

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
21 April 2015
(Also the agenda for the Mayoral Committee Meeting : 29 April 2015)**

16.

PORTION 19 OF FARM HEMEL & AARDE NO. 585, OVERSTRAND MUNICIPAL AREA : PROPOSED SUBDIVISION, REZONING AND REGISTRATION OF SERVITUDE AREA : MESSRS PLAN ACTIVE ON BEHALF OF MESSRS ASHBOURNE VINEYARDS

Ptn 19/585 RCAL (2301)

H van der Stoep

(028) 313 8900

Hermanus Administration

16 January 2015

1. Executive Summary

An application has been received on 17 May 2013 from Messrs Plan Active on behalf of Messrs Ashbourne Vineyards for the subdivision of Remainder Portion 19 of the farm Hemel & Aarde No. 585 into two portions, Portion A (± 50 ha) and a Remainder (± 64 ha) and to register a dam servitude area of $\pm 2,45$ ha on the subject property.

An application has also been received for the rezoning of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, from Agriculture Zone I to Open Space Zone III.

An application has also been received for the subdivision of land adjacent to a road under jurisdiction of the District Road Engineer.

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

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town Planning

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

Executive Mayor

5. Legal Requirements

- Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)
- Subdivision of Agricultural Land Act, Act 70 of 1970

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- Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)
- Advertising on Roads and Ribbon Development Act, No 21 of 1940

6. Background/Discussion/Evaluation/Conclusion

Background/Discussion

The application was advertised in the local newspaper and Government Gazette, and registered notices were sent to all surrounding affected property owners. No objections were received against the proposal.

The application was also circulated to all relevant municipal departments and state departments. No objections were received against the application.

Evaluation

An application has been received for the registration of a servitude area, subdivision and rezoning on Portion 19 of the Farm Hemel & Aarde No. 585. The application for subdivision is into two portions namely Portion A (±50 ha) and a Remainder (±64 ha). The Remainder will remain zoned Agriculture and is used for this purpose.

Portion A is to be rezoned from Agriculture to Open Space Zone III. The application was submitted in 2013 and in terms of the Overstrand Municipality Zoning Scheme, 2014 the relevant zoning will be Open Space Zone I. This proposed portion of land is not developed for any purpose due to its natural resources. It is located in a critical biodiversity area and consists of fynbos and alien vegetation. The latter will be cleared by the prospective new owner as part of the eradication of alien vegetation in close proximity of the Fernkloof Nature Reserve.

The application site is located in the Hemel & Aarde Valley and also situated in an area earmarked as Rural Development Zone. The area as well as the property is known for their conservation efforts to ensure that the transitional area between Fernkloof Nature Reserve is created and maintained. The intention of the prospective owner is to erect a residential dwelling on a disturbed portion of land, which will have the minimum impact on the area and the property itself.

The registration of dam servitudes is to ensure water supply to both the agricultural activities and a residential dwelling as proposed by this application. The application is in line with policy documents of the Overstrand Municipality, which earmarked this area for agricultural, nature conservation and tourism. The subdivision will not deter existing agriculture and the proposed Portion A will be utilized for conservation purposes.

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In terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940, it is mandatory to obtain the Western Cape Government : Transport and Public Works' consent should a subdivision occur adjacent to a road under the jurisdiction of the latter. The subdivision of the property will not create any new access and exits points to the District Road and will not influence the road in terms of additional access or traffic generating activities. The Department of Transport and Public Works (Western Cape) approved the subdivision in terms of Act 21 of 1940.

The application for the subdivision in terms of Act 70 of 1970 is recommended for approval. The Department of Agriculture, Forestry and Fisheries indicated in their comments (attached as Annexure J) that the approval will only be finalized once the applicant obtains approval for the zoning by the Municipality.

Conclusion

All municipal departments, state departments and relevant institutions were provided with an opportunity to comment on the application, and no objections were received.

The application is recommended for approval.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Building Control Department (J. Simson)

No comment.

Local Heritage Committee

No comment.

Waste Management (J. van Taak)

"That household refuse be taken to the Hermanus Transfer Station by the owner himself."

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Environmental Officer (N. Green)

See Annexure H.

Engineering Services Department

Attached as Annexure D.

10. Annexures

- Annexure A: Locality Plan
- Annexure B: Proposed Subdivision Plan
- Annexure C: Motivation Report
- Annexure D: Services Report
- Annexure E: Comments: Department of Transport
- Annexure F: Comments: BOCMA
- Annexure G: Comments: Cape Nature
- Annexure H: Comment : Municipal Environmental Officer (N. Green)
- Annexure I: Comments: Department of Agriculture : Provincial
- Annexure J: Comments: Department of Agriculture, Forestry and Fisheries

RECOMMENDATION:

1. that, in terms of the Subdivision of Agricultural Land Act, Act 70 of 1970, the application for the subdivision of Remainder Portion 19 of the farm Hemel & Aarde No. 585 and to register a dam servitude area of $\pm 2,45$ ha on the subject property, **be recommended for approval by the Department of Agriculture, Forestry and Fisheries;**
2. that, in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and subject to the approval referred to in resolution 1 above, the application for the subdivision of Remainder Portion 19 of the farm Hemel & Aarde No. 585 into two portions, namely Portion A (± 50 ha) and a Remainder (± 64 ha) and to register a dam servitude area of $\pm 2,45$ ha on the subject property, **be approved;** and
3. that, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and subject to the approval referred to in resolution 1 above, the application for the rezoning of Portion A, a portion of Remainder Portion 19 of the farm Hemel and Aarde No. 585, from Agriculture Zone I to Open Space Zone III, **be approved,** subject to the following conditions:
 - (a) that this approval only has reference to the Subdivisional Plan, Drawing No. farm585-19s.drw, as submitted with the application;

