

## 4.3

**PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP NO. 559, A DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, CONSENT USES, AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVAL AND AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN: INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF GLEN CRAIG TRAINING CENTRE PTY LTD**

**KHANG 59/559 (4464/2023)**

**H van der Stoep  
10 November 2025**

**(028) 313 8900**

**Hermanus Administration**

## 1. EXECUTIVE SUMMARY

An application has been received on 21 August 2023 from Inter Active Town and Regional Planners on behalf of Glen Craig Training Centre (Pty) Ltd on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Removal of Restrictive Title Deed Condition** in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the removal of restrictive title deed condition E.(o) as contained in Title Deed T2048/2006 of the property to accommodate the proposed land uses.

The restrictive title deed condition read as follows:

*“E. **SUBJECT AND/OR ENTITLED** to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T 18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T5789/1957:-*

- (o) The said land may be used for the purpose of agriculture and breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/ or general dealer or any of them.”*

- ❖ **Consent uses** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to accommodate the following:
  - A place of instruction to allow for a training and educational centre,
  - A place of entertainment to allow for weddings,
  - A place of assembly to accommodate special events such as lectures, sermons, and weddings, and
  - A utility service to accommodate a solar power plant.
- ❖ **Amendment of conditions in respect of existing approval** in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to exceed the permissible floor space from 2400m<sup>2</sup> to 3280m<sup>2</sup> to accommodate the proposed expansion of the existing development.

- ❖ **Amendment of the existing approved site development plan** in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to accommodate the proposed expansion of the existing development.

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, while the proposed Site Development Plan is attached as Annexure C. The Title Deed is attached as Annexure D.

## 2. DECISION AUTHORITY

Municipal Planning Tribunal

## 3. BACKGROUND / SITE HISTORY

The development objective is to use the application area as an international missionary educational and training centre. The institution involved is the Foundation for Cross-Cultural Education (FCE). FCE (Register in South Africa as an NGO) is an international mission organization that operate from South Africa into Namibia, Zambia, Malawi, Zimbabwe, Europe and the East. They are a non-profit organization and all funds received are used to maintain and support the ministry and the premises where they operate from. The facility is to provide a service for the wider church community internationally. The property is planned to be used for courses, seminars, retreats for churches, groups and functions and with exceptions for weddings.

The application area of 10.6 ha is situated approximately 400m northeast of Pringle Bay village and is zoned Rural Zone 2: Conservation Usage with a consent use for Tourist Accommodation and Tourist Facilities. The application area includes a former hotel and conference building with ancillary recreational and other facilities, which are no longer operational and of which the site development plan was approved in 2012, as illustrated in the layout and Photographs below.



Figure 2: Approved Site Development Plan



Figure 3: Existing lay-out of buildings to be used and converted for the development proposal

#### 4. SUMMARY OF APPLICANT'S MOTIVATION

The proposal is to use the application area as a place of instruction and assembly as part of an international mission, educational and training centre and also a place of entertainment to accommodate weddings limited to 3 times per year. The proposal also includes approval for two new staff cottages with a carport and solar panels.

The mission & training centre will have approximately 20 students at a time as well as training centre staff. The existing hall can accommodate up to approximately 50 seats. Events with up to 100 people are proposed approximately two or three times a year for periods between one to four days.

The proposed premises is anticipated to accommodate the following structures:

- Existing main building (1485m<sup>2</sup>)
  - 19 single bedrooms
  - 5 offices
  - Reception
  - Dining room
  - Kitchen
  - Bar
  - 2 Lounges
  - Dining room
  - Board room
  - Lecture room
  - Bathrooms
  - Storage
- Existing lapa / multifunction hall & braai area (136m<sup>2</sup>)
- 6 Existing and 2 new staff & management cottages (592m<sup>2</sup>)
- Existing storeroom (168m<sup>2</sup>)
- Amended parking
  - 2 Carports
    - 4-bay carport
    - 2-bay carport
  - 40 bays in main parking lot
  - 16 additional parking bays
  - 30 bays overflow parking on the activity field
- New solar panels (792m<sup>2</sup>)
- Tool shed and ablutions building

The additional structure footprints/ floor space total 1071m<sup>2</sup> and consists of the following:

- Staff cottages: 117m<sup>2</sup> x 2 = 234m<sup>2</sup>
- 2 bay carport: 55m<sup>2</sup>
- Solar panels: 792m<sup>2</sup>



### SERVICES

Engineering services infrastructure (i.e. electricity, water, sewer and stormwater drainage) are readily available.

### **Access**

Access is obtained from the R44, at the existing entrance point.

### **Electricity**

The application area is proposed to be fully reliant on solar power and therefore the installation of solar panels is proposed.

### **Sewer**

In 2007 Dr. Kevin Winter from Environmental and Geographical Science from the University of Cape Town has provided a letter of inspection of the existing septic tank and stated the conditions are generally ideal for the efficient operation of a septic tank, subject to maintenance.

### **Water**

The application area has an existing water supply.

### CONSENT USE - PLACE OF INSTRUCTION

The primary land use proposed for the application area is for an international mission, educational, weddings on exceptional occasions (limited to 3 times per year) and training centre. Approximately 20 students will attend the training centre at a time. The students and staff will reside on the application area with the students in the main building and the staff in the cottages. The calm environment surrounded by nature is an ideal location for a training centre, since it facilitates contemplation and reflection. The scale of the proposed place of instruction is significantly smaller than that of an average school, only having approximately 20 students at a time.

### CONSENT USE - PLACE OF ENTERTAINMENT

Occasional weddings are proposed on the application area up to 5 times per year. The existing hall can accommodate approximately 50 seats. Sound will be limited to comply with the Western Cape Noise Control Regulations. 30 bays overflow parking bays on lawn in addition to the 62 permanent bays are proposed to be used during larger events as needed. The consent use for place of entertainment only for weddings will not result in other uses as per the zoning scheme definition of place of entertainment. (i.e. not for a cinema, a theatre, an amusement park, a dance hall or a night club and gambling etc.

CONSENT USE - PLACE OF ASSEMBLY

Occasional larger events such as church camps amongst others are foreseen in future. These events include one day and on rare occasion four-day events. The number of people attending these events will vary but can potentially be up to 100 people. It is not foreseen that such events will exceed two or three times per year. The existing hall can accommodate approximately 50 seats, and the lecture room approximately 20. For bigger functions provision will be made accordingly. Sound will be limited to comply with the Western Cape Noise Control Regulations. Sufficient parking and overflow parking is available to be provided.

CONSENT USE - UTILITY SERVICE

A 792m<sup>2</sup> solar power plant is proposed within the application area in order to provide electricity to all buildings on the application area. The solar power plant is proposed on ground level and will be screened by structures from the west, south and east. As a result of the solar panels, the application area will no longer be reliant on the national electrical grid and will therefore reduce pressure on the overburdened electrical grid. A stable power supply will improve productivity on the application area and will make the use of the facility more desirable, especially for international students and guests, which will also improve the viability of the missionary educational and training centre. Solar is a renewable energy source, being environmentally friendly and contributing to national carbon reduction goals as well.

REMOVAL OF A RESTRICTIVE TITLE DEED CONDITION

The application area title deed, T2048/2006, contains a restrictive title deed condition which is proposed to be removed and reads as follows:

- "E. *SUBJECT AND/OR ENTITLED to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T.18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T.5789/1957:*
- (o) *The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them."*

The above title deed restriction does not clearly restrict the application proposal as it is written in such a way that it can be interpreted as to give other rights, in other words the existing rights are not exclusive because clause reads "*the said land may be used for*" and does not include words such as "exclusively" or "only". It is interpreted by the local authority that the proposed activities are restricted by this specific clause. In order to have certainty that the proposed land uses are permissible, restrictive title deed condition E.(o) is proposed to be removed from title deed, T2048/2006. Land-use is prescribed and managed by the Overstrand Municipality Land-Use Scheme Regulations, 2020. The Overstrand Municipality Land-Use Scheme Regulations, 2020 has evolved over time, in contrast to the title deed restrictions which have remained static. The application is also considered desirable, allowing for an appropriate use of the application area. The application therefore includes the removal of title deed condition E.(o) from title deed T2048/2006.

#### AMENDMENT OF A CONDITION OF APPROVAL FROM A MAXIMUM PERMISSIBLE FLOOR SPACE OF 2400M<sup>2</sup> TO 3280M<sup>2</sup>

The carports over the main parking are proposed to be removed and two new staff cottages with a carport for two vehicles and solar panels are proposed. The solar panels are proposed in close proximity of the main building to reduce potential impact on the natural environment and for practical installation purposes. To operate the proposed missionary educational and training centre, 13 bedrooms in addition to the manager's cottage are required for proposed staff. The existing cottages only accommodates 7 bedrooms in addition to the manager's cottage, and the main building is proposed to be reserved for students and temporary guests. The main building is not suitable for staff due to the lack of private living areas. As a result two additional staff cottages with 3 bedrooms each are proposed. These cottages will have three bedrooms each with a private open-plan kitchen, dining area and living room.

The following staff composition relating to the cottages is envisaged:

- FCE director (Staff Cottage 3)(New)
- Administration and correspondent (Managers House)
- Administration (Staff Quater 3)
- Finances (Staff Cottage 1)
- Kitchen & finances support (Staff Quarter 2)
- Kitchen (Staff Quater 4)
- Maintenance and IT (Staff Cottage 1)
- Media and building projects (Staff Quarter 1)
- Hospitality and general facility management. (Staff Cottage 2)(New)
- 2x Training & course facilitators (Main Building)

#### ACCESS & PARKING

For normal operations, 51 bays are required and up to additional 25 bays will be required for events which will occur two or three times a year. Sixty-two (62) dedicated parking bays are proposed, and thirty overflow parking bays are proposed.

