REFERENCE : Farm 700, RCAL
ENQUIRIES : Cor van der Walt

Overstrand Municipality
PO Box 20
HERMANUS
7200

FILE NO:	Farm 700
	Blomeris ✓
SCAN NO:	Farm 700
COLLABORATOR NO:	1382173

Att: SW van der Merwe

**APPLICATION FOR CONSENT USE: DIVISION CALEDON
FARM NO 700, BLOMERIS**

Your application of 04 November 2019 has reference.

The Western Cape Department of Agriculture: Land Use Management has no objection against the proposed application with the following conditions:

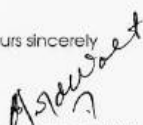
1. The proposed dwellings must not lead to the alienation and or fragmentation of ownership of land deemed as agricultural land and that may be in conflict with the objectives of the subdivision of Agricultural land Act 70 of 1970.
2. The proposed dwellings should be compact, unobtrusive, and respect the local vernacular and must be placed and managed in such a way that:
 - They do not impact on the farming and agri tourism activities of the surrounding farming units (e.g. noise pollution, dust generation, product security).
 - The proposed additional dwellings are placed on localities where they will not contribute to the loss of high potential agricultural land. It is therefore advised that these dwellings are clustered together on localities outside the intensive agricultural areas, as stated.

- They do not result in excessive expansion and encroachment of building development into the farm area.
- The proposed additional dwellings are placed on localities where they will not interfere in the daily agricultural activities (plough and harvest routes of farming implements).
- They are placed on localities where they will not contribute to the loss of Critical Biodiversity Areas; Critical Ecological Support Areas; Buffer Areas to Critical Biodiversity Areas.
- If they are placed on localities near to rivers and ecological corridors the listed activities in terms of the National Environmental Management Act No 107 of 1998 as well as principles of the PSDF must be noted.
- They do not contribute to soil erosion.
- They are placed on localities where no new roads need to be constructed and informed by existing on-line services network.
- No contamination of surface and ground water occur as a result of the proposed development.

Please note:

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

Yours sincerely


Mr. E.J. van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2020-01-22

Copies:	
Department of Environmental Affairs & Development Planning 1 Dorp Street CAPE TOWN 8001	WRAP 35 Duiker Street HERMANUS 7200