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- (b) that the dam area servitudes be registered as per Plan No. farm585-19s.drw;
- (c) that a servitude be registered in favour of Portion A against the Remainder for the use of potable water of 6kl per month for household purposes and encapsulated in the Title Deeds of both the proposed subdivided portions;
- (d) that Portion A be incorporated into Fernkloof Nature Reserve with the proviso that a residential dwelling may be erected, but the procedure of a consent use application be followed;
- (e) that a right-of-way be registered to ensure access to proposed Portion A across the Remainder;
- (f) that should a residential dwelling be erected on Portion A, a septic tank and french drain not be allowed, but that environmentally friendly methods be used as per approval by the Municipality;
- (g) that all other parameters as prescribed in the Zoning Scheme be adhered to;
- (h) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
- (i) that all the conditions in the Services Report (attached as Annexure D) be complied with;
- (j) that all the conditions imposed by the Department of Transport (attached as Annexure E), be complied with;
- (k) that all the conditions imposed by BOCMA (attached as Annexure F), be complied with;
- (l) that all the conditions imposed by Cape Nature (attached as Annexure G), be complied with;
- (m) that all the conditions imposed by the Municipal Environmental Department (attached as Annexure H), be complied with;
- (n) that all the conditions imposed by the Department of Agriculture : Provincial (attached as Annexure I), be complied with; and
- (o) that all the conditions imposed by the Department of Agriculture : National (attached as Annexure J), be complied with.

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4. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions.

RESPONSIBLE OFFICIAL : H VAN DER STOEP

TARGET DATE FOR IMPLEMENTATION : 13 MAY 2015

TARGET DATE TO INFORM APPLICANT : 13 MAY 2015

TARGET DATE TO INFORM OBJECTOR : N/A

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NOTES:
 [Grey Box] The site

Plan Active

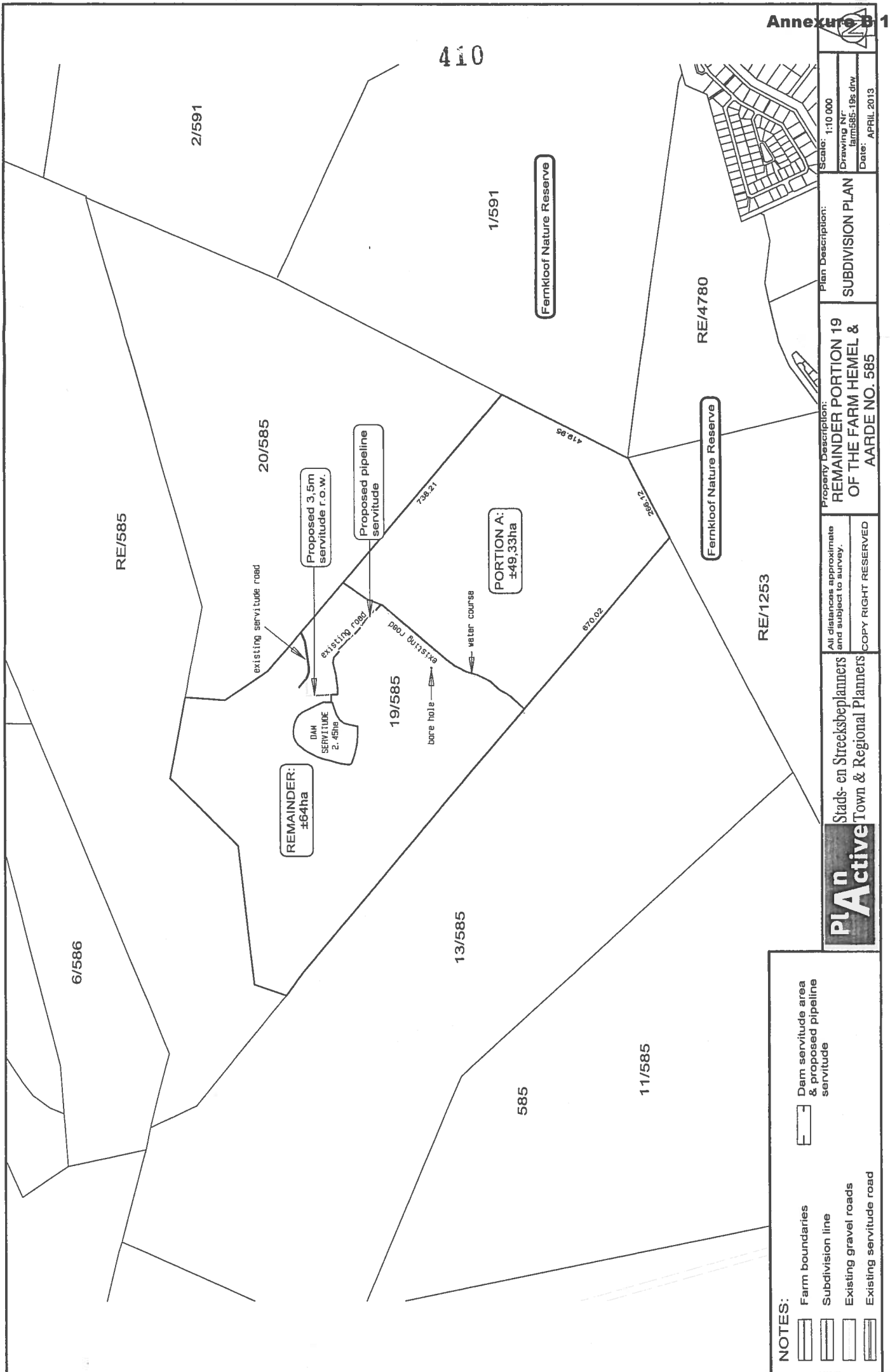
Stads- en Streeksbeplanners
 Town & Regional Planners

All distances approximate
 and subject to survey.
 COPY RIGHT RESERVED

Property Description:
 REMAINDER PORTION 19
 OF THE FARM HEMEL &
 AARDE NO. 585

Plan Description:
 LOCALITY MAP

Scale: NTS
 Drawing Nr: lam585-19i.drw
 Date: APRIL 2013



NOTES:

- Farm boundaries
- Subdivision line
- Existing gravel roads
- Existing servitude road
- Dam servitude area & proposed pipeline servitude

PLAN
Stads- en Streetsbeplanners
Town & Regional Planners

All distances approximate
and subject to survey.
COPY RIGHT RESERVED

Property Description:
**REMAINDER PORTION 19
OF THE FARM HEMEL &
AARDE NO. 585**

Plan Description:
SUBDIVISION PLAN

Scale: 1:10 000
Drawing Nr: farm585-19s.dwg
Date: APRIL 2013

**PROPOSED SUBDIVISION, REGISTRATION OF
A SERVITUDE AREA & REZONING:
REMAINDER PORTION 19 OF THE FARM
HEMEL & AARDE NO. 585**

OVERSTRAND MUNICIPALITY

DIVISION: CALEDON

MOTIVATION REPORT

1. BACKGROUND

The company Plan Active Town & Regional Planners has been appointed by A.J. Hamilton Russell, on behalf of Ashbourne Vineyards (Pty) Ltd, the owners of Remainder Portion 19 of the farm Hemel & Aarde no. 585, to submit an application for the subdivision, registration of a servitude area and rezoning of the subject property.