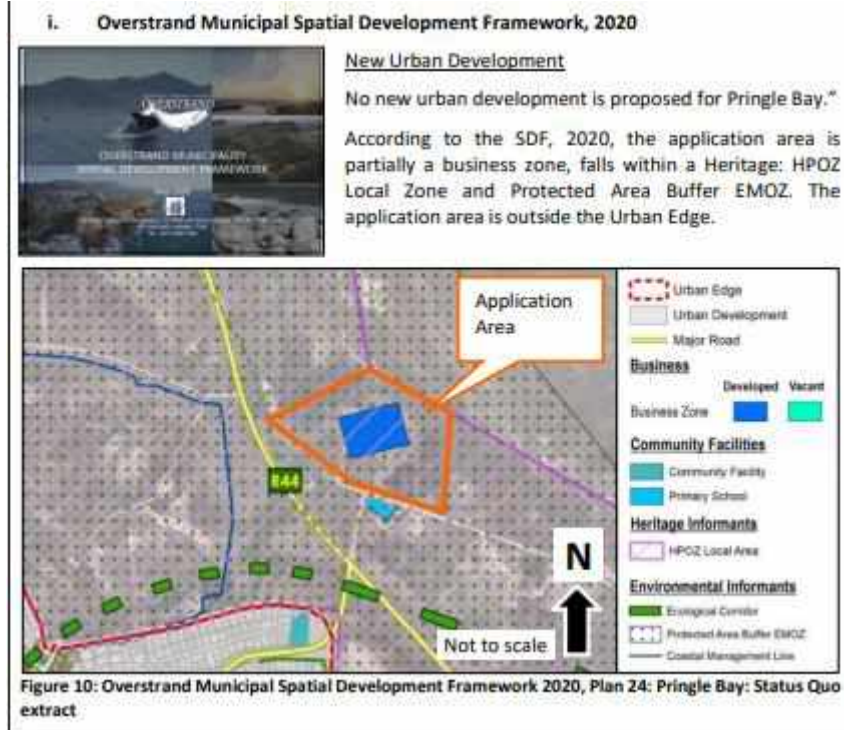
#### DESIRABILITY

The development proposal, as explained above, is considered desirable for the following reasons:

- The proposal represents the optimizing of the application area for uses being in higher demand, is permanent and stable and is more economically feasible than the previous uses.
- The application area being outside of the urban edge and distant from the main Pringle Bay residential area, the impact on the area and residential area will be small if any apart from contributing to the economy of the village.
- Sufficient parking is proposed.
- The application proposal is to run the entire property from solar power, reducing load on the electrical grid while being environmentally friendly.

#### FORWARD PLANNING

PLANNING PRINCIPLES



In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles have been applied to the application site:

- 1) **Spatial Justice** which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land. Possible results of the development The proposal for a training centre in mostly existing buildings will not impact on spatial justice. The application proposal is consistent with spatial justice.
- 2) **Spatial Sustainability** which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl. Possible results of the development Although the application area is situated outside the urban edge, the farm is not currently used for agricultural purposes but was previously used for tourist accommodation and a tourist facility with existing buildings and facilities which are to be used for the proposal. Therefore, the proposal will not impact on any existing agricultural or environmentally sensitive land and would in fact represent a lower intensity use of the land. The application proposal can thus be deemed to be spatially sustainable.
- 3) **Efficiency** which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities. Possible results of the development The proposal is for the optimal use of existing buildings, which is a suitable and efficient proposal for the application area. The application proposal is consistent with the efficiency principle.
- 4) **Spatial Resilience** which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner. Possible results of the development The existing property is currently not optimally used and also not economically viable. The proposed training centre is a more optimal land use, therefore improving spatial resilience. The application proposal is consistent with the principle of spatial resilience.
- 5) **Good Administration** which, in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure that a joint planning approach is pursued.

#### **ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

***The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vests in the personas of the owner of a dominant tenement***

No comment.

***The personal benefits which accrue to the holder of rights in terms of the restrictive condition/ The personal benefits which will accrue to the person seeking the removal of the restrictive conditions, if removed***

No comment.

***The social benefit of the restrictive condition remaining in place /The social benefit of the removal of the restrictive condition***

No comment.

***Whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights***

No comment.

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- (o) The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them.”*

The above title deed restriction does not clearly restrict the application proposal as it is written in such a way that it can be interpreted as to give rights and that the rights are not exclusive rights. The clause reads *“the said land may be used for”* and does not include words such as *“exclusively”* or *“only”*. It is interpreted by the local authority that the proposed activities are restricted by this specific clause.

In order to have certainty that the proposed land uses are permissible, restrictive title deed condition E.(o) is proposed to be removed from title deed, T2048/2006. Land-use is prescribed and managed by the Overstrand Municipality Land-Use Scheme Regulations, 2020.

The Overstrand Municipality Land-Use Scheme Regulations, 2020 has evolved over time, in contrast to the title deed restrictions which have remained static. The application is also considered desirable, allowing for an appropriate use of the application area. The application therefore includes the removal of title deed condition E.(o) from title deed T2048/2006.

## 5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	3 October 2024	8 November 2024
Government Gazette	Yes	3 October 2024	8 November 2024
Email notices & site notice	Yes	3 October 2024	8 November 2024
Internal departments	Yes	3 October 2024	8 November 2024

Ward Councillor	<b>Yes</b>	3 October 2024	8 November 2024
Total comments	<b>THREE (3)</b>		
Total letters of support	<b>TWO (2)</b>		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			<b>Yes</b>
Was the application processed correctly (if no, elaborate below):			<b>Yes</b>
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			<b>Yes</b>

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

Name	Date received	Summary of comments
<b>Building Control</b>	03/10/2024	No objection. Building plan application must comply with all applicable law. This property is in the HPOZ. There is heritage graded buildings on the property. If they want to do any work on any of those buildings, they will have to get HWC approval.
<b>Fire Department</b>	10/10/2024	No objection subject to compliance with the provisions of SANS 10400 A:2016, 10400 T:2024 and the By-Law relating to fire safety.
<b>Engineering Services</b>	16/05/2025	Annexure G.
<b>DEA&amp;DP (Planning)</b>	18/10/2024	Annexure H.
<b>DEA&amp;DP (Environmental)</b>	02/12/2024 20/05/2025	Annexure I.
<b>Cape Nature</b>	02/12/2024	Annexure J.
<b>Environmental Management Services</b>	07/11/2024	Annexure K.

#### 7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION, THE APPLICANT'S RESPONSE AND THE MUNICIPAL TOWN PLANNER'S RESPONSE THEREON

The application was duly advertised in the local newspaper and Government Gazette. E-mail notifications and registered letters were also sent out to those owners who did not have an e mail address as well as hand delivered. A notice board was also placed on-site by the applicant's consultant.

Three (3) letters of objection were received forthcoming the public participation process. Two (2) no-objection / support letters were also received of which one was received late. See list below.

**Objections were received from the following parties:**

<u>Letters of Support</u>	<u>Comments and Objections</u>
<ul style="list-style-type: none"> <li>• Brandon Topham</li> <li>• Rock Forage Consulting Services, Pierre Fourie</li> <li>• CapeNature</li> </ul>	<ul style="list-style-type: none"> <li>• Hangklip Environmental Action Group (HEAG)</li> <li>• Francois and Suzelle Kruger</li> <li>• Pringle Bay Ratepayers Association (PBRA)</li> <li>• Department of Environmental Affairs and Development Planning (DEA&amp;DP)</li> </ul>

The letters of support were received from neighbours that are knowledgeable and familiar with the activities of the missionary centre. These comments are considered of value given that these neighbours are also sensitive and caring about environment and the future of the area. They are familiar and experience the daily activities of the application area. The confirmation and support of the application by the parastatal department of CapeNature is of substantial value.

It is apparent from the letters of objection of the local residents that in principle they support of the missionary as land use but are concerned about the implications of the removal of the restrictive title condition and the resulting potential impact it can have on the natural and built environment. Contrary with the local residents' support of the existing land-use on the application site, the DEA&DP does not support the land-use based primarily on the compatibility of the use. As mentioned in the introduction, each of the three objections are dealt with separately in accordance with the nature and emphasis of the objections

***Response from the Hangklip Environmental Action Group (HEAG)***

*The HEAG indicated that they are not opposed to the training centre in principle but more about the impact of additional activities and special events on traffic and the environment and biosphere that can set a precedent for similar developments. They indicated that they also object to the removal of the restrictive title conditions as they have a deep concern regarding setting a precedent should the restrictive title conditions pertaining to the title deed be removed.*

The specific concerns are dealt with in the following table:

<b>OBJECTION SUMMARY</b>	<b>APPLICANT'S RESPONSE</b>
<i>The removal of the restrictive title conditions creates a potential precedent for similar applications of future developments within the area.</i>	<p>The objector needs to understand the reason why the specific title condition needs to be removed.</p> <p>As background and reminder, the relevant title condition applied for to remove reads as follows:</p> <p><i>"E. SUBJECT AND/OR ENTITLED to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T.18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T.5789/1957:</i></p>

	<p><i>(o) The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or <b>for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them.</b></i></p> <p>From the above, this title condition refers to businesses not being allowed. However, the local authority interprets the application activity of a training centre as a business. <u>Therefore, for the purposes of the application the said condition needs to be removed.</u></p> <p>It is also known that the local authority considers all applications on the merit of the application. Therefore, the local authority will not allow for a precedent to take place.</p> <p>It should also be noted that the purpose of a title deed is not to manage land-use; a zoning scheme manages land-use.</p> <p>Therefore, the point of objection is not considered valid and should be omitted by the deciding authority.</p>
<p><i>Specific concerns involve the use of the property for:</i></p>	<p>As background, cognizance must be taken that the application site was previously used for inter alia a hotel subject to standard civil services requirements of water, electricity and sewer.</p>
<ul style="list-style-type: none"> <li>• <i>a petrol station</i></li> <li>• <i>Special events like weddings, church camps and other large functions</i></li> <li>• <i>The sewerage system ability to accommodate large events or functions</i></li> <li>• <i>Water source</i></li> <li>• <i>Traffic concerns during large events</i></li> </ul>	<p>This application is clearly only for a Place of Instruction and Assembly (Missionary activities), a Place of Entertainment for the purposes of occasional wedding events limited to approximately three events a year and Utility Services to accommodate the solar panels as source of electricity for the missionary and supporting uses. These uses will accordingly be managed by the Overstrand Municipality on approval. Therefore, the fear of allowing a petrol station is unfounded.</p>
	<p>These land-uses will have a limited impact on services; and the demand is substantially less than the previous land-use that is currently approved.</p> <p>Water is provided from an approved municipal system and no reason for concerns about the water source should subsequently exist.</p> <p>As mentioned here-above, the events are restricted to rare occasional events and subsequently the concern about the traffic impact is considered invalid. Guests also do not have to travel through the Hangklip urban area to reach the application area from the R44 and the additional infrequent traffic is within the carrying capacity of the existing road network. It should also be taken into consideration that most of the trainees are shuttled in from the airport when training takes place.</p> <p>Therefore, the point of objection is not considered valid and should be ignored.</p>

**TOWN PLANNER'S RESPONSE**

With regard to the removal of the restrictive condition, the applicant is correct that the Municipality does deem the requested uses such as the missionary, conference and weddings as business as per the title deed condition. Thus, one option is rather to amend the condition to ensure that uses not fit for the area still be excluded. The exclusionary uses will be agriculture, a garage, filling station, recreational club and or general dealer.

