

12 September 2024

Municipal Manager  
George Municipality  
GEORGE

*By e-mail*

Att: Ms Ilané Huyser/Mr. Clinton Petersen

**PROPOSED CONSENT USE: PTN 29 OF FARM BUFFELS DRIFT NO 227, GEORGE**

Application is hereby made in terms of Section 15(2)(o) of the George Land Use Planning By-Law, 2023 for a consent use for the making of compost on the property. The following is attached hereto:

- Memorandum
- Application form
- Pre-app feedback
- Deed of Transfer
- Conveyancer Certificate
- Power of Attorney
- Company Resolution and CIPC
- SG Diagram
- Locality Plan
- Site Plan
- Letter from Environmental consultant
- E-mail from DEA&DP
- Letters of support from 3 affected neighbours

I trust that you will find this in order.



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P C J Theron Pr. Pln

**PROPOSED CONSENT USE FOR COMPOSTING: PTN 29 OF  
FARM BUFFELSDRIFT NO 227, GEORGE**

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# **PROPOSED CONSENT USE FOR COMPOSTING: PTN 29 OF FARM BUFFELSDRIFT NO 227, GEORGE**

## **1. INTRODUCTION AND BACKGROUND**

The unregistered owner of the property, Mr. Lotter Bekker, gave permission to Mr. Okkie Alberts to make compost on a portion of Ptn 29 of Farm 227, George. The farm is currently in the process of being transferred from the previous owner (estate of late Mr. Jonck of Jonck Landgoed Edms Bpk) to Mr. Bekker. Mr. Bekker was under the impression that composting was permitted on the property. However, notice in terms of Section 87 of the Land Use Planning By-Law on Mr. Bekker to either cease the operation or to submit a land use application to rectify the land use. Only then did Mr. Bekker found that composting on that scale could only be made after approval for a Consent Use has been obtained from the municipality. Mr. Bekker approached Formaplan to assist him in this matter.

This application will therefore be for a consent use to use a portion of Ptn 29 of Farm 227 for the making of compost. In this respect it should be noticed that the making of compost is permitted in terms of the current zoning (Agriculture Zone I), but such composting can then only be for the use on the farm where it is made. In this case, the composting takes place on a larger scale and is sold to other users as well and not for the use on the farm only.

This application was preceded by a pre-application. In the feedback iro the pre-app, one of the points raised, was that: ***“Environmental comments (DEA&DP) will be required. To confirm if any environmental activities are triggered.”*** By this comment, it was understood that DEA&DP first need to confirm whether a listed activity is triggered, in which case an application for environmental authorization needed to be lodged with DEA&DP which is a very lengthy process and which could have a major influence on the planning application. It was therefore decided to wait for the outcome of the discussion with DEA&DP before the land use application be prepared and submitted.

The environmental consultant (EC) only managed to arrange a site meeting with officials of DEA&DP on Thursday, 2 August 2024 where it was verbally confirmed that the making of the compost (mixing of chicken manure and sawdust) does not trigger a listed activity. An **e-mail** was in the meantime received from **DEA&DP** in this respect and **is attached** to the application.

In an e-mail received from the municipality, the applicant was given time until 15 September to submit the planning application. The application has therefore been prepared and submitted as requested.

## 2. THE PROPERTY

### 2.1 Description

The property is described as Remainder of Ptn 29 of Farm Buffelsdrift No. 227, George.

### 2.2 Ownership

In terms of deed of transfer No. 42096/2002, the property is registered in the name of Jonck Landgoed Eiendoms (Bpk)

### 2.3 Size

The property is 53.4755 ha in size according to the deed of transfer.

### 2.4 Zoning

The erf is zoned Agriculture Zone I .

### 2.5 Locality

The compost site is located on the southern side of DR1599 approximately 10 Km from Blanco in a westerly direction. See attached Locality Plan.

### 2.6 Present Land Use

There are no buildings on the composting site. There are many heaps of mixed sawdust and chicken manure on the site. **See photo 1 below.**



**Photo 1** The composting site as seen from a south-westerly direction.



***Photo 2 A building used for occasional religious purposes (left side) and a dilapidated dwelling that is illegally occupied. The photo was taken from the DR 1599 in a westerly direction.***



***Photo 3 More structures illegally occupied on the property.***

## 2.7 Surrounding Land Use

All the properties surrounding the farm are used for agricultural purposes. Dwelling houses on neighbouring farms, are on average approximately a kilometer from the composting site.

***See photos 4, 5 & 6 below.***



***Photo 4*** In the center of the photo in the distance, a dwelling house can be seen directly north of the site.



***Photo 5*** In the center of the photo, in the distance, a dwelling house can be seen on the farm to the east of the site.



***Photo 6 Farm worker housing south of the site.***

**3. APPLICATION**

Application is made in terms of Section 15(2)(o) of the George Land Use Planning By-Law, 2023 for a consent use for a composting site on a portion of Ptn 29 of Farm Buffelsdrift No 227, George.



#### 4. **PRE-APPLICATION CONSULTATION**

A pre-application consultation i.r.o. the application was submitted to the Planning Department of the George Municipality.

In the feedback, certain points were raised that should be addressed in the formal application. These points are the following:

##### 4.1 **Town Planning**

###### 4.1.1 *Application for Consent use for “Composting” is required.*

This application is for a consent use for composting.

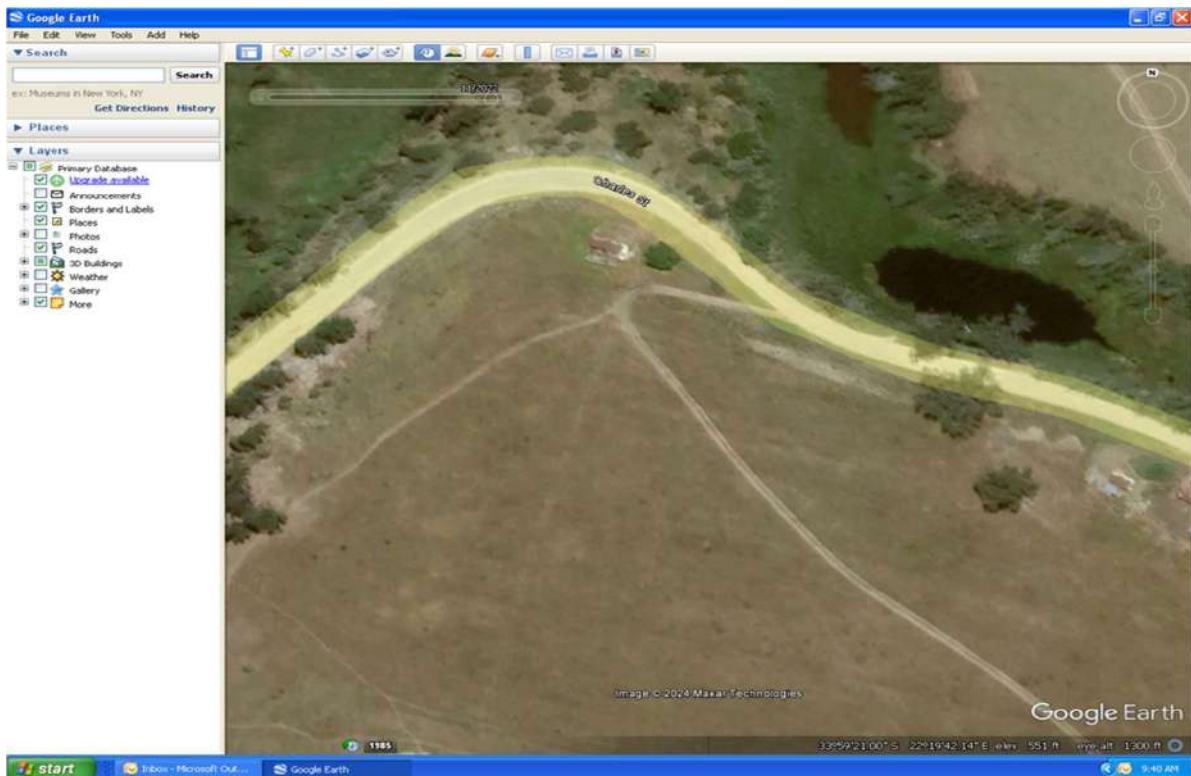
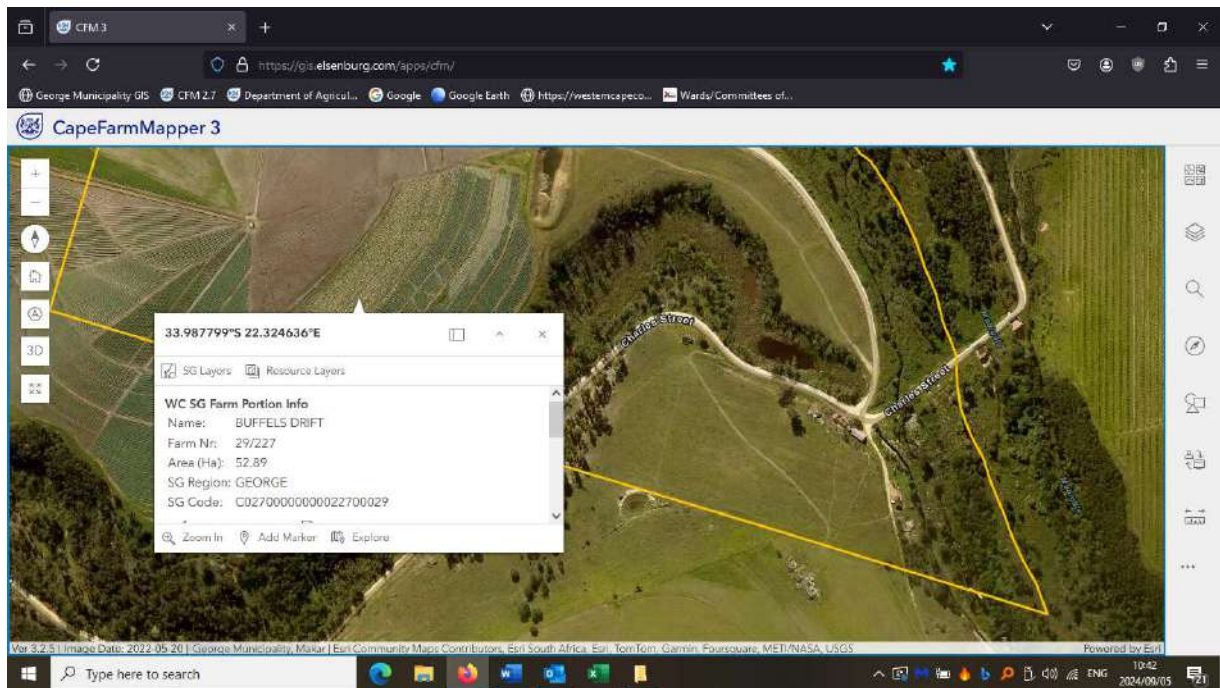
###### 4.1.2 *Environmental comments (DEA&DP) will be required. To confirm if any environmental activities are Triggered.*

Correspondence iro whether a listed activity is triggered by the composting, was received from Western Cape Government – **see attached**. The application will nevertheless be referred to DEA&DP as part of the public participation process.

###### 4.1.3 *Traffic impact from and to the site (type of vehicles to be discussed in motivation and how frequently it moves in and out of site).*

According to the composting operator, they make use of a horse and trailer-tipper. On average no more than **2 truck-loads** of chicken manure and sawdust are delivered at the site **per day** and no more than **4 truck-loads** of mixed material are disposed of **per day**.

The cape farm mapper and google earth images (**Fig. 7 below**), show the position of the original access to the site (*current composting site*), prior to the commencement of the composting activity. This previous access is retained for the composting site, but due to the awkward angle of the access from the adjacent DR 1599, the operator changed the access to its current shape so that vehicles accessing the site from either an eastern or western direction, can easily enter the site. **See attached Site Plan**. The direction in which the original access was angled previously, would have made it almost impossible (*and/or extremely dangerous*) to access/exit the site from/to a westerly direction – **see photo 8 below**. Due to the embankment next to the road (DR1599) – **see photo 8**, it is totally impossible to create a 90-degree entrance to the site from the DR 1599 for large vehicles. There is no other more acceptable access point to the site from the DR 1599. It is important to note that opposite the site, there are a few curves in the DR 1599 (**Figure 7**) having the result that traffic moves quite slowly at this point which reduces the risk of traffic incidents.



**Figure 7** The Cape Farm Mapper and Google Earth images showing the position of the original access to the composting site from DR 1599 before any activities took place.



**Photo 8** *The access to the site. The original (and only) access is the one the right side of the photo. The second access, center of the photo, was added later to make it possible to access the site from a westerly direction. The photo was taken in a south-easterly direction. The DR 1599 is the road on the left side.*

4.1.4 *To specify where materials for composting originated (surrounding farms etc).*

The chicken manure originate from Outeniqua Eiers – Chicken Farm (*Tiaan kontak: 076 215 0151*) and the saw dust from – L & L Trading (George, ) as well as Forpro - sawmill (opposite Stanmar Motors).

4.1.5 *Site Plan to be submitted to indicate the extent, location, scale of composting site as well as the environmental buffer areas etc.*

A site plan prepared by a surveyor and supported by the EC, is attached to the application.

4.1.6 *Site Plan to be submitted to indicate the extent, location, scale of composting site as well as the environmental buffer areas etc.*

A site plan prepared by a surveyor showing the extent and scale of the composting site, is attached. In the report prepared by the Environmental Consultant (EC), also attached to the application, the environmental areas are indicated.

4.1.7 *Site drainage/runoff areas to be indicated on the site plan.*

The site plan prepared by a surveyor, shows how the “*site was shaped with fill platforms and roads to enable operation of the fertilizer mixing facility and heavy vehicle transport, as well as to alter the drainage to prevent polluted runoff entering the rivers*” - **(copied from EC report)**.

4.1.8 *Application to be motivated in terms of SPLUMA, MSDF. 2023, Zoning Scheme, etc.*

See paragraph 5.3 below.

## 5. DESIRABILITY OF THE PROPOSED DEVELOPMENT

The concept, desirability of the consent use as proposed in this application, can be described as the acceptability thereof on the land unit and the environment where it will take place. The proposal will be discussed in terms of the following to determine the desirability thereof:

- ❖ Physical characteristics
- ❖ Proposed Land Use
- ❖ Consistency of the proposal in terms of existing planning documents

### 5.1 Physical Character of the Property

#### 5.1.1 Topography

The portion of the property where activities take place is fairly flat with a slight slope from south to north. Next to the road, the site is fairly steep. **See photos 5 & 8 above.** The operator also made a few terraces to level the composting area to limit run-off water as far as possible.

#### 5.1.2 Vegetation

On the portion of the property where the activities will take place, there is no indigenous vegetation, only kikuyu grass as the portion was previously used as grazing. To the east of the site in the valley, indigenous vegetation exists, but these are not affected by the composting.

#### 5.1.3 Soil conditions

The soil condition of the property does not have any effect on this application.

#### 5.1.4 Summary

The physical character of the property is such that the composting can be accommodated thereon.

### 5.2 Proposed Development

The owner of the property, Mr. Bekker, bought this property a while ago from the estate of the deceased previous owner. A portion of the farm, approximately 8.5ha, is situated on the southern side of DR 1599. Approximately, 2,6 ha of this portion is situated in the wetland of the adjacent river and only ±6 ha is available for agricultural use. As this portion of land is not of much practical

use in terms of his farming activities, Mr Bekker gave permission to Mr. Alberts to use this portion for the making of compost. The agreement is that Mr. Alberts provide compost to Mr. Bekker for his own use and that the rest could be sold to other users thereof.

