

4.3**PORTION 7 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213 AND REMAINDER OF FARM 229, BREDASDORP DIVISION, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION AND CONSOLIDATION: MESSRS TOWN & COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF EARTHWORKS INV 7 CC****Ptn 7/213 &****Rem Farm 229 GRBRE (3694)****SW van der Merwe****(028) 313 8900****Hermanus Administration****1 June 2019****1. EXECUTIVE SUMMARY**

An application was received on 25 May 2017 from Messrs Town & Country Creative Land Solutions on behalf of Earthworks Inv 7 CC in terms of the Overstrand Municipal Land Use Planning By-Law, 2015 for the following:

- subdivision in terms of Section 16(2)(d) of Portion 7 of the Farm Baardscheerders Bosch No. 213 into two (2) portions, namely a Remainder (± 46 ha) and Portion A (± 94 ha), and
- consolidation in terms of Section 16(2)(e) of Portion A with the Remainder of Farm 229.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B and the proposed Subdivision- and Consolidation Plan is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The subject property is situated 1,5km east of Baarskeerdersbos and measures 140,0513 ha in extent. Minor Road 4044 (MR4044) traverses the property in a south-west to north-east direction. Access is obtained from the aforementioned road. The portion north of the road is planted with vineyards and olive trees and the southern portion is exclusively used as cultivated land (wheat farming).

The application seeks permission for the subdivision of Portion 7 of the Farm Baardscheerders Bosch No. 213 into two (2) portions, namely a Remainder of ± 46 ha and a Portion A of ± 94 ha. The Remainder contains 6 ha cultivated land, 1 ha of olives and 3 ha of vineyards. The remaining 36 ha comprises the farm werf, road and mountain. The subdivision line is determined by MR 4044. It is proposed to consolidate Portion A, situated south of the aforementioned road with the remainder of Farm 229.

4. SUMMARY OF APPLICANT'S MOTIVATION

The Motivation Report is attached as Annexure B. The applicant's motivation is summarised as follows:

- ❖ The development proposal is consistent with the SDF for the area.
- ❖ The proposal is consistent with the SPLUMA and LUPA principles.
- ❖ The proposed re-alignment will strengthen existing uses on the portions without impacting on the agricultural potential of the farm.
- ❖ The proposed re-alignment is in character with what is already there.
- ❖ The proposed re-alignment will not result in any visual impact.
- ❖ The proposed subdivision and consolidation will not impact negatively on the sustainability of the farm portions involved.
- ❖ The alignment is according to existing farm uses, along a public road cutting the farm in two portions.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Notices	Yes	5/07/2017	11/08/2017
Ward councillor	Yes	5/07/2017	11/08/2017
Total comments/objections	NONE		
Was public participation undertaken in accordance with Section 47 - 50 of the By-Law on Municipal Land Use Planning?			Yes
Was the application processed correctly (if no, elaborate below):			Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			Yes

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

Name	Date received	Summary of comments	Recommendation
Electro Technical Services	7/07/2017	Eskom distribution area.	Positive
Breede-Gouritz Catchment Management Agency (BGCMA)	24/07/2017; 11/10/2017 + 1/12/2017	Annexure D.	Negative
Engineering Services	31/07/2017	Annexure F.	Positive

Department of Transport and Public Works	4/08/2017	Annexure G.	Positive
Environmental Services	10/08/2017	No objection.	Positive
Eskom	23/08/2017	Annexure H.	Positive
Telkom	19/09/2017	Annexure I.	Positive
Department of Agriculture (Provincial)	7/11/2017	Annexure J.	Positive
Department of Agriculture, Forestry and Fisheries (DAFF)	13/10/2017	Annexure K.	Positive
Department of Environmental Affairs and Development Planning (<i>Directorate: Development Management</i>) (DEADP)	12/02/2019	Annexure D.	Negative

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

Objections were received from the Breede-Gouritz Catchment Management Agency (BGCMA) and Department of Environmental Affairs and Development Planning (Component: Planning) (DEA&DP) (attached as Annexures D and K). The applicant's comment is attached as Annexure E.

Breede-Gouritz Catchment Management Agency

Object to the proposed subdivision for the following reasons:

- the registration document provided does not constitute a water entitlement;
- the Existing Lawful Use (ELU) was determined via the verification process, and
- the verification records indicate that the uses had non-irrigation water uses during the verification period. Therefore wheat was grown on dry land.

Applicant's comment

The owners upon investigation determined that their use of water is so small, that the use would be allowed under a General Authorization.

The proposal is supported by both the Provincial and National Department of Agriculture.

The proposal is regarded as a re-alignment, seeing that no additional units are created, whilst the proposed remainder has been farmed independently for a number of years. The wheat lands portion of the property is separated by a road and being cultivated as part of the adjoining farm for a long time. The consolidation of the wheat lands portion will ensure that a valuable portion of agricultural land is farmed sustainably. The subdivision portion will not significantly enhance the viability of the remainder since it is too small to be a wheat farm. The vineyards and olives on the remainder are being farmed on small scale. Boutique wine is produced under the name "Giant Periwinkle", thus making the property sustainable itself.

Town Planner's response

The applicant's comment is noted and agreed with. The road forms a natural subdivision line as per the comment from DEA&DP and Department of Agriculture. Portion A (wheat lands portion) has for a number of years not being farmed together with the remainder, but as part of the adjoining property. The application is thus considered to be a boundary re-alignment since it will not create an additional cadastral unit.

The applicant is also in possession of a registration certificate from Department of Agriculture, Forestry and Fisheries (DAFF) for use of water from a fountain on the property, including storage thereof. The applicant stated that the existing water use still falls in the ambit of a General Authorisation.

The applicant submitted a Business Plan on 5 April 2019 with audited statements demonstrating that the remainder will be a viable entity, whilst the subdivision is supported by both the Provincial and National Departments of Agriculture.

**Department of Environmental Affairs and Development Planning
(Directorate: Development Management)**

DEA&DP in their comment, based on the current information indicated that they do not support the application since the remainder of 46 ha is regarded economically unsustainable.

Applicant's response

DEA&DP advised that they are only a commenting authority. The final decision vests with Overstrand Municipality.

The applicant also advised that the application has been supported by both Provincial and National Department of Agriculture. Approval in terms of Act 70 of 1970 had already been granted.

Town Planner's response

The proposal is supported by both the Provincial and National Department of Agriculture. The final decision in terms of the Overstrand Municipal Land Use Planning Bylaw, 2015 pertaining to the subdivision and consolidation vest's with Overstrand Municipality.

Following receipt of DEA&DP's comment the applicant submitted a Business Plan pertaining to the winery. As such, the desirability of the proposed subdivision and consolidation will be addressed in the evaluation below.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

Refer to paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS

Refer to paragraph 7. above.

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

N/A

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

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

The objectives relating to:

Spatial Justice

The re-alignment will strengthen existing agricultural activities by grouping different uses together. The owner of the Remainder of Farm 229 would like to expand his farming activities, while the owners of the

Remainder of Farm 213/7 would like to concentrate on the vineyards and olive tree farming.