Remainder Portion 19 of the farm Hemel & Aarde No. 585 is 113,2918ha in extent and is held by title deed number T116939/1998. Please take note that the company's name was changed from Southern Right Vineyards (Pty) to Ashbourne Vineyards (Pty) Ltd – refer to the name changing documents attached.

It is the intention of the owners of Remainder Portion 19 of the farm Hemel & Aarde No. 585 to subdivide the subject property into two portions and simultaneously rezone Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, for nature reserve (conservation) purposes. To ensure water for domestic use only to Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, it is also proposed to register a dam servitude area and pipeline on the Remainder Portion in favour of Portion A.

1. APPLICATION DETAILS

Application is made in terms of:

- Section 24 of the Ordinance on Land Use Planning, Ordinance 15 of 1985 for the subdivision of Remainder Portion 19 of the farm Hemel & Aarde No. 585 and to register a dam servitude area of $\pm 2,45$ ha on the subject property;
- The Act on the Subdivision of Agricultural Land, Act 70 of 1970, for the subdivision of Remainder Portion 19 of the farm Hemel & Aarde No. 585 and to register a dam servitude area of $\pm 2,45$ ha on the subject property;
- Section 17 of the Ordinance on Land Use Planning, Ordinance 15 of 1985, for the rezoning of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, from Agriculture Zone I to Open Space Zone III;
- The subdivision of land adjacent to a road under jurisdiction of the District Road Engineer in terms of Act 21 of 1940.

3. NEED AND DESIRABILITY

3.1 PROPERTY DESCRIPTION

The farm is situated ± 5 km north of Hermanus in the Hemel & Aarde Valley. Please refer to the locality plan attached. Remainder Portion 19 of the farm Hemel & Aarde No. 585 is 113,2918ha in extent. The subject farm is situated in an agricultural, tourism and nature reserve (conservation) environment. Please refer to the topographical map attached.

3.2 ZONING

Remainder Portion 19 of the farm Hemel & Aarde No. 585 is zoned Agriculture Zone I and utilized as such.

Surrounding properties are zoned for Agriculture Zone I and Open Space Zone III purposes.

3.3 LAND USE

The subject property is used for agricultural purposes. There is a main dwelling with outbuildings, a shed and two labourers' cottages situated on Remainder Portion 19 of the farm Hemel & Aarde No. 585. There is also an old sand mine (quarry) on the subject property.

Existing land use activities on Remainder Portion 19 of the farm Hemel & Aarde No. 585 are as follows:

<i>Land use</i>	<i>Irrigated (ha)</i>	<i>Dry land (ha)</i>	<i>Total Extent in hectares</i>
Vineyards	±9,96	-	±9,96
Pastures (irrigable land)	±24,10	-	±24,10
Other:			
• Roads, Dams, etc.		±8,44	±8,44
• Fynbos & wetlands		±70,79	±70,79
			±113,29

Please refer to the photograph annexure attached.

Land uses that surround Remainder Portion 19 of the farm Hemel & Aarde No. 585 are tourism related land uses (farm stalls, wine tasting facilities, wedding facilities, restaurants, mountain biking trails, quad biking trails, etc.), farms (mostly wine farms) and nature reserves (Fernkloof Nature Reserve and Vogelgat Nature Reserve).

Refer to the topographical map and aerial photograph attached.

3.4 PROPOSAL

The following are proposed:

- The subdivision of Remainder Portion 19 of the farm Hemel & Aarde No. 585 and to register a dam servitude area of $\pm 2,45$ ha on the subject property in terms of Article 24 of the Ordinance on Land Use Planning, Ordinance 15 of 1985;
- The subdivision of Remainder Portion 19 of the farm Hemel & Aarde No. 585 and to register a dam servitude area of $\pm 2,45$ ha on the subject property in terms of the Act on the Subdivision of Agricultural Land, Act 70 of 1970;
- The rezoning of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, from Agriculture Zone I to Open Space Zone III in terms of Article 17 of the Ordinance on Land Use Planning, Ordinance 15 of 1985;
- The subdivision of land adjacent to a road under jurisdiction of the District Road Engineer in terms of Act 21 of 1940.

The owners intend to subdivide Remainder Portion 19 of the farm Hemel & Aarde No. 585 into two portions. The reason for the subdivision is to allow the mountainous, fynbos area to be made available for nature conservation purposes. Currently there are no agricultural activities on the mountainous area and this portion is not agriculturally viable for future agricultural activities. It is proposed to subdivide Remainder Portion 19 of the farm Hemel & Aarde No. 585 as follows:

PORTION TO BE SUBDIVIDED	EXTENT (in ha)	PROPOSED SUBDIVISION
REMAINDER PORTION 19 OF THE FARM HEMEL & AARDE NO. 585	113,2918	Portion A = $\pm 49,33$ ha Remainder = ± 64 ha

The existing structures on the farm do not affect the proposed subdivision and the proposed subdivision will not have a negative impact on the existing agricultural activities situated on Remainder Portion 19 of the farm Hemel & Aarde No. 585. Currently all the agricultural activities are situated on the north-western portion of the subject property and therefore the agricultural activities will remain unchanged after subdivision. The existing wetland is also situated on Remainder Portion 19 of the farm Hemel & Aarde No. 585 after subdivision. The vineyard detail for the existing

vineyards on Remainder Portion 19 of the farm Hemel & Aarde No. 585 is as follows:

Vineyard detail	Planting date	Ha	Yield
Pinotage	1996-2000	5,94	6,3t / ha
Other reds	2004-2005	1,56	3t / ha
Sauvignon Blanc	1996	1,41	5,7t / ha
Semillon	2007	1,01	3,2t / ha

Then there will also be $\pm 24,10$ ha of irrigable pastures situated on the remainder portion after subdivision. The remaining extent of ± 30 ha consists of other uses (fynbos, veld, wetland, dams and roads).

Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, will only consist of fynbos and natural vegetation after subdivision.

It is then proposed to rezone Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, from Agriculture Zone I to Open Space Zone III for a nature reserve to include this portion in the Fernkloof Nature Conservation Area. This portion will be sold to a new owner (Dr. Peter Mills) who will remove all alien vegetation and maintain the nature conservation area. He will enter into a biodiversity agreement (stewardship programme: conservation areas option) with Cape Nature. Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, is adjacent to the Fernkloof Nature Reserve and therefore the inclusion of this area in the nature reserve can easily be motivated (please refer to the topographical map and Critically Biodiversity Areas Map attached). The proposed rezoning of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, and the proposed Conservation Area Stewardship Programme will therefore be in line with the vision of Cape Nature's Stewardship Programme. The proposal will ensure that the privately owned area (Portion A) with high biodiversity value receives secure conservation status and is linked to a network of other conservation areas (Fernkloof and Vogelgat Nature Reserves) in the immediate landscape.

Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, will only be used for the purposes of a nature reserve (conservation area). However, the

future owner (Dr. Peter Mills) would like to reserve the right to construct one dwelling on the subject property (Portion A) in future. Details pertaining to the proposed dwelling are not available yet and therefore another application will follow in the near future to allow the future owner to construct only one dwelling on the subject property.

For details pertaining to the registered water on the subject property please refer to Section 3.5 of this report. It is however proposed to register a dam servitude area of $\pm 2,45$ ha and pipeline servitude on Remainder Portion 19 of the farm Hemel & Aarde No. 585 in favour of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, in terms of Section 24 of the Land Use Planning Ordinance, Ordinance 15 of 1985, to provide Portion A with water for domestic use only. Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, will have the right to extract 6kl of water per month from the existing dam for domestic use only. Please refer to the subdivision plan attached.

The proposed subdivision, registration of a servitude area and rezoning of Remainder Portion 19 of the farm Hemel & Aarde No. 585 is not in contrast to the existing land uses tendencies in the surrounding environment and the impact on the surrounding properties will be kept to a minimum. Therefore we do not foresee any problems with the proposed application.

3.5 AVAILABLE WATER

Please refer to water registration certificate no. 22047081 attached.

The water registration certificate specifies that the subject property is situated in the Breede Water Management Area. The subject property is registered to take water from a water resource (river / stream) which amounts to 1 200m³ per annum and 28 000m³ per annum separately. This allows for the irrigation of ± 20 ha of vineyards on the subject property. Furthermore one of the six dams (also known as the

Ashbourne Dam) on the subject property is also registered for storing water of 22 500m³. The remaining dams and other water usages are in the process of being verified and validated at BOCMA. Additional information regarding the registration of the water was submitted by the owners to BOCMA on the 12th of April 2013.

The Breede Overberg Catchment Management Agency (BOCMA) previously acknowledged the existence of several dams on the subject property (on the aerial photograph of 2000 – see attached) and therefore the following water availability should also be taken into consideration when evaluating this application and determining the economic viability of Remainder Portion 19 of the farm Hemel & Aarde No. 585 after subdivision:

- Dam 1: Not applicable; was subdivided from the subject property and is now situated on Portion 20 of the farm Hemel & Aarde No. 585;
- Dam 2: ±831m³
- Dam 3: Ashbourne Dam, ±22 500 – 29 962m³
- Dam 4: ±1000m³
- Dam 5: ±3369m³
- Dam 6: ±671m³
- Dam 7: Not applicable (no dam exists here)

Please refer to the aerial photograph of 2000 (obtained from BOCMA) showing the location of the existing dams as well as the irrigated field on the subject property. We also attach the aerial photograph of 2010 (also obtained from BOCMA) showing the irrigated field.

There is also an existing borehole situated on Remainder Portion 19 of the farm Hemel & Aarde No. 585 (please refer to the subdivision plan). The borehole will only be used by the Remainder portion after subdivision (borehole already in use).

It is proposed to register a dam servitude area of ±2,45ha and pipeline servitude on Remainder Portion 19 of the farm Hemel & Aarde No. 585 in favour of Portion A, a

portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, in terms of Section 24 of the Land Use Planning Ordinance, Ordinance 15 of 1985, to provide Portion A with water for domestic use only (especially seen in the light of constructing one dwelling on the subject property in future). Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, will have the right to extract 6kl of water per month from the existing dam for domestic use only. The proposed pipeline ($\pm 365\text{m}$ long) will be situated next to the existing gravel road (in an area that is already disturbed) to ensure that the impact on the environment will be kept to a minimum. Please refer to the subdivision plan attached.

All servitudes pertaining to water usage as described in title deed no. T116939/1998 and as shown on SG-diagrams No. 5027/1980 and 7276/1997 will remain unchanged.

3.6 ACCESS

Access to Remainder Portion 19 of the farm Hemel & Aarde No. 585 will be obtained from the R320 via an existing servitude road 6m wide (line xy on SG-diagram no. 5027/1990) linking over Remainder Farm No. 585 to the existing gravel road on Remainder Portion 19 of the farm Hemel & Aarde No. 585. Please refer to the aerial photograph and SG-diagram no. 5027/1980 attached.

Access to Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, will be obtained from the proposed 3,5m servitude right-of-way to be registered over Remainder Portion 19 of the farm Hemel & Aarde No. 585 in favour of Portion A. The proposed 3,5m servitude right-of-way will be situated over an existing gravel road on the subject property. The proposed 3,5m servitude right-of-way will link to the existing 6m road servitude situated on Remainder Portion 19 of the farm Hemel & Aarde No. 585. Please refer to the subdivision plan and SG-diagram no. 5027/1990 attached.

No additional access points or access roads will therefore be created.

3.7 SERVICES

All services on Remainder Portion 19 of the Farm Hemel & Aarde No. 585 already exist. Eskom is the power supplier to the farm and power is supplied by means of overhead transformers.