The process of the making the compost, is a very simple one, in that chicken manure is brought from a chicken farm and sawdust from a sawmill and offloaded on a vacant spot on the site. The manure and sawdust are then mixed with a front-end-loader until the manure and sawdust are evenly spread in a specific heap. The mixed product, is strictly not compost as ***“the controlled, aerobic (oxygen-required) process that converts organic materials into a nutrient-rich, biologically-stable soil amendment or mulch through natural decomposition” (definition copied from GOOGLE)***, does not take place on the property. Before the natural decomposition of the materials take place, the mixed material is loaded onto trucks and taken to the end user. Mixed material seldom remains on the site for longer than one week.

### **5.3 Consistency in terms of Existing Planning Documents**

#### **5.3.1 Deeds of Transfer**

Deed of Transfer No T 42096/2002 is applicable to the property.

The title deed is attached to the application. There are no conditions in the title deed that are restrictive iro this application. Also see attached conveyancer certificate.

#### **5.3.2 Spatial Planning and Land Use Management Act – SPLUMA**

The objects of SPLUMA are worded in Section 3 of the Act.

- “3. *The objects of this Act are to-*
- a) provide for a uniform, effective and comprehensive system of spatial planning and land use management for the Republic;*
  - b) ensure that the system of spatial planning and land use management promotes social and economic inclusion;*
  - c) provide for development principles and norms and standards;*
  - d) provide for sustainable and efficient use of land;*
  - e) provide for cooperative government and intergovernmental relations amongst the national, provincial and local spheres of government; and*
  - f) redress the imbalances of the past and to ensure that there is equity in the application of spatial development planning and land use management systems.”*

Section 7 of SPLUMA lists 5 development principles that are applicable to spatial planning, land use development and land use management namely:

- ❖ Spatial justice
- ❖ Spatial sustainability
- ❖ Efficiency
- ❖ Spatial resilience
- ❖ Good administration

Section 42 of SPLUMA mentions the factors that must be taken into account when an application is submitted to a municipal tribunal for a decision namely:

- ❖ The 5 development principles as mentioned above
- ❖ Conservation and promotion of agricultural land
- ❖ Public interest
- ❖ Constitutional transformation
- ❖ Rights and obligations of all those affected
- ❖ Impact on engineering services, social infrastructure and open space requirements
- ❖ Compliance with environmental legislation

#### 5.3.2.1 The 5 Development Principles

- a) Spatial Justice refers to the imbalances in development proposals and spatial planning of the past that must be addressed. It is mentioned that Spatial development frameworks and policies of governments at all spheres must address the inclusion of persons and areas that were previously excluded. Spatial planning mechanisms must incorporate provisions that will enable access to land by disadvantaged persons. Land use management systems must include all areas of a municipality. Land development procedures must include provisions that accommodate access to secure tenure. Lastly it is mentioned that when a Municipal Planning Tribunal considers an application, it may not be restricted in the exercise of its discretion solely on the ground that the value of land is affected by the outcome of the application.

This application is for a consent use to make compost on a farm and is not affected by this principle.

In respect of the influence that the proposal may have on land values of existing developments in its vicinity, we are of the opinion that there will be no negative influence on land values. The composting will have no impact on any views from neighbouring properties. No buildings will be erected on the site. ***Also see para 5.3.4.1 below.***

The proposed development can be regarded as consistent with this principle of SPLUMA as it is in our opinion not relevant to the principle.

- b) Spatial Sustainability refers to spatial planning and land use management systems that must inter alia protect prime and unique agricultural land and promote development in areas that are sustainable and limit urban sprawl.

The proposed composting on this property will not have an influence on this principle. Although agricultural land is involved, one can argue that the end-product that is produced on the site, is specifically to the advantage of the agricultural industry.

The proposed development complies to and supports this principle.

- c) Efficiency refers to development that optimizes the use of existing resources and infrastructure.

The proposed development will not make use of any municipal services as no services are available or needed for the activity. The fact that organic waste material is used to produce the product, is in fact a huge plus point i.r.o. the usage of existing resources that would otherwise have been gone to waste.

The principle is therefore not affected negatively.

- d) Spatial Resilience refers to flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

This principle is not applicable to this application.

- e) Good Administration refers to an integrated approach to land use and land development for all spheres of government. Spatial development frameworks and inputs thereto by all government departments must be met timeously. Public participation must be *transparent and all parties must have opportunity to participate* in matters affecting them.

This principle is supported. The application will be advertised to allow the public to participate.

#### 5.3.2.2 Factors Mentioned in Section 42 of SPLUMA (para 5.3.2 above)

Section 42 of SPLUMA deals with the issues that a Municipal Planning Tribunal must consider when deciding on a development application namely:

- a) it must be guided by the development principles as set out in Section 7 of SPLUMA.

This consideration was already dealt with in para 5.3.2.1 above.



- b) make a decision that is consistent with norms and standards, protect agricultural land and is consistent with the Spatial Development Framework (SDF) of the municipality.

Protection of agricultural land is important, but we are of opinion that this application in fact support agricultural practice - also see para 5.3.2.1 (b) above - Spatial Sustainability.

The consistency with the SDF will be dealt with in para 5.3.3 below

- c) other factors relating to the application:

(i) Public Interest

After receipt of the application, the Council will advertise the application at which stage the public will be offered the opportunity to object and/or give comments on the application.

The public interest will therefore be taken into account before a final decision is taken on the application.

(ii) Constitutional Transformation Imperatives and Duties of the State

This was already discussed in para 5.3.2.1 – Spatial Justice

(iii) Facts and Circumstances Relevant to the Application

It is the purpose of this report to put the Planning Tribunal in a position to consider the application on the grounds of the circumstances relevant to the application.

(iv) Respective Rights and Obligations of those Affected

This implies that the tribunal must consider the application taking into account the possible objections against the application as well as the need for the proposed use of the property.

(v) Engineering Services, Social Infrastructure and Open Space Requirements

No engineering services will be required for the proposed composting site.

Social Infrastructure and Open Space is not relevant.

(vi) Any Factors that may be Prescribed Including Time Frames

No comment.

(vii) Environmental Factors

The proposed development will not trigger any environmental procedure or any natural vegetation – see para 4.1.2 above.

5.3.3 **Land Use Planning Act, Act 3 of 2014. (LUPA)**

It is clear that LUPA gives effect to SPLUMA in the Western Cape Province. Section 49 of LUPA gives the basis of assessments of land use applications. It mentions that when a Municipality considers and decides on a land use application, at least the following must be assessed:

- Applicable spatial development frameworks
- Applicable structure plans
- Principles of Chapter 6 of LUPA
- Desirability of proposed land use
- Guide lines that may be issued by the Provincial Minister regarding desirability

5.3.3.1 Relevant Spatial Development Framework

George Spatial Development Framework (MSDF) is applicable to this area. The MSDF is the document that provides the long-term spatial framework for decisions to be made i.r.o. development applications. Many spatial strategies and supporting policies have been identified and mentioned in the document. The document specifically mention that all development must be carried out in such a manner that watercourses that could be affected by such a development, remain in its natural state. This aspect is relevant to the application and is dealt with below as follows:

**Policy D4 of the MSDF reads as follows:**

*Manage watercourses so that they remain in a natural state or their present ecological status is improved or at least does not deteriorate.*

In this respect, it is mentioned that rivers, estuaries, wetlands and their catchments (George's hydrological system and water resources) must be protected from - pollution, increased surface run-off and siltation, unmanaged extraction and the impact of reduced run-off and/or clogging as a result of alien vegetation infestation.

A number of Policy Guidelines are formulated as quoted below and are addressed as follows:

a) *Watercourses must be correctly classified and delineated with the assistance of specialist expertise based on ground-truthing and not only geo-spatial databases.*

Comment: Classification of the watercourse that forms the eastern boundaries of the property will not have an influence on the effect of this application on the watercourse. Also see the attached report of the EC.

b) *Watercourses may not be straightened or canalized.*

Comment: Not the intension of the applicant.

c) *Development in river corridors must incorporate a site specific, proactive approach to storm-water management, erosion prevention and alien invasive vegetation eradication.*

Comment: It is not intended to develop or to make compost in the river corridor. The mixing of the raw materials, takes place more than 100m from the nearby river. Also see the report of the EC.

d) *A precautionary approach supported by strong land use management and enforcement should be applied to activity and development within the catchments of the following priority water resource units.*

Table 10: Prioritized Water Resource Units (Department of Water and Sanitation, 2018)

<u>River</u>	<u>Estuary</u>	<u>Wetland</u>
<b>Kaaimans</b>	<b>Maalgaten</b>	<b>Wilderness Lakes</b>
<b>Diep</b>	<b>Gwaing</b>	
	<b>Kaaimans</b>	
	<b>Wilderness</b>	

Comment: The composting takes place next to the upstream catchment of the Maalgaten River approximately 6,5Km north of the estuary of the river as mentioned in the SDF. The estuary is therefore not directly affected. However, care must be taken that no excessive erosion and silting take place even 6.5km upstream from the estuary. See the report of the EC.

e) *Water, sanitation and storm water infrastructure master planning and budgeting must ensure timeous maintenance and upgrading to secure the*

*integrity of the hydrological systems/eco-services and mitigate risk to public health. Poor maintenance or where facilities operate at over capacity, can result in pollution of rivers, -----.*

Comment: Not applicable to this application.

*f) Natural riparian zones (river banks) must be retained and protected or restored if degraded or absent.*

Comment: Not applicable as no development will take place close to the watercourse.

*g) Infrastructure that needs to cross a watercourse such as pipelines or bridges, must be minimized. If unavoidable -----.*

Comment: Not applicable as no crossing of the watercourse is envisaged.

*h) Buildings and structures (other than linear infrastructure that must cross a watercourse) must be set back at least 32m from a watercourse, or outside of the 1 in 100-year flood line, whichever is the greatest.*

Comment: No activity will take place within 32m from the watercourse.

*i) Sewer lines (except where it needs to cross a watercourse) must be set back at least 32m from a watercourse (river or wetland). This reduces the chance of sewage entering a watercourse and increases the likelihood of a sewage spill being reported.*

Comment: Not applicable.

*j) Where there are existing rights to build within 32m of the edge of a watercourse and it cannot be altogether avoided, development must be minimized and set back as far as possible.*

Comment: Not applicable.

*k) Storm water outlets must be designed to avoid pollution (e.g. via a litter trap), reduce runoff (e.g. retention or detention ponds, permeable paving etc. outside flood lines), reduce chemical and biological pollution (i.e. artificial wetlands to polish water outside flood lines), and avoid erosion.*

Comment: There will not be any stormwater outlets. Stormwater is managed by terraces that the applicant made on the site. Water will not run freely from the

site but is retained mainly on site as the “site was shaped with fill platforms and roads to enable operation of the fertilizer mixing facility and heavy vehicle transport, as well as to alter the drainage to prevent polluted runoff entering the rivers” - (copied from EC report).



**Photo 9** The photo shows the fill platforms that were created to limit run-off from the site.

- l) *Public land owners must allocate sufficient resources to ensure the management of their land to remove and prevent alien vegetation infestation.*

Comment: Not applicable

- m) *Storm water must be managed in accordance with Sustainable Drainage Systems (SUDS) principles as far as possible. SUDS optimize storm water detention and infiltration and avoid concentration of storm water runoff. The hardening of surfaces within catchments, should be minimized*

Comment: See the report of the EC.

- n) *Legislation governing the control of invasive species on land must be enforced as this contributes to reduced run off into the rivers, clogging the rivers and /or siltation of rivers and wetlands downstream. Alien vegetation infestations should be removed in accordance with best practice; i.e. without disturbing topsoil.*

Comment: There is no alien vegetation on the composting area. The site was used for agriculture (grazing) for many years.

- o) Public land owners must allocate sufficient resources to ensure the management of their land to remove and prevent alien vegetation infestation.*

Comment: Not applicable

- p) Settlement alongside rivers and estuaries must use sustainable urban drainage systems to avoid polluted run-off and be managed to mitigate against unsustainable water extraction.*

Comment: Not applicable

- p) Development alongside watercourses must not block public access.*

Comment: Not applicable

- q) Watercourses must be protected from informal settlement.*

Comment: Not applicable

- q) Where Estuary Management Plans are in place, these plans are a reference when making decisions within the catchments of these estuaries.*

Comment: Not applicable

- r) A plan for the improved management and rehabilitation of priority river corridors in the George city area should be put in place to restore ecosystem function and the value of this natural asset to society.*

Comment: Not applicable – the property is not in the George city area.

- s) A set of development permission conditions to improve the sustainability of urban drainage systems and their impact on watercourses should be considered.*

Comment: Not applicable.

#### 5.3.3.2 Western Cape Land Use Planning: Rural Guidelines (W.C. Rural Guidelines)

The W.C. Rural Guidelines form part of the roll-out of the PSDF. The objectives of the guidelines are to:

- *promote sustainable development in appropriate rural locations,*
- *safeguard priority biodiversity areas and the functionality of life supporting ecosystem services,*

- *maintain the integrity of significant farming, ecological, coastal, cultural and scenic rural landscapes and resources*
- *assist municipalities to plan and manage their rural areas more efficiently,*
- *to give clarity on what kind of developments are appropriate beyond the urban edge, suitable locations where it could take place, and the desirable form and scale of such development.*

The provincial approach to managing development pressures for rural land uses, is addressed under a few categories of which “**Agriculture**” is relevant to this application.

The spatial planning category of the area where this property is situated, is the **agriculture category**. In this respect the Rural Guidelines list a number of objectives i.r.o. “Agriculture” of which one is relevant namely to “*protect agriculture as the primary land use in the rural landscape*” and “*to encourage the economic viability of agricultural enterprises through the **introduction of non-agricultural land uses***”. In this respect it should be noted that the proposed activity (composting) will not be harmful to agricultural use of the property as well as the surrounding agricultural area. The following statement in the guidelines should be noted:

*“Only activities that are appropriate in a rural context, generate positive socio-economic return, and do not compromise the environment ..... should be allowed. The long-term impact on the municipality (resources and financial); **agricultural activities, production and sustainability, risk and finances; and the scenic, heritage and cultural landscape** should be considered when decisions are taken.”* As already mentioned before, the proposed activity will not be harmful to any of the factors mentioned above.

Under the paragraph “Guidance for Implementation” in the Agricultural category, it is mentioned that *ancillary on-farm activities should not detract from the functionality and integrity of farming practices and landscapes and be of an appropriate scale*. In the case of this application, there are presently no agricultural activities on the composting site and the proposed activity will therefore not *detract from the functionality and integrity of farming practices*. It can in fact be argued that the proposed activity will compliment agricultural use of the main farm and surrounding farms as compost is a much-needed product used on farms to increase the productivity of agricultural land.

#### 5.3.3.3 Applicable Structure Plan

There is no structure plan is applicable to this area in which the application is situated.

#### 5.3.3.4 Principles of Chapter 6 of LUPA

The land use planning principles mentioned in LUPA as set out in Chapter 6 (Section 59), are in essence the same as the 5 development principles of SPLUMA that are applicable to spatial planning, land use development and land use management. These principles were already dealt with in para 5.3.3.1 above and will not be addressed again.

#### 5.3.3.5 Desirability

The desirability of the application will be dealt with in paragraph 5.3.4.1.

#### 5.3.3.6 Guidelines by Provincial Minister

As far as can be ascertained, there are no guide lines in this regard from the Provincial Minister that has not been dealt with so far.