Spatial sustainability

The proposal complies with the existing forward planning documents and will not create unsustainable farming units.

Efficiency

The development will make use of existing resources. The subdivision should add value to the existing farming activities.

Spatial Resilience

Existing farming activities are strengthened by grouping existing farming activities together.

Good administration

Overstrand Municipality is obligated to consider the application fairly and within the timeframes provided for in terms of the Overstrand Municipal Land Use Planning By-Law, 2015.

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

Same as 10.2 above.

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

The proposal is consistent with the SDF.

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

N/A

10.6 Impact on Municipal engineering services

The proposal will not impact upon municipal services.

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

N/A

10.8 Existing and proposed zoning comparisons and considerations

The application properties are both zoned as Agricultural Zone: Agriculture.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The subject property is traversed by MR 4044 that split the property in two (2) portions, thus a “natural” subdivision line. The proposed subdivision and consolidation is thus seen as a boundary re-alignment since it would not create additional agricultural units.

The subdivided portion comprises the wheat lands portion of the farm that is farmed together with the adjacent Farm 229 for a number of years. The subdivision thus formalise an existing situation.

The remainder comprises vineyards and olive trees. Although not indicated in the applicant’s motivation, the remainder also comprises a boutique winery. The applicant, following a site inspection, submitted a Business Plan in respect of the winery demonstrating that the remainder will remain a viable agricultural unit. Furthermore, it should be noted that the Overstrand Zoning Scheme Regulations pertaining to agri-industry does not limit the winery to produce from the subject property only. It is thus possible to obtain grapes from nearby farms, thereby making it a viable agricultural enterprise.

The subject property is predominantly situated in the core agriculture as per the Spatial Planning Categories (SPC’s) in terms of the SDF. The proposed subdivision is not considered to negatively impact on the agricultural potential of the remainder since the proposed subdivided portion had for years not been farmed as part of the remainder. The subdivided portion, being the wheat lands section of the property on its own will not be a viable agricultural entity, but will improve the viability of the adjacent property following consolidation. Thus, formalization of an existing situation by means of subdivision is not considered to detract from the agricultural potential of the remainder.

The proposal does not trigger any listed activities in terms of NEMA.

The proposal will not impact upon municipal services since it is situated in the rural area. As such no municipal services are available.

The application is supported by the Western Cape Department of Agriculture. Consent for the subdivision and consolidation had already been granted by DAFF in terms of Act 70 of 1970.

The proposal is supported by the Western Cape Department of Transport.

The Title Deed does not hold any restrictive conditions preventing subdivision.

13. RECOMMENDATION

1. that the application in terms of Section 16(2)(d) and (e) of the Overstrand Municipal Land Use Planning By-Law, 2015 for the subdivision of Portion 7 of the Farm Baardscheerders Bosch No. 213 into a Remainder (+46 ha) and Portion A (+94 ha), and the subsequent consolidation of Portion A with the Remainder of Farm 229, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the consolidation of Portion A with Farm 229 be registered simultaneous with the registration of the subdivision of Portion 7 of the Farm Baardscheerders Bosch No. 213;
 - (b) that the applicable development parameters in terms of the Scheme Regulations be adhered to;
 - (c) that all the conditions contained in the Service Report, Eskom and Telkom (attached as Annexure F, H and I), be complied with;
 - (d) that it is the owner's/applicant's responsibility to register the approved subdivision within five (5) years from the date of approval; and
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation.
2. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

14. REASONS FOR RECOMMENDATION

- ❖ The application complies with the planning principles as set out in SPLUMA and LUPA.
- ❖ The application complies with the Zoning Scheme Regulations and other policies.
- ❖ No objections were received from internal department or adjoining property owners.
- ❖ The character of the area will not be affected.
- ❖ The divisional road forms a natural subdivision line.
- ❖ Consolidation of Portion A with Farm 229 will improve the viability of the latter.
- ❖ Portion A had been farmed for a number of years together with Farm 229.
- ❖ The applicant submitted a Business Plan demonstrating that the remainder will form a viable entity.

15. ANNEXURES

- Annexure A: Locality Plan
Annexure B: Motivation Report
Annexure C: Proposed Subdivision- and Consolidation Plan
Annexure D: Objections: Breede-Gouritz Catchment Management Agency and Department of Environmental Affairs and Development Planning (Directorate: Development Management)
Annexure E: Comment from applicant on objections
Annexure F: Services Report
Annexure G: Comment: Department of Transport and Public Works
Annexure H: Comment: Eskom
Annexure I: Comment: Telkom
Annexure J: Comment: Department of Agriculture (Provincial)
Annexure K: Department of Agriculture, Forestry and Fisheries

