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Western Cape
Government

Cor Van Der Walt
LandUse Management
Email: Cor.VanderWalt@westerncape.gov.za
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/5/3/209
YOUR REFERENCE : 15/4/13/5
ENQUIRIES : Cor van der Walt/David Lakey

Langeberg Municipality
Private Bag X2
ASHTON
6715

Att: T Brunings

PROPOSED CONSENT USE: DIVISION MONTAGU
FARM NO 225

Your application of 04 July 2022 has reference.

Boland Plan Town & Regional Planners have been appointed to submit a consent use application to utilize the existing main house to be used as a Guest House, 2 existing additional dwelling units to be used as tourist accommodation, 1 exclusive camping site and an off road trail.

Existing main house as a guest house:

The 500m² footprint includes the 3 level dwelling unit, outside wooden deck, outside braai area, outside hot tub & bathroom.

2 existing additional dwelling units as tourist accommodation:

One of the additional dwellings is called the White House. The 91.81m² eco cabin includes the one bedroom dwelling, outside deck, outside shower & hot tub.

The other additional dwelling is a hunter's cabin. The 33.48m² Cabin includes a one bedroom open plan unit, bathroom and outside stoep.

Exclusive camping site and off road trial:

The 200m² camp site includes parking for 3 off road trailers/tents, parking space for vehicles and an informal braai area. There is also 1 compost toilet available on site.

The Western Cape Department of Agriculture: Land Use Management has no objections towards the proposed consent uses. The structures are already existing on the 1052.03ha farm portions and the proposal provides social and economic opportunity without being intrusive towards the rural landscape.

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. C.J. van der Wall

LANDUSE MANAGER: LANDUSE MANAGEMENT

2022-09-05

Copy:

BolandPlan Town & Regional Planners

PO Box 963

WORCESTER

6849



Ref: TPW/CFS/RP/LUD/REZ/SUB-04/... (Job 29784)

The Municipal Manager
Langeberg Municipality
Private Bag X2
ASHTON
6715

Attention: Ms T Brunings

Dear Madam

FARM NO. 225, MONTAGU DISTRICT: MAIN ROAD 294: APPLICATION FOR CONSENT USE

1. Your email dated 7 July 2022 refers.
2. The subject property is located 11 km east from Montagu and takes access off Main Road 294 at ± km 11.35.
3. This application is for Consent Use to accommodate guest accommodation on the property.
4. This Branch offers no objection to the application in terms of the Land Use Planning Act, No. 3 of 2014.

Yours Sincerely

SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS

DATE: 12 AUGUST 2022



BREEDDE-GOURITZ

CATCHMENT MANAGEMENT AGENCY

Corner Mountain Mill & East Lake Roads, Worcester, 6850 | Private Bag X3055 Worcester 6850

Enquiries: M Mmbadi Tel: 023 346 8000 Fax: 023 347 2012 E-mail: mmmbadi@bgcma.co.za

Our Ref:4/10/1/H30B/Farm 225, Montagu

Date: 11/08//2022

The Manager: Town Planning
Langeberg Municipality
Private Bag X2
ASHTON
6715
E-mail: tbrunings@langeberg.gov.za/admin@langeberg.gov.za

Attention: Tracy Brunings

COMMENTS: APPLICATION FOR CONSENT USE: AGRICULTURAL ZONE 1 FOR MAIN HOUSE AS GUEST HOUSE, TWO ADDITIONAL DWELLING UNITS (EXISTING) FOR FARM HOLIDAY ACCOMODATION PURPOSES, 1 EXCLUSIVE CAMPING SITE (3 BUSHTRAILERS OR TENTS) AND AN OFF-ROAD TRAIL ON FARM 225, MONTAGU.

The Breedde-Gouritz Catchment Management Agency (BGCMA) has received documents for the above mentioned proposed development on the 08/07/2022, requesting comments.

BGCMA has assessed the information provided and has no objection to the proposed development, subject to the following conditions:

Water for Domestic use

- It is indicated in the report that there is an existing borehole in the property of which the quality of the water is not suitable for human consumption, however the borehole will be used for washing, cleaning and toilet flushing. Volume of water to be taken from the borehole should be provided to this office.
- Water provided for domestic use must comply with the SANS 241: 2015 guidelines for drinking water. Regular monitoring must be done to ensure compliance.
- Where the applicant has an existing lawful registered water use, used for agricultural purposes thus far, application should be made to the responsible authority to amend such use proportionally per annual volume for domestic and/or agricultural.