### **5.3.4 Land Use Planning By-Law for George Municipality, 2023 (By-Law)**

In Chapter 5 (Regulation 65) of the By-Law, a number of general criteria are listed that must be taken into account when an application for land development is considered inter alia:

- Desirability of the proposed land uses – (5.3.4.1)
- Impact on municipal services – (5.3.4.2)
- Spatial Development Frameworks, Local structure plans-(5.3.4.3)
- Relevant planning policies – (5.3.4.4)
- SPLUMA – Section 42, LUPA – Chapter 6 – (5.3.4.5)
- Zoning scheme – (5.3.4.6)



#### **5.3.4.1 Desirability**

In Council's previous zoning scheme, the Section 8 Zoning Scheme (Section 4.6.2), guide lines were included for the municipality to take into account when considering an application for a consent use. It was mentioned that in considering an application (for a consent use), regard shall be had to the question whether the proposed use (or building) is likely to mar the amenity of the neighbourhood, including marring owing to the emission of smoke, fumes, dust, noise or smells.

Although the above guide lines are not stipulated in Council's current Integrated Zoning Scheme Regulations, these are handy guidelines to use to consider the desirability of an application for a consent use and will therefore be addressed below. Apart from these points, the influence of traffic generation as well as possible visual pollution will be addressed.

*At the outset, it must be noted that the proposed composting site is situated in an agricultural area and rural landscape. The normal problems that are encountered when applications for change in land-use in an urban or semi-urban area are considered, are not present or applicable in the rural areas due to distances between affected residential buildings and proposed activities. In an urban or semi-urban area, an application as proposed here, will most probably cause a major out-cry due to the nature of the activity.*

##### *a) Smoke Pollution*

The process of making compost does not require the making of fires and is therefore not applicable.

##### *b) Fumes*

The composting will not create fumes that will be harmful to the area.

##### *c) Dust*

The main source of dust as a result of the composting, will be vehicles using the road that is a dirt road. The road (DR 1599) is however an existing provincial road that provide access to all the farms in this area. Dusting on the road is therefore a general occurrence and not only associated with this activity.

##### *d) Noise*

The proposed composting will not cause any noise pollution. The only noise will be that of trucks arriving and leaving the site and the front-end-loader mixing the manure and sawdust. This kind of noise is common to farming areas.

e) *Traffic*

See paragraph 4.1.3 above.

f) *Smells*

The only aspect of the composting that raise a concern, is the fact that the chicken manure emits a smell that could be of concern to adjacent property owners. Due to the distance between the composting site and adjacent farm buildings, smells from the site will not cause any problem in this respect. The composting operator approached the neighbouring farm owners and obtained letters from them wherein it is specifically mentioned that the composting does not create a problem and that it is in fact welcomed by the neighbouring farm owners. ***See attached letters.***

g) *Visual and Light Pollution*

There will be no light pollution as no activities will take place at night.

The site is situated adjacent to DR 1599 that is not regarded as a tourist or scenic road of any importance. The road is used primarily by farmers in the area as an access road to their properties. Farmers see composting as an integral part of a farming area and as a result, the heaps of chicken manure, sawdust and the mixed compost are not regarded visually as negative. On the ***photo 10 below***, heaps of soil material can be seen on another farm in the vicinity of the application site to show that such features are not uncommon to agricultural areas.



***Photo 10*** Heaps of soil on a farm in the vicinity of the application site.

Due to the sloping nature of the area, the composting site is scarcely visible from the road. The site is visible to a motorist travelling in a westerly direction only shortly while crossing the Maalgaten river. From nearby farms, the composting will be visible from a few farm houses, but over a distance of approximately a kilometer and over such a distance, are not a visually unacceptable occurrence. It should be kept in mind that no buildings will be erected on the site that could lead to visual intrusion.

#### **5.3.4.2 Impact on Municipal Services**

There are no municipal services available on the site and none is needed.

#### **5.3.4.3 Local Structure Plans, SDF**

These have already been dealt with in para 5.3.3.1 and 5.3.3.2 above.

#### **5.3.4.4 Relevant Planning Policies**

The applicable planning documents and policies of the municipality i.r.o. the proposed development have already been dealt with above.

#### **5.3.4.5 SPLUMA AND LUPA**

See paragraph 5.3.2 and 5.3.3.

#### **5.3.4.6 Zoning Scheme**

The Integrated Zoning Scheme for George is applicable to this area. The property is zoned Agriculture Zone I. The zoning scheme makes provision for composting on the farm, but the compost must then only be for the use of the farm owner for his/her own use. The zoning scheme makes provision for composting on a larger scale, but then only as a consent use to be obtained from Council which is the reason for this application.

**6. CONCLUSION**

The unregistered owner of the property, Mr. Lotter Bekker, gave permission to Mr. Okkie Alberts to make compost on a portion of Ptn 29 of Farm 227, George. Mr. Bekker was under the impression that composting was permitted on the property. He, however, only afterwards found out that composting on the scale that is envisaged by Mr Alberts, could only be done after approval for a Consent Use has been obtained from the municipality. Mr. Bekker approached Formaplan to assist him in this matter.

In the paragraphs above, it was shown that the proposed composting will not be harmful to neighbouring farms or the environment and will not detract from the agricultural landscape character of the area. In fact, we are of opinion that the proposed use of the property will be beneficial to the area, due to the fact that a product is produced that is generally used on most farms to increase the fertility of the soil.

It is trusted that Council will consider this application in a positive light.

**APPLICATION  
FORM**



## Application Form for Application(s) Submitted in terms of the Land Use Planning By-Law for George Municipality

**NOTE:** Please complete this form by using: Font: Calibri; Size: 11

**PARTA: APPLICANT DETAILS**

<i>First name(s)</i>	<b>PHILLIPUS CORNELIUS JOHANNES</b>		
<i>Surname</i>	<b>THERON</b>		
<i>SACPLAN Reg No. (if applicable)</i>	<b>A/025/1985</b>		
<i>Company name (if applicable)</i>	<b>FORMAPLAN</b>		
<i>Postal Address</i>	<b>PO BOX 9824</b>		
	<b>GEORGE</b>	<i>Postal Code</i>	<b>6530</b>
<i>Email</i>	<b>philip@formaplan.co.za</b>		
<i>Tel</i>	<b>044 – 873 0305</b>	<i>Fax</i>	<b>044 – 874 5632</b>
		<i>Cell</i>	<b>082 770 9006</b>

**PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)**

<i>Registered owner</i>	<b>Eagle Creek Investments 147 (Pty) Ltd</b>		
<i>Address</i>	<i>Formaplan</i>		
	<b>PO Box 9824, George</b>	<i>Postal code</i>	<b>6530</b>

E-mail		philip@formaplan.co.za			
Tel	044 873 0305	Fax		Cell	082 770 9006

**PART C: PROPERTY DETAILS (in accordance with Title Deed)**

Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	<b>Ptn 29 of Farm Buffels Drift No 227, George</b>				
Physical Address	<b>South of and adjacent to DR 1599 and adjacent to and west of the Maalgaten River</b>				
GPS Coordinates		Town/City	<b>George</b>		
Current Zoning	Agricultural Zone I	Extent	<b>53.4755 Ha</b>	Are there existing buildings?	Y <b>N</b>
Current Land Use	<b>Agriculture/composting</b>				
Title Deed number & date	<b>T 42096/2002</b>				
Any restrictive conditions prohibiting application?	Y	<b>N</b>	If Yes, list condition number(s).		
Are the restrictive conditions in favour of a third party(ies)?	Y	<b>N</b>	If Yes, list the party(ies).		
Is the property encumbered by a bond?	<b>Y</b>	N	If Yes, list Bondholder(s)?	<b>Info not available at present</b>	
Has the Municipality already decided on the application(s)?	Y	<b>N</b>	If yes, list reference number(s)?		
Any existing unauthorized buildings and/or <b>land use</b> on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / <b>land use</b> ?	Y	N
Are there any pending court case / order relating to the subject property(ies)?	Y	<b>N</b>	Are there any land claim(s) registered on the subject property(ies)?	Y	<b>N</b>

**PART D: PRE-APPLICATION CONSULTATION**

Has there been any pre-application consultation?		Y	N	If Yes, please complete the information below and attach the minutes.		
Official's name	<b>Ilané Huyser/R jv Rensburg</b>	Reference number	<b>3162849</b>	Date of consultation	<b>15 May 2024</b>	

**PART E: LAND USE APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY & APPLICATION FEES PAYABLE**

**\*Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.**

**BANKING DETAILS**

Name: **George Municipality**  
Bank: **First National Bank (FNB)**  
Branch no.: **210554**  
Account no.: **62869623150**  
Type: **Public Sector Cheque Account**  
Swift Code: **FIRNZAJJ**  
VAT Registration Nr: **4630193664**  
E-MAIL: **msbrits@george.gov.za**  
\*Payment reference: **Erven \_\_\_\_, George/Wilderness/Hoekwil...**

**PART F: DETAILS OF PROPOSAL**

**Brief description of proposed development / intent of application:**

The application for **DEPARTURE** entails the following:

***This application is for a consent use to use a portion of Ptn 29 of Farm 227 for the making of compost. In this respect it should be noticed that the making of compost is permitted in terms of the current zoning (Agriculture Zone I), but such composting can then only be for the use on the farm where it is made. In this case, the composting takes place on a larger scale and is sold to other users as well and not for the use on the farm only***

**PART G: ATTACHMENTS & SUPPORTING INFORMATION FOR LAND USE PLANNING APPLICATIONS**

**Please complete the following checklist and attach all the information relevant to the proposal. Failure to submit all information required will result in the application being deemed incomplete.**

*Is the following compulsory information attached?*

Y	N	Completed application form	Y	N	Pre-application Checklist (where applicable)
Y	N	Power of Attorney / Owner's consent if applicant is not owner	Y	N	Bondholder's consent: <b>to be obtained</b>
Y	N	Motivation report / letter	Y	N	Proof of payment of fees
Y	N	Full copy of the Title Deed	Y	N	S.G. noting sheet extract / Erf diagram / General Plan



Y	N	Locality Plan		Y	N	Site layout plan	
Minimum and additional requirements:							
Y	N	N/A	Conveyancer's Certificate	Y	N	N/A	Land Use Plan / Zoning plan
Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)	Y	N	N/A	Phasing Plan
Y	N	N/A	Consolidation Plan	Y	N	N/A	Copy of original approval letter (if applicable)
Y	N	N/A	Site Development Plan	Y	N	N/A	Landscaping / Tree Plan
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) <i>(strikethrough irrelevant)</i>	Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	Y	N	N/A	Required number of documentation copies <b>2 copies</b>
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	

**PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION**

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y	N/A	Specific Environmental Management Act(s) (SEMA)
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)	Y	N/A	(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) <i>(strikethrough irrelevant)</i>
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans /	Y	N/A	Other (specify)

		<i>proof of submission etc.</i> <b>N/A</b>
<i>Y</i>	<b>N</b>	<i>If required, do you want to follow an integrated application procedure in terms of section 44(1)of the Land-Use Planning By-law for George Municipality?</i>

**SECTION I: DECLARATION**

I hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. The Municipality has not already decided on the application.
3. I'm aware that it is an offense in terms of section 86(1)(d) to supply particulars, information or answers in an application, knowing it to be false, incorrect or misleading or not believing them to be correct.
4. I am properly authorized to make this application on behalf of the owner and (where applicable) copies of such full relevant Powers of Attorney/Consent are attached hereto.
5. I have been appointed to submit this application on behalf of the owner and it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to me as the authorised agent and the owner will regularly consult with the agent in this regard (where applicable).
6. That this submission includes all necessary land use planning applications required to enable the development proposed herein.
7. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/amendment/suspension forms part of this submission.
8. I am aware of the status of the existing bulk services and infrastructure in the subject area and that I am liable for any possible development charges which may be payable as a result of the proposed development.
9. I acknowledge that in terms of the Protection of Personal Information Act (POPIA) all correspondence will be communicated directly and only to myself (the applicant). No information will be given to any third party and/or landowner (if the landowner is not the applicant). I herewith take responsibility to convey all correspondence to the relevant parties.



Applicant's signature: \_\_\_\_\_ Date: **12 September 2024**

Full name: **PCJ Theron**

Professional capacity: **Town Planner**

SACPLAN Reg. Nr: **A/025/1985**

**PRE – APPLICATION  
FEEDBACK**

**LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM**

**PLEASE NOTE:**

*Pre-application consultation is an advisory session and is required prior to submission of an application for rezoning, consent use, temporary departure and subdivision. It does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.*

**PART A: PARTICULARS**

Reference number: **Collab no. 3162849**

Purpose of consultation: **To discuss application**

Brief proposal: **Proposed consent use**

Property(ies) description: **Ptn 29 of Farm Buffels Drift No 227, George.**

Date: 26 April 2024

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Ilané Huyser	George Municipality	044 801 9120	<a href="mailto:ihuyser@george.gov.za">ihuyser@george.gov.za</a>
Official	Robert Janse van Rensburg	George Municipality	044 801 9555	<a href="mailto:rhjansevanrensburg@george.gov.za">rhjansevanrensburg@george.gov.za</a>
Pre-applicant	PCJ Theron	FORMAPLAN	082 770 9006	<a href="mailto:philip@formaplan.co.za">philip@formaplan.co.za</a>

**Documentation provided for discussion:**

*(Include document reference, document/plan dates and plan numbers where possible and attach to this form)*

- **DEEDS OF TRANSFER NO T 42096/2002**

- **SITE PLAN** illustrated by photos see below
- **LOCALITY PLAN**
- **SG Diagram**

Has pre-application been undertaken for a Land Development application with the Department of Environmental Affairs & Development Planning (DEA&DP)?

*(If so, please provide a copy of the minutes)*

YES	NO <input checked="" type="checkbox"/>
-----	--

**Comprehensive overview of proposal:**

The unregistered owner of the property, Mr Lotter Bekker, gave permission to a person to make compost on a portion of Ptn 29 of Farm 227, George. The farm is currently been transferred from the previous owner (estate of late Mr Jonck of Jonck Landgoed Edms Bpk) to Mr Bekker. Mr Bekker was unaware that composting was only permitted on the property after approval for a Consent Use has been obtained from the municipality. A Notice in terms of Section 87 of the Land Use Planning By-Law on Mr Bekker to either cease the operation or to submit a land use application to rectify the land use. Mr Bekker approached Formaplan to assist him in this matter.

This application will therefore be for a consent use to use a portion of Ptn 29 of Farm 227 for the making of compost. In this respect it should be noticed that the making of compost is permitted in terms of the current zoning (Agriculture Zone I), but such composting can then only be for the use on the farm where it is made. In this case, the composting takes place on a larger scale and is sold to other users as well and not for the use on the farm only.



Photo showing access to the composting site from DR 1599. Some of the compost heaps can be seen on the horizon on the right side of the photo.



Photo showing the composting site from west in an easterly direction. The site is on the southern side of the DR 1599. The southern boundary of the farm, corresponds with the fence to the right side of the car. The DR 1599 is situated to the left side of the photo, appr 100m 150m from the car. The road divides this portion of Farm 29/227 from the larger portion thereof which is located to the north of the road.



Photo showing the composting site from east in a westerly direction. The DR 1599 is not visible on the photo, but runs just about 50m from the compost heaps on the right side of the photo.