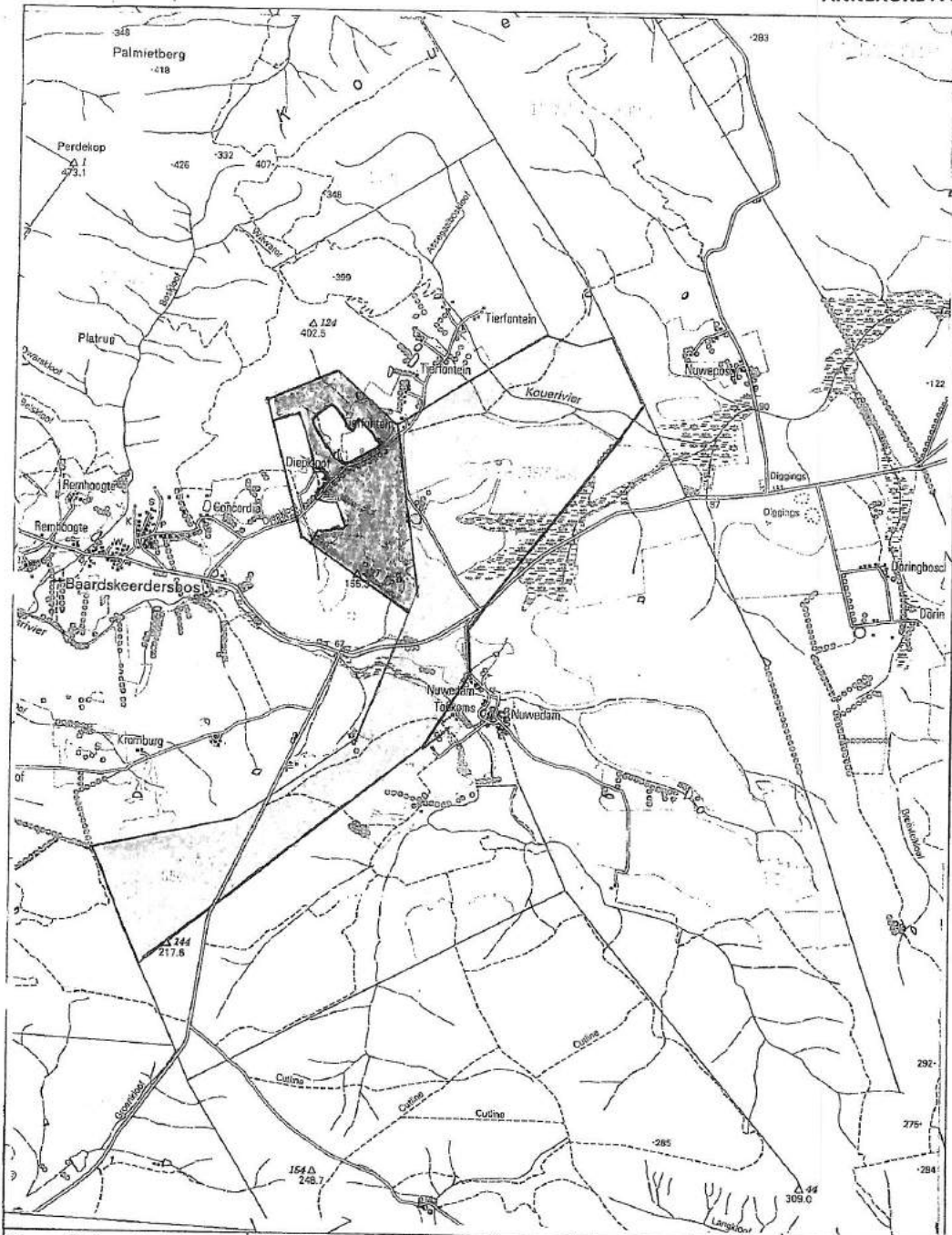
SIGNATURES**AUTHOR**

Name : **SW VAN DER MERWE**

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

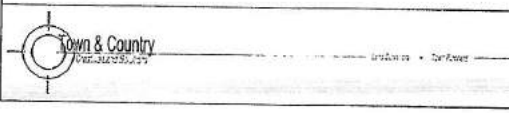
Signature : _____

Date: _____



Town & Country
 Creative Land Solutions
 P.O. Box 1085
 Bredasdorp
 7280
 Tel. 028 424 1545
 Fax. 028 425 2085
 E-mail: towncountry@vodamail.co.za

PROJECT
 LOCALITY PLAN: PORTION 7 OF FARM 213 &
 REM FARM 229, BREDASDORP RD



DRAWN	CHECKED
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SCALE	DATE
1:50 000	MAY 2017
DWG No.	REVISION
Notes:	

MOTIVATION REPORT**PROPOSED RE-ALIGNMENT: SUBDIVISION OF PORTION 7 OF FARM 213 AND
CONSOLIDATION WITH REM FARM 229, BREDASDORP RD**Ref. BRE/1658

1. INTRODUCTION & BACKGROUND

This office was appointed by Earthworks 7 CC to do a re-alignment of a farm they recently purchased. Portion 7 is proposed to be subdivided into a Remainder and one portion, along a road that divides the farm into two portions. The portion will be consolidated with an adjacent farm. No additional farm portions will be created. The purpose of the alignment is to divide the different Agricultural uses, to allow for the more optimal management of the property.

2. APPLICATION

Application is made for:

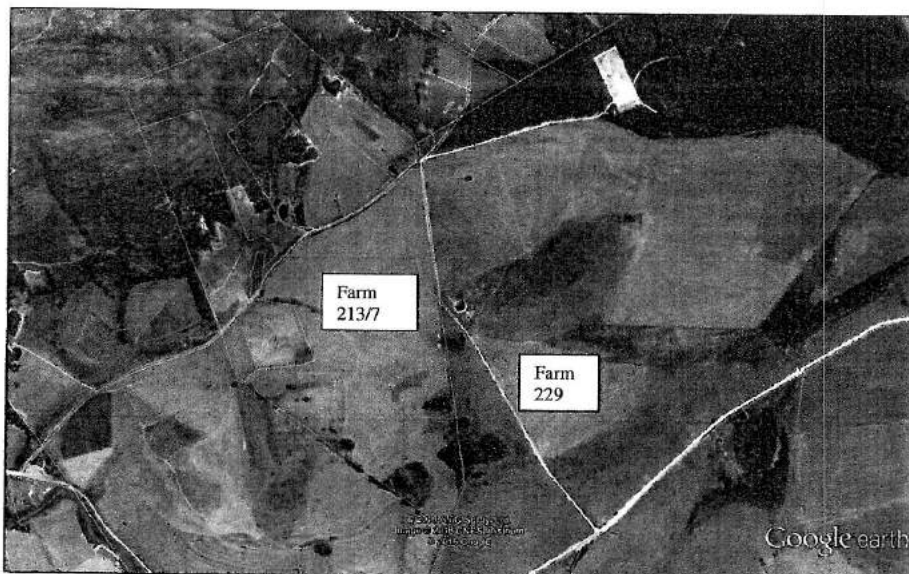
- Subdivision of Agricultural land in terms of Act 70 of 1970
- Subdivision in terms of Section 16(2)(d) of the Overstrand Municipal By-Law on Municipal Land Use Planning
- Consolidation in terms of Section 16(2)(e) of the Overstrand Municipal By-Law on Municipal Land Use Planning

3. PROPERTY DESCRIPTION

Portion 7 of Farm 213, Bredasdorp RD, Overstrand Municipality is registered under T14069/2017. The property is located approximately 1,5km east of Baardskeedersbos. Please see attached a locality plan.

FARM	Portion 7 of Farm 213	Remainder of Farm 229
DEED	T14069/2017	T63125/2013
TOTAL AREA	140.0513ha	707,9941ha
REGISTERED OWNER	EARTHWORKS INV 7 C C	The Trustees for the time being of Haasvlakte Trust
Boundaries: North	Portion 5 of Farm 204, Farm 388; Portion 8 of Farm 213	Portions 5, 6, 14, 9 & 10 of Farm 204; Portion 1 of Farm 229
East	Farm 229	Farm 208 and Portions 8, 11, 9 of Farm 209
South	Farm 388, Portions 10 & 11 of Farm 213	Farm 206 and Farm 387
West	Portions 9 & 12 of Farm 213, Farm 388	Portions 138, 166, 137, 18, 109, 108 and 388 of Farm 213

The OP4044 crosses the property in a south-west to north-eastern direction. The portion north of the road is planted with vineyards and olive trees and the southern portion is exclusively used as cultivated lands.



Aerial Photo indicating the location of Portion 7 of Farm 213, Bredasdorp District.

Town & Country
#1658

4. CURRENT ZONING

The subject property is zoned as "Agricultural Zone" in terms of the Overstrand Integrated Zoning Scheme. No change in zoning is proposed.

5. SURROUNDING LAND USE

Uses surrounding the farm are mainly of an agricultural nature, with small farms south of OP4044 and larger farms towards the north of the road.

6. PROPOSED SUBDIVISION AND CONSOLIDATION

The subdivision of Portion 7 of Farm 213 is proposed into:

A Remainder: ±46ha
Portion A: ±94ha

Simultaneous with subdivision, the portion A will be consolidated with the Remainder of Farm 229 (707,9941ha)

The owners of the Remainder portion will concentrate on the existing vineyards and olive trees that are already there and also consider further expansion. There are existing water rights registered in favour of the property. Please see the certificates attached. Water is obtained from a borehole, dam and fountain.