Disposal of sewage

- Please note that this office does not support the use of septic tank with french drains for the disposal of sewage. The use of conservancy tanks is recommended, and construction of such conservancy tank must be of such a nature that no water will enter the system or

leave it by means of seepage. When a conservancy tank is used for the disposal of sewage, the agreement letter between the contractor or the municipality which is appointed to pump the sewage indicating that the treatment facility will cater for additional effluent must be submitted to this office.

- The disposal of sewage must at all times comply with the requirements of Section 22 and 40 of the National Water Act, 1998 (Act 36 of 1998).

General

- No water must be taken from a water resource for any purpose without authorisation from the National Water Act, 1998 (Act 36 of 1998).
- No waste or water containing waste may be disposed without authorisation from the National Water Act, 1998 (Act 36 of 1998) and National Environmental Management: Waste Act, 2008 (Act 59 of 2008).
- No permanent structures may be constructed within the 100-year flood line or within 100 meters of any watercourse (seasonal or permanent river, stream, etc), whichever is furthest without firstly obtaining authorisation in terms of Section 21 (c) and (i) of the National Water Act, 1998 (Act 36 of 1998).
- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- No pollution of surface water or groundwater resources may occur.
- The minimising of waste must be promoted and alternative methods for waste management must be investigated.
- Stormwater management must be addressed both in terms of flooding, erosion and pollution potential.
- No stormwater runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource. Polluted stormwater must be contained.

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 authorisation for.

This office reserves the right to amend and revise its comments as well as to request any further information.

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,



JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)

<u>AAN / TO</u>	T Brunings	<u>VAN / FROM</u>	C Posthumus
<u>VERW / REF</u>	15/4/14/R	<u>DATUM / DATE</u>	20 July 2022
<u>ONDERWERP SUBJECT</u>	APPLICATION FOR CONSENT USE:- THE FARM NO. 225 (MONTEVUE), MONTAGU, CONSENT USE ON AGRICULTURAL ZONE I FOR MAIN HOUSE AS GUEST HOUSE, TWO DWELLING UNITS (EXISTING) FOR FARM HOLIDAY ACCOMMODATION PURPOSES, 1 EXCLUSIVE CAMPING SITE (3 BUSH TRAILERS OR TENTS) AND AN OFF ROAD TRAIL		

I refer to your memorandum dated 7 July 2022.

The Civil Engineering Services Department has no objection to the above application subject to the following conditions:

1. The provision of water and sewer services is the responsibility of the owner.
2. It is the responsibility of the owner to ensure that water provided for domestic use must comply with SANS 0241 specifications.
3. A suitable and effective sewerage disposal system must be provided for all wastewater. Provision must be made for a conservancy tank/s for the disposal of sewerage for all the proposed units. Tanks must comply with all minimum prescribed specifications regarding content and fittings. Provision must be made for the tanker to have access to the conservancy tank/s. The maintenance and regular emptying of the conservancy tanks will be the responsibility of the owner.

Your faithfully



Carel Posthumus

Manager Civil Engineering Services



Reference: 15/3/2/12/BL2

The Manager: Town Planning
Langeberg Municipality
3 Piet Retief Street
MONTAGU
6720

APPLICATION FOR CONSENT USES: FARM NO. 225, MONTAGU

1. Your request for comment, dated 07 July 2022, has reference.
2. The application property is 1052,9306 ha in extent and is zoned as Agricultural Zone I.
3. The proposal includes the following land use applications:
 - **Consent use** to operate a guest house from the primary dwelling.
 - **Consent use** for two additional dwelling units.
 - **Consent use** for three camping sites (1 trailer/tent per site)
 - **Consent use** for an off-road trail (existing jeep track).
4. From a provincial land use planning perspective there is no objection to the proposed development.

Kobus Munro

Digitally signed by Kobus Munro
Date: 2022.07.14 11:48:25
+02'00'

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

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

ST McLean
023 626 8302
-
smcclean@capewinelands.gov.za
15121611

Van Reenensstraat 44 Street
50
ROBERTSON
6705

08 July 2022

The Municipal Manager
Langeberg Municipality
Private Bag X 2
ASHTON
6715

For attention: M Johnson
Engineers Dept.