**PART C: QUESTIONNAIRES**

**SECTION A:**

**DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES**

Tick if relevant	What land use planning applications are required?	Application fees payable
	2(a) a rezoning of land;	R
	2(b) a permanent departure from the development parameters of the zoning scheme;	R
	2(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e) a consolidation of land that is not exempted in terms of section 24;	R
	2(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
	2(g) a permission required in terms of the zoning scheme;	R
	2(h) an amendment, deletion or imposition of conditions in respect of an existing approval;	R



	2(i)	an extension of the validity period of an approval;	R
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l)	a permission required in terms of a condition of approval;	R
	2(m)	A determination of a zoning;	R
	2(n)	A closure of a public place or part thereof;	R
√	2(o)	a consent use contemplated in the zoning scheme;	R
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a home owner's association;	R
	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
<b>Tick if relevant</b>		<b>What prescribed notice and advertisement procedures will be required?</b>	<b>Advertising fees payable</b>
Y	N	Serving of notices (i.e. registered letters etc.)	R
Y	N	Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.)	R
Y	N	Additional publication of notices (i.e. <b>Site notice</b> , public meeting, local radio, <b>website</b> , letters of consent etc.)	R
Y	N	Placing of final notice (i.e. Provincial Gazette etc.)	R
<b>TOTAL APPLICATION FEE* (VAT excluded):</b>			<b>To be determined</b>

**PLEASE NOTE:** \* Application fees are estimated on the information discussed and are subject to change with submission of the formal application and/or yearly application fee increase.

### SECTION B:

#### PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?			x	
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a			x	<b>Conveyancer certificate to confirm</b>

third party(ies)? [List condition numbers and third party(ies)]				
Any other Municipal by-law that may be relevant to application? (If yes, specify)			X	
<b>Zoning Scheme Regulation considerations:</b> Which zoning scheme regulations apply to this site? <b>George Integrated Zoning Scheme</b> What is the current zoning of the property? <b>Agricultural Zone I</b> What is the proposed zoning of the property? <b>Agricultural Zone I with consent for composting</b> Does the proposal fall within the provisions/parameters of the zoning scheme? <b>YES</b> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <b>NO</b>				

QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents?			X	
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?			X	

**SECTION C:**

**CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE**

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?	X			Western Cape Provincial Department of Agriculture
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		X		National Department of Agriculture

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?			X	Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) <del>(strikethrough irrelevant)</del>		X		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		X		South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC)
Will the proposal have an impact on any National or Provincial roads?			X	National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW)
Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		X		National Department of Labour (DL)
Will the proposal affect any Eskom owned land and/or servitudes?		X		Eskom
Will the proposal affect any Telkom owned land and/or servitudes?		X		Telkom
Will the proposal affect any Transnet owned land and/or servitudes?		X		Transnet

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is the property subject to a land / restitution claims?		X		National Department of Rural Development & Land Reform
Will the proposal require comments from SANParks and/or CapeNature?		X		SANParks / CapeNature
Will the proposal require comments from DEFF?		X		Department of Environment, Forestry and Fishery
Is the property subject to any existing mineral rights?		X		National Department of Mineral Resources
Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? ( <del>strikethrough irrelevant</del> )		X		Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

**SECTION D:**

**SERVICE REQUIREMENTS**

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM: (list internal department)
Electricity supply:			X	Directorate: Electro-technical Services
Water supply:			X	Directorate: Civil Engineering Services
Sewerage and waste water:			X	Directorate: Civil Engineering Services
Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

**PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION**

COMPULSORY INFORMATION REQUIRED:						
Y	N	Power of Attorney / Owner's consent if applicant is not owner (if applicable)		Y	N	S.G. noting sheet extract / Erf diagram / General Plan
Y	N	Motivation report / letter		Y	N	Full copy of the Title Deed
Y	N	Locality Plan		Y	N	Site Layout Plan
Y	N	Proof of payment of fees		Y	N	Bondholder's consent (Conveyancer certificate to confirm)
MINIMUM AND ADDITIONAL REQUIREMENTS:						
Y	N	Site Development Plan		Y	N	Conveyancer's Certificate
Y	N	Land Use Plan		Y	N	Proposed Zoning plan
Y	N	Phasing Plan		Y	N	Consolidation Plan
Y	N	Abutting owner's consent		Y	N	Landscaping / Tree Plan
Y	N	Proposed Subdivision Plan (including street names and numbers)		Y	N	Copy of original approval letter
Y	N	Services Report or indication of all municipal services / registered servitudes		Y	N	Home Owners' Association consent
Y	N	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)		Y	N	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	Other (specify)		Y	N	Required number of documentation copies

**PART E: DISCUSSION**

Pre-Application meeting dated 8 May 2024 refers.

**Town Planning:**

- Application for Consent use for "Composting" is required.
- Environmental comments (DEA&DP) will be required. To confirm if any environmental activities are triggered.
- Traffic impact from and to the site (type of vehicles to be discussed in motivation and how frequently it move in and out of site).
- To specify where materials for composting originated (surrounding farms etc).
- Site Plan to be submitted to indicate the extent, location, scale of 'composting site as well as the environmental buffer areas etc.
- Site drainage/runoff areas to be indicated on the site plan.

- Application to be motivated in terms of SPLUMA, MSDF. 2023, Zoning Scheme, etc.

**PART F: SUMMARY / WAY FORWARD**

Refer to section E above.

OFFICIAL: **Robert Janse van Rensburg**  
Town Planner



SIGNED: \_\_\_\_\_

DATE: 15/5/2024

SIGNED:

PRE-APPLICANT: PCJ THERON  
(FULL NAME)



SIGNED: \_\_\_\_\_

DATE: 26 April 2024

OFFICIAL: **Ilané Huyser**



(Senior Town Planner)

DATE: 22/05/2024

*\*Please note that the above comments are subject to the documents and information available to us at the time of the pre-application meeting and we reserve our rights to elaborate on this matter further and/or request more information/documents should it deemed necessary.*

# DEED OF TRANSFER

**SYMINGTON DE KOK**  
**CAPE TOWN**  
**1082**  
 TEL: 021 913 3137

**SYMINGTON DE KOK**  
 BOX 1082  
 TEL. 021 913 3137  
 CELL. 082 781 8980  
 ronelle.wilkinson@symok.co.za

**LODGED**  
 17 SEP 2024  
**INGEDIEN**

**A. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:**  
 (a) Datum van indiening / Date of lodgement:

RC. 12/11/2024 - 15/11/24 - 27/10/24

(b)

Ondersoekers / Examiners	Kamers Rooms	Skakeling / Linking	Reject verwerp	Passer Pass
P. KAKUDI 1261				
A.SYDOW		31		

**A. VIR AKTESORGER SE GEBRUIK / FOR CONVEYANCER'S USE:**  
 Aard van Akte byv: Transport, Verband, ens.  
 Nature of Deed e.g.: Transfer, Bond, etc.

Transfer

Verw. No./ Ref. No.: fgj 2092

Chanel

Skakeling / linking: 3 1

T 000060738 / 2024

Kode / Code	Name van Partye / Names of Parties	Firma Firm No.	No. in stelbatch	Tienstes ens. time Title etc. within
1 T	JONCK LANGOED PRIMEER AGRICULTURE	1082	1	T 12/11/2024
2 BC	JONCK LANGOED / INDIENING VOOR EXECUSIE	1082	2	in no 2
3 B	PRIMEER AGRICULTURE	1082	3	at but
4				
5				
6				
7				
8				
9				
10				
11				

2024-09-27

HANDED IN FOR EXECUTION

080008541549

30 SEP 2024

**SYMINGTON DE KOK**  
**CAPE TOWN**  
**1082**  
 TEL: 021 913 3137

**A. VIR AKTESORGER SE GEBRUIK / FOR CONVEYANCER'S USE:**  
 (a) Gelyktydiges met ander registrasiekantore / deeltitels: Simul with other registries / sectional titles:

Kode/Code	Firma / Firm	Eiendom / Property	Kantoor / Office
1			
2			
3			
4			

(b) Kliënt afskrifte van aktes permanent in Aktekantoor geliasseer.  
 Client copies of deeds filed permanently in Deeds Office.

Aard en nommer van akte / Nature and number of deed

Kode Code

T.R.

Parawe van ondersoeker Initials of Examiners

(c) Notas / Notes:

**BLAUBOOK**  
 30-09-2024  
 PHUMELELA MANAMATA

**B. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:**

Invoertjie nagesien deur / Interests checked by	Opmerkings / Remarks	Parawé Initials
	(1) Dorp goedgekeur (geproklameer) Township approved (proclaimed)	
	(2) Begiftigingserwe Endowment erven	
	(3) Begiftiging Endowment	
	(4) Voorwaardes Conditions	
	(5) Mikro Mikro	
	(6) Algemene Plan General Plan	
	(7) Titellakte Title Deed	
	(8) Verbands teen dorpslakte Bonds against township	
	(9) Datum nagesien Date checked	

Datum Date

Invoertjie nagesien deur / Interests checked by

Datum Date

Kantoor instruksies / Office instructions:

Seksis / Section: Oork. purge VA 6735/2004

Purge VA 6736/2004 - in 3028/2002

conc vide 6719/2004

A.SYDOW 19/09



For Information Only

⑩  
~~Check feed back P MC PA~~  
I 8913/2001 LG  
MADISON  
10/16/21

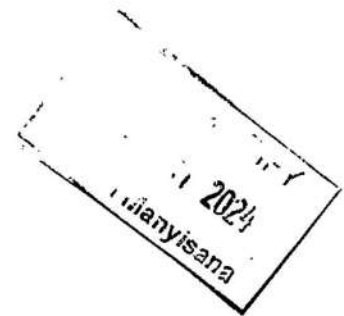
For Information

GOUSSARD ATTORNEYS  
33 VICTORIA STREET  
GEORGE  
6530

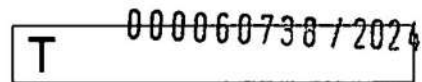
Prepared by me

CONVEYANCER  
JANINE FOUCHÉ (LPCM60411)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 24 150 000,00	6885,00
Reason for exemption	Category Exemption	Exemption i.o. Sec/Reg. Act/Proc.



<b>VERBOND</b>	<b>MORTGAGED</b>
VIR FOR R 12 500 000,00	
<b>B</b> 000028189 - 2024	
2024-09-30	REGISTRAR/REGISTRAR



## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

**JANINE FOUCHÉ** **RONELLE WILKINSON (LPCM 97489)**

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

**JONCK LANDGOED BK**  
Registration Number 2006/218116/23

which said Power of Attorney was signed at GEORGE on 3 JULY 2024

And the appearer declared that his/her said principal had, on 31 May 2023, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**PREMIER AGRICULTURE(PTY) LTD**  
**Registration Number 2022/224385/07**

or its Successors in Title or assigns,

1. PORTION 4 OF THE FARM BUFFELS DRIFT NO. 227 IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE WESTERN CAPE;

IN EXTENT 28,5511 (TWENTY-EIGHT COMMA FIVE FIVE ONE ONE)  
Hectares

First transferred by Deed of Transfer No. T285/1886 dated 19 August, 1886 with diagram relating thereto and held by Deed of Transfer No. T42096/2002.

SUBJECT to such conditions as are referred to in Deed of Transfer No. T6349/1917.

2. REMAINDER OF PORTION 7 (GOEDE HOOP) (A PORTION OF PORTION 5) OF THE FARM DIEPE KLOOF NO. 226 IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF WESTERN CAPE;

IN EXTENT 52,3441 (FIFTY TWO COMMA THREE FOUR FOUR ONE)  
Hectares

First transferred by Deed of Transfer No. T1272/1922 with diagram No. 282/1922 relating thereto and held by Deed of Transfer No. T42096/2002.

SUBJECT to such conditions as are referred to in Deed of Transfer No. T1272/1922.

3. PORTION 29 (A PORTION OF PORTION 2) OF THE FARM BUFFELS DRIFT NO. 227, IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF WESTERN CAPE

IN EXTENT 53,4755 (FIFTY THREE COMMA FOUR SEVEN FIVE FIVE)  
Hectares;

First transferred by Deed of Partition Transfer No. T7357/1959 with diagram No. 10050/58 relating thereto and held by Deed of Transfer No. T42096/2002.

SUBJECT to such conditions as are referred to in Deed of Transfer no. T7100/1912.

WHEREFORE the said Appearer, renouncing all rights and title which the said

**JONCK LANDGOED BK**  
**Registration Number 2006/218116/23**

heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**PREMIER AGRICULTURE(PTY) LTD**  
**Registration Number 2022/224385/07**

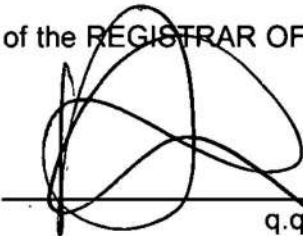
or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R21 000 000,00 (TWENTY ONE MILLION RAND) plus VAT in the amount of R3 150 000,00 (THREE MILLION ONE HUNDRED AND FIFTY THOUSAND RAND), giving a total amount of R24 150 000,00 (TWENTY FOUR MILLION ONE HUNDRED AND FIFTY THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

30 SEP 2024

2024

  
\_\_\_\_\_  
q.q.

In my presence

  
\_\_\_\_\_  
REGISTRAR OF DEEDS

Deeds Office Cape Town

DATE  
2024-06-20

YOUR REFERENCE

OUR REFERENCE

Dear Sirs,

DEED OF SUBSTITUTION

I, Janine Fouche, duly appointed conveyancer and appearer in terms of the Power of Attorney

signed at: George

On : 3 July 2024

By : Jandé Landgoed Bk

In respect of property : Pt 4 of the farm Buffels Drift No 227

Transaction type Transfer Rem of Pt 7 (Gocie trap) (A Pt of Pt 5) of the farm Dijkhof  
Pt 29 (A Pt of Pt 2) of the farm Buffels Drift Farm Dijkhof No 227 No 226

Do hereby nominate, constitute and appoint: RONELLE WILKINSON (LPCM97489)

in terms of the power of substitution in the aforsaid Power of Attorney to sign and execute the Deed to which the said Power of Attorney pertains and to comply with the requirements of the Registrar of Deeds and of any official lawfully concerned herewith,

and hereby confirm that the aforesaid agent is a duly admitted and practicing Conveyancer and competent to perform all duties in accordance of Section 15 of The Deeds Registries Act, 47 of 1937.

The duly appointed appearer accepts responsibility and hereby indemnifies the department of Rural Development and/or the Registrar and its employees, from and against those liabilities, damages and costs that may arise as a result of this act of registration caused by the willful misconduct, negligent act, error or omission of the agent.

Signed at BELLVILLE on 30 SEP 2024

JANINE FOUCHE (LPCM60411)

SOLUTIONS

SYMINGTON & DE KOK INCORPORATED | REG. NO. 1994/010235/21  
CERTIFIED AS A LEVEL ONE (1) CONTRIBUTOR TO B-BBEE  
VAT REG NO. 4530147711

BELLVILLE \*  
GROUND FLOOR, VINEYARDS SQUARE SOUTH, THE VINEYARDS OFFICE ESTATE, 99 JIP DE JAGER DRIVE,  
TYGER VALLEY, BELLVILLE, SOUTH AFRICA | PO BOX 5281, TYGER VALLEY, 7536  
TEL: 021 913 3137 | DOCEX 50 TYGERBERG

BLOEMFONTEIN | TEL: 051 505 6600

DIRECTORS: LEON STRATING, THEUNS WOLMARANS, CHRISTIE BEUKES, GILES RENBOCK, PIERRE JOUBERT, JANINE FOUCHÉ \*, ELNA POHL,  
TONIE O'REILLY, KUTLWANO MOHALEROE, GWEN JOHNSTONE, DIEPERINK MÖLLER, RUWAYNE SMITH

SENIOR ASSOCIATES: PIET SWANEPOEL, STEFANI SLABBERT, NATALIE WOLMARANS, ROCHELLE BRINK

ASSOCIATES: GERHARD DU TOIT, DAMILOLA ABIMBOLA, TALITHA DU PREEZ, ANDRÉ BOTHA, NELIUS VAN HEERDEN, MECHEL GERTENBACH, RONELLE WILKINSON, HUMAYD  
ADAM, ALYSSE WHITEHEAD, SU-HELEN SERFONTEIN, KARABO MAKWABA, SHANAY SOLOMON, JANIEN DE KOCK

FINANCIAL MANAGER: RIANA NEL

HUMAN RESOURCES MANAGER: RITA-LIZE COETSEE

IT MANAGER: JACQUES DU PLESSIS

GOUSSARD ATTORNEYS  
33 VICTORIA STREET  
GEORGE  
6530

Prepared by me.