Portion A consist of ploughed lands and will be incorporated with the existing lands of Farm 229.

7. ACCESS

- Access to the farm is taken of the OP4044. No additional access points are required, since no additional portions are created.
- Please take note that there is a Title Deed Restriction in favour of the Department of Transport. Special permission in this regard will then also be required. The extract from the Title Deed:

ONDERHEWIG VERDER aan die volgende voorwaardes opgelê deur die beherende gesag in terme van Artikel 11(6) van die Wet op adverteer langs en toebou van Paaie (nr 21 van 1940) soos vervat in Transportakte nr T85089/1996, naamlik:

1. Die grond mag nie onderverdeel word sonder die skriftelike magtiging van die Raad nie.

With no additional farm portions created, it is believed that the proposed subdivision and consolidation should be in order with the Department of Transport.

8. SERVICES

No municipal services are impacted on.

9. ENVIRONMENTAL APPLICATION

A basic assessment in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) will not be required, since none of the regulations are triggered. No new buildings or infrastructure is proposed as part of the application

10. EXISTING POLICY FRAMEWORKS & LEGISLATION

Various local, provincial and national forward planning documents are applicable to the application and briefly discussed in the following section.

10.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (SDF)

Development Principles:

- Efficient and integrated planning – Promote efficient and integrated planning and development through:
 - Integrated development and planning in rural and urban areas with a view to mutual support
 - Optimal utilisation of existing developed resources including bulk infrastructure
 - Promotion of compaction and densification as opposed to low-density sprawl
 - Protection of the agricultural resource base
 - Spatially co-ordinating sectoral activities
 - Addressing historically distorted spatial patterns

Environmental Protection Principles

- Ecological characteristics – Facilitate development consistent with the bioregional and ecological characteristics of that environment. Protect and consolidate remaining natural habitat of high conservation importance to facilitate development in less sensitive areas.
- Carrying capacities – Restrict development within the carrying capacity limitations of the natural resources.
- Natural processes – Restrict development impacting on those natural processes on which biodiversity, and the provision of essential ecological goods and services (e.g. water production, soil conservation, etc) depend.

Aesthetic properties

- Development to accommodate the aesthetic and respect the Overstrand heritage properties of the landscape and environment.

Relevant Goals & Objectives formulated by the document include among other the following:

Goal	Objective
To implement an effective management system for the protection of biological diversity and ecosystems through the co-operation of all concerned.	<ul style="list-style-type: none"> • Irreplaceable, threatened, highly dynamic and sensitive elements of the environment shall be protected. • Adequate and effective measures shall be implemented to ensure co-ordination of environmental responsibilities by key role players and monitoring of usage in sensitive area.
To develop and maintain a strong local economic base in rural area, through the promotion on non-consumptive tourism and the role of agriculture in the municipal economy.	<ul style="list-style-type: none"> • To develop a clear and appropriate tourism management strategy based on the natural and heritage resources of the rural area • To develop and stimulate economic activity in a responsible and appropriate manner • To market the area more effectively • To promote tourism as a community based and community driven industry with substantial potential for providing direct and indirect economic benefits to the community; and • To investigate opportunities and requirements for incorporating agricultural activities into the tourism strategy for the area.
To protect and conserve the heritage resources of the area.	<ul style="list-style-type: none"> • To promote the conservation and inclusion of important heritage resources into a sub-regional tourism strategy • To improve and develop tourism related facilities.
To provide an environmentally and economically sustainable bulk service infrastructure and road transport network.	<ul style="list-style-type: none"> • To ascertain the overall carrying capacity of existing bulk services related to existing and future growth, and where appropriate, determine flood lines; • To identify critical problem areas relating to bulk water supply, groundwater abstraction and quality; • To improve and maintain the standard of bulk services with particular reference to bulk water supply, sewerage and solid waste and sewage management; and • To create an efficient, well defined hierarchy of roads.
To address the social needs and expectation of all sections of the community.	<ul style="list-style-type: none"> • To provide access to a full spectrum of social services and facilities; • To ensure the provision of basic housing and services; • To encourage public participation in all issues of public concern; and

	<ul style="list-style-type: none"> To co-ordinate the joint management of certain functions on a sub-regional level, e.g. sporting facilities, education and health facilities.
<p>To promote the conservation and sustainable use of the natural resources in the Overstrand municipal area.</p>	<ul style="list-style-type: none"> To protect, conserve, and restore where appropriate, all areas deemed to be conservation worthy; To ensure that the impact of existing and proposed development is adequately evaluated from a holistic environmental perspective, taking current and future generations into account; To promote the sound management of natural areas to ensure their sustainability; Rehabilitate and/or restore degraded and disturbed environments where necessary to meet conservation or environmental management objectives; To limit and control development and activities within environmentally sensitive and/or conservation worthy areas so as to ensure their sustainability taking into account effects on biodiversity; To promote efficient use of water and energy resources; and To implement water conservation and demand management objectives within municipal areas in order to promote savings and decrease the demand for costly bulk water supply systems.
<p>To ensure that ongoing development pressure and its spatial implications are managed in a sustainable manner that protects the unique character of the existing cultural landscape and the place-specific character and form of the existing settlement pattern.</p>	<ul style="list-style-type: none"> To promote a spatial development pattern that contains urban sprawl/urban development and promotes compact well-defined settlements; To retain and strengthen the unique identity of the municipal areas and its districts; To determine clear limits to urban development and define the urban edge/limits of existing settlements; To conserve and improve the visual quality of the landscape and the scenic route experience of the primary movement corridors; and To improve the aesthetic quality of the built environment.

10.2 Section 42 of the Spatial Planning and Land Use Management Act (SPLUMA) and Chapter 6 of the Land Use Planning Act (LUPA)

The Spatial Planning and Land Use Management Act (SPLUMA) and Land Use Planning Act (LUPA) came into effect in 2016 in the Overstrand Municipality. One of the main objectives of this act is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances.

Section 42 of SPLUMA and Chapter 6 of LUPA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- development principles set out in Chapter 2 of SPLUMA
- protect and promote the sustainable use of agricultural land
- national and provincial government policies
- the municipal spatial development framework; and take into account—
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
 - (vi) any factors that may be prescribed, including timeframes for making decisions.

SPLUMA and LUPA sets out the following 5 main development principles applicable to spatial planning, land use management and land development:

1. Spatial justice
2. Spatial sustainability
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

Compliance with SPLUMA & LUPA Principles:

As discussed in this report, this development proposal is consistent with the approved statutory spatial policy framework for the area, as well as the Provincial Spatial Development Framework. The table below indicates how the proposed development will be consistent with the SPLUMA principles.