It is proposed to register a dam servitude area of $\pm 2,45$ ha and pipeline servitude on Remainder Portion 19 of the farm Hemel & Aarde No. 585 in favour of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, in terms of Section 24 of the Land Use Planning Ordinance, Ordinance 15 of 1985, to provide Portion A with water for domestic use only (especially seen in the light of constructing one dwelling on the subject property in future). Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, will have the right to extract 6kl of water per month from the existing dam for domestic use only. The proposed pipeline will be situated next to the existing gravel road (in an area that is already disturbed) to ensure that the impact on the environment will be kept to a minimum. Please refer to the subdivision plan attached.

Additional services (if required) will be provided to the satisfaction of the Overstrand Municipality.

All servitudes related to other services as described in title deed no. T116939/1998 and as shown on SG-diagrams No. 5027/1980 and 7276/1997 will remain unchanged.

3.8 TITLE DEED

The title deed no. T116939/1998 has no restrictions that need to be removed in order for this application to be approved.

There is no bond registered against the subject property. Please refer to the letter from Cliffe Dekker Hofmeyr Attorneys dated 13 May 2013 confirming that the existing bond is in the process of being cancelled.

3.9 FORWARD PLANNING

The *Provincial Spatial Development Framework (2009)* shows that the subject property is earmarked as extensive and intensive agriculture area. It also shows that the south-eastern portion is situated in an ecological corridor / buffer area.

The *Overstrand Spatial Development Framework (2006)* shows that Remainder Portion 19 of the farm Hemel & Aarde No. 585 is situated outside the urban edge of the Greater Hermanus area. The aforementioned policy earmarks Remainder Portion 19 of the farm Hemel & Aarde No. 585, as follows:

- North-western portion of the subject property: Core agriculture with small conservation 2 areas specifically in the northern corner of the subject property;
- South-eastern portion of the subject property: Conservation-agriculture buffer area.

Please refer to the Overstrand SDF (2006) plan attached.

The remainder portion (north-western portion) of Remainder Portion 19 of the farm Hemel & Aarde No. 585 will be used as core agriculture area after subdivision. Portion A (south-eastern portion), a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, will be rezoned from Agriculture Zone I to Open Space Zone III for nature reserve (conservation) purposes.

From the above it is evident that the proposed subdivision and rezoning of Remainder Portion 19 of the farm Hemel & Aarde No. 585 adheres to and falls within the spatial planning policies for the Hemel & Aarde Valley area.

3.10 ENVIRONMENTAL IMPACT

As previously mentioned the north-western portion (Remainder) of the subject property will be used for intensive agricultural purposes and it is proposed to conserve the south-eastern portion (Portion A).

There is a wetland situated on Remainder Portion 19 of the farm Hemel & Aarde No. 585 and the proposed subdivision and rezoning will not have a negative impact on the existing wetland.

Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, is cleaned / cleared annually by Work for Water. Work for Water is currently in process of clearing the subject property of all alien species. It should be noted that Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, does not currently contribute towards the agricultural activities (i.e. the economic viability) of the subject property. It is also not proposed to transfer any water rights for agricultural purposes. Consequently the subdivision and rezoning of the subject property will not have a negative impact on the agricultural viability of the remaining extent of the subject property.

The Critically Biodiversity Map shows that the south-eastern portion (i.e. Portion A) of the subject property falls within an area earmarked as critical biodiversity area (see map attached). It is therefore proposed that the proposed new owner enters into a biodiversity agreement (stewardship programme: conservation areas option) with Cape Nature. Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, is adjacent to the Fernkloof Nature Reserve. The proposed rezoning of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, and the proposed Conservation Area Stewardship Programme will therefore be in line with the vision of Cape Nature's Stewardship Programme as the proposal will ensure that the privately owned area (Portion A) with high biodiversity value receives secure conservation status and is linked to a network of other conservation areas (Fernkloof and Vogelgat Nature Reserves) in the immediate landscape.

No new access roads will be created, therefore keeping the impact on the environment to a minimum.

The proposed servitude pipeline will be $\pm 365\text{m}$ long and therefore does not trigger a listed activity in terms of NEMA which stipulates that the construction of facilities or infrastructure exceeding 1000 metres in length for the transportation of water is a listed activity. The proposed pipeline will be situated next to the existing gravel road (in an area that is already disturbed) to ensure that the impact on the environment will be kept to a minimum.

The construction of a single dwelling in future will be dealt with as a separate application and therefore the necessary studies (if any) to allow the construction of the dwelling will be undertaken in future. It should however be noted that the proposed dwelling will most probably be situated in the already disturbed sand mine area. At present the municipality's environmental team is busy removing alien vegetation from the sand mine area, but according to the municipality the sand mine was never rehabilitated in the past. Fynbos and natural vegetation have however started to cover the sand mine area. The proposed new owner of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, intends to invest in the rehabilitation of this property where the sale of sand to the municipality previously took place, as the aforementioned introduced a particularly bad invasion of alien species around the old sandpits. The existing owners have battled to keep this area alien free given the limited resources that they were able to commit to the project.

From the above it is evident that the proposed subdivision and rezoning will not have a negative impact on the environment and do not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998). The proposal to conserve Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, would rather benefit the environment as a whole.

3.11 HERITAGE IMPACT

The application involves rezoning a portion larger than 10 000m² in extent as well as changing the character of a site larger than 5 000m². Consequently the proposed subdivision and rezoning will trigger Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). A notice of Intent to Develop (NID) was submitted to Heritage Western Cape for approval.

It should be noted that there are no structures on the subject property older than 60 years. Furthermore the subject property is not earmarked as a property with heritage value in terms of the Overstrand Heritage Study (2009). The subject property is also not associated with any persons or groups of heritage value or any past slavery occurrences.

There are no graves or items of archaeological importance on the subject property.

Since construction on Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, is not envisaged at this stage (a separate application for the construction of a single dwelling will follow in future), there will be no impact on the visual landscape of the area.

From the above it is evident that the subject property does not encompass any heritage significance and therefore the impact on the heritage value of the area will be kept to a minimum.