CONVEYANCER  
JANINE FOUCHÉ (LPCM60411)

## POWER OF ATTORNEY TO PASS TRANSFER

I, the undersigned

**KATHERINE ALISON JONCK**  
duly authorised hereto by a resolution of the members of  
**JONCK LANDGOED BK**  
Registration No. 2006/218116/23

do hereby nominate and appoint JANINE FOUCHÉ(60411)

**RONELLE WILKINSON (LPCM 97489)**

with power of substitution to be my true and lawful Attorney and Agent in my name, place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE TOWN or any other competent official in the Republic of South Africa and then and there to act as my Attorney and Agent and to pass transfer to:

**PREMIER AGRICULTURE(PTY) LTD**  
Registration No. 2022/224385/07

the property described as:

- 1) PORTION 4 OF THE FARM BUFFELS DRIFT NO. 227, IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE WESTERN CAPE;

IN EXTENT: 28, 5511 (TWENTY EIGHT COMMA FIVE FIVE ONE ONE ) HECTARES;

- 2) REMAINDER OF PORTION 7 (GOEDE HOOP) (A PORTION OF PORTION 5) OF THE FARM DIEPE KLOOF NO. 226 IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF WESTERN CAPE;

IN EXTENT 52, 3441 (FIFTY TWO COMMA THREE FOUR FOUR ONE) HECTARES;

3) PORTION 29 (A PORTION OF PORTION 2) OF THE FARM BUFFELS DRIFT NO. 227, IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF WESTERN CAPE;

IN EXTENT: 53,4755 (FIFTY THREE COMMA FOUR SEVEN FIVE FIVE) HECTARES;

HELD BY DEED OF TRANSFER NO. T042096/2002

the said property having been sold by me on 31 May 2023, to the said transferee/s for the sum of R21 000 000,00 (Twenty One Million Rand)

plus VAT in the amount of R3 150 000,00 giving a total amount of R24 150 000,00.


and further cede and transfer the said property in full and free property to the said Transferee; to renounce all right, title and interest which the Transferor heretofore had in and to the said property, and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as the Transferor might or could do if personally present and acting therein; hereby ratifying, allowing and confirming all and whatsoever the said Agent/s shall lawfully do or cause to be done in the premises by virtue of these presents.

Signed at GEORGE on 3 July 2024  
in the presence of the undersigned witnesses.

AS WITNESSES :

1.  \_\_\_\_\_

2.  \_\_\_\_\_

  
\_\_\_\_\_  
On behalf of JONCK  
LANDGOED BK



21

**Transfer Duty Declaration**

**TDREP**

**Reference Details**

Transfer Duty Reference Number: TDE05DA2A2

**Details**

**Details of Seller / Transferor / Time Share Company**

Surname / Registered Name	JONCK LANDGOED BK	Full Name	JONCK LANDGOED BK
Company / CC / Trust Reg No.	200621811623	Marital Status	

**Details of Purchaser / Transferee**

Full Name	PREMIER AGRICULTURE(PTY) LTD	Surname / Registered Name	PREMIER AGRICULTURE(PTY) LTD
Company / CC / Trust Reg No.	202222438507	Marital Notes if applicable	

**Details of the Property**

Date of Transaction/Acquisition (CCYYMMDD)	2023-05-31	Total Fair Value	R 24150000.00	Total Consideration	R 24150000.00
--	------------	------------------	---------------	---------------------	---------------

**Calculation of Duty and Penalty / Interest**

Transfer Duty Payable on Natural Person	R 0.00
---	--------

**Property Description**

- 1 PORTION 4 OF THE FARM BUFFELS DRIFT NO. 227 IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF WESTERN CAPE; IN EXTENT 28,5511 (TWENTY EIGHT COMMA FIVE FIVE ONE ONE ) Hectares
- 2 REMAINDER OF PORTION 7 (GOEDE HOOP) (A PORTION OF PORTION 5) OF THE FARM DIEPE KLOOF NO. 226 IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF WESTERN CAPE; IN EXTENT 52,3441 (FIFTY TWO COMMA THREE FOUR FOUR ONE) Hectares
- 3 PORTION 29 (A PORTION OF PORTION 2) OF THE FARM BUFFELS DRIFT NO. 227, IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF WESTERN CAPE; IN EXTENT 53,4755 (FIFTY THREE COMMA FOUR SEVEN FIVE FIVE) Hectares

**Exemption Certificate**

**Exemption Certificate Details**

Transfer Duty Reference No.	TDE05DA2A2	Exempt in terms of Section 9 of the Transfer Duty Act	section 9(15)
Exemptions allowed by another Act			

**Declaration by Conveyancer / Attorney**

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

**JANINE FOUCHÉ**  
Please ensure you sign in the 2 lines of 'X's above

Date (CCYYMMDD)

26/24/23

For enquiries go to www.sars.gov.za or call 0800 00 SARS (7277)





GEORGE LOCAL MUNICIPALITY

21

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000)  
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY GEORGE LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to George Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): MAGDALENE

Erven: 227

Portion: 04

Extension: BUFFELS DRIFT

Zoning:

Registration division / Administrative District:

Suburb:

Town:

Sectional Title unit number:

Exclusive use area and number as referred to on the registered plan:

Real right:

Scheme registration number:

Sectional Title Scheme Name:

Registered owner: JONCK LANDGOED BK (2006/218116/23)

Name and Identity/ Registration Number of all purchaser/s: PREMIER AGRICULTURE (PTY) LTD (2022/224385/07)

This Certificate is valid until: 12/11/2024

Given under my hand at GEORGE on 13/09/2024

Digitally signed by George Municipality  
 Signee: Winnifred Kennedy  
 Sign date: 13/09/2024 09:34:06.682 AM  
 Expiration date: 09/02/2025 01:48:11 PM



MUNICIPAL MANAGER  
 George Local Municipality

Date issued: 13/09/2024

Authorised Officer: Winnifred Kennedy

Certificate By Conveyancer **JANINE FOUCHÉ**

I (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the George Local Municipality.

Conveyancer

Date 16/9/2024



4

GEORGE LOCAL MUNICIPALITY

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000)  
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY GEORGE LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to George Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): MAGDALENE

Erven: 226

Portion: Remainder of 7

Extension: DIEPE KLOOF

Zoning:

Registration division / Administrative District: GEORGE

Suburb:

Town:

Sectional Title unit number:

Exclusive use area and number as referred to on the registered plan:

Real right:

Scheme registration number:

Sectional Title Scheme Name:

Registered owner: JONCK LANDGOED BK (2006/218116/23)

Name and Identity/ Registration Number of all purchaser/s: PREMIER AGRICULTURE (PTY) LTD (2022/224385/07)

This Certificate is valid until: 27/10/2024

Given under my hand at GEORGE on 28/08/2024

Digitally signed by George Municipality  
 Signee: Winnifred Kennedy  
 Sign date: 28/08/2024 10:13:39.854 AM  
 Expiration date: 09/02/2025 01:48:11 PM



MUNICIPAL MANAGER  
 George Local Municipality

Date issued: 28/08/2024

JANINE FOUCHÉ

Authorised Officer: Winnifred Kennedy

Certificate By Conveyancer:

I \_\_\_\_\_ (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the George Local Municipality.

Conveyancer

Date

16/9/2024

21 Digit Code (or Municipal Reference Number): MAGDALENE

Page 1 of 1

Certificate number: 12884845

209aa2f3-74e4-496d-bd12-86797e0243e3



GEORGE LOCAL MUNICIPALITY

5

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000)  
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY GEORGE LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to George Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): MAGDALENE  
Erven: 227  
Portion: 29  
Extension: BUFFELS DRIFT  
Zoning:  
Registration division / Administrative District: GEORGE  
Suburb:  
Town:  
Sectional Title unit number:  
Exclusive use area and number as referred to on the registered plan:  
Real right:  
Scheme registration number:  
Sectional Title Scheme Name:  
Registered owner: JONCK LANDGOED BK (2006/218116/23)  
Name and Identity/ Registration Number of all purchaser/s: PREMIER AGRICULTURE (PTY) LTD (2022/224385/07)

This Certificate is valid until: 15/11/2024  
Given under my hand at GEORGE on 16/09/2024

Digitally signed by George Municipality  
Signee: Winnifred Kennedy  
Sign date: 16/09/2024 09:27:34.806 AM  
Expiration date: 09/02/2025 01:48:11 PM



MUNICIPAL MANAGER  
George Local Municipality

Date issued: 16/09/2024

Authorised Officer: Winnifred Kennedy

JANINE FOUCHÉ

Certificate By Conveyancer:

I \_\_\_\_\_ (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the George Local Municipality.

Conveyancer

Date

16/9/2024

21 Digit Code (or Municipal Reference Number): MAGDALENE

Page 1 of 1

Certificate number: 12887073

ed5599de-989f-413b-b910-240e4ce82c9e

TRACK NUMBER : 88008541549

BLACK-BOOKING ENQUIRY ON NAME - JONCK LANDGOED C C  
ID NUMBER - 200621811623  
BIRTH DATE - 0  
MARITAL STATUS -  
MAIDEN NAME -  
TYPE OF PERSON - CLOSE CORPORATION

OTHER REFERENCES LINKED TO THIS PERSON :  
JONCK LANDGOED PTY LTD

ID: 200182374907 (ACTIVE)

PERSON NAME AND ID

CONTRACTS/INTER-DICTS

NOTED ON SCAN/MICRO REF

JONCK LANDGOED C C

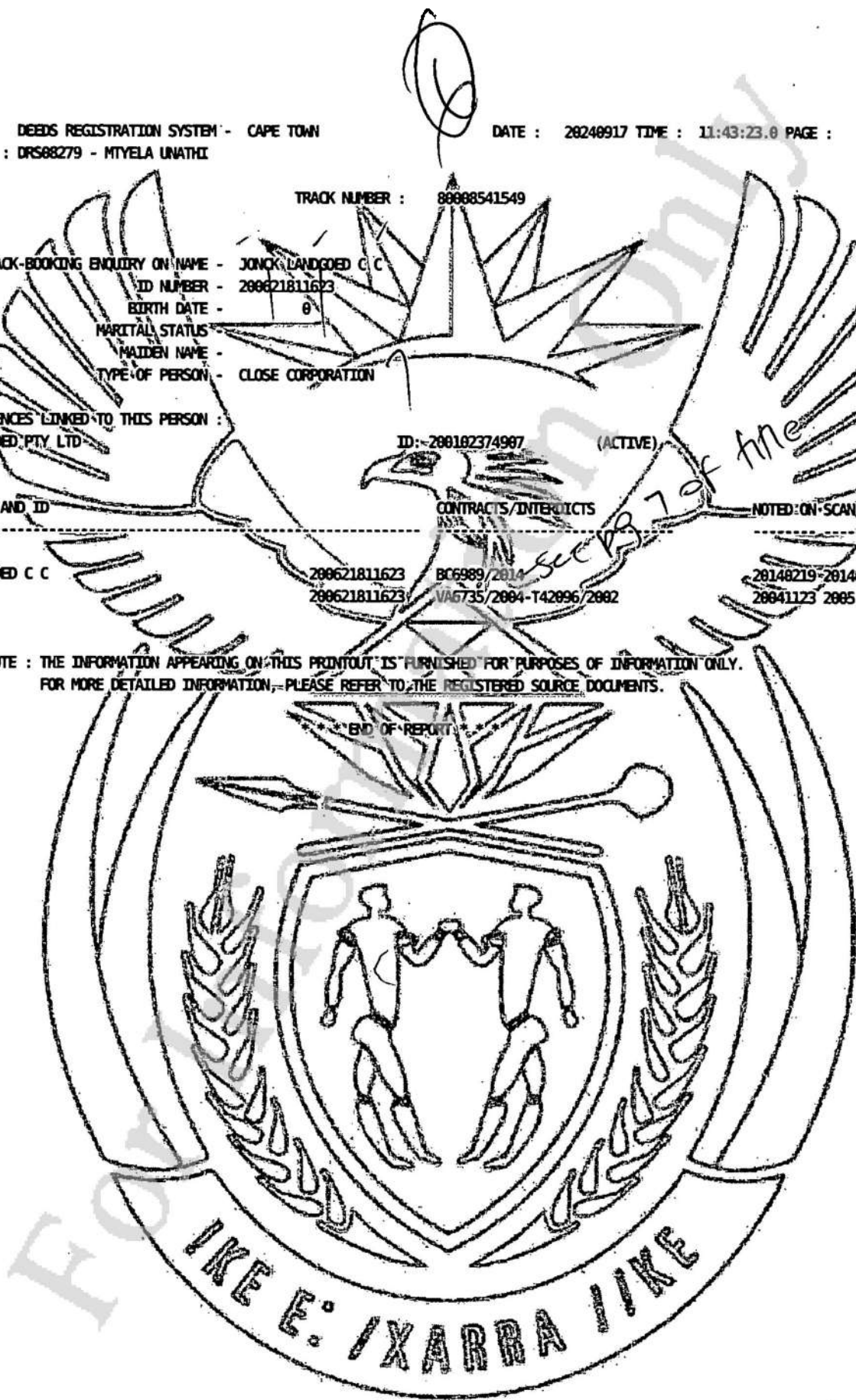
200621811623  
200621811623

BC6989/2014  
VA6735/2004-T42096/2002

20148219-20140429143343  
20041123 2005 0211 0360

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FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*



7/

TRACK NUMBER : 88088541549

PROPERTY DETAILS PRINT FOR PORTION 4  
 FARM NO 227  
 REG. DIV GEORGE RD

PROVINCE WESTERN CAPE  
 PREV DESCRIPTION T285/8/1886  
 DIAGRAM DEED NO 28.5511 H  
 EXTENT OUTENIQUA DC  
 CLEARANCE BUFFELS DRIET  
 FARM NAME

NO INTERDICTIONS

DOCUMENTS  
 VA6735/2004  
 VA6736/2004  
 FARM GE 227/4

HOLDER & SHARE  
 T42096/2002 - lb  
 E30031/2002 - Cave vide Be 0990/2014

AMOUNT	O/P/A	SCAN/MICRO REF	MDD
		2005 0211 0360	1123
		2005 0211 0381	1123
		1985 0033 0698	

OWNER DETAILS

FULL NAME & SHARE  
 JONCK LANDOED C C

PURCH. DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MDD	MICROFILM REF
20020105	R900000:00	P	200621811623	T42096/2002	0527	20140429143654

\* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

\*\* PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*

IKHE: /XARRA /IKE

TRACK NUMBER : 88688541549

PROPERTY DETAILS PRINT FOR PORTION 7  
 FARM NO 226  
 REG DIV GEORGE RD

(R/E)

PROVINCE WESTERN CAPE  
 PREV DESCRIPTION PTN OF 5-GOEDE HOOP  
 DIAGRAM DEED NO T1272/1922  
 EXTENT 52,3441 H  
 CLEARANCE OUTENIQUA DC  
 FARM NAME DIEPE KLOOF

CASE NUMBER

CASE DATE/TITLE NR

NOTED ON  
 20010702

INTERDICTS  
 I-8973/2001LG

DOCUMENTS  
 B4802/2014  
 VA5735/2004  
 VA5736/2004  
 FARM GE 226/7

HOLDER & SHARE  
 NEDBANK LTD  
 T42096/2002  
 B38031/2002

AMOUNT  
 R1760000.00

O/P/A

SCAN/MICRO REF  
 20140429143318  
 2005 0211 0360  
 2005 0211 0381  
 1985 0033 0586

MDD  
 0219  
 1123  
 1123

OWNER DETAILS

FULL NAME & SHARE  
 JONCK LANGOED C C

PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MDD	MICROFILM REF
20020105	R900000.00	P	200621811623	T42096/2002	0527	20140429143654

MDD  
 0527

\* O/P/A - 0 - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

\*\* PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*

IKHE: /XARRA /IKHE

9

TRACK NUMBER : 80008541549

PROPERTY DETAILS  
 PRINT FOR PORTION 29  
 FARM NO 227  
 REG. DIV GEORGE RD

PROVINCE WESTERN CAPE  
 PREV DESCRIPTION PTN OF 2  
 DIAGRAM DEED NO T7357/1959  
 EXTENT 53.4755 H  
 CLEARANCE OUTENIQUA DC  
 FARM NAME BUFFELS DRIEFT

NO INTERDICTS

DOCUMENTS  
 VA6735/2004  
 VA6736/2004  
 FARM GE 227/29

HOLDER & SHARE  
 T42096/2002  
 E030031/2002

*hock*  
*Omitted*  
*note B.C. 6940/2014*

AMOUNT	O/P/A	SCAN/MICRO REF	MDD
		2005 0211 0360	1123
		2005 0211 0381	1123
		1985 0033 0737	

OWNER DETAILS

FULL NAME & SHARE  
 JONCK LANDGOED C C

PURCH. DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MDD	MICROFILM REF
20020105	R900000:00	P	200021811623	T42096/2002	0527	20140429143654

\* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

\*\* PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*

IKHE: /XARRA /IKHE

**CONVEYANCER  
CERTIFICATE**



## CONVEYANCER CERTIFICATE

I, the undersigned,

**STEPHANUS ABRAHAM ROUX**

hereby confirm that a search was conducted in the Deeds Registry Cape Town regarding the following property (including current and earlier title deeds / pivot deeds / deeds of transfer):

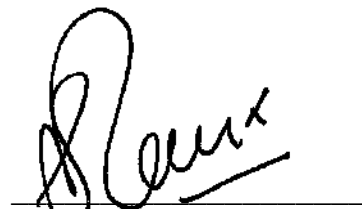
**PORTION 29 (A PORTION OF PORTION 2) OF FARM BUFFELS DRIFT NO. 227 IN THE MUNICIPALITY AND DIVISION OF GEORGE, WESTERN CAPE PROVINCE**  
IN EXTENT: 53,4755 (Five Three Comma Four Seven Five Five) Hectares  
HELD BY DEED OF TRANSFER NO. T42096/2002

(the Property)

Application is made in terms of Section 15(2)(o) of the George Land Use Planning By-Law, 2023 for a consent use for a composting site on the Property.

In respect of the above it was found, and I hereby certify that there is no restrictive condition/s that prohibits the consent use for a composting site on the Property as per the application.

DATED at GEORGE on this 28<sup>th</sup> day of August 2024.



**SA ROUX**  
**CONVEYANCER**

**POWER OF  
ATTORNEY**

**POWER OF ATTORNEY**

to

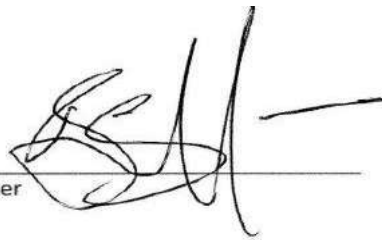
**FORMAPLAN (TOWN AND REGIONAL PLANNERS)**

of

8 St John Street, George

I, **Lotter Bekker**, the undersigned and duly authorized by **Premier Agriculture (Pty) Ltd**, the registered owner of **Ptn 29 of Farm Buffelsdrift No. 227, George**, hereby appoint *Formaplan Town Planners*, to be my sole agent to apply to the Municipality of George for *consent use for composting on a section of the property approximately 6ha in size*, as will be addressed in the accompanying Memorandum attached thereto.

Lotter Bekker

A handwritten signature in black ink, appearing to be 'L. Bekker', written over a horizontal line. The signature is stylized and somewhat cursive.

**22/11/2024**

**COMPANY  
RESOLUTION AND  
CIPC**

Resolution of the Board of Directors

Resolution of the Board of Directors of: **PREMIER AGRICULTURE (PTY) LTD** Registration no. **2022/224385/07** ("the Company")  
Held at **George** on this the **28th** day of **May 2024**

It was resolved that any **one** of the persons listed below are:-

Full name and surname	<b>LOTTER BEKKER</b>
Designation	<b>DIRECTOR</b>
Full name and surname	Click or tap here to enter text.
Designation	Click or tap here to enter text.
Full name and surname	Click or tap here to enter text.
Designation	Click or tap here to enter text.

authorised and empowered to (1) sign the Guarantees Application and Indemnity form in favour of FirstRand Bank Limited (Reg. No. 1929/001225/06) ("the Bank"), in respect of the Company's applications to the Bank to provide certain guarantee/s and/or similar undertakings and (2) do all things necessary to give effect to the above on behalf of the Company.

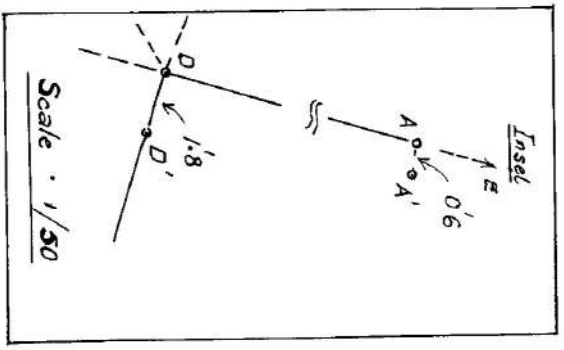
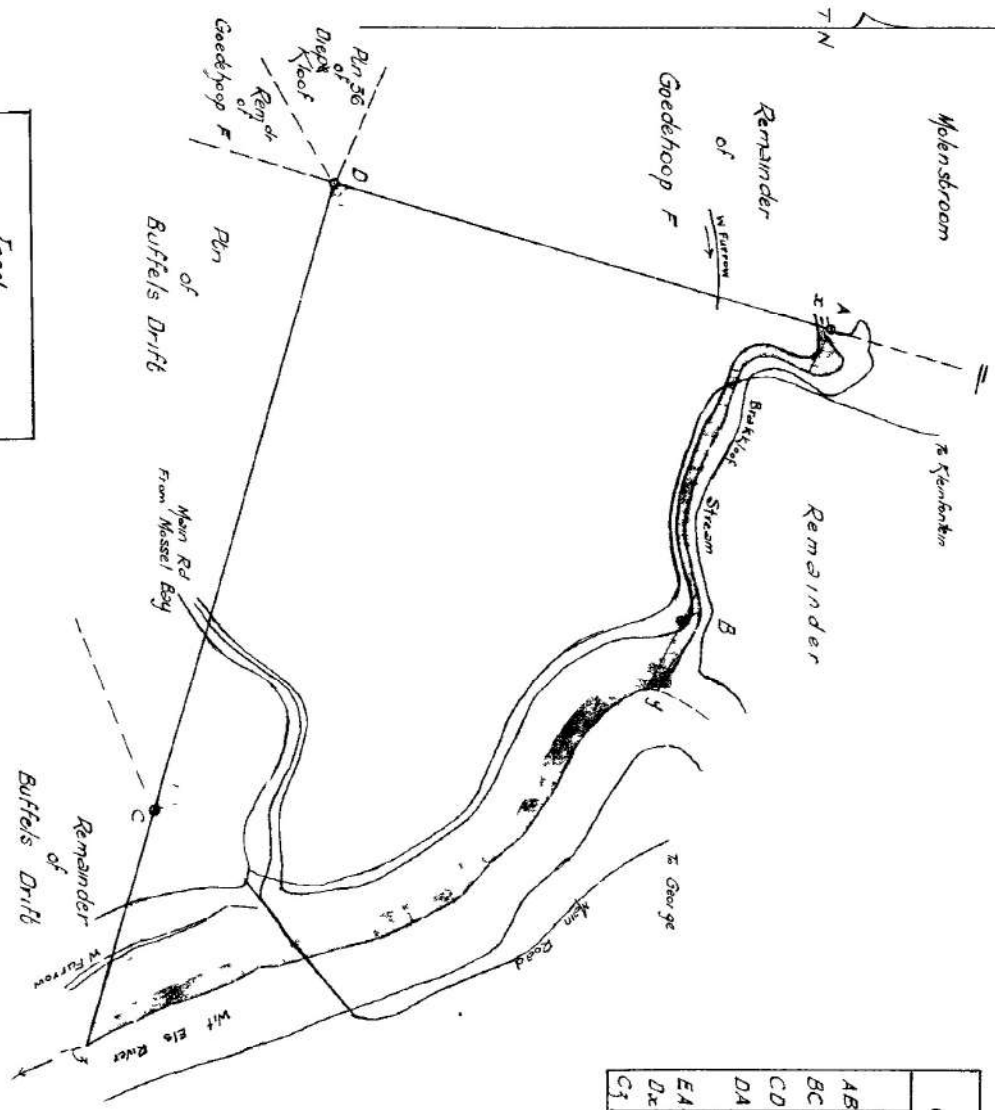
Certified a true copy of the minutes of the meeting.

Full name and surname	<b>LOTTER BEKKER</b>
Designation	<b>DIRECTOR</b>
ID no.	<b>7903015228081</b>
Signature (who warrants that he/ she is authorized)	
Full name and surname	Click or tap here to enter text.
Designation	Click or tap here to enter text.
ID no.	Click or tap here to enter text.
Signature (who warrants that he/ she is authorized)	_____

## SG DIAGRAM

SIDES Cape Feet	ANGLES OF DIRECTION	SYSTEM L <sup>o</sup> 26° 1'	
		CO-ORDINATES	
AB	Consols 297 12 30	+ 130000 0	+ 11940000 0
BC	340 30 0	+ 8331 5	+ 7038 8
CD	106 24 10	+ 7309 4	+ 7667 1
DA	196 25 50	+ 6537 6	+ 9846 7
E4	16 25 50	+ 9134 1	+ 9082 4
Dx	196 25 50	+ 7086 2	+ 2137 8
C1	286 24 10	+ 8530 9	+ 7038 8
		+ 9132 4	+ 9083 0

Approved  
*[Signature]*  
 3-4-1959  
 Surgeon-General.



BEACONS. -  
 A, planted stone py 6"  
 C, " " " 9"  
 D, " " " 15"  
 B, concrete block 6"x6" py 12"  
 E, " " " 9"x9 " 12"  
 A & D, not beacons.

Portion 29 ( ) of the farm  
 Buffels Drift  
 George 115 227

Scale 1 7500

The figure x middle of Brakkleef Stream y middle of Wit Els River y D represents 62.4326 Morgen of land being

Portion 29 (a portion of Portion 2 ) of the farm Buffels Drift situated in the Division of George Province of Cape of Good Hope. Surveyed in 4 Oct-Nov 1958 by me *[Signature]*

Land Surveyor

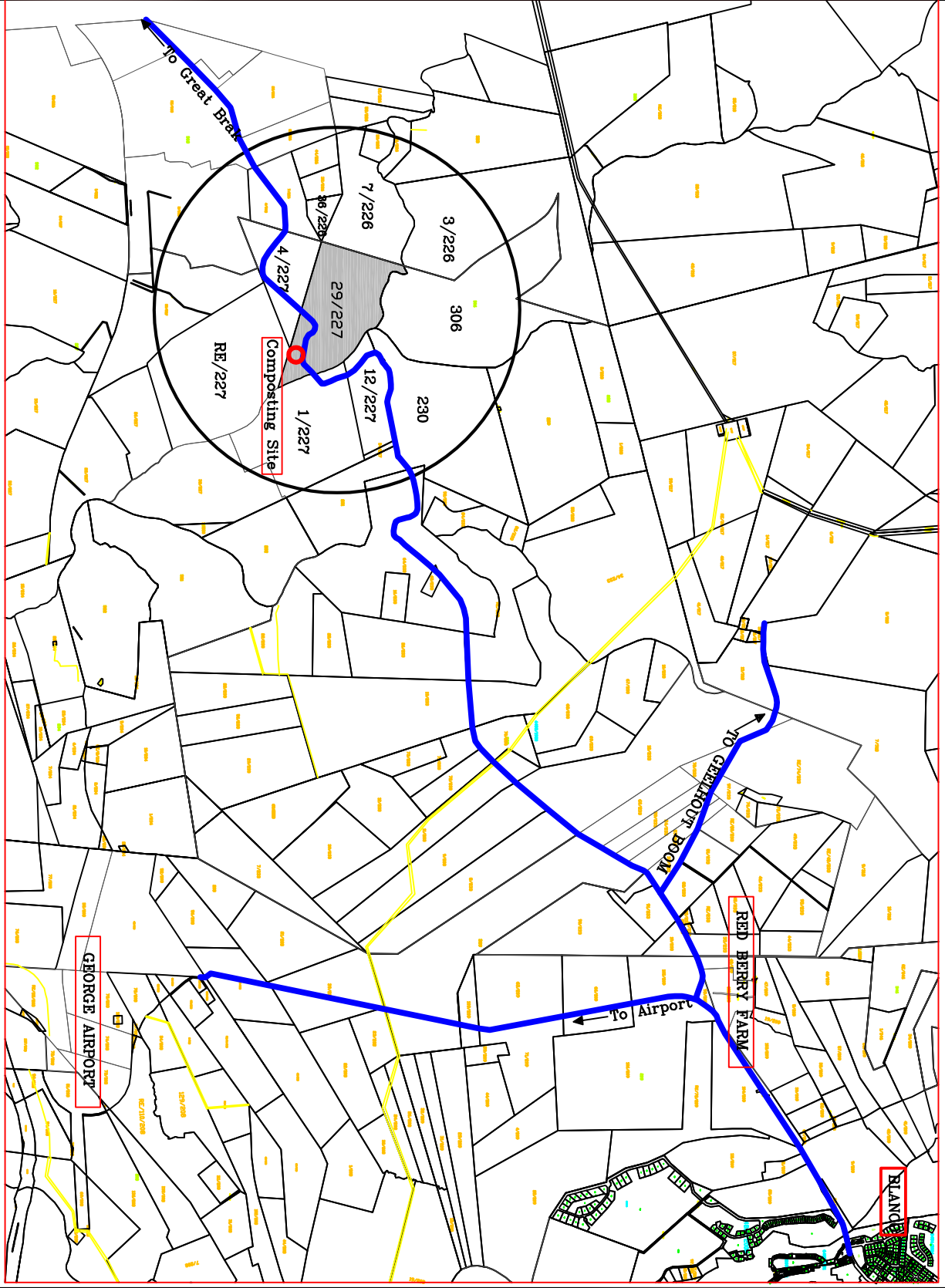
This diagram is covered to D/T 7357/1959

The original diagram is No 2387/958 covered to D/T 1858 10-152

File No. 8339  
 S R No. 2363/58

## **LOCALITY PLAN**





NOTE:  
All measurements on this plan are approximate and must be verified by a landsurveyor.