SPLUMA & LUPA Principle	Compliance
Spatial Justice	The re-alignment will strengthen existing agricultural activities, by grouping different uses together. The owner of the of the Remainder of Farm 299 would like to expand his farming activities, while the owners of the Remainder of Portion 7 of Farm 213 would like to concentrate on the vineyards and olive tree farming. 229
Spatial Sustainability	The proposal is in line with existing overhead planning document in that no unsustainable farms are created.
Spatial Efficiency	Development will make use of existing resources. The subdivision should add value to existing farm activities.
Spatial Resilience	Existing farming activities are strengthened by grouping the different activities together.
Good Administration	This principle has no direct bearing on the application, however, the Overstrand municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.

11. DESIRABILITY

11.1 Title Deed

- There is a restriction in the title deed in favour of the Roads Department, requiring their written approval to be able to subdivide. Their comment has been requested.

11.2 Physical Characteristics of the Property

- The proposed re-alignment will not impact negatively on the physical characteristics of the property, since no additional farm portions are created. With the proposed subdivision and consolidation with an adjoining property, more sustainable farm portions area created.

11.3 Overhead Planning

The project complies with the overhead planning for the area:

- The proposal is in line with the Spatial Development Framework for this area.

11.4 Compliance with SPLUMA & LUPA

The proposal is in compliance with the principles of SPLUMA & LUPA.

11.5 Agricultural Activities

The proposed re-alignment will strengthen existing uses on the portions, without impacting on the agricultural potential of the farm.

11.6 Character of the Area

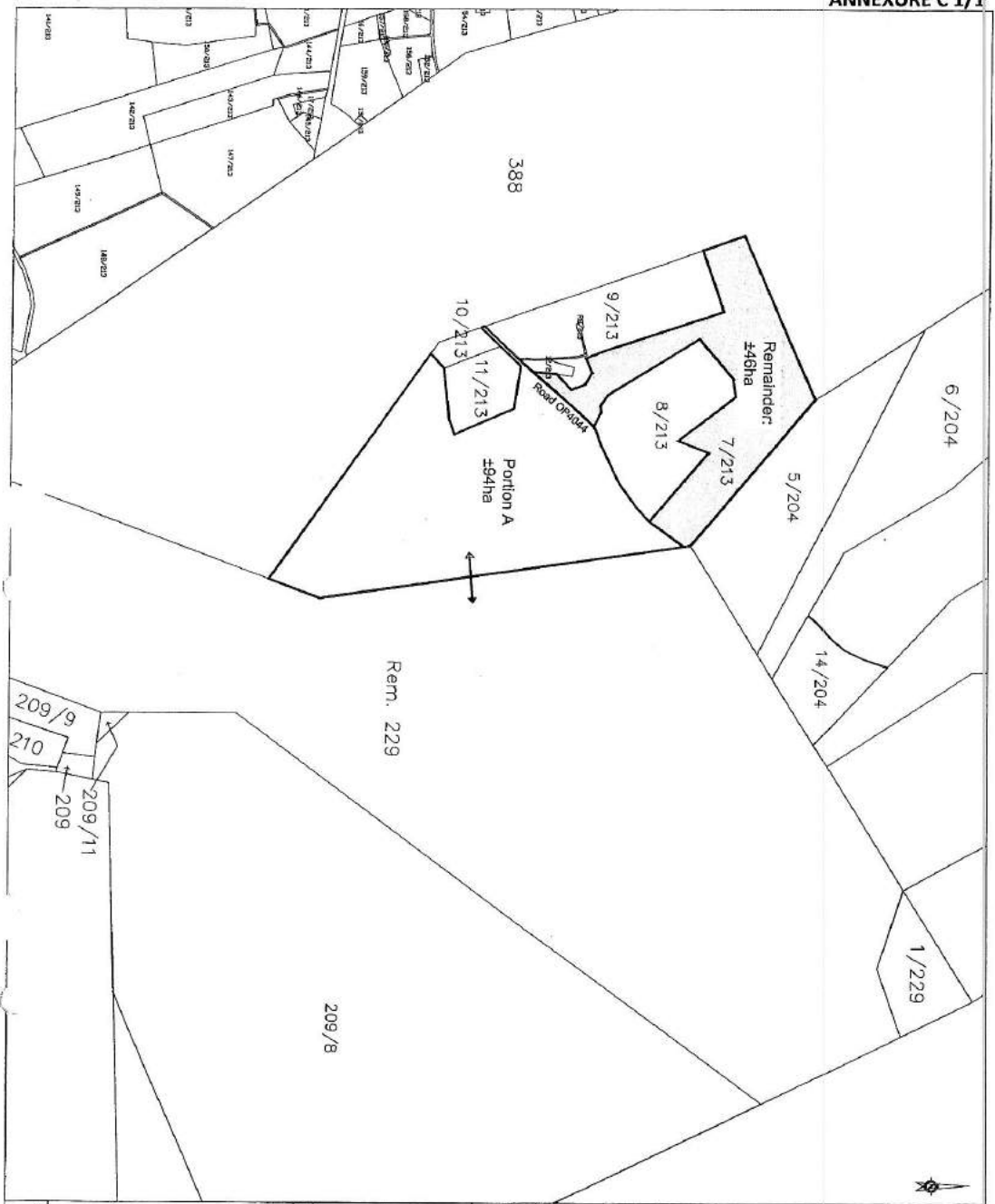
The area surrounding the farms is characterised by a large number of similar sized farms. The proposed re-alignment is in character with what is already there.

11.7 Visual Impact

The proposed re-alignment will not result in any visual impact.

12. CONCLUSION

The proposed subdivision and consolidation will not impact negatively on the sustainability of the farm portions involved. Before re-alignment there are two farms and after subdivision and consolidation there will still be two farms. The alignment is according to existing farm uses, along a public road cutting the farm in two portions.



Notes / Key

Print Plan: 229, Bredasdorp - 707 394 114
 All areas are subject to survey.



DATE	DESCRIPTION

TOWN & COUNTRY
 Creative Land Solutions

P.O. Box 1863, Bredasdorp, 7281
 Tel: 029 424 1564, Fax: 029 425 2185
 E-mail: towncountry@vodafone.co.za

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 Title

**PROPOSED
 SUBDIVISION OF
 PORTION 7 OF FARM
 213 AND
 CONSOLIDATION WITH
 REM FARM 229,
 BREDASDORP RD**

diag.no. BRE/1658

place Ullida

ANNEXURE D 1/4

TP-A Theart
(Suid merwe)

BREDE-GOURITZ



Catchment Management Agency
Opvanggebied Bestuursagentskap
I-Arhente yoLawulo lomMandla nokungqongileyo
51 Barling Street Worcester 6850, Private Bag X3055 Worcester 6850

Enquiries: Patrick van Colfer
Date: 30 November 2017

Tel: 023-346 8018

Fax: 023-347 2012

E-mail: pcolfer@bgcma.co.za

Reference No: 4/10/1/G50A/213/7 & 229, Bredasdorp

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

Attention: Mr. S. van der Merwe

Dear Sir

FILE NO: Ptn 71213
Farm 229, B Bos
SCAN NO:
30
COLLABORATOR NO: 1108224

COMMENT ON THE PROPOSED SUBDIVISION AND CONSOLIDATION OF PORTION 7 OF THE FARM 213 AND THE REMAINING EXTENT OF THE FARM 229: TOWN & COUNTRY ON BEHALF OF EARTHWORKS INV 7 CC c/o MR. R. STELZNER, BAARDSKEERDESBOS, MAGISTERIAL DISTRICT, BREDASDORP.