4. RECOMMENDATION

When this application is evaluated it is important to take note of the following:

- The proposed subdivision, registration of a servitude area and rezoning will not have a negative impact on the existing agricultural activities because the existing agricultural activities will remain unchanged on the remainder portion;
- The proposal is compatible with the existing character of the area;
- No additional access points or roads are created;
- The zoning of the land currently utilized for agricultural purposes will remain Agricultural Zone I;
- The proposed rezoning of Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, complies with the spatial planning policies of the area;
- Portion A, a portion of Remainder Portion 19 of the farm Hemel & Aarde No. 585, was identified as a critically biodiversity area and therefore conservation of this portion can be favourably considered;
- There are no environmental aspects that will negatively impact the application and the application will not have a negative impact on any environmental factors;
- The proceeds of the sale of the land will be utilized to establish vineyards on the adjoining Hamilton Russell farms.

The application can be supported for your favourable evaluation. The opinion is held that this application will have no negative impacts in the area and that it will contribute to a sustainable agricultural and ecological environment.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, SUBDIVISION & REGISTRATION OF
SERVITUDE AREA PTN 19 OF FARM HEMEL EN AARDE NO 585**

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 the developer will be responsible to obtain the necessary approval, licence and permit from the applicable authorities (Department of Water Affairs, health, BOCMA etc.) for the registration and licensing of the dam and 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 DWAE for approval;
5. that the developer complies to all the conditions set by Department Of Water & Environmental Affairs and BOCMA.



DENNIS HENDRIKS
SENIOR MANAGER:
ENIGINEERING SERVICES

27/7/2013
DATE

426



ROAD NETWORK MANAGEMENT

Email: Grace.Swanepoel@westerncape.gov.za

Tel: +27 21 483 4669 fax: +27 21 483 2166

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

TP

REFERENCE: 13/3/5/1-21/161 (Job 21310)

ENQUIRIES: Ms GD Swanepoel

DATE: 30 July 2013

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

FILE NO:	PTN 19/585
SCAN NO:	
COLLABORATOR NO:	517997

Attention: Ms H van der Stoep

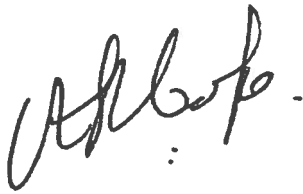
Dear Madam

PROPOSED SUBDIVISION, REZONING AND REGISTRATION OF A SERVITUDE AREA: REMAINDER PORTION 19 OF THE FARM HEMEL & AARDE NO 585, CALEDON DIVISION – ASHBOURNE VINEYARDS (PTY) LTD

1. The above-referenced application was received by the District Roads Engineer, Paarl on 23 May 2013 and forwarded to this Branch for direct reply to the local authority.
2. The subject property is located approximately 5km north of Hermanus and is traversed by Minor Road 4009.
3. The applicant wishes to subdivide the property and have a portion incorporated into the adjacent Fernkloof Nature Reserve.
4. The details of the application are as follows:-
 - 4.1 Registration of a dam servitude of 2.5ha;
 - 4.2 Subdivision of Portion 19 of Farm No 585 in to Portion A (±49.33ha) and Remainder (±64.00ha) and

- 4.3 Rezoning of Portion A from Agricultural Zone I to Open Space III.
5. Access to Portion A will be via a 3.5m servitude right-of-way registered over Portion 19 of Farm No 585 in favour of Portion A.
6. This Branch offers no objection to this application in terms of the Land Use Planning Ordinance, No 15 of 1985.
7. This Branch approves the subdivision in terms of Act 21 of 1940.

Yours faithfully



ML WATTERS
For EXECUTIVE MANAGER: ROAD & TRANSPORT MANAGEMENT



BREEDE-OVERBERG

Catchment Management Agency

Opvanggebied Bestuursagentskap

I-Arhente yoLawulo lomMandla nokuthi Mithetho



Breede-Overberg CMA
Private Bag X3055
Worcester
6850

Breede-Overberg OBA
Privaatsak X3055
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Breede-Overberg CMA
Ingxowa X3055
Worcester
6850

E-mail: fsmith@bocma.co.za

Cell: 082 445 5059

Navrae: / Enquiries/ Imibuzo:



Fabion Smith

(023) 346 8000

Verwysing: / Reference/ IReferensi:

4/10/1/G40H Hemel &
Aarde 585/19

Datum: / Date:

4 September 2013

Plan Active
Town and Regional Planners
6 Magnolia Avenue
Hermanus
7200

For attention: Ms. M. Lerm

Madam

FILE NO:	PH 19/585
SCAN NO:	
COLLABORATOR NO:	535546

COMMENT ON THE PROPOSED SUBDIVISION, REZONING AND REGISTRATION OF A SERVITUDE AREA OF REMAINDER PORTION 19 OF THE FARM HEMEL & AARDE NO 585, CALEDON.

With reference to the application for client: Ashbourne Vineyards PTY Ltd, received by the BOCMA on 22/05/2013, the following:

After having the opportunity to peruse the report (by Plan Active) submitted, the BOCMA would like to bring your attention to the following:

- The current water use registration, with **Registration Certificate** number **22047081**, for the water uses contemplated in Section 21 and registered in terms of Section 39 of the National Water Act, 1998 (Act 36 of 1998), pertaining to the undivided properties must be amended with the BOCMA within 30 days upon obtaining new Title Deed descriptions, extent of the property and registered property owner(s), to reflect the registered water use(s) applicable to the new subdivisions.
- P. 7 of the report speaks of a borehole (not-registered) situated on Portion 19 of the Farm Hemel & Aarde no 585. It is the duty of the applicant to confirm with the BOCMA that the potential use of groundwater on the subdivided properties are permitted under General Authorisations and/or if a License in terms of Section 41 of the National Water Act, 1998 (Act 36 of 1998), may be required.