Client: Mr. Lotter Bekker  
Client:

FORMAPLAN  
STRAAT 4, SIESSBOOM WEG 22  
TOWN & REGION, FRANKS  
14 040 07-585 Fax 040 07-932

Project: CONSENT USE  
Project:

Title: Locality/Site Plan  
Title:

Property: Ptn 29 of Farm 227, George  
Property:

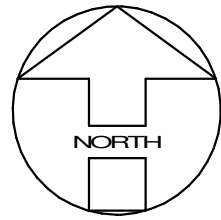
Scale: NTS  
Date: April 2024  
Scale: 1:1  
Date: April 2024

Project: Comp 1.1  
Project:

## **SITE PLAN**

# SITE PLAN

Portion 29 of the  
farm BUFFELS DRIFT  
No. 227  
GEORGE



200m

SCALE 1:3000

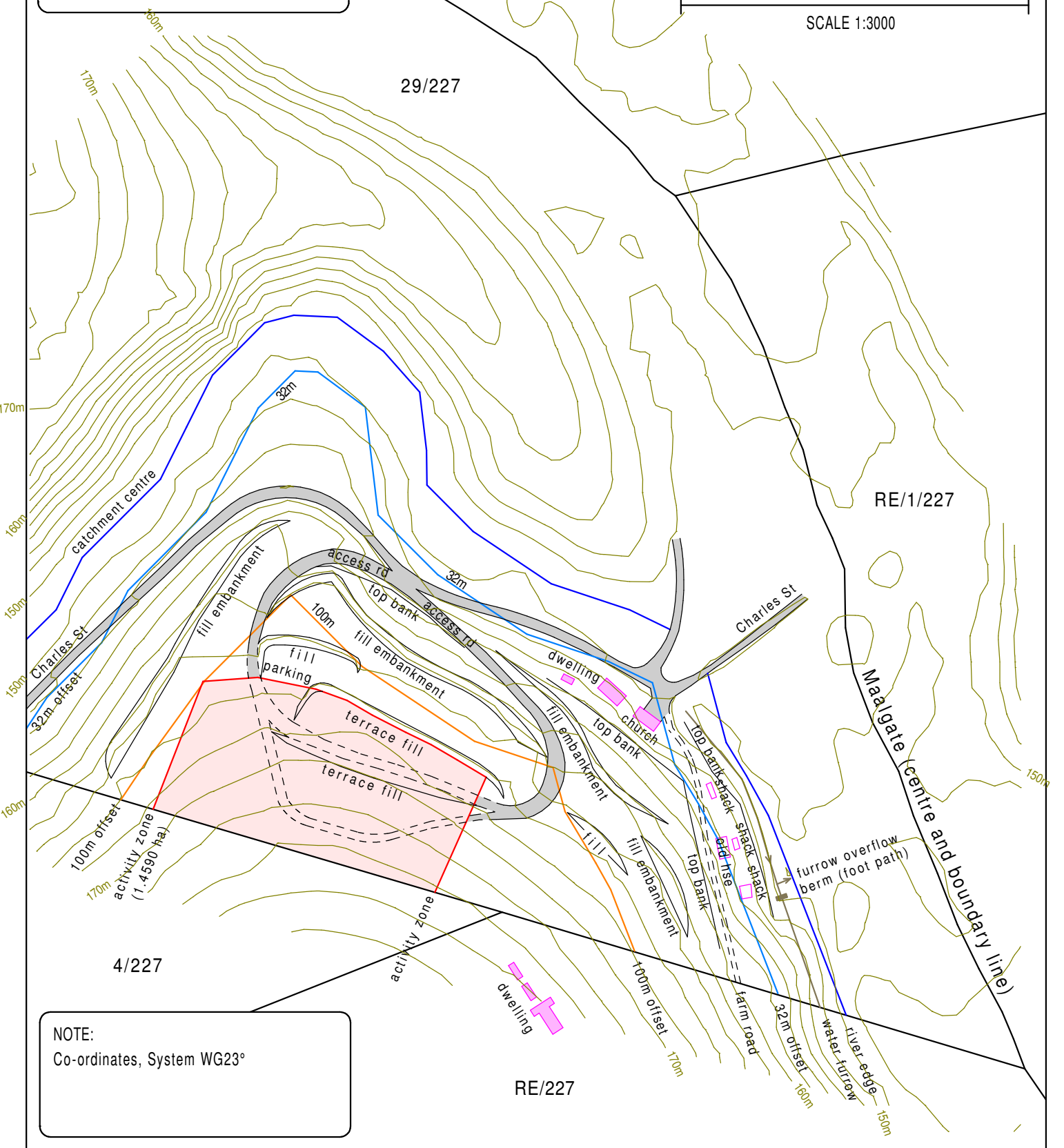
230 160m 160m

12/227

Maalgate

29/227

RE/1/227



NOTE:  
Co-ordinates, System WG23°

SURVEYOR:  
J.J. Fourie (SAGC: S0733)  
082 447 8093  
Date: 23/08/2024

DRAWING NO  
P29F227CP

REV 0

4/227

RE/227

**LETTER  
ENVIRONMENTAL  
CONSULTANT**

# Impact Verification Report

Organic Fertiliser Mixing Site

Portion 29 of Farm Buffelsdrift 227

George

September 2024



Greenfire Enviro

GREENFIRE ENVIRO (Pty) Ltd 2019/599177/07

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**On fire to bless our environment**



# Greenfire Enviro

GREENFIRE ENVIRO (Pty) Ltd 2019/599177/07

On fire to bless our environment

Impact verification report for the Organic Fertiliser Mixing Site on Portion 29 of Farm 227 George	
Client:	Mr Okkie Alberts
Date	3 September 2024
Ecologist Details	Mrs Desireé du Preez, Ecologist, Environmental Scientist BSc Forestry with Nature Conservation MPhil Environmental Science Pri Sci Nat 400050/98 Ecologist & Environmental Scientist Greenfire Enviro 17 Mountain Road, Glenbarrie, George 6530 Ph 082 922 3180 Email: <a href="mailto:desiree@greenfireenviro.co.za">desiree@greenfireenviro.co.za</a> <a href="http://www.greenfireenviro.co.za">www.greenfireenviro.co.za</a>
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## 1 INTRODUCTION

Mr Alberts has been operating a facility to mix chicken manure with saw dust for a while in a quarry area, but had to vacate the site for mine safety purposes. He was offered a site on Portion 29 of the Farm 227, on condition that the farm is supplied with its required quantity of manure/fertiliser mix .

The site is situated near the three bridges on Charles Street approximately 15 km west of George city centre. The site was previously used for pasture.



Figure 1. Locality of Portion 29 of Farm Buffelsdrift 227

## 2 SITE CHARACTERISTICS

The study area consists of an area of approximately 5 ha of planted pasture separated from the rest of the farm portion by Charles Street and the access to the neighbouring property. It slopes steeply in a north-northeasterly direction with slopes varying between 4% next to Charles Street and 13% near the southern boundary.

The Maalgate River (a FEPA wetland) lies to the east of the study area with the middle of the river forming the farm boundary. An irrigation furrow is situated between the river and the study area. An unnamed tributary flows next to Charles Street to the north and west of the study area.

Old, dilapidated buildings occupied by vagrants are situated between the study area and Charles Street at the northeast and eastern ends of the area. To the south lies another property that is utilised for crop cultivation and planted pasture. A house and farm dam are situated adjacent to the boundary.

The vegetation of the undisturbed areas of the study area consists of a variety of indigenous and exotic pasture grasses, with various agricultural weeds among the grass. Sparse black wattle





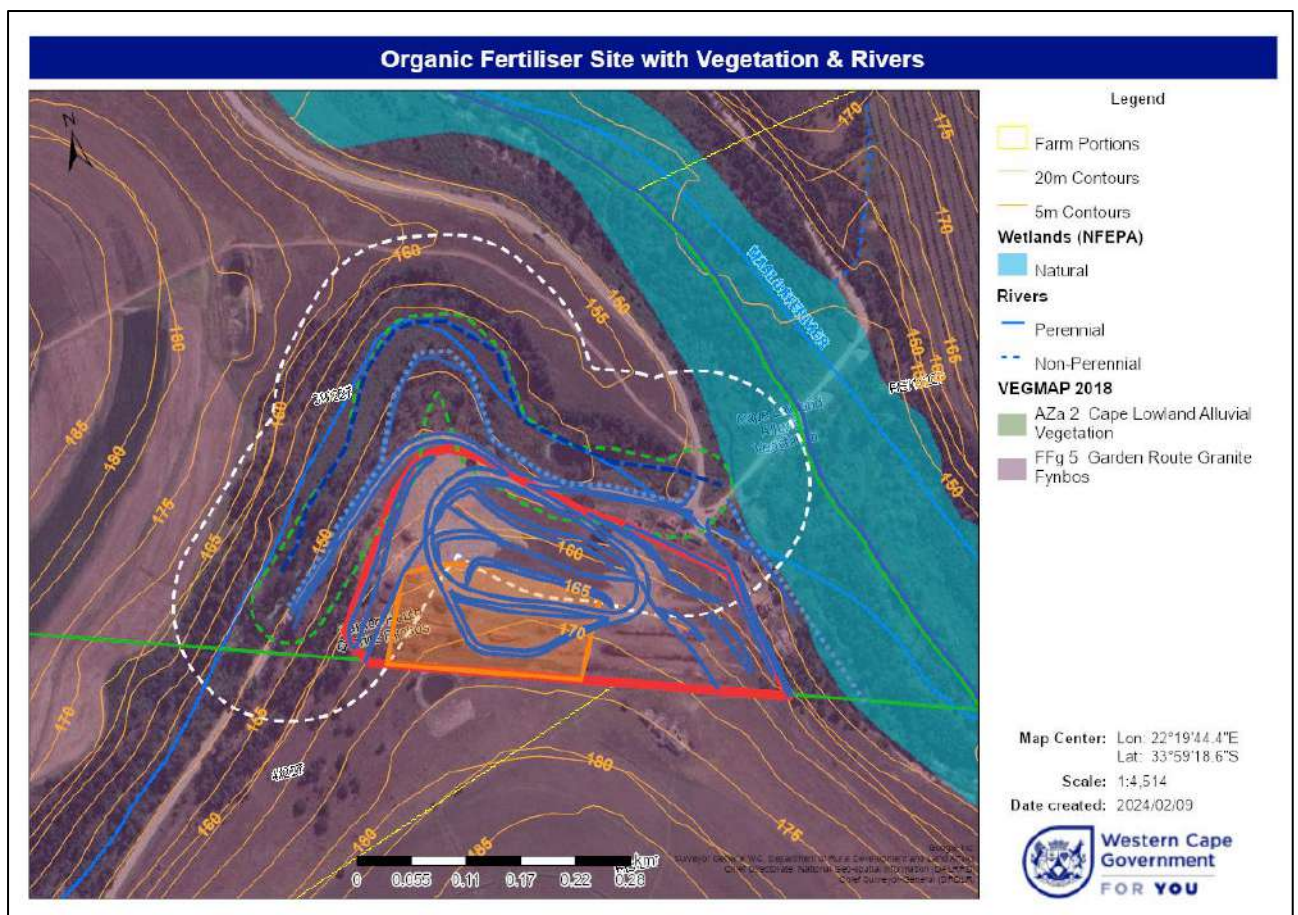
(*Acacia mearnsii*) trees are scattered over the eastern end of the study area, while a Eucalyptus and Acacia “jungle” borders the western end of the area.

The site was shaped with fill platforms and roads to enable operation of the fertiliser mixing facility and heavy vehicle transport, as well as to alter the drainage to prevent polluted runoff entering the rivers.

### 3 DESKTOP ANALYSIS

#### 3.1 Vegetation and Biodiversity Spatial Plan

The vegetation of the study area is mapped as Garden Route Granite Fynbos (figure 2), which is Critically Endangered. No evidence can be found on Google imagery that the study area was ploughed or otherwise disturbed in the previous 10 years, therefore it classifies as indigenous vegetation regardless of the transformed condition thereof.



**Figure 2 Vegetation, Rivers and Wetlands on and around the study area. The red line = boundaries of the study area; orange polygon = waste storage area; white dotted line indicates 100 m from the centre of the rivers; green dotted line indicates 32m from riverbanks**

The study area does not contain remnant vegetation on the SANBI layer on Cape Farm Mapper3, and only the edges are mapped as Ecological Support Area2. The study area contains planted pastures on the Cape Farm Mapper3 Winter Crops 2023 layer (figure 3).



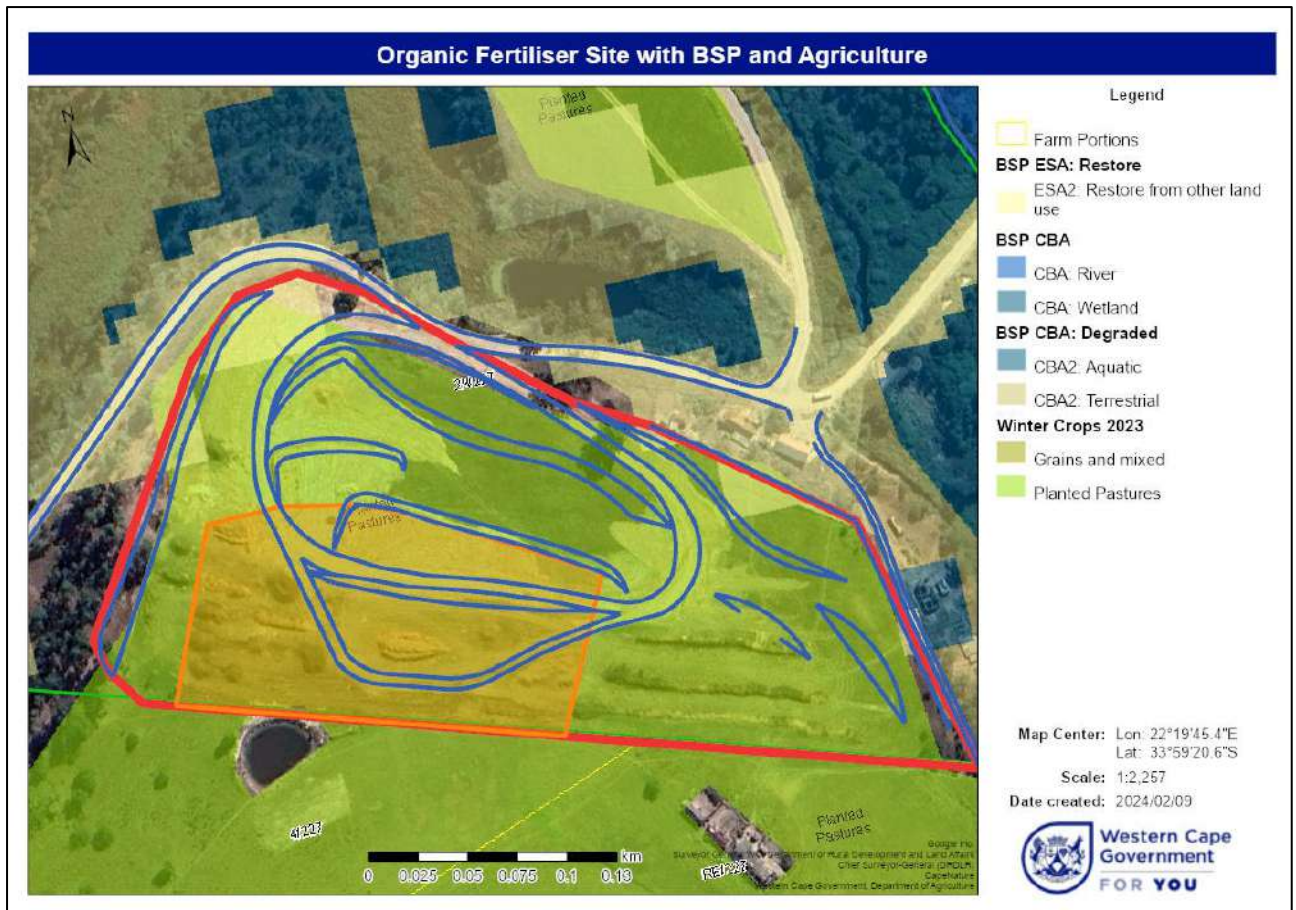


Figure 3 Biodiversity Spatial Plan and Agriculture for the Study Area

### 3.2 Rivers and Wetlands

The study area is bordered by roads to the north and northeast, which follows the Maalgate River (and its FEPA wetland) and an unnamed tributary. The majority of the study area is situated within 100 m of the rivers, while a small area at the boundary is within 32m of the tributary. An irrigation furrow borders the Maalgate River, which has the effect that the study area is more than 32 m from the Maalgate River.