With reference to the documents received 23 October 2017, the following:

The Breede-Gouritz Catchment Management Agency (BGCMA), cannot support this application because of the following:

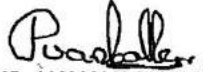
- The Registration document provided does not constitute a water entitlement, because the lawfulness still had to be determined.
- The Existing Lawful Use (ELU) was determined via the verification process.
- The available verification records indicate that the user had non-irrigation Water Uses during the qualifying period. Therefore the wheat was grown on dry land.
- The **Definition of existing lawful water use in terms of the National Water Act, 1998 (Act 36 of 1998) Section 32. (1)** stipulates the following: "An existing lawful water use means a water use -
(b) which has taken place at any time during a period of two years immediately before the date of commencement of this Act". **Therefore the window period is 1 October 1996 – 30 September 1998.**

- 1 DEC 2017

ANNEXURE D 2/4

This office trust the above-mentioned is acceptable and if you do have any further queries, please do not hesitate to make contact with this office.

Yours Faithfully



MR. JAN VAN STADEN

CHIEF EXECUTIVE OFFICER (Acting)

cc. Overstrand Municipality - alida@overstrand.gov.za
Louna: Town & Country: towncountry@vodamail.co.za

ANNEXURE D 3/4



DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 2)

E-mail : Dalene.Groenewald@westerncape.gov.za

Tel: +27 21 483 5568 Fax: +27 21 483 3633

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

www.westerncape.gov.za/eadp**REFERENCE:** 15/3/2/12/BO3**TOWN PLANNING ENQUIRIES:** Dalene Groenewald Tel: (021) 483 5568**DATE:** 12 February 2019

Municipal Manager
 PO Box 20
 Hermanus
 7200

OVERSTRAND MUNICIPALITY: APPLICATION FOR THE SUBDIVISION OF PORTION 7 OF FARM 213 & CONSOLIDATION WITH THE REMAINDER OF FARM 229, BREDASDORP

1. Your request for comment, dated 21 December 2018, and received by this Department on 2 January 2019, refers.
2. Based on a review of the information submitted to this Department, the proposal entails the Subdivision of Portion 7 of Farm 213 into a Remainder (± 46 ha) and Portion A (± 94 ha) and the consolidation of the subdivided Portion A with the adjacent Remainder (± 707,9941 ha) of Farm 229.
3. The property is zoned as Agricultural Zone I in terms of the Overstrand Zoning Scheme Regulations. The property is approximately 1,5 km east of Baardskeerdersbos. The surrounding properties are mainly used for agricultural purposes.
4. Farm 213 is divided into two by the road OP4044 in a south-west to north eastern direction. The portion north of the road (the proposed Remainder of Farm 213) is cultivated with vineyards and olive groves and the southern portion (the proposed Portion A) is cultivated with wheat.
5. The proposed Remainder of Farm 213 will mainly concentrate on the existing vineyards and the olive grove and future expansion is also considered. According to the applicant there are existing water rights registered in favour of the property through a borehole, dam and fountain.
6. Environmental Comment

Applicability of the National Environmental Management Act ("NEMA") Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended):

According to the information provided, the proposed development does not trigger any listed activities in terms of the NEMA Regulations.

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

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

7. Planning Comment

To deliver on the strategic objectives of the Western Cape Government, the PSDF focuses on growing the economy, building greater environmental resilience and much better inclusion. The Western Cape economy is founded on the Province's unique asset base. These include farming resources that make the Western Cape the country's leading exporter of agricultural commodities. The protection and promotion of the sustainable use of agricultural land must therefore be taken into consideration.

The proposed subdivision of Portion 7 of Farm 213 will result in the following:
Portion A measuring approximately 94ha; and
A Remainder measuring approximately 46ha.

Portion A will then be consolidated with the Remainder of Farm 229, which measures approximately 707ha. This will result in a sustainable land unit (± 801 ha) to be utilized for agricultural purposes. This will leave the Remainder of 46ha to function as an independent economic unit.

From an agricultural perspective, the consolidation of Portion A and the Remainder of Farm 229 is regarded as an agricultural improvement, as the two units support each other and can be regarded as economically sustainable. However, the size of the proposed Remainder is problematic given that only a small portion, measuring ± 20 ha, can be cultivated due to the landscape of the area.

From a town planning perspective, it is vital to prevent the sub-division of economic units of farming land into non-viable sub-units. The proposed sub-division will cause fragmentation of agricultural land and the proposed Portion A will not be sustainable or economically viable.

Given the extent of the Remainder and the concerns raised by the Breede-Gouritz Catchment Management Agency regarding the availability of water for irrigation purposes, the proposed sub-division and consolidation is not supported.

8. Conclusion

In view of the above, the application for subdivision and consolidation of Portion 7 of the Farm 213 and the Remaining extent of the Farm 229 is not supported, as the Remainder of 46ha is regarded as being economically unsustainable.

This comment is based on information currently available. Comment of all interested parties, those potentially affected by the application and other role players are not available at this stage.

This Department reserves the right to submit contradictory and/or amended comment should any additional or new information be submitted. The above-mentioned comment is also not binding on any component within this Department, nor on the Minister, responsible for Environmental Affairs and Development Planning.


DIRECTOR: DEVELOPMENT MANAGEMENT
REGION 2

DATE: 14.2.2019



FILE NO:	Am 7 / 239
	Farm 229
SCAN NO:	16 / 111 B805
	FARM 213
COLLABORATOR NO:	122 3000



Land Surveyors • Town Planners

TR A Theart
(S vld Merwe)
H Blignaut
16 October 2018

REF: #1658

Attention: Mr Schalk van der Merwe
Overstrand Municipality
P.O Box 20
Hermanus
7200

Sir

PROPOSED RE-ALIGNMENT: SUBDIVISION OF PORTION 7 OF FARM 213 AND CONSOLIDATION WITH REM FARM 229, BREDASDORP RD - COMMENT ON THE OBJECTION RECEIVED FROM BGCMA

With reference to the above and the letter received from the BGCMA. Their comment was as follow:

The Breede-Gouritz Catchment Management Agency (BGCMA), cannot support this application because of the following:

- The Registration document provided does not constitute a water entitlement, because the lawfulness still had to be determined.
- The Existing Lawful Use (ELU) was determined via the verification process.
- The available verification records indicate that the user had non-irrigation Water Uses during the qualifying period. Therefore the wheat was grown on dry land.
- The Definition of existing lawful water use in terms of the National Water Act, 1998 (Act 36 of 1998) Section 32. (1) stipulates the following: "An existing lawful water use means a water use -
(b) which has taken place at any time during a period of two years immediately before the date of commencement of this Act". Therefore the window period is 1 October 1996 – 30 September 1998.

With further investigation the owners determined that their use of water is so small, that the use would be allowed under a General Authorisation.

The Department of Agriculture, Provincial and National, supported the application and the National Department issued an Act 70 of 1970 approval.

The proposal is regarded as a re-alignment, seeing that no additional units are created.

The proposed Remainder has been farmed independently from the rest of the farm for many years and the new owners will continue farming it with vines and olives. The proposed portion A is wheat lands and are separated by a road from the rest of the farm. This portion has been cultivated as part of the adjoining property for a long time.

Subdividing and consolidating the 80ha wheat land with the adjacent farm, ensures that this valuable portion of agricultural land is farmed sustainably. This portion of farm will not make Farm 213/7 significantly more sustainable, seeing that it too small by itself to be economically viable as a wheat farm and there is not sufficient water to develop it for anything else.

The olives and vineyards are farmed on a small scale on the remainder. Boutique wine is already produced from the vineyards, trading as the Giant Periwinkle – making this property sustainable by itself.

We hope you find the above in order.

Yours Faithfully



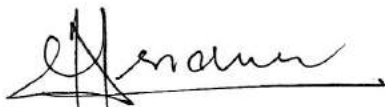
Louna Truter
For Town & Country

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION & CONSOLIDATION: PORTION 7 OF
FARM 213 AND FARM 229, BREDASDORP DIVISION (3694)**

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

Conditions:

1. that the developer arrange with ESCOM for the provision of electricity and that he complies with all conditions as may be set by ESCOM;
2. that no water and sewer services from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (Water and Sanitation, Health, Bocma etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Senior Manager: Engineering Services, Overstrand Municipality;
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and DWA for approval;
5. that, as no municipal refuse removal services are rendered in the area, the owner is responsible for removal of all refuse generated on the property, and disposal thereof at a registered municipal waste transfer station or –waste disposal facility;
6. that the developer complies to all the conditions set by Department Of Water Affairs & Bocma.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

31/7/2017.
DATE

Cabo : 105777

ANNEXURE G 1/1



**Western Cape
Government**

Transport and Public Works

ROAD NETWORK MANAGEMENT

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

REFERENCE: 16/9/6/1-21/131 (Job 21229)

ENQUIRIES: Ms GD Swanepoel

DATE: 27 July 2017

The Municipal Manager
Overstrand Municipality
Gansbaai Administration
PO Box 26
GANSBAAI
7220



Attention: Mr S van der Merwe

Dear Sir

PORTION 7 OF FARM 213 AND FARM 229, BREDASDORP DIVISION, OVERSTRAND MUNICIPAL AREA: MINOR ROAD 4044

1. Your letter Ptn 7 of 213 GRBRE (3694) dated 4 July 2017 refers.
2. The subject properties are located 1.5 km east of Baardscheerdersbosch. Access is taken off Minor Road 4044.
3. This application is for the subdivision and consolidation of the properties as set out on drawing number BRE/1658.
4. This Branch offers no objection to the application in terms of the Land Use Planning Act, No 3 of 2014.
5. This Branch approves the subdivision in terms of Act 21 of 1940.

Yours faithfully

ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT



ANNEXURE H 1/3

TR A Theart
C Sald Merwe

Overstrand Municipality
PO Box 20
HERMANUS
7200

Date: 6 July 2017

Enquiries:
Owen Peters
Tel: +27 21 980 3817
Fax: +27 86 566 7877

Dear Sir/Madam

RE: PORTION 7 OF FARM 213 & 229, BREDASDORP DIVISION, OVERSTRAND MUNICIPAL AREA: PROPOSED SUBDIVISION AND CONSOLIDATION.

OUR REF: 02188/17
YOUR REF: Ptn 7 of 213 GRBRE (3694)

I hereby inform you that this department has no objection against the proposed land use application, subject to the following conditions:

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

Voltage	Building restriction either side of centre line
11kV	9m

- b) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- c) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines, structures and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.

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

Eskom Holdings SOC Limited Reg No 2002/015527/30

FILE NO:	Ptn 7 / 213+229
SCAN NO:	16
COLLABORATOR NO:	1067365

- d) No dumping shall be allowed within Eskom Services.
- e) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- f) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- g) Eskom shall at all times have unobstructed access to and egress from its services.
- h) A new wayleave agreement shall be entered into with the applicant/registered land owner in order to protect Eskom's existing rights for the 11kV overhead power lines over the proposed subdivided portions.

Yours sincerely



Owen Peters
LAND DEVELOPMENT (BRACKENFELL)

ESKOM (WESTERN REGION)

OCCUPATIONAL HEALTH AND SAFETY ACT (Act No 85 of 1993) WITH REGULATIONS

D16 (7) Excavations

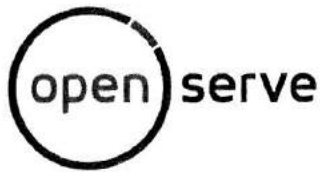
"The builder or excavator shall ascertain as far as possible the location and nature of underground services likely to be affected by the excavation and take such steps as may be necessary to prevent danger to persons".

THE ELECTRICITY ACT (Act No 41 of 1987)

Section 27 (3) : Offences and Penalties

"Any person who without legal right (the proof of which shall be upon him) cuts or damages or interferes with any apparatus for generating, transmitting or distributing electricity, shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000,00 or to imprisonment for a period not exceeding twelve months".

*Place
Abela*



*TP A Theent
(S. vd Merwe)*

Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

Candice Spammer
Tel: 021 414 5582
Fax: 086 480 0617
Email: spammec1@telkom.co.za

Our Ref.: WWIP_WGNB2942_17
Your Ref.:

18 September 2017

Attention: S Muller

**Overstrand Municipality
HERMANUS**

**WAYLEAVE: PROPOSED SUBDIVISION AND CONSOLIDATION: PORTION 7 OF FARM 213 AND FARM 229,
BREDASDORP DIVISION**

With reference to your application dated July 2017.

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

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

Approval is granted, subject to the following conditions.

As per sketch attached, Open Serve infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

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

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

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

18 SEP 2017

FILE NO:	<i>Ph 7213</i>
SCAN NO:	<i>Farm 229</i>
	<i>10</i>
COLLABORATOR NO:	<i>1077505</i>

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

As important cables are affected, please contact our representative Frederik Swart at telephone number 028 514 1199 / 081 363 7815 / FrederikS@openserve.co.za at least 48 hours prior of commencement on construction work.

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

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

All Open Serve rights remain reserved.

Yours faithfully



Selwyn Bowers
Operations Manager
Wayleave Management: Western Region

This wayleave, Reference Number **WWIP WGNB2942 17** is valid for 12 months from date hereof and is subject to the following conditions:

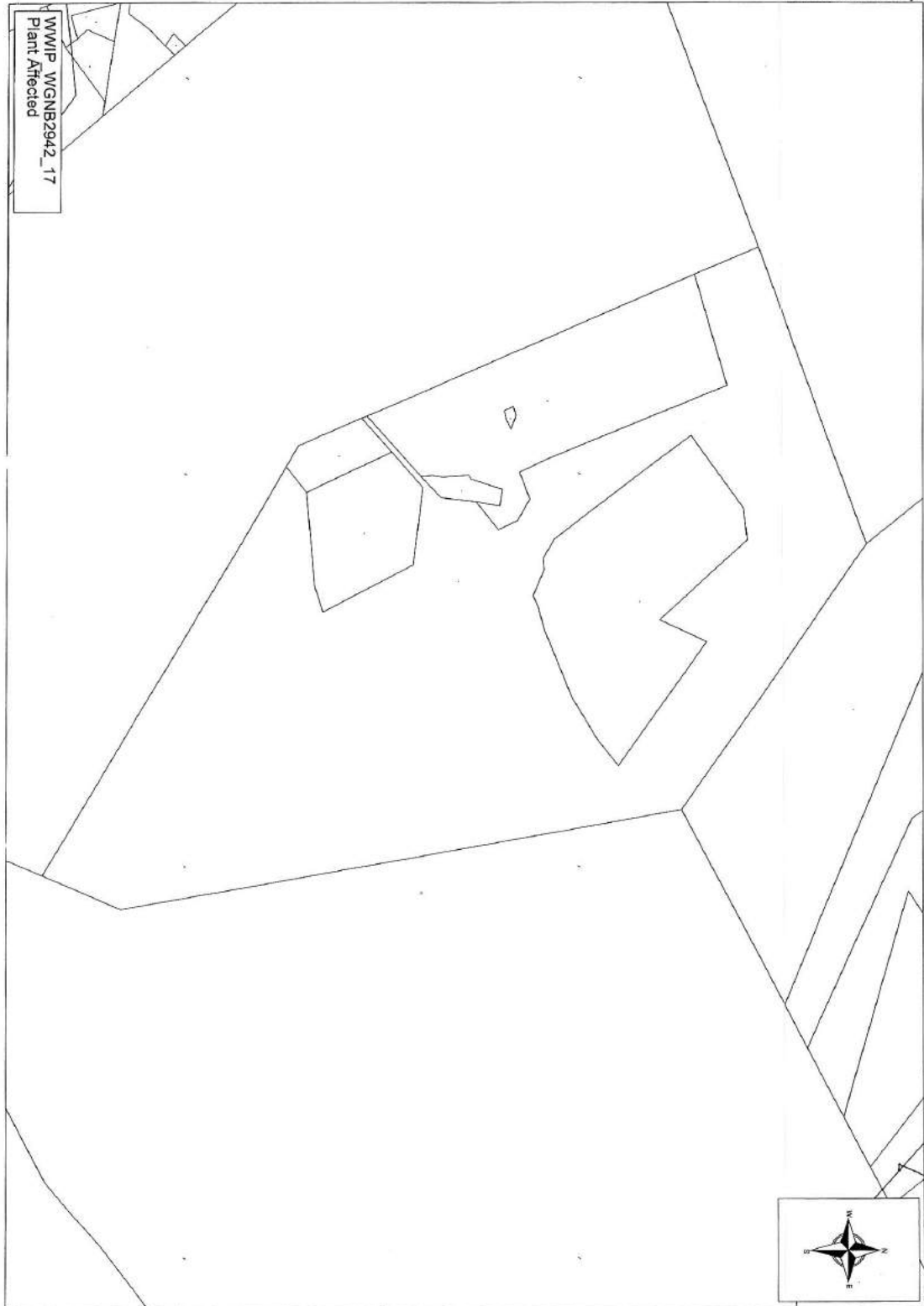
1. No mechanical plant or vibrator type compactors may be used within three meters of any Open Serve Plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and **Frederik Swart** at Telephone No **081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

Date: 2017/09/19

By: C Spammer
For Regional General Manager
Western Cape

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







**Western Cape
Government**

Agriculture



ANNEXURE J 1/2

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

OUR REFERENCE : 20/9/2/4/1/215
20/9/2/4/1/133
YOUR REFERENCE : Ptn 7 of 213 GRBRE (3694)
ENQUIRIES : Cor van der Walt

*TR-ATheart
(S vld Merwe)*

Overstrand Municipality
PO Box 20
HERMANUS
7200

FILE NO:	<i>Ptn 7 / 213 & Farm 229</i>
SCAN NO:	<i>B-305</i>
COLLABORATOR NO:	<i>1098897</i>

Att: S van der Merwe

**PROPOSED SUBDIVISION AND CONSOLIDATION: DIVISION BREDASDORP
PORTION 7 OF THE FARM NO 213
REMAINDER OF FARM NO 229**

Your email of 05 July 2017 has reference.


The Western Cape Department of Agriculture has no objection against the proposed subdivision and consolidation.

Please note:

- That this is comment to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970.
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. FJ Steyn

ACTING DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

2017-10-17

Copies:

Town & Country Creative Land Solutions
PO Box 1085
BREDASDORP
7280

Directorate Land Use and Sustainable Resource Management
National Department of Agriculture
Private Bag X 120
PRETORIA
0001



agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7634 Fax: 012-329-5938
Enquiries: Helpdesk Ref: 2017_05_0189

Town & Country Creative Land Solutions
P. O. Box 1085
BREDASDORP
7280

Attention: Louna Truter

APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 70 OF 1970: PORTION 7 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213, DIVISION BREDASDORP, WESTERN CAPE PROVINCE

Your letter bearing reference letter BRE/1658 dated 26 April 2017 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent no. 53106, issued in terms of Section 4 of the Act is enclosed.

To facilitate registration, it is advised that the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Your attention is further drawn to the fact that the properties concerned are subject to the provisions of the Conservation of Agricultural Resources Act 1983 (Act 43 of 1983).

It is trusted that you will find the decision in order.

Yours faithfully

DR I.B. KGAKATSI
ACTING CHIEF DIRECTOR: NATURAL RESOURCES MANAGEMENT
DELEGATE OF THE MINISTER

DATE: 13/10/2017

CC: The Surveyor-General Private Bag X 9028 CAPE TOWN 8000
CC: Land Use and Soil Management, Private Bag x2, Sanlamhof, 7532
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607



agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2017_05_0189

TOESTEMMING
KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGGROND, 1970

CONSENT
IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970

50 6

By virtue of the powers delegated to me by the Minister of Agriculture, Forestry and Fisheries, consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

PORTION 7 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213, IN EXTENT 140,0513 HECTARES, DIVISION BREDASDORP, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the above-mentioned agricultural land into two portions measuring approximately 94 hectares and 46 hectares respectively represented by the figures marked Portion A and Remainder as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer the portion measuring approximately 94 hectares (Portion A), must be consolidated with the Remainder of the Farm No.229, in extent 707,99 hectares, Division Bredasdorp, Western Cape Province.
- 3.2 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.3 This consent does not exempt the property from the provisions of any other law, with special reference to the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.4 This consent is valid for 5 years from date of this grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

13/10/2017
DATE

DR I.B. KGAKATSI
ACTING CHIEF DIRECTOR: NATURAL RESOURCES
MANAGEMENT
DELEGATE OF THE MINISTER