PROPOSED APPLICATION FOR CONSENT USE: THE FARM No. 225 (MONTEVUE), MONTAGU

Your correspondence dated 04 July 2022 ref: 15/4/13/5 refers:

Municipal Health Services of the CWDM comments as follows:

1. Service Delivery:

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

2. Sanitation:

No sewerage systems may be placed below any flood line or nearer than 100 meters from any river, stream or other water system. Current sanitation system must be approved by the Engineers Department of the Langeberg Municipality. Upon approval the current installed system must be signed off as approved by the Langeberg Municipality.

3. Waste Management:

Domestic refuse \ Waste must be removed in such a manner so as not to form any environmental health risks \ nuisances. This section also applies to the camping site.

4. Provision of Drinking Water:

Buildings and camping site must be provided with drinking water, which complies with the provisions of SANS 241. As per the application, shop supplied bottled water needs to be only from an approved and registered source \ supplier.

5. General:

In the event of any meals to be provided to guests the applicant needs to apply for a Certificate of Acceptability in terms of Regulation 3(2) of R 638 OF 22 June 2018. No meals may be served until the premises has been approved and the COA has been issued.

Camping area will require adequate ablution facilities compliant to the Municipality of Langeberg bylaws.

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

Yours sincerely,

For: Municipal Manager
Mr. H Prins
STM



REFERENCE: 16/3/3/6/B1/11/1314/23

DATE: 16 November 2023

The Board of Directors
BolandPlan Town and Regional Planning
PO Box 963
WORCESTER
6849

Attention: Mr. M Oosthuizen

E-mail: bolandplan@breede.co.za

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 CONSENT USE: FARM MONTEVUE NO. 225, MONTAGU

1. The additional correspondences, as received electronically by the Directorate: Development Management (Region 1) (hereinafter referred to as "this Directorate") on 18 July 2023 and 4 August 2023, refer.
2. This letter serves as an acknowledgement of receipt of the aforementioned correspondences by this Directorate.
3. Following the review of the additional correspondence, this Directorate notes the following:
 - The work undertaken at the dam site does not trigger any listed activities as defined in terms of the NEMA EIA Regulations, 2014 (as amended), since the work entailed repairs to the existing dam wall. The capacity of the dam was therefore not increased by 50 000 cubic metres or more. The dam is not considered to be an instream dam.
 - The width of the existing farm tracks that were cleared is less than 4m.
 - A new fire management road of 1,1km was developed between Hunter Cabin and Point D (as indicated in Figure 1 below). This road was considered essential in terms of fire management to connect the north of the farm to the south.
 - The original farm track between Point C and D was not followed when the roads were cleared (as depicted in yellow in Figure 1 below). However, a new, more northern route was followed with a length of approximately 556m.
 - The Field Verification Report compiled by Freshwater Consulting, dated 29 May 2023, confirms that the wetland is artificial in nature. This is supported by CapeNature in their letter dated 4 August 2023. The campsite is thus not located within a watercourse.
 - The farm is located within 5km from the Langeberg West Mountain Catchment Area.
 - The campsite can accommodate 12 people and the Hunters Cabin can accommodate 2 people. Therefore Activity 17 of Listing Notice 3 as defined in terms of the NEMA EIA Regulations, 2014 (as amended) is not triggered by the development.



Figure 1

4. Be advised that, based on the additional information provided, Activity 18 of Listing Notice 3, and possibly also Activity 27 of Listing Notice 1, was commenced with prior to obtaining environmental authorisation.
5. In terms of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA"), "commencement" in relation to the Environmental Impact Assessment ("EIA") activities is defined as the "start of any physical implementation in furtherance of a listed activity or specified activity, including site preparation and any other action on the site or the physical implementation of a plan, policy, programme or process, but does not include any action required for the purposes of an investigation or feasibility study as long as such investigation or feasibility study does not constitute a listed activity or specified activity."
6. Since the lengthening of a road by more than 1km and the adjustment of the road alignment between point C and D, as depicted in Figure 1, occurred in a location outside the urban area and within an area containing indigenous vegetation, and these actions were in furtherance of Activity 18 of Listing Notice 3 and possibly Activity 27 of Listing Notice 1, it is this Directorate's considered opinion that the applicant's actions constituted unlawful commencement as defined in NEMA.
7. In light of the above, this matter will be referred to this Department's Directorate: Environmental Law Enforcement ("D: ELE") for further investigation. Future correspondence and liaison with this Department should be entered into with the aforementioned Directorate.
8. Kindly quote the abovementioned reference number in any future correspondence in respect of this application.

9. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

**Mare-Liez
Oosthuizen**

Digitally signed by
Mare-Liez Oosthuizen
Date: 2023.11.16
15:05:51 +02'00'

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms T Brunings (Langeberg Municipality)

(2) Mr R Smart (CapeNature)

(3) Mr B Engelbrecht

(4) Mr R Lindeque

E-mail: tbrunings@langeberg.gov.za

E-mail: rsmart@capenature.co.za

E-mail: bertuseng@gmail.com

E-mail: roeloflindeque@gmail.com



PROJECT MONTEVUE				vil . arch	
PROJECT TITLE	DRAWING TITLE	DRAW.NR.	PROJECT NUMBER	PAPER SIZE	
INDICATING EXISTING BUILDINGS FOR MR BERTUS ENGELBRECHT MONTEVUE NATURE FARM & SELF-CATERING ACCOMODATION MONTAGU	SITE PLAN 1 : 25000	A 1/2	2022-GFR-018	A3	
1 JOHN 5 : 12 HE WHO HAS THE SON HAS THE LIFE. HE WHO DOESN'T HAVE GOD'S SON DOESN'T HAVE THE LIFE.					



CONSERVATION INTELLIGENCE

postal 16 17th Avenue, Voëlkop, Hermanus, 7200
physical 16 17th Avenue, Voëlkop, Hermanus, 7200
website www.capenature.co.za
enquiries Rhett Smart
telephone 087 087 8017 fax +27 21 866 1523
email rsmart@capenature.co.za
reference SSD14/2/6/1/9/1/225_consent_Montagu
date 4 August 2023

Department of Environmental Affairs and Development Planning
Western Cape Government
Private Bag X9086
Cape Town
8000

Attention: Loretta Osborne
By email: loretta.osborne@westerncape.gov.za

Dear Ms Osborne

Applicability of the Listed Activities in the EIA Regulations for Consent Use for Tourism Accommodation and Off-Road Trails on Farm 225, Montevue Guest Farm, Montagu

CapeNature provided comment on the consent use application for this proposed development in which we raised a concern regarding the potential presence of a wetland at the location of the camping site. An environmental pre-screening report has been compiled in order to determine whether any listed activities are triggered in terms of the NEMA EIA Regulations.

A wetland screening report has been compiled with regards to the potential wetland which was identified by CapeNature. The wetland was not identified on either the National Freshwater Ecosystems Priority Area (NFEPA) mapping nor the 2018 National Wetland Mapping. The wetland screening report undertook a wetland delineation according to standard Department of Water and Sanitation methodology and the presence of a wetland was confirmed.

The origin of the wetland was identified to be artificial. There is an artificial cut-off channel along the slope which captures run-off and is directed into the area identified as a wetland. Historical aerial imagery from 1980 clearly indicates the presence of a dam at this location and there is still a berm which surrounds the wetland area, which is likely the remnants of the dam which was not maintained. However, the definition of a wetland in terms of NEMA and the National Water Act does not exclude wetlands which are artificial in origin.

In terms of the above therefore the listed activities which are related to watercourses would be relevant to the proposed camping site. The description of the camping site in the consent use application does not include any built infrastructure, whereby the campers will need to supply their own ablutions and there will not be any ablution block, only one composting

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack

toilet. It will therefore need to be determined whether the composting toilet will exceed 100 m² or require excavation of more than 10 m³ of material, although it seems likely that it will be below these thresholds.

The wetland screening report also provides a brief risk assessment, however that would be relevant to the National Water Act. Input regarding the requirements in terms of the National Water Act should be provided by the Breede Olifants Catchment Management Agency (BOCMA).

With regards to the other potential NEMA listed activities, these do not require CapeNature's assistance in terms of interpretation of biodiversity or ecological features. The reference that the site is within 5 km of a protected area, namely the Langeberg West Mountain Catchment Area is correct.

Although relevant to the consent use application and not the NEMA determination, due to the confirmation that the wetland is artificial in origin, CapeNature is willing to withdraw our objection to the proposed camping site. We would also not object to the removal of the artificial source of water for the wetland which is the run-off from the cut-off channel, provided any disturbance is minimized.

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

Yours sincerely



Rhett Smart
For: Manager (Conservation Intelligence)

cc. Jeanne Gouws, CapeNature
Tracy Brunings, Langeberg Municipality