## 4 IMPACT ASSESSMENT

### 4.1 Vegetation and biodiversity

The area was used for pasture in the past and looks similar to the adjacent pasture. The development of the facility did not have a noticeable impact on plant species or biodiversity.

### 4.2 Fauna

It is a highly transformed environment with various disturbances (residences, roads) and would not support any fauna species of conservation concern.

#### 4.2.1 Agriculture

The facility represents an agricultural use that benefits agriculture in the surrounding area.

### 4.3 Rivers and Wetlands

The water of the Maalgate River and the tributary are highly enriched from agricultural drainage before reaching the study area. The site area drains towards the rivers, but the area was altered to



prevent direct runoff from the nutrient rich fertiliser heaps towards the rivers. The potential impact (risk) of the facility would therefore be low.

#### **4.4 Legal triggers**

It was established through the Department of Environmental Affairs and Development Planning that no NEM:Waste Act activities were triggered. These officials, however, confirmed that they did not consider activities in terms of the National Environmental Management Act.

The listed activities in terms of the National Environmental Management Act that would apply to the development of the roads, platforms and berms in the study area that contained indigenous vegetation are: Listing Notice 1 No 27, Listing Notice 1 No 12, Listing Notice 3 No 4 and Listing Notice 3 No 12.

The earthworks within 100 m of the rivers is regulated in terms of the National Water Act activities c and i for changing the beds and banks of a river.



Appendix 1. EAP Qualifications

Environmental Assessment  
Practitioners Association  
of South Africa



Registration No. 2020/1486

*Herewith certifies that*

Desireé du Preez

*is registered as an*

Environmental Assessment Practitioner

*Registered in accordance with the prescribed criteria of Regulation 15. (1)  
of the Section 24H Registration Authority Regulations  
(Regulation No. 849, Gazette No. 40154 of 22 July 2016, of the  
National Environmental Management Act (NEMA), Act No. 107 of 1998, as  
amended).*

Effective: 01 March 2024

Expires: 28 February 2025

Chairperson

Registrar



# SACNASP

South African Council for Natural Scientific Professions

herewith certifies that

**Desiree du Preez**

Registration Number: 400050/98

**is a registered scientist**

in terms of section 20(3) of the Natural Scientific Professions Act, 2003  
(Act 27 of 2003)

in the following field(s) of practice (Schedule 1 of the Act)

Environmental Science (Professional Natural Scientist)  
Ecological Science (Professional Natural Scientist)

Effective **19 August 1998**

Expires **31 March 2025**



Chairperson

Chief Executive Officer



To verify this certificate scan this code

**FEEDBACK FROM  
DEA&DP**

**From:** Desireé du Preez <desiree@greenfireenviro.co.za>  
**Sent:** Tuesday, 03 September 2024 13:02  
**To:** 'Mona Alberts'; philip@formaplan.co.za  
**Subject:** FW: Organic fertiliser mix & NEMWA  
**Attachments:** Norms and Standards NEMWA\_REGISTRATION FORM - MAY 2022.docx

Hi Philip en Mona

Sien die Departement se terugvoer

Groete

Desireé du Preez



**DESIREÉ DU PREEZ**

Professional Environmental Assessment Practitioner,  
Pri Sci Nat Ecologist

**M:** +27 82 922 3180

**F**ind us on:



**W:** [www.greenfireenviro.co.za](http://www.greenfireenviro.co.za) **E:** [desiree@greenfireenviro.co.za](mailto:desiree@greenfireenviro.co.za)

**A:** Greenfire Enviro, Mountainweg 17, Glenbarrie, George 6530

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Any advice, opinion or assistance rendered is based on information and facts available at the time.

---

**From:** Helena van Aarde <Helena.vanAarde@westerncape.gov.za>

**Sent:** Tuesday, September 3, 2024 11:44 AM

**To:** Desireé du Preez <desiree@greenfireenviro.co.za>

**Cc:** Shaun Arendse <Shaun.Arendse@westerncape.gov.za>; Lance McBain-Charles <Lance.McBain-Charles@westerncape.gov.za>; Eugene Pienaar <Eugene.Pienaar@westerncape.gov.za>

**Subject:** RE: Organic fertiliser mix & NEMWA

Hello Desireé

I hope you are doing well.

As previously discussed, you inquired about a farmer who collects chicken manure and saw dust and whether it triggers any NEM: WA activities.

We received a response from DFFE, they do not see the mixing of the saw dust and chicken manure as a form of treatment, however as waste is continuously being stored, they will need to comply with *the National Norms and Standards for The Storage of Waste*, as published in Government Notice No. 926 on 29 November 2013.

Also, let me know the farmer's intentions and whether he plans to compost waste in the future. If so, he can apply for the composting together with the storage and use the N&S registration letter to submit for the zoning as discussed with my colleague, Eugene Pienaar.

Please find the application form attached.

*Kind Regards*

Helena van Aarde

**Environmental Officer: Specialised Production**

Waste Management Licensing: Specialised Services

Department of Environmental Affairs and Development Planning

Western Cape Government

6<sup>th</sup> floor, Property Centre, 1 Dorp Street, Cape Town, 8000

Tel: +27 (021) 483 3003

Fax: +27 (021) 483 3200

E-mail: [Helena.vanAarde@westerncape.gov.za](mailto:Helena.vanAarde@westerncape.gov.za)

Website: [www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)



Be 110% Green. Read from the screen.

Should you not be able to contact the numbers above, please call +27 (0)21 483 4091 between 07:30-16:00.

---

**From:** Lance Mcbain-Charles

**Sent:** Thursday, July 25, 2024 9:33 AM

**To:** Desireé du Preez <[desiree@greenfireenviro.co.za](mailto:desiree@greenfireenviro.co.za)>; Abdullah Suliman <[Abdullah.Suliman@westerncape.gov.za](mailto:Abdullah.Suliman@westerncape.gov.za)>;

Eugene Pienaar <[Eugene.Pienaar@westerncape.gov.za](mailto:Eugene.Pienaar@westerncape.gov.za)>; Shaun Arendse <[Shaun.Arendse@westerncape.gov.za](mailto:Shaun.Arendse@westerncape.gov.za)>

**Cc:** 'Naudica Swanepoel' <[nswanepoel@george.gov.za](mailto:nswanepoel@george.gov.za)>; [philip@formaplan.co.za](mailto:philip@formaplan.co.za)

**Subject:** RE: Organic fertiliser mix & NEMWA

**Importance:** High

Good day Desireé,

Thanks for the reminder follow up telephone call this morning.

Attached is the Norms and Standard for

- Composting
- Grinding Shredding Bailing etc
- Storage
- Organic waste treatment

- We will require a little more information on the volumes, the other types of waste that may be included the water source as sometimes waste water is used to keep the operations moist and hydrated.



- Also, where this will be happening what are the proposed locations of the composting or treatment.
- We have had complaints about odours and vectors emanating from certain facilities in the Southern Cape previously.
- We do not want to create convenient stockpiles of waste.

**From the NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT 59 OF 2008**

**(All amendments effected up to 2 September 2014)**

“Waste” means -

(a) any substance, material or object, that is unwanted, rejected, abandoned, discarded or disposed of, or that is intended or required to be discarded or disposed of, by the holder of that substance, material or object, whether or not such substance, material or object can be re-used, recycled or recovered and includes all wastes as defined in Schedule 3 to this Act; or

(b) any other substance, material or object that is not included in Schedule 3 that may be defined as a waste by the Minister by notice in the *Gazette*,

but any waste or portion of waste, referred to in paragraphs (a) and (b), ceases to be a waste-

(i) once an application for its re-use, recycling or recovery has been approved or, after such approval, once it is, or has been re-used, recycled or recovered;

(ii) where approval is not required, once a waste is, or has been re-used, recycled or recovered;

(iii) where the Minister has, in terms of section 74, exempted any waste or a portion of waste generated by a particular process from the definition of waste; or

(iv) where the Minister has, in the prescribed manner, excluded any waste stream or a portion of a waste stream from the definition of waste.

**I will request Abdullah to allocate a case officer to assist with the details of the application, the saw dust is more likely to be waste, we will confirm.**

**Regards**

Lance McBain-Charles *Reg. EAP (EAPASA)(2019/1999)*

Control Environmental Officer (Grade B)

Head: Waste Management Licensing

Directorate: Waste Management

Department: Environmental Affairs and Development Planning

6th Floor Property Centre, 3 Dorp Street, Cape Town, 8001

Tel: +27 (0)21 483 2747

Fax: +27 (0)21 483 3200

Cell: +27 (0)73 185 9981

E-mail: [Lance.McBain-Charles@westerncape.gov.za](mailto:Lance.McBain-Charles@westerncape.gov.za)

Website: [www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)



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Due to COVID-19 restrictions, we are still operating on a "work-from-home" basis. Should you not be able to contact the numbers above, please call +27 (0)21 483 4091 between 07:30-16:00.

---

**From:** Desireé du Preez <[desiree@greenfireenviro.co.za](mailto:desiree@greenfireenviro.co.za)>  
**Sent:** Tuesday, July 16, 2024 9:29 AM  
**To:** Lance McBain-Charles <[Lance.McBain-Charles@westerncape.gov.za](mailto:Lance.McBain-Charles@westerncape.gov.za)>  
**Cc:** 'Naudica Swanepoel' <[nswanepoel@george.gov.za](mailto:nswanepoel@george.gov.za)>; [philip@formaplan.co.za](mailto:philip@formaplan.co.za)  
**Subject:** FW: Organic fertiliser mix & NEMWA

Dear Lance

Will you please assist me with my enquiry? I have not done any NEMWA applications and would appreciate your assistance.

Regards

Desireé du Preez



**DESIREÉ DU PREEZ**

Professional Environmental Assessment Practitioner,  
Pri Sci Nat Ecologist

**M:** +27 82 922 3180

Find us on:   

**W:** [www.greenfireenviro.co.za](http://www.greenfireenviro.co.za) **E:** [desiree@greenfireenviro.co.za](mailto:desiree@greenfireenviro.co.za)

**A:** Greenfire Enviro, Mountainweg 17, Glenbarrie, George 6530

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Any advice, opinion or assistance rendered is based on information and facts available at the time.

---

**From:** Desireé du Preez <[desiree@greenfireenviro.co.za](mailto:desiree@greenfireenviro.co.za)>  
**Sent:** Monday, July 8, 2024 11:53 AM  
**To:** 'Lance McBain-Charles' <[Lance.McBain-Charles@westerncape.gov.za](mailto:Lance.McBain-Charles@westerncape.gov.za)>  
**Subject:** Organic fertiliser mix & NEMWA

Dear Lance

The farmers in the George area are using chicken manure mixed with saw dust for organic fertiliser. The saw dust is only added to aid handling. I was approached to find out whether a mixing and temporary storage facility on a farm would trigger a NEMWA activity. By temporary storage is meant that a large heap of mix will be worked away on the farm and surrounding farms within weeks. It is not a composting facility.

You mentioned that saw dust is waste, but according to MTO Forestry it is classified as a by-product. The question is whether the mixing process is classified as processing.

Can you please assist me?

Thank you

Desireé

Desireé du Preez



**DESIREÉ DU PREEZ**

Professional Environmental Assessment Practitioner,  
Pri Sci Nat Ecologist

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**LETTERS OF  
SUPPORT FROM  
NEIGHBOURS**

Sel nr: 0720840807

PG TIRAN

PLAAS KLEINBOSCH

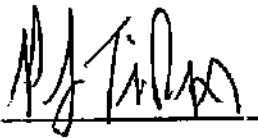
GEELHOUTBOOM

GEORGE

26 Augustus 2024

EK boer aan die ooste kant van die grond waar Mnr Ockie Alberts kompos meng deur die gebruik van saagsels, bas en hoendermis. EK het geen klagte teen die meng van kompos nie sowel as geraas, reuk of stof nie. Vir my persoonlik is dit 'n goeie ding dat in die omgewing kompos gemaak word wat meer aanvaarbaar is vir gebruik op landbou landerye in die plek van chemiese produkte.

Ek kan gekontak word by bogenoemde nommer.



PG TIRAN

Bel: NR 08 36276794  
Email: Stander@kilbert.co.za

J. H. STANDER  
Plaas 'Buffelsdrif 306  
Jel-Houtboom  
Gerg  
23 Augustus 2024

## IS. MENG VAN KOMPOS


Ek Boek en woon aan die Noorde kant van die versal waar MNR! O. J. ALBERTS. KOMPOS maak van saagsels; CHIPS EN BAS. Ek het geen probleem wat betref

- 1) Verkeer
- 2) Geloes van masjiene
- 3) Slechte Reuke
- 4) Besoedeling van water
- 5) STOF

ENSOMEER NIE! IN TEENDEEL IS EK BY DOOR WORD KOMPOS GEMAAK WAT GOED KOPER EN MENS VRIENDELIK IS.

VERDER MET EK DIESELFDE STUK GROND VIR DIE AFGELOPE 26 JOER GEHOU EN KON DIT VIR GEEN DOEL GEBRUIK NIE OMDAT ITTE KLEIN IS: SOWEL AS SKWINS MET 'N LAE VLAK VAN G7 EN POTKLEI. AUS WAS DIT ONBENUTBAAR, MOOR DIEN NOU 'N POSITIEWE DOEL

VIR NAAROE KON TAK MY!

  
( J. H. STANDER

SEL NR: 0828034574

JD BARNARD

PLAAS YOUNGSHOPE

DIEPKLOOF

GEORGE

26 Augustus 2024

Ek JD Barnard is die eienaar van die grond aan die weste en suide kant van waar Ockie Alberts kompos meng. Ek grens letterlik weerskante aan die grond en koop self by mnr Alberts kompos vir gebruik in my boerdery. Ek is van geen reuk bewus in die omgewing nie. Geraas en stof het ook nie 'n probleem mee nie. Die verkeer op paaie is ook stabiel.



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JD BARNARD