The concerns relating to specific uses on the property with regard to services. The Division: Environmental Management Conservation did indicate that the present septic tank system be converted into a Conservancy Tank. The Operational Department indicated that the property has existing water supply from the bulk network feeding Hangklip Reservoirs. Should the facility require additional water supply, this aspect will have to be dealt with by the Operational Department.

Traffic generation as per the application will be minimum due to the fact that most attendees will be shuttled. The access point will remain from the R44, and no new access points are proposed. The concern with regard to special functions is noted. Events relating to the activities of the Missionary School is restricted to the structures on the premises, however wedding venues is not directly related to the Missionary Training Centre, which may lead to noise and traffic pollution. This aspect will be dealt with in the Section dealing with Desirability of the application.

**OBJECTION - FRANCOIS AND SUZELLE KRUGER**

*In principle the objectors also indicated that they are not against the property being used as a training centre, however they object to the planned expansion. Their objections are in essence about the increase in floor space, large functions like weddings and also the proposed occasional and special events for larger groups. In the following paragraph responses are provided to each of summarized the points of objections:*

<b>OBJECTION SUMMARY</b>	<b>APPLICANT'S RESPONSE</b>
<i>The number of people attending of 100 is questioned given that according to their calculations 86 parking bays can be provided and based on 4 people per car implying that 344 people can subsequently attend.</i>	The objectors are making their own assumptions which are invalid and not applicable.  Therefore, this point of objection should be rejected.
<i>The annexures of the application were not available on the website which seems to be the only source available to the public and then requesting where the title deed can be obtained to understand the implications better.</i>	The statement made by the objector that the website was the only source available to the public is incorrect. The application made it clear that more information can be obtained through the relevant town planner for the subject application and also from the municipal offices on request.  The information provided by the objector is invalid, as there were clear ways to obtain the required information. Therefore, this point of objection should be ignored.
<i>With reference to the Removal of the Restrictive title conditions the objectors express / interpret that:</i>	The general statements made by the objectors are incorrect.

<ul style="list-style-type: none"> <li>• <i>The removal of title deed or rezoning of areas in UNESCO declared Biosphere Reserves can lead to major destruction of critical biodiversity</i></li> <li>• <i>Title deed conditions cannot be removed if it is not in the public interest or desirable</i></li> <li>• <i>The removal of conditions will be setting a negative precedent</i></li> <li>• <i>The application to remove the title deed restrictions is over-reaching as the property as it is already functioning as a training centre and there is enough space to accommodate 20 students</i></li> <li>• <i>The zoning of the property is intended to protect the environment</i></li> <li>• <i>Question whether the EMOZ and HPOZ complies with the Overstrand Municipality Heritage protection overlay zone regulations, 2020?</i></li> <li>• <i>If the application is approved, it should not be transferable upon change of ownership.</i></li> </ul>	<p>This is a generalized statement with unproven assumptions.</p> <p>This is incorrect. Furthermore, the application proposal is considered desirable as motivated in the application.</p> <p>This is also a vague generalized and non-verified statement. Also read the response provided regarding a precedent in the previous response.</p> <p>The objector's statement is not motivated with any facts and therefore has no merit at all. The objector does not appear to understand the removal of the title deed condition as the training centre is considered by the local authority as a business and therefore the removal of the restrictive title deed is a requirement.</p> <p>This statement is unsubstantiated and incorrect. No development is proposed within critical biodiversity, wetland or other environmentally sensitive areas. The support of CapeNature should be acknowledged as per attachment.</p> <p>The existing development was originally approved within the footprint of the development and therefore compliant with the relevant regulations.</p> <p>This is considered as a statement and not an objection.</p> <p>It is evident from these points of objections the objector is concerned about the environment, which is acknowledged and respected. However, the nature of the proposed use, especially that of the accommodation of weddings is proposed to be on such a limited scale that the impact of it would be materially less than that of the previous use of a hotel. The application proposal will not have any significant impact on the environment. It is therefore requested that this objection be respected but rejected.</p>
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<p><i>In terms of the Amendment of the conditions in respect of the existing approval the objectors state that there are various inconsistent figures which includes the:</i></p> <ul style="list-style-type: none"> <li>• <i>Increase in floor space</i></li> <li>• <i>Non-necessity for expansion- floor space, cottages and solar panels</i></li> </ul>	<p>It is evident that the objector scrutinized the application to look for errors to discredit the application. It also appears deliberate misinterpretation of the application facts are made.</p> <p>The increase in the floor space involves inter alia the demolishing of a structure and the construction of new structures including that of the solar plant / panels.</p> <p>The design and extent of the solar plant make provision to be on ground level and is incorporated in the increase of floor space.</p> <p>As mentioned in the introduction the following further investigations and technology improvements, the new solar plant will only be an additional 300m<sup>2</sup> instead of 800m<sup>2</sup>. Without the solar plant, the increase in floor area will only be 380m<sup>2</sup>. resulting to a net floor area of approximately 2 780m<sup>2</sup>.</p> <p>It should also be acknowledged that the solar plant will in essence contribute to a more environmentally development than previously.</p>
<p><i>Objection relevant to the sewer:</i></p> <ul style="list-style-type: none"> <li>• <i>Question the validity of the inspection of the existing septic tank</i></li> <li>• <i>The usage of the septic tank for more than 300 people over 300 people over more than 3 days</i></li> <li>• <i>Distance of the staff cottages to the dam</i></li> </ul>	<p>The current longstanding system was originally designed to accommodate a hotel with its associated functions for more people and more frequent use compared to the use for the training centre.</p> <p>The existing proposal including the use for camps and occasional weddings are meant for substantially lower usage and therefore consider to be compliant with the facilities provided.</p> <p>The distance of the staff cottages is proposed to be approximately 45m from the dam and is compliant with the NEMA regulations.</p>
<p><i>Objections relating to water:</i></p> <ul style="list-style-type: none"> <li>• <i>Questions the existing water supply</i></li> <li>• <i>The training centre will not get enough water from the dam- demand and supply</i></li> </ul>	<p>The water is obtained officially from the municipality and completely legal.</p>
<p><i>Objections with regards to traffic:</i></p> <ul style="list-style-type: none"> <li>• <i>Increased traffic</i></li> <li>• <i>Already an increase in road accidents on the crossing to the application area.</i></li> <li>• <i>Additional regular traffic will affect the fragile natural environment and neighbours causing more maintenance.</i></li> </ul>	<p>The daily general use of the missionary is less than the use of a hotel as explained in the summary and background to the application.</p> <p>The increase in traffic will only be on rare occasions approximately three times a year and also normally during off-peak periods, resulting that the impact will be not material.</p> <p>Furthermore, most of the training to groups involve groups being shuttled in, resulting to substantially less traffic than in the past when the property was used as a hotel.</p>
<p><i>Objector's conclusion:</i></p> <p><i>The removal of the restrictive title conditions will create a negative precedent, and the application provides unclear statements allowing discrepancies and should not proceed to the next level.</i></p>	<p>The application for the removal of the restrictive title conditions was specifically aimed at the business component where potential trading according to the local authority's interpretation is taking place.</p> <p>Furthermore, every land-use application is considered by the Overstrand Municipality on the merit of the application. Therefore the chance of creating a precedent is completely unlikely.</p>

**TOWN PLANNER'S RESPONSE**

The operational functioning of the training facility will be limited to existing structures on the property, i.e. the main building of 1484,7m<sup>2</sup>. The latter consists of bedrooms, kitchen, ablution and conference facilities, thus limiting the number of attendees.

The non-availability of documentation is disputed since the Municipal Office is open from Monday to Friday from 7:45 am to 16:30pm. The notice also indicates contact details of the official responsible for the application. It would have been a telephone call or an e-mail -non were received by the Division.

The comment from the objector that the property is located in a UNESCO declared biosphere is noted and accepted. This aspect does not exclude development within the Biosphere; this aspect has been reiterated in the UNESCO 's Mandn and the Biosphere(MAB) programme and its World Network of Biosphere Reserves (2016-2025). The aforementioned must be read in conjunction the Kogelberg Nature Reserve Complex Management Plan.

The EMOZ and HPOZ can only be applicable to the new structures and not the existing approved structures before 2020, with the inception of the afore-mentioned overlay zones. In terms of the EMOZ, the Divisions: Environmental Management Services did highlight the aspect of alien clearing. In terms of the HPOZ, the Division: Building Control did indicate that the property is subject to Heritage approval for new constructions.

Concerns relating to availability of services and traffic generation have been dealt with under the heading: **Response from the Hangklip Environmental Action Group (HEAG).**

Objection relating to the removal of a restrictive condition has been dealt with under the heading: **Response from the Hangklip Environmental Action Group (HEAG).**

**OBJECTION – PRINGLE BAY RATEPAYERS ASSOCIATION**

**It should inter alia be noted that the PBRA as part of their letter of objection states that "The PBRA represent the ratepayers within the declared Urban Edge."**

Nevertheless, the following response to the summary of objections are provided in the following table:

<b>OBJECTION SUMMARY</b>	<b>APPLICANT'S RESPONSE</b>
<i>Objection to the complete removal of the title condition but to retain parts of it. Refer to the arguments of the PBRA as part of Part A of the objection.</i>	<p>The interpretation of the PBRA is incorrect in the sense that application is made to remove E.(o) from title deed T2048/2006 with the specific purpose to accommodate the weddings and courses and training where fees (i.e. considered as business by the local authority) are involved.</p> <p>It should be acknowledged that the subject clause as a whole is written in an ambiguous manner not being clear to which uses rights are permitted or restricted. The municipality via the zoning scheme and approvals provides clear permissions and restrictions. Therefore this clause needs to be removed as a whole to clarify to which is allowed or restricted.</p>

	<p>The restriction of the accommodation of the uses being applied for, forms part of the consent use applications and the site development plan.</p> <p>As the title deed is not absolutely clear, it was required to apply for the removal of the said title deed restriction.</p> <p>It should also be noted, even though that the PBRA do not agree, and with the knowledge that zoning schemes do not override a title deed condition, the objective of a title deed is not to function as a land-use management tool.</p> <p>In conclusion, the entire Condition E.(o) needs to be removed.</p> <p>Furthermore, the content of the remainder of the specific condition is dealt with by the relevant Overstrand Zoning Scheme.</p>
<p><i>Part B: Floor Space - The Existing allowable 800m<sup>2</sup> zoning parameter requires a departure as the current Overstrand Land Use Scheme was promulgated in November 2013 implying that the approval of the previous Site Development Plan and rezoning in 2015 allowing 2400m<sup>2</sup> floor area, was illegal.</i></p> <p><i>In addition to the above that the solar panels rather be installed on the roofs of the existing covered parking areas in collaboration with an architect ensuring that it aesthetically pleasing.</i></p> <p><i>That the proposed and existing building be revisited to stay within the 2400m<sup>2</sup> floor space as approved.</i></p>	<p>The objector contradict himself in this point of argument where he firstly states that the decision of 2400m<sup>2</sup> floor area is illegal and a new consent use application based on the current zoning scheme needs to be made and then under the same section (Part B) states that the floor areas be revisited to stay within the original area approved. The objector makes serious unfounded false accusations. A floor area departure was legally approved in 2015.</p> <p>The matter of the fact is that previous approvals cannot be withdrawn and would be irrational resulting that the implementation of such an amendment would have an impractical, unsustainable management implication.</p> <p>The extent of the solar plant is also not practical to be installed in the current situation on the roofs of the existing parking bays.</p> <p>The point of objection is ambiguous, confusing, impractical, unrealistic and subsequently should be omitted.</p>
<p><i>In Part C of the objection, objection is made to the removal of a restrictive title condition to allow a Scheme regulation to take effect in the place thereof with specific reference to environmental management of the area.</i></p>	<p>The objector from a practical point of view loses the context of the existing situation as part of his motivation as the application area forms part of an area that has already been disturbed. This is also confirmed by CapeNature's response to the application attached as an Annexure. An investigation by the reputable Environmental Practitioner, Lornay Environmental Consultant proved that the development area is restricted to the existing approved disturbed area.</p> <p>Secondly, paragraph 2 of the response to the PBRA associations objections should also be considered in the sense that the purpose of a title deed is not to manage land-use; a zoning scheme manages land-use and inter alia also environmental matters.</p> <p>Thirdly, cognizance should be taken that the removal of the condition is primarily to accommodate business activities with the specific use of the wedding activities and potential of trading of the courses and training.</p> <p>The removal of the restrictive title deed condition does not exempt the property owners from compliance with the relevant environmental legislation and restrictions.</p>

	<p>It is once again evident that the point of objection is not valid and should be rejected by the deciding authority.</p>
<p><i>As part of Part D, the PBRA had the following points of objection:</i></p> <p><i>Questions whether the notice of the application documentation has been sent to all the holders of the praedial rights against the property.</i></p> <p><i>The legitimacy of the existing water connection is questioned.</i></p> <p><i>Question whether applicant is allowed to transgress the pipeline with the possibilities that it may potentially cause damage to this main water line.</i></p> <p><i>The sewer is not motivated in the report with reference to capacity compared to demand and request demand vs capacity as well as a functional status and related impact of the facilities on the area report.</i></p>	<p>Apart from notices in the local newspapers, a site notice which was strictly maintained, the application was also sent via email to all parties identified by the Overstrand Municipality and those parties that do not have email per registered post; hence a comprehensive process was followed in compliance with the relevant municipal planning by-law to ensure that affected parties were notified.</p> <p>The application site was used previously for inter alia a hotel subject to all requirements including the provision of water and provided, monitored, managed and billed by the local authority and is completely legitimate.</p> <p>The referred pipeline is an underground pipeline and will not be affected by the parking area or any roads within or outside the application area. The owner of the property is aware of the said servitude and pipeline and respect it accordingly. All buildings are also subject to municipal management and treated accordingly.</p> <p>The existing system is a longstanding system as reflected in the application report and is functioning well. It was originally designed to accommodate a hotel with its associated functions. The existing proposal including the proposed camps and occasional weddings usage is on a substantially lower usage level and therefore consider to be compliant with the need. The system is constantly monitored and accordingly managed.</p>
<p><i>Reference is made to a conference centre in the report and object to a conference facility.</i></p> <p><i>In terms of parking, it is requested that a condition be included that all parking needs to be on site.</i></p> <p><i>No provision is made for parking for physical disabled people.</i></p>	<p>The application area is not intended for a conference facility as per definition in the town planning scheme, but for courses, seminars, retreats for churches, groups and functions as part of the Foundation for Cross-Cultural Education international missionary educational and training centre and as per the application on exceptional instances for weddings. Therefore, this point of objection is not applicable.</p> <p>When parking calculations are made, it is clearly mentioned to be on-site. Therefore, this request as part of the objection of the PBRA is considered not appropriate and applicable and should be ignored.</p> <p>No specific bays have been identified as such on the site development plan. Ample space is available to provide for such for physically disabled people parking and if required can be done accordingly.</p>

*The local authority should ensure as part of their approval for weddings strict conditions be set to ensure conformance to weddings and no other uses under the definition of a "Place of Entertainment".*

*With reference to paragraphs 7.8 to 7.12 the zoning of the application site is questioned and request that the Overstrand Municipality Planning Department confirm and verify the zoning and correctly reflect it on the official zoning maps*

From an applicant's perspective this request as part of the PBRA is noted and will be adhered to.

From a consultant's point of view, a zoning certificate was obtained, but apart from that, the on-line information was found to be aligned with the zoning certificate and previous decisions and correspondence.

### **TOWN PLANNER'S RESPONSE**

#### Part A:

The objector proposes an amendment of the condition rather than a complete removal. This aspect will be dealt with under the Evaluation of the property.

#### Part B:

The objectors deemed the 2015 approval as invalid. The application went through a Land Use Scheme application 2015 and was approved. The objector (Pringle Bay Ratepayers Association) was part of applications pertaining to the property since 2009. Clearly the present PBRA does not have the correspondence since 2009 and does not acknowledge any comments from previous PBRA's. The comment is disregarded.

The comment that the solar panels should rather be installed on the roofs of the existing covered parking area is noted. It is the prerogative of the applicant to decide where the solar plant be located. The present location limit visibility since it is located at the back of the main building and screened from gravelled (Porter / Main) Road. Aesthetically the solar plant at the back of the main building is much more pleasing than on the existing covered parking area, highly visible for the gravelled road. The other aspect is that the existing covered parking is not necessarily structurally sound to be able to carry the weight of solar panels.

With regards to the comment that the extension of the floor area must remain within the approved footprint of 2400m<sup>2</sup>, it should be noted that approximately 800m<sup>2</sup> relates to the utility service (solar plant). The two (2) new staff quarters will be located on previously approved water tanks area. The extension, excluding the solar plant is limited to approximately 300m<sup>2</sup>.

#### Part C:

The objector consistently relies on the Title Deed conditions pertaining to conserving the character and integrity of the area. The reality is that the Title Deed conditions did not address any environmental issues and or conservation, especially that allows agricultural activities as a primary right in a highly environmentally sensitive area. The Title Deed conditions allow the seller (Hangklip Beach Estates) the sole right to decide on activities on the property.

The Land Use Scheme Category of Rural Residential: Conservation Usage and overlay zones primary focus is to acknowledge the highly sensitive nature of the area and specifically the application property. The Land Use Scheme forces the owners into a land use application process, which entails public participation and involving various organisations and departments to give comments and place restrictions to align with environmental legislation and policies.

Part D:

Distribution was done as per Municipal request to all owners deriving from Portion 45 of 559 Hangklip. The Pringle Bay Ratepayers is a representative of the Pringle Bay Town as an interested party, not the representative of the Agricultural Small Holdings.

The property has municipal water as per response from the Operational Department Kleinmond. The Division: Environmental Management Conservation did indicate that the present septic tank system be converted into a conservancy tank and will be dealt with during the building plan process.

Comments with regard to the water connection and pipeline are noted, however none of the responsible Divisions highlighted it as a concern. The pipeline is dealt with in the Title Deed and compliance thereof is a legislative requirement.

The comments with regard to the conference centre from both the objector and applicant are noted. The conference facility use will be limited to the activities of the missionary.

Parking will be dealt with as per the Overstrand Land Use Scheme and compliance thereof will be required during the building plan process.

The comment with regard to the place of entertainment (wedding venue) is noted.

**COMMENTS RECEIVED FROM DEPARTMENTS:**

**🇿🇦 Western Cape Government: Department of Environmental Affairs and Development Planning (DEA&DP) - Planning**

The said provincial department's objection is based on planning guidelines and opinions that the application use of a missionary is not compatible with the tourist and conservation land uses. The response to the four points of objections is dealt with in the table here-below:

Summary of Objection	Response to points of objection
<p>The application uses are not consistent with the recommendations of the Western Cape Land Use Planning Guidelines for Rural Areas, 2019 recommending that private and institutional facilities regarded as businesses and not community facilities be located within urban areas, but that small scale facilities may be considered of such uses, they should serve the local farm / rural communities being distant from rural areas.</p>	<p>The Western Cape Land Use Planning Guideline for Rural Areas, 2019 is a guideline and not a law and should be accordingly be dealt with.</p> <p>It is evident from the comments from the DEA&amp;DP that they are not familiar with the nature of a missionary /theological place of education where caring of people and also the nature within a tranquil environments forms ideally part of their function.</p> <p>As mentioned in the previous comments, the local authority considers the use as business activity, but in essence it is not a business. The activities for weddings are used for additional fund raising events and which is proposed be approximately three occasions a year, if it will happen.</p> <p>In comments from the department is also contradicting in the sense that they imply the application area as a rural activity on the one hand but on the other hand they also admit that "The application property is situated very close to an urban area".</p>

### TOWN PLANNER'S RESPONSE

The comment from the Department is noted.

The following needs to be taken into consideration regarding the Western Cape Land Use Planning Guidelines: Rural areas. The guideline is primarily focussed on agricultural land and activities and not agricultural small holdings in CBA areas. Reference throughout the document makes reference to farms steads, farm activity etc. There is no category dealing with agricultural small holdings, in highly environmental sensitive areas that is not related to small scale farming or land reform.

#### Chapter 6: 6.1 Principles:

This chapter discusses the principles underpinning the rural areas guidelines. The application is in line with the principles in terms of Gender-transformative aspects in as far that the missionary does not discriminate in terms of gender and locality of trainees. The activity will not compromise the environment or detract from the rural character of the area. The proposed land use is located on transformed area and existing structures, dating back as far as the 1940's. Priority should be given to the re-use of previously developed sites which the application adheres to.

#### Chapter 12: Rural Business:

The objectives are to facilitate the development of rural businesses serving the needs of the local communities and provide guidance on suitable locations for appropriate development along main tourist routes. The guidelines refer back to agriculture and tourism activities. Due cognisance is taken of the promotion of tourist accommodation and facilities, however during the COVID pandemic it became clear the sole reliance on tourism is not viable. Thus, activities of low impact and relates back to community facilities should be evaluated as an option to ensure the maintenance of the property.

An important consideration is that the property has had various uses over the past 50 plus years ranging from a jail, tourist accommodation, restaurant, conference facilities and hotel of which none were very successful.

Chapter 14: Community facilities and Institutions

A missionary facility, although private operates on donations and are registered as a Non-Profit Organisation (NPO) and thus will not be able to be financially viable on business zoned erven and the Municipality will not be able to generate the income from the erven. The facility due to its nature and international significance in the religious sphere, requires a safe and tranquil place in executing its mandate. The adjacent towns do not have sufficient land available for such a facility and business erven is not readily available in terms of occupancy, conference facility or area in extent. The small settlements of Rooi Els and Pringle Bay have limited business erven available with a tightly drawn CBD edge. These erven will not be able to accommodate the facility and the parking requirements.

The town of Betty's Bay has large erven available, but the ownership in most cases rest with the Department of Public Works. Any proposed development will be by means of a tender process and subsequent land use and environmental processes. The financial implications render the facility not viable. The towns of Kleinmond, Hermanus and Gansbaai do not have the extent of land available for Community Facility as per definition of the Land Use Scheme.

One aspect of the guidelines which is unclear is the fact that facilities provided by private organisations is deemed businesses, but not government facilities. The Department must investigate this interpretation, since government does not provide essential community facilities anymore such as old age homes, Dementia and Alzheimer facilities or schooling in rural areas. The implication is that a farmer or private owner who provides the land, build and pay the teachers is not in line with the guideline document.

 **Western Cape Government: Department of Environmental Affairs and Development Planning (DEA&DP) - Planning**

<p>The opinion is that the consent uses for an educational and place of assembly are not aligned with the objectives of a conservation zone and that the scale and nature of the consent use permitted should be subservient and related to the primary conservation use.</p>	<p>This opinion of the DEA&amp;DP is interpreted incorrect. As correctly mentioned, the application site is 10,65ha and the subject development area is restricted to an area of 2 780m<sup>2</sup>, thus implying less than 3% of the property footprint is indented for development whilst 97%, i.e. <u>10 hectares of the 10.65 hectare is still subject to conservation</u>. Thus, the proposed use is subservient to the conservation use.</p> <p>In addition to the above, and as previously mentioned in the comments, the reputable and valued CapeNature supports the proposal. The proposal is also supported by the environmental practitioner Michelle Naylor from Lornay Environmental Consultants- also refer the Annexures.</p> <p>This opinion should thus be rejected.</p>
<p>The wedding venue and place of assembly may have negative impact on the surrounding smallholdings especially regarding noise and traffic.</p>	<p>The objector does not consider the fact that the number of weddings is proposed to be approximately three occasions per year, and the fact that the neighbouring property is used for art and music performances and the general scale of the proposal and that neighbours in writing support the existing missionary operation and that the objectors here-above do not have and objection to the missionary centre per se.</p> <p>Therefore, this point of objection is not considered valid and should be ignored.</p>
<p>The uses are not viewed as being compatible with the conservation and tourist land uses that are promoted for the small holding area.</p>	<p>The view of the DEA&amp;DP is considered to be incorrect. The reasons here-above serves as motivation that the land-use is most compatible with the conservation use. Furthermore, the site is also used, as mentioned in the report as a retreat for the staff and learner missionaries, hence aligned with that of tourism.</p> <p>In the light of the above, the use is compatible with the area and supported by neighbours, CapeNature and a local environmental practitioner knowing the area very well.</p>

### TOWN PLANNER'S RESPONSE

The response of the applicant is agreed with.

The comments of the Department would render all wedding venues, chapels, conference facilities etc. non-compliant with the guidelines, which is not in line with what is presently happening on farms. The implication is to merge all the activities under tourist facilities and be in compliance with the guidelines. The impact of the array of tourism facilities can be much more detrimental on the environment and high to medium potential agricultural land, whilst the proposed facility is located in approved structures with no impact on the land or environment.

Additional activities (non-intrusive) are necessary to ensure that the buffer zone of the Kogelberg Biosphere is protected. In order to achieve this, the Municipality and the landowner must compromise to have an end result that favours the environment. In this case the holding was developed in the 1940's and in terms of the Title Deed conditions, the intention was not conservation driven. The Land Use Scheme, with the compilation of the Kogelberg Biosphere Framework in the 2000's, has created a category to ensure the protection of the core of the Biosphere in limiting activities that may be detrimental to the Biosphere.

It is acknowledged that the comments relate to the guideline and not on individual applications. The comments are noted and responded to explain why the Municipality will deviate from the guideline.

#### CAPE NATURE:

The confirmation and support of the application by the parastatal department of CapeNature is of substantial value.

### **8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS**

See Paragraph 7 above.

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

See Paragraph 7 above.

#### **Internal and External Departments**

The application was supported by all internal municipal departments and external departments with the exception of Department of Environmental Affairs and Development: Directorate Planning

### **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**

N/A

### **Spatial Sustainability**

The proposed land use has little impact on the environment, since only 0,2780ha will be available for development located on disturbed land. The land has never been used for agriculture, based on historical records, but developed as a jail in the 1940's to host convicts that was used as labourers for the construction of the road.

### **Efficiency**

The building will be optimally used thus contribute to the efficient use of a structure. No municipal services are required and is self-sufficient.

### **Spatial Resilience**

Spatial resilience refers to the built environment in relation to socio economic developments that can withstand environmental shocks. The built structure has an approved building plan in compliance with the National Building Regulations to ensure compliance and thus resilient in nature.

### **Good Administration**

Administrative procedure was followed as prescribed by the Municipality.

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

Same as Point 10.2 above.

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

The application is consistent with the principles of the SDF of low key non-intrusive land uses in the rural domain.

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

The Western Cape Land Use guidelines for Rural areas relates predominantly to agricultural activities and tourism accommodation and facilities. The guidelines are generic and does not fit all areas, such as the Hangklip Agricultural Holdings. Some of the consent uses are allowed in terms of the guideline, whilst the missionary itself is not considered an appropriate land use. This aspect will be discussed under Point 12 of the report.

#### **10.6 Impact on Municipal Engineering Services**

The Municipality will not provide any services to the property.

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

In terms of the Environmental Legislation, the applicant did submit an Environmental Assessment for the Department and was found that the activity does not trigger any listed activities. See Annexure I.

**10.8 Existing and proposed zoning comparisons and considerations**

N/A

**11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

***The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vests in the personas of the owner of a dominant tenement***

There are no financial or other value loss of rights of the restrictive condition that will impede on the adjacent owners or dominant tenement.

***The personal benefits which accrue to the holder of rights in terms of the restrictive condition.***

There is very little benefit for the holders of the restrictive condition. The impact is limited to the surrounding owners, which did not object to the proposal.

***The personal benefits which will accrue to the person seeking the removal of the restrictive conditions, if removed***

The personal benefit is the operation of a missionary school, and the applied consent uses.

***The social benefit of the restrictive condition remaining in place***

The status quo remains in place.

***The social benefit of the removal of the restrictive condition***

The social benefit is the upkeep and maintenance of the property and utilization of business in Pringle Bay town. Thus, assisting keeping businesses viable.

***Whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights***

The removal or amendment of the conditions will not completely remove all rights enjoyed by the beneficiary, since the property has been used for a various of land uses since the 1940's. The application primarily will make use of the existing buildings on the property which attributed to the character of the area.

**12. THE DESIRABILITY OF THE PROPOSAL**

The desirability will be discussed under the following headings:

**REMOVAL OF RESTRICTIVE CONDITION E.(O):**

*“The said land may be used for the purpose of agriculture and breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/ or general dealer or any of them.”*

The proposal is in conflict with the restrictive condition. The first part of the condition allows for agriculture in terms of the condition; however, the Land Use Scheme will only allow agriculture as a consent use and not a primary right as per the title deed. The reason being that due to the sensitivity of the property and similar experiences of agricultural activities on the holdings, it is a practice that is not conducive to the environment.

Thus, to eliminate this precedence in terms of the primary right of agricultural on the holdings in terms of the title deed, it is best to remove this part of the condition in order to enforce various legislation on these holdings.

The second part of the condition relating to business, the following mentioned uses conflict with the proposal such as boarding house and restaurant. These activities need to be removed from the condition. In order to address the concerns of the objectors the amendment of the condition is proposed to ensure that activities not conducive to the area and as per intention of the title deed conditions reads as follows:

***E.(o) The said land may not be used for a garage, filling station, recreational club and or general dealer.***

#### PLACE OF INSTRUCTION

The intention of the missionary school is to train missionaries, staff and people involved in this religious activity. The school will cater for the immediate area, national and international organisations involved in missionary work. This entails spiritual guidance, humanitarian aid, education, healthcare and empowering initiatives.

#### PLACE OF ASSEMBLY

In terms of the Land Use Scheme it is defined as public hall, for social functions, exhibition hall, club house, town hall or a civic centre, which is not directly related to a commercial undertaking. The application indicates that the hall will be used for the missionary's own events and functions. This will enable the missionary to have conferences and events relating directly to their activities.

The applicant did indicate church camps, however, does not indicate whether it will be camps located in the main building or tented camps. The latter will be problematic since it will have to be located on natural veld, which is not indicated on the site development plan and thus not supported if it is outside tented camps.

#### PLACE OF ENTERTAINMENT

The proposal entails the property be available for weddings. It is a well-known fact that many farms in the country have a chapel and cater for weddings, thus a wedding venue. The reason is the setting in a rural area that has much more charm than a town. Usually, limited accommodation and catering are available on the premises as well as sufficient parking.

The motivation also refers to a maximum of 5 weddings a year, which is very difficult to monitor. However, this proposal of a wedding venue does not coincide with the motivation for a missionary school and the related activities. The Place of Entertainment is not recommended for approval.

UTILITY SERVICE

The proposed solar plant is located towards the northwestern side of the property in close proximity of the main building. The movement to renewable energy to combat climate change and be self-sufficient, the latter is due to Eskom's inability to provide sufficient energy supply consistently. The drive worldwide is to advocate cleaner energy supply in order to limit the reliance on coal and contribute to lower levels of CO2 emissions' application is in line with the aforementioned to retrofit energy supply to the proposed development.

AMENDMENT OF APPROVAL CONDITION

An application was approved in 2015 to extend the allowable footprint of structures to 2400m<sup>2</sup> to accommodate the existing situation on Portion 59. The application is to amend the condition to accommodate the 2 staff quarters and 2 carports as well as the solar plant. The proposals are located within the development footprint of property.

The 2 additional staff quarters is directly related to the operation of the missionary and will contribute to the efficient operation of the facility. It should be noted that the 2 staff quarters will be primarily located on existing water storage facilities and staff garages as per site plan 2012. The added metres consist mainly of the solar power plant which is conducive for energy efficiency and availability of electricity when needed and making the development more viable and environmentally friendly.

CONCLUSION:

In terms of the building plans available at the Municipality the following should be taken into consideration. The first plan on record was submitted in 1983 for ablution facilities. In 1986, building plans were submitted for Netzer Maginim Jewish camping site. The building plan indicates 5 areas of 15 sites per area and alterations to the main building. During 2004, the site was renovated as indicated in photographs attached, indicating the derelict state of the property. The building plan depicted the renovations was approved during 2007. In 2008 an application served for tourism accommodation and approved. During 2009 the land use activities was expanded to conference and training facilities. During 2014 the property was rezoned to Rural Residential: Conservation Use, and approval was obtained for a floor space area of 2400m<sup>2</sup> to accommodate the existing structures. The building plan was approved in 2014.

The property has been utilised for various land activities over the past years, varying from community to tourism accommodation. The proposal is located in the existing structures with 2 additional staff quarters of 234m<sup>2</sup> and the solar plant of 796,66m<sup>2</sup> Due cognisance should be taken that existing structures will be renovated, some portions of structure will be demolished and effect is it only the new staff quarters, carports and solar plant that is added of which the large portion of the added square metres consist of the solar plant of 796,66m<sup>2</sup>.

The structure on the property is ideally suited for a missionary school and its activities, due to the lay-out consisting of rooms, communal kitchen, lapa and staff accommodation. The present layout is more boarding house type and tourists are not in favour of rooms and communal facilities with very little privacy. This is evident in the failure of the facility as tourism accommodation and restaurant as per applications since 2008.

The proposal for a Place of Entertainment is however not recommended for approval since it will be very difficult to monitor the proposed 5 weddings a year. It is also not in line with the main activity of the proposed activity e.g. missionary school. The proposed activity will elevate the comments on traffic generation and noise pollution. These aspects will need additional investigation and studies to evaluate the impact on the gravel road and the surrounding area.

It is proposed that an Environmental Management Plan be submitted to the Municipal Division: Environmental Management Services to ensure that the development remains in the transformed area and remainder of the biodiversity areas remain undisturbed.

Services are available to the property. Water is obtained from the Municipality; however, the septic tank and French drain must be converted to a conservancy tank. The applicant will have to enter into a contract with a private supplier of the service and submit proof of the contract to the Operational Department at Kleinmond.

The Western Cape Government: DEADP (Environmental) support the application and indicated that no listed activities are triggered in their letter dated 20 May 2025. Cape Nature supports the application in their letter dated 2 December 2024. See Annexures I & J respectively. Comments received from the aforementioned Departments will be incorporated in the EMP.

### 13. RECOMMENDATION

1. that the objections be noted.
2. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 for the **removal** of Restrictive Title Deed Condition E.(o) as contained in Title Deed T2048/2006 of the property to accommodate the proposed land uses, **not be approved**, in terms of the provisions of Section 61 of the By-Law;
  - (a) that Restrictive Title Deed Condition E.(o) as contained in Title Deed T2048/2006 of the property to accommodate the proposed land uses, **be amended** to read as follows in terms of the provisions of Section 61 of the By-Law:
    - (o) *The said land may not be used for a garage, filling station, recreational club and/or general dealer.*

3. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 for a consent use to accommodate a place of entertainment to allow for weddings, **not be approved**, in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 for a consent use to accommodate the following:
  - A place of instruction to allow for a training and educational centre,
  - A place of assembly to accommodate special events such as lectures, sermons, and
  - A utility service to accommodate a solar power plant.

**be approved**, in terms of the provisions of Section 61 of the By-Law;
5. that the application in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **amendment of conditions in respect of existing approval** on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 to exceed the permissible floor space from 2400m<sup>2</sup> to 3280m<sup>2</sup> to accommodate the proposed expansion of the existing development, **be approved**, in terms of the provisions of Section 61 of the By-Law;
6. that the application in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **amendment of the existing approved site development plan** on Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 to accommodate the proposed expansion of the existing development, **be approved**, in terms of the provisions of Section 61 of the By-Law;
7. that the approvals in Point 2 - 6 above be subject to the following conditions:
  - (a) that the approval for a Place of Assembly be restricted to the activities and residential component uses related to the Missionary activities;
  - (b) that all structures and uses be restricted to Site Development plan, dated July 2023, as submitted with the application;
  - (c) that this approval is not an approval in terms of any other legislation;
  - (d) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire- and Building Departments be complied with at that stage;
  - (e) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (f) that the EMP be submitted to the Division: Environmental Management Services for approval. Due cognisance be taken to incorporate comments received from Cape Nature and Western Cape Government: DEADP (Environmental);

- (g) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (h) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
  - (i) that the owner is responsible for all sewerage generated on the property, and disposal therefore at a licensed municipal sewerage treatment facility;
  - (j) that the owner is responsible for all waste generated on the property, and disposal therefore at a licensed municipal waste facility;
  - (k) that the amended title deed be submitted for record purposes to the Municipality;
  - (l) that all the conditions in the Services Report (attached as Annexure G), be complied with, and
  - (m) that all conditions imposed by Western Cape Government: EADP (Environmental) and Cape Nature (attached as Annexures I & J), be complied with.
8. that the applicant and objectors be notified of his/her right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decisions.

#### **14. REASONS FOR RECOMMENDATION**

##### POINT 2 - 3

- ❖ The reason being that the facility can be accommodated with the amendment of the condition.
- ❖ This will ensure that activities not in line with the Land Use Scheme remain in place and therefore not necessary to be removed.
- ❖ Parts of the condition does not impede on the proposed land use and can remain in place.
- ❖ The Place of Entertainment (wedding venue) is not in the spirit of a Missionary Facility focussing on training missionaries.
- ❖ The Place of Entertainment can contribute to traffic and noise pollution aspects, which have not been investigated.

##### POINT 4 - 7

- ❖ The application is compliant with the Municipal planning documents.
- ❖ The proposed extension of the footprint is located on disturbed land.
- ❖ The application is supported by Cape Nature.
- ❖ The application does not trigger any NEMA listed activities.
- ❖ The consent uses as recommended falls within the ambit of the activities of the Missionary Facility.

#### **15. ANNEXURES**

Annexure A: Locality Plan

- Annexure B: Motivation Report
- Annexure C: Site Development Plans
- Annexure D: Title Deed T2048/2006 & Conveyancer's certificate
- Annexure E: Objections & support letters received
- Annexure F: Applicant's response to the objections received
- Annexure G: Services Report
- Annexure H: Comment: Western Cape Government: EADP (Planning)
- Annexure I: Comment: Western Cape Government: EADP (Environmental)
- Annexure J: Comment: Cape Nature
- Annexure K: Comment: Environmental Management Services (municipal)
- Annexure L: Approved building plans & photos

**SIGNATURE****REGISTERED PLANNER**

Name: **H VAN DER STOEP**

SACPLAN registration number: **A/1708/2013**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

PROJECT

Portion 59 of Farm 559  
Hangklip

TITLE

Locality Plan  
Local Context



Application Area



INTERACTIVE TOWN & REGIONAL PLANNING SERVICES  
WE warrant that the information contained in this drawing was prepared by us or on our behalf and that we are qualified to provide such services. We warrant that the information contained in this drawing was prepared by us or on our behalf and that we are qualified to provide such services. We warrant that the information contained in this drawing was prepared by us or on our behalf and that we are qualified to provide such services.

CLIENT

Glen Craig  
Training Centre

DRAWN BY Author	CHECKED BY Checker	DATE 27/02/20	PROJECT NUMBER
SCALE (N/A) As Indicated	DRAWING NUMBER A101		

InterActive Town & Regional Planning  
 100 The Esplanade, 2nd Floor  
 Durbanville, 7801  
 Telephone: 021 312 1188  
 E-Mail: info@interactivegpa.com




Local Context  
 A4 Scale 1 : 5000

**1. Introduction**

**a. Brief**  
Refer to **Annexure B** for the Power of Attorney.

Interactive Town and Regional Planning was appointed by the owner of the property Glen Craig Training Centre Pty Ltd to prepare and submit a Consent Use application for a Place of Instruction, a Place of Assembly, Place of Entertainment, Utility Services as well as the removal of a restrictive title deed condition, the amendment of the Conditions of Approval and the amendment of the Site Development Plan of Portion 59 of Farm 559, Hangklip in terms of the relevant legislation.

**b. Development Objective, Background & Application Proposal**

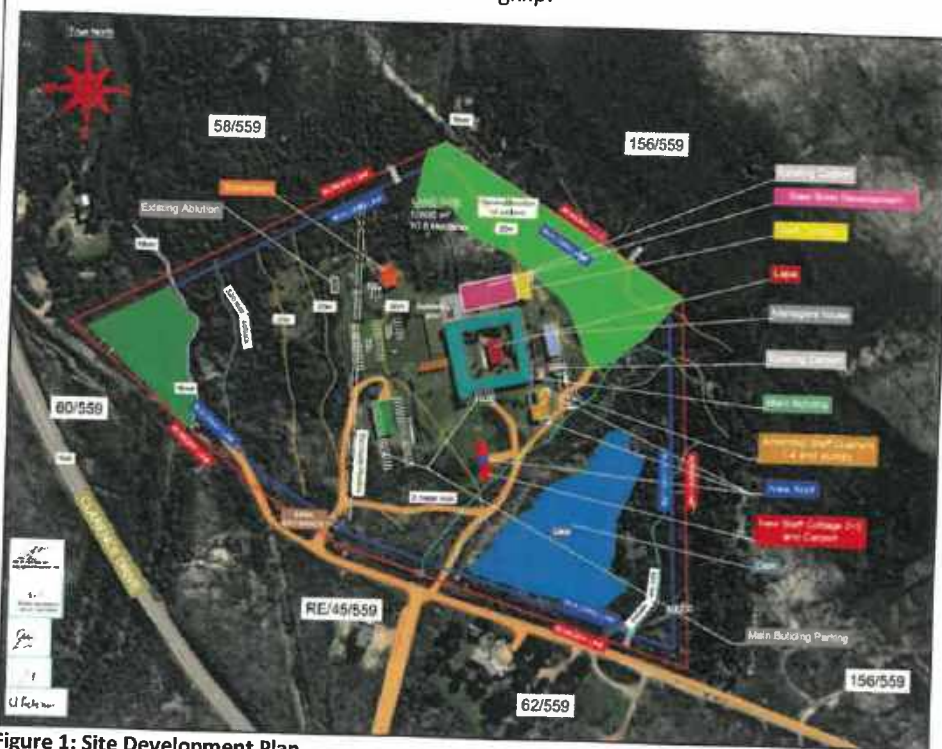
The **development objective** is to use the application area as an international missionary educational and training centre. The institution involved is the Foundation for Cross-Cultural Education (FCE).

FCE (Register in South Africa as an NGO) is an international mission organization that operate from South Africa into Namibia, Zambia, Malawi, Zimbabwe, Europe and the East.

They are a non-profit organization and all funds received are used to maintain and support the ministry and the premises where they operate from. The facility is to provide a service for the wider church community internationally.

The property is planned to be used for courses, seminars, retreats for churches, groups and functions and with exceptions for weddings.

The following plans show the proposed Site Development Plan of the mission, educational and training centre on Portion 59 of Farm 559 Hangklip.



**Figure 1: Site Development Plan**

The application proposal also includes the addition of two staff cottages and a solar panel plant. Subsequently, the **application proposal** is for:

- Consent use for a Place of Instruction
- Consent use for a Place of Assembly
- Place of Entertainment
- Consent use for a Utility Service
- Amendment of a condition of approval from a maximum permissible floor space of 2400m<sup>2</sup> to 3280m<sup>2</sup>.
- Amendment of the Site Development Plan
- The removal of a restrictive title deed condition.

c. The Premises

The application area of 10.6 ha is situated approximately 400m northeast of Pringle Bay village and is zoned Rural Zone 2: Conservation Usage with a consent use for Tourist Accommodation and Tourist Facilities. The application area includes a former hotel and conference building with ancillary recreational and other facilities; which are no longer operational and of which the site development plan was approved in 2012, as illustrated in the layout and Photographs below.

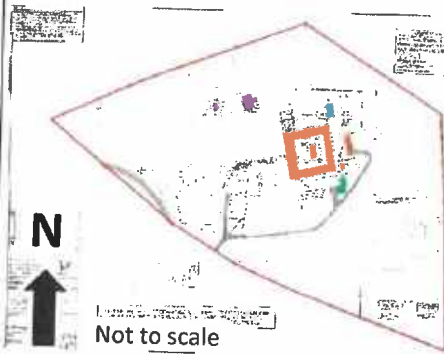


Figure 2: Approved Site Development Plan



Figure 3: Existing lay-out of buildings to be used and converted for the development proposal



Figure 4: Photographs of the application area (Main Hotel Building, Thatched Lapa & Landscaped Entrance Way)

## 2. The Application

<b>a. Analysis: Title Deed</b>	The application area title deed, T2048/2006, contains a restrictive title deed condition which is proposed to be removed and reads as follows:  <i>"E. SUBJECT AND/OR ENTITLED to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T.18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T.5789/1957:</i>  <i>(o) The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them."</i>
<b>b. Analysis: Development Criteria:</b>	The development parameters for Portion 59 of Farm 559 Hangklip, Pringle Bay as per the Overstrand Municipality Land-Use Scheme Regulations, 2020 are summarised as follows:

Parameters		Existing Zoning:	Proposed	Comments
<b>Zoning</b>		Rural Zone 2: Conservation Usage	Rural Zone 2: Conservation Usage	Consistent
<b>Primary Use</b>		Conservation use, dwelling house, guest rooms, home occupation	Conservation use, dwelling house, guest rooms, home occupation	Consistent
<b>Consent Uses</b>		Agriculture, aquaculture, day care centre, harvesting of natural resources, intensive animal farming, intensive horticulture, <u>place of assembly, place of entertainment, place of instruction</u> , plant nursery, recreational facilities, rooftop base station, second dwelling unit, tourist accommodation, tourist facilities, transmission tower, <u>utility services</u> .	<u>Place of assembly, place of entertainment (for weddings only), place of instruction &amp; utility services to accommodate a solar plant</u>  (Tourist accommodation, tourist facilities, including lecture rooms already approved)	Application includes a consent use
<b>Floor space</b>		800m <sup>2</sup> (2400m <sup>2</sup> approved)	3280m <sup>2</sup>	Application includes the amendment of a condition of approval
<b>Coverage</b>		N/A	2.5%	Consistent
<b>Height</b>		8m	1 storey / 6m	Consistent
<b>Building lines</b>	Street	10m	10m	Consistent
	Common	10m	10m	Consistent
<b>Roads &amp; Parking</b>		Place of assembly / conference centre: 1 bay per 4 seats Place of instruction: 0.5 bays per student plus 1 bay per classroom or office Residential building: 2 bays per establishment per one bay per guest room Dwelling houses / dwelling units: 2 bays per dwelling	51 bays are required (up to additional 25 bays will be required for events which will occur approximately two or three times a year)  62 Dedicated parking bays are proposed &  30 Overflow parking bays are proposed on the activity field	Consistent

4/20

<p><b>c. Definitions:</b></p>	<p><b>“place of assembly”</b> means a public hall, a hall for social functions, a music hall, an exhibition hall, a club house, a town hall or a civic centre which is not directly related to a commercial undertaking and excludes a place of entertainment;</p> <p><b>“place of entertainment”</b> means a place used for commercial entertainment which may attract large numbers of people, operates outside normal business hours or generates noise from music or revelry on a regular basis and includes a cinema, a theatre, an amusement park, a dance hall or a night club and gambling and live music;</p> <p><b>“place of instruction”</b> means a place for education at pre-school, school or post-school levels (including a day care centre, a crèche, a farm school, a nursery school, a primary school, a secondary school, a college, a lecture hall, a university, a research institute, an environmental research or other educational centre) and associated uses such as boarding hostels or a civic facility for the promotion of knowledge to the community such as a convent, a monastery, a public library, a public art gallery or museum or a place of instruction in sport or other physical discipline where the main objective is instruction (as opposed to participation by the public sector as competitors or spectators) but excludes a reformatory, industrial school, commercial conference facility, institution, health centre or in-house business training centre;</p> <p><b>“tourist accommodation”</b> means the letting of rooms or individual unit(s) (including a dwelling house/unit) on a temporary basis to transient guests where a daily or weekly tariff is applicable and includes a guest house, backpackers establishment, camp sites, and associated amenities, provided that the use complies with the requirements of any other relevant legislation;</p> <p><b>“tourist facilities”</b> means amenities for tourists or visitors such as lecture rooms, restaurants, picnic areas, gift shops, cafés, restrooms, recreational facilities, animal parks (domestic or otherwise) but does not include a hotel or overnight facilities;</p> <p><b>“utility service”</b> means a use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and includes a water reservoir and purification works, electricity substations and transmission lines, waste water pump stations and treatment works, <u>energy renewable infrastructure such as wind turbines and solar panels</u>, whether above or below ground or water, and may include such sustainable service delivery technology as the Municipality may approve but does not include road or transport use;</p>
<p><b>d. Application:</b></p> <p>The application form is attached as <b>Annexure A.</b></p>	<p>Application is subsequently made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020, for:</p> <ul style="list-style-type: none"> <li>• <b>Consent use</b> for a Place of Instruction in terms of Chapter IV, Section 16(2)(o).</li> <li>• <b>Consent use</b> for a Place of Entertainment (for weddings only) in terms of Chapter IV, Section 16(2)(o).</li> <li>• <b>Consent use</b> for a Place of Assembly in terms of Chapter IV, Section 16(2)(o).</li> <li>• <b>Consent use</b> for a Utility Service in terms of Chapter IV, Section 16(2)(o).</li> <li>• <b>Removal of restrictive title deed condition E.(o)</b> from title deed T2048/2006 in terms of Chapter IV, Section 16(2)(f).</li> <li>• <b>Amendment in respect of an existing approval</b> from a maximum permissible floor space of 2400m<sup>2</sup> to 3280m<sup>2</sup> in terms of Chapter IV, Section 16(2)(h).</li> <li>• <b>Amendment of the Site Development Plan</b> in terms of Chapter IV, Section 16(2)(l).</li> </ul>

**3. Contextual Site Information**

**a. Property Description**

Refer to **Annexure D** for the SG Diagrams, **Annexure B** for the Title Deed of Portion 59 of Farm 559 Hangklip.

Property	Extent	Title Deed	Registered Owner
Portion 59 of Farm 559 Hangklip	10.6546ha	T2048/2006	Glen Craig Training Centre Pty Ltd

The following Surveyor General Plans reflect the application site:

OFFICE COPY  
KANTOOR AFSKRIF

NO. 9766/58.

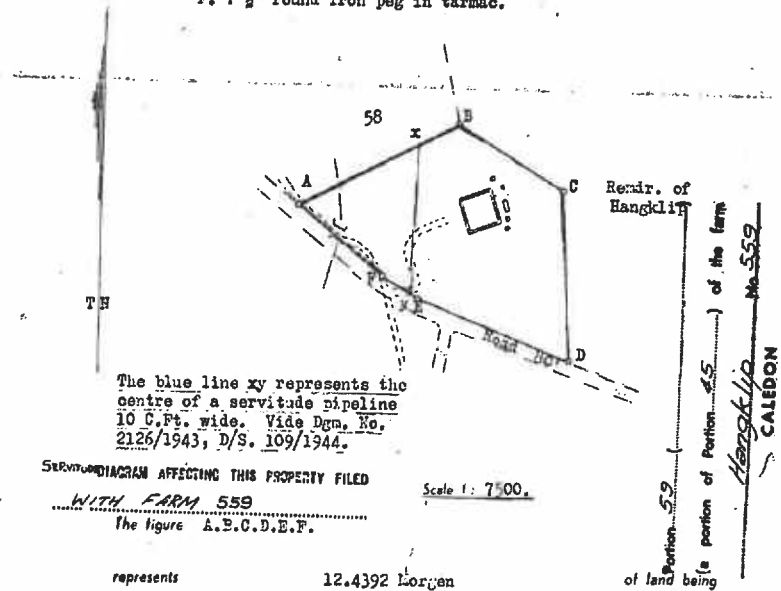
Approved  
*Alb. van der Merwe*  
Surveyor-General  
25-2-1959.

DEDUCTED FROM GENERAL PLAN 13391.D.  
AFGETREK VAN ALGEMENE PLAN

SIDES	Angles of Direction	SYSTEM Co-ORDINATES
AB	243.59.10	A +45987.12 +37844.76
BC	299.38.40	B +45083.97 +37403.99
CD	357. 8.30	C +44491.27 +37741.28
DE	109.27.30	D +44446.42 +38639.83
EF	118.47.30	E +45280.20 +38345.24
FA	128. 7.20	F +45510.90 +38218.46

**Beacons.**

A, B, C, D, E. : Iron standards 6" proj. in cairns.  
F. : 1/2" round iron peg in tarmac.



PORTION 59 (a portion of Portion 45) OF THE FARM HANGKLIP.

situate in the Division of Cape *ADT*  
Province of Cape of Good Hope.  
Feb - Dec. 1955, by me  
Surveyed in & July 1957.

Province of Cape of Good Hope.

*N. J. ...*  
Land Surveyor.

This diagram is annexed to  
D/T. N: 18344/1959

The original diagram is  
No. annexed to  
File No. S/13046,  
S.R. No. E. 2293/58,  
Gen. Plan 13391.D,  
Noting Plan AE-4BC.

Registrar of Deeds

Annexed to  
559/59

Figure 5: Extracts of the Surveyor General Plans of the application site

**b. Location:**

For the Locality Plans refer to Annexure E

**Regional Context:**

Within the regional context, the application area is a farm on the north eastern side of Pringle Bay, 5km from Rooi Els and 3km from Betty's Bay.

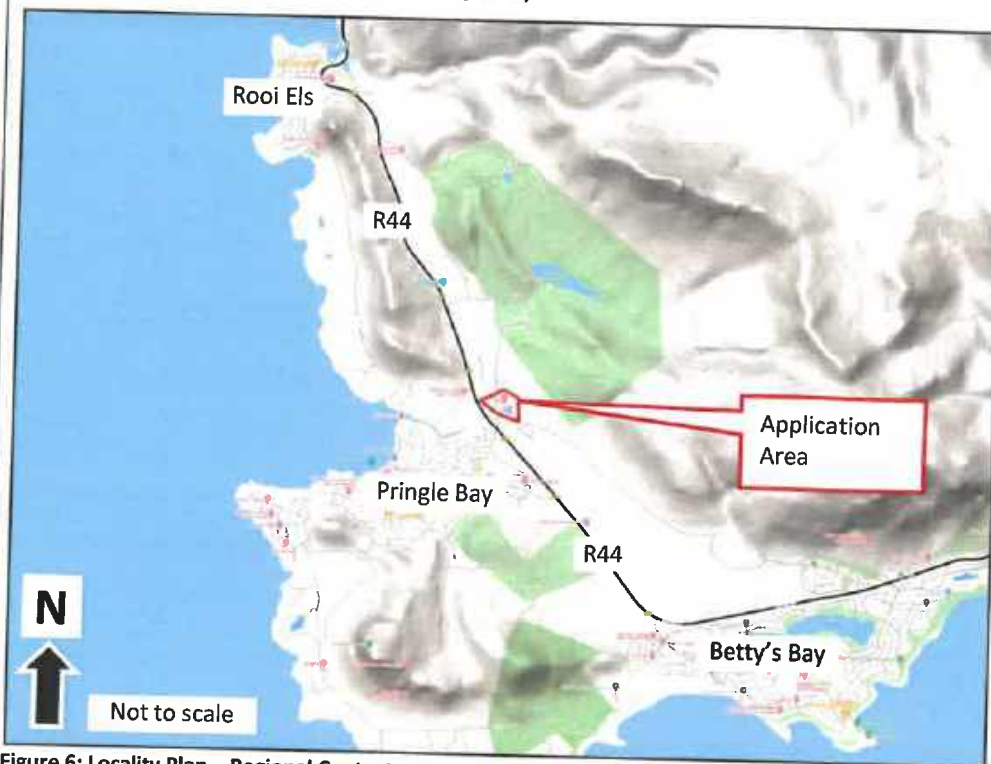


Figure 6: Locality Plan – Regional Context

**Local Context:**

Within the local context the application area is approximately 400m northeast of Pringle Bay residential suburb and 200m from the R44 / Hangklip Road intersection, surrounded by rural landscape.





Figure 7: Locality Plan – Local Context

**c. Land Use:**

Refer to the Land Use plan attached as **Annexure E**.

The application area was previously used for tourist accommodation and tourist facilities (the former Glen Craig Hotel). The surrounding properties are used for open space / rural purposes and community facilities which is used as a school. The proposal is to use the application area for a missionary educational and training centre and subsequently the application inter alia includes a consent use for a place of instruction, a place of assembly and for utility services. The proposal is considered compatible with the surrounding land-use and area.



Figure 8: Google Image overlay illustrating the residential land-use activities of the application area and surrounding properties

**d. Zoning:**

Refer to the Extract of Pringle Bay Zoning plan attached as **Annexure G.**

The application area, Portion 59 of Farm 559, Hangklip is zoned Rural Zone 2: Conservation Usage. The surrounding erven are zoned Agriculture Zone 1: Agriculture and Undetermined Zone as reflected in Figure 9 here-below. No change in zoning is proposed. The zoning is compatible with the surrounding area.

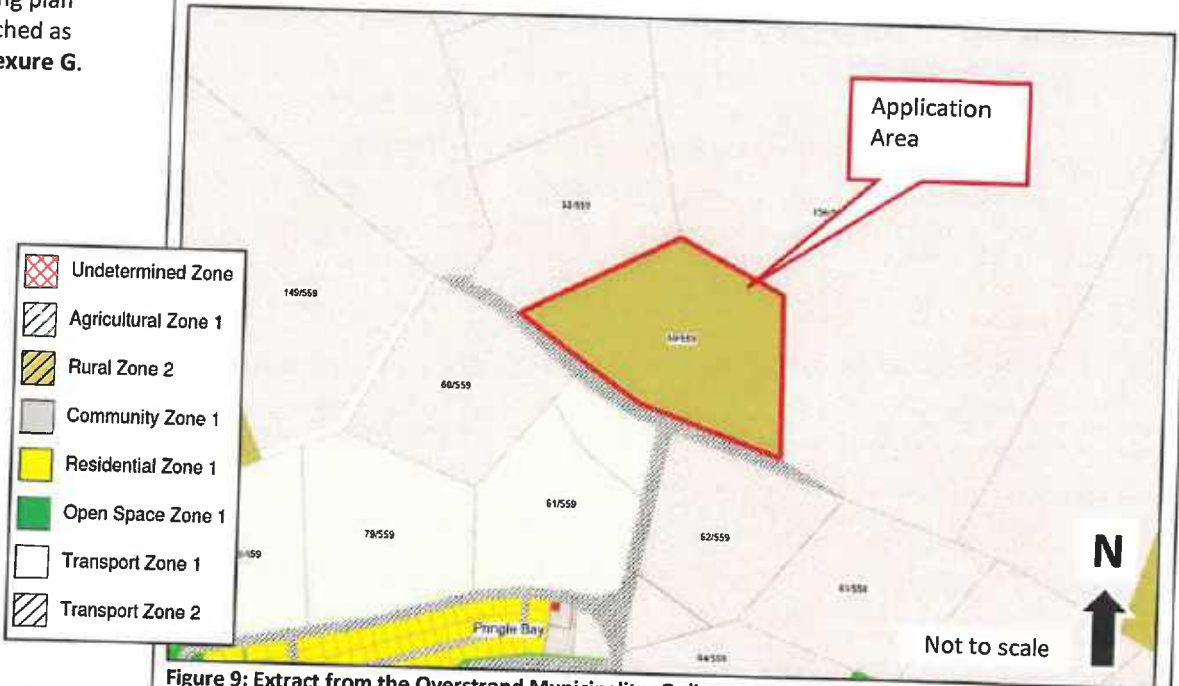


Figure 9: Extract from the Overstrand Municipality: Online zoning viewer

**e. Laws and policies relevant to the consideration of the application and forward planning and land use documents**

The following policy is applicable to the application area.

**i. Overstrand Municipal Spatial Development Framework, 2020**



New Urban Development

**No new urban development is proposed for Pringle Bay."**

According to the SDF, 2020, the application area is partially a business zone, falls within a Heritage: HPOZ Local Zone and Protected Area Buffer EMOZ. The application area is outside the Urban Edge.