Furthermore, the BOCMA, in principle, has no objection against the proposed subdivision and rezoning, subject to the following conditions:

- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- No pollution of surface water or ground water resources may occur due to any activity on the property.
- No storm water runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource. Polluted storm water must be contained.
- All relevant sections and regulations of the Environmental Conservation Act, 1989 (Act 73 of 1989) regarding the disposal of solid waste must be adhered to. Solid waste may only be disposed of onto an authorized solid waste facility in terms of abovementioned legislation.
- The minimizing of waste must be promoted and alternative methods for waste management must be investigated.
- No permanent structures maybe constructed within the 100-year flood line of any watercourse (seasonal or permanent river, stream, etc).
- All relevant sections and regulations of the Environmental Conservation Act, 1989 (Act 73 of 1989) and the National Environmental Management Act No 107 of 1998: Government Notice 386 & 387 must be adhered to.
- No additional use of surface water and/or storage of water is permitted, unless the applicant has formally obtained a license in terms of Section 41 of the National Water Act (Act 36 of 1998) and/or formal authorization in terms of General Authorizations issued under Section 39 (Government Notice 399 dated 26 March 2004), and/or if it is authorized under Schedule 1 of the National Water Act, 1998 (Act 36 of 1998).
- It is the duty of the applicant(s) to ensure that all servitudes of aqueduct, access and storage to give effect to the apportionment of water uses has been agreed upon prior amongst the property owners and formally registered with the Deeds of Office to give affect thereto upon approval of the application.
- No activities may take place within a buffer area of 500m upstream and downstream of a watercourse and/or any wetland system without formal authorization thereto obtained from this Department.
- The monitoring of water resources in the designated area needs to be done on a regular basis. This monitoring initiative should be managed and driven in a co-operative manner.

Water for domestic use

- The water provided for domestic use must comply with the SANS 241: 2012 guidelines for drinking water. Regular monitoring must be done to ensure compliance. If the quality of the water is of such a nature that it poses a threat to human health, then the BOCMA and the Provincial Department of Health must be informed of the procedures to rectify the problem.

Disposal of sewage

- The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act 36, Act 36 of 1998.
- A contingency plan and maintenance schedule must be developed and implemented.

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

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

Please ensure to quote the above reference in doing so.

Yours faithfully,



p.p.
PHAKAMANI BUTHELEZI
Chief Executive Officer

**SCIENTIFIC SERVICES**

postal Private Bag X5014 Stellenbosch 7599
 physical Assegaaibosch Nature Reserve Jonkershoek
 website www.capenature.co.za
 enquiries Rhett Smart
 telephone +27 21 866 8017 fax +27 21 866 1523
 email rsmart@capenature.co.za
 reference SSD14/2/6/17/2/585-19_subdivision_Hemel en Aarde
 date 27 June 2013

Plan Active Town and Regional Planners
 P.O. Box 296
 Hermanus
 7200

Attention: Merike Lerm
 By email: planactive@hermanus.co.za

Dear Merike

FILE NO:	Ptn 19/585
SCAN NO:	
COLLABORATOR NO:	502144

Proposed Subdivision, Rezoning and Registration of a Servitude Area: Remainder Portion 19 of the Farm Hemel & Aarde 585, Hermanus, Caledon Division

CapeNature would like to thank you for the opportunity to comment on the proposed subdivision application and would like to make the following comments: Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed subdivision.

The proposal is to subdivide Remainder Portion 19 of Hemel & Aarde into Portion A and Remainder and to rezone Portion A into Open Space III for conservation/nature reserve purposes. The proposed Portion A consists almost entirely of Critical Biodiversity Area and the natural vegetation type is Overberg Sandstone Fynbos which is Critically Endangered. The site is also adjacent to the Fernkloof Nature Reserve. Therefore formal conservation is the most suitable land use for this subdivision portion.

The proposal is to sell Portion A to a landowner who intends to conserve the site and to secure it by signing up with the CapeNature Stewardship Programme. CapeNature supports the subdivision and rezoning of Portion A into Open Space III and signing a stewardship agreement. The status of the stewardship agreement will be subject to a stewardship assessment and review. The new owner is advised to contact Keir Lynch (tel: 028 314 0062; email: klynch@capenature.co.za) in this regard.

The subdivision will however provide additional rights to Portion A for the construction of a dwelling, which is the confirmed intention according to the planning report. CapeNature wishes to highlight that due to the Critically Endangered status of the vegetation, if the footprint is larger than 300m², it will trigger NEMA EIA Regulations Listing Notice 3, Activity 12a, and will require a Basic Assessment process for environmental authorisation. In addition, CapeNature would not support the location of this dwelling in the more sensitive parts of the site and suggests that a previously disturbed area be located for the placement of the dwelling. CapeNature would be willing to groundtruth the proposed dwelling footprint to determine whether it triggers the listed activity.

The Western Cape Nature Conservation Board trades as CapeNature

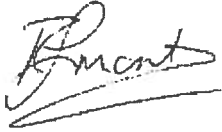
Board Members: Dr Colin Johnson (Chairperson), Ms Francina du Bruyn (Vice Chairperson), Mr Mico Eaton, Dr Edmund February,
 Prof Francois Hanekom, Mr Eduard Kok, Mr Carl Lotter, Dr Bruce McKenzie, Ms Merle McOmbring-Hodges, Prof Gavin Maneveldt,
 Adv Mandla Mdludlu, Mr Danie Nel

TP 27 JUN 2013

The application also includes the registration of the servitude area for a dam. The dam is in existence and is located within the agricultural area, therefore CapeNature has no objection to this.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rhett Smart', with a horizontal line underneath.

Rhett Smart
For: Manager (Scientific Services)

cc. Loretta Page, Overstrand Municipality: Hermanus Administration
Keir Lynch, CapeNature

Navrae
Enquiries N. Green (Manager: Biodiversity Conservation)
Imibuza Tel: 028 313 8100 / 082 412 4840



Verwysing Portion 19 / 585 Hermanus

Reference

Datum
Date 19/09/2013

Isuku

Ms Loretta Page

Town Planning: Hermanus

Dear Ms

Portion 19 of Farm Hemel and Aarde No. 585, Overstrand Municipal Area: Proposed Subdivision, Rezoning and Registration of Servitude Area: Plan Active on Behalf of Ashbourne Vineyards.

Thank you for the opportunity to comment with respect to this application. Environmental Management Services has evaluated the proposals and wishes to comment as follows:

1. The registration of the dam servitude is supported. The pipeline should be laid within the road reserve where possible;
2. The rezoning of the portion of the property marked A (approx. 49.33 ha) from Agriculture Zone 1 to Open Space Zone III is supported;
3. The fynbos and wetland characteristics of the site are noted. Please note that the proposed subdivisional area is located in a Critically Endangered ecosystem. Disturbance of an area of more than 300 m² of natural vegetation in this ecosystem will trigger NEMA listed number 12 (Listing Notice 3). This threshold should be noted with respect to the construction of buildings and development footprints should preferably be restricted to disturbed portions of the site. In the event that the threshold will be exceeded, the owner will be required to submit a Basic Assessment Report to the Department of Environmental Affairs and Development Planning and receive an environmental authorisation for the listed activity, prior to commencement of the activity;
4. Portion A adjoins the Fernkloof Nature Reserve. The current policy with respect to the management of the buffer zone of the nature reserve is to promote co-operative agreements with neighbouring properties with respect to fire and vegetation management;
5. Portion A serves as an entrance to Fernkloof Nature Reserve for management purposes via the road that runs along the boundary of the two properties. Fernkloof Nature Reserve will require an extension of the right of servitude over sections of Portion A where the existing road enters the subject property, in order to access the northern portion of the Nature Reserve.

PO Box 20
Hermanus
7200

Fernkloof Nature Reserve

Posbus 20
Hermanus
7200

Recommendation:

The subdivision of Portion 19 of the Farm Hemel and Aarde No 585 as well as the Rezoning and Registration of a Dam and pipeline servitude is supported upon the following conditions:

1. A conservation stewardship agreement should be entered into with the Western Cape Conservation Board, at the discretion of Cape Nature pending the subdivision and rezoning of the property;
2. The new owner of Portion A, will be required, as a condition of the Stewardship agreement, to co-operate with the Western Cape Nature Conservation Board and the Overstrand Municipality, with respect to collaborative fire and vegetation management initiatives;
3. The new owner will agree to the continuation of the right of servitude in the favour of Overstrand Municipality with respect to access to the northern portion of Fernkloof Nature Reserve, where the access road crosses the subdivision portion A, as proposed.
4. The possibility of the need for an environmental authorisation for the construction of a single dwelling on subdivisional portion A should be brought to the attention of the new owner in the deed of sale.
5. The subdivisional rights attached to Portion A should be restricted to the construction of a single residence and outbuilding in order to restrict the development footprint in the critically endangered ecosystem.

Kind regards

N.R. Green

Neville Green

Manager: Biodiversity Conservation

On behalf of Mr. Stephen Müller (Director Infrastructure & Planning).

435



**Western Cape
Government**

Agriculture



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

TP - A Theart
C H Olivier

OUR REFERENCE : 20/9/2/4/2/015
YOUR REFERENCE : -
ENQUIRIES : Cor van der Walt



Hamilton-Russel Vineyards
PO Box 158
Hermanus
7200

Att: Neil Wessels

**PROPOSED SUBDIVISION, REZONING AND REGISTRATION OF A SERVITUDE AREA:
DIVISION CALEDON
REMAINDER OF PORTION 19 OF THE FARM HEMEL EN AARDE NO 585**

Your application of 13 October 2014 has reference.

With reference to our meeting on 08 October 2014 and previous letters dated 31 May 2013 (Western Cape Department of Agriculture) and 03 July 2013 (National Department of Agriculture, Forestry and Fisheries), the following:

After reconsidering the application and as supported by Cape Nature as important to be included as part of the Fernkloof Nature Conservation Area, the conditional support by the National Department of Agriculture, Forestry and Fisheries, the Western Cape Department of Agriculture has no objection, with conditions, to the subdivision of Portion 19 of the Farm Hemel en Aarde no 585, Caledon into:

- Portion A (\pm 50 ha) and
- Remainder (\pm 64 ha).

Conditions:

- Portion A to be rezoned to Open Space III.

FILE NO:	Pln 19/585
SCAN NO:	13
COLLABORATOR NO:	688269

- b) That a Stewardship Agreement with Cape Nature into perpetuity is reached for Portion A to be managed with the Fernkloof Conservation Area to achieve the conservation goals of the area.
- c) A management plan is drafted and implemented for Portion A.
- d) A Title Deed restriction is made, to allow only a Residential unit for Portion A within the building guidelines and regulations of the Local Authority.
- e) That Portion A may not be subdivided.

Please note:

- That this is only a recommendation to the relevant deciding Authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970, Conservation of Agricultural Resources Act no 43 of 1983 and the Land Use Planning Ordinance 15 of 1985. The applicant must provide the local government and the National Department of Agriculture, Fisheries and Forestry with copies of the application.
- 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



AS ROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

13/10/14

<p><u>Copies:</u> Directorate Land Use and Sustainable Resource Management National Department of Agriculture Private Bag X 120 PRETORIA 0001</p>	<p>Cape Nature Hermanus (R Smart) 16 Seventeenth Avenue Voelklip Hermanus 7200</p>
<p>PlanActive Town & Regional Planners PO Box 296 HERMANUS 7200</p>	<p>Overstrand Municipality PO Box 26 GANSBAAI 7220</p>

437



agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA



TP- A Theart
(H Olivier)

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 E-mail: NhlakaD@daff.gov.za
Enquiries: Helpdesk Ref: 2014_02_0107

PlanActive
P.O. Box 296
HERMANUS
7200

Attention: M. Lerm

PROPOSED SUBDIVISION, REZONING AND SERVITUDE ON THE REMAINDER OF PORTION 19 OF THE FARM HEMEL AND AARDE NO. 585, DIVISION CALEDON, WESTERN CAPE PROVINCE

Your letter bearing reference PA13019/ML dated 05 February 2014 refers.

With reference to the above-mentioned matter, this department wishes to inform you that there is no objection against the proposed rezoning of the proposed Portion A (49, 33 hectares) to Open Space III from an agricultural point of view.

The subdivisional application shall be considered upon receipt of the rezoning permit as well as the stewardship agreement with Cape Nature.

It is trusted you will find the decision in order.

Yours faithfully

DR M. E. TAU
ACTING DEPUTY DIRECTOR GENERAL: FORESTRY AND NATURAL RESOURCES
MANAGEMENT
DELEGATE OF THE MINISTER
DATE: 03.03.2015

CC: Land Use and Soil Management P.O.Box 380 BELLVILLE 7535
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag 1101 G 7607
CC: Theewaterskloof Municipality P.O. Box 24 CALEDON 7230

FILE NO:	PA 19/585
SCAN NO:	
COLLABORATION NO:	764083

DAFF/MB/2015/Hemel and Aarde No. 585 Ptn 19

TP 11 MAR 2015

12 MAR 2015 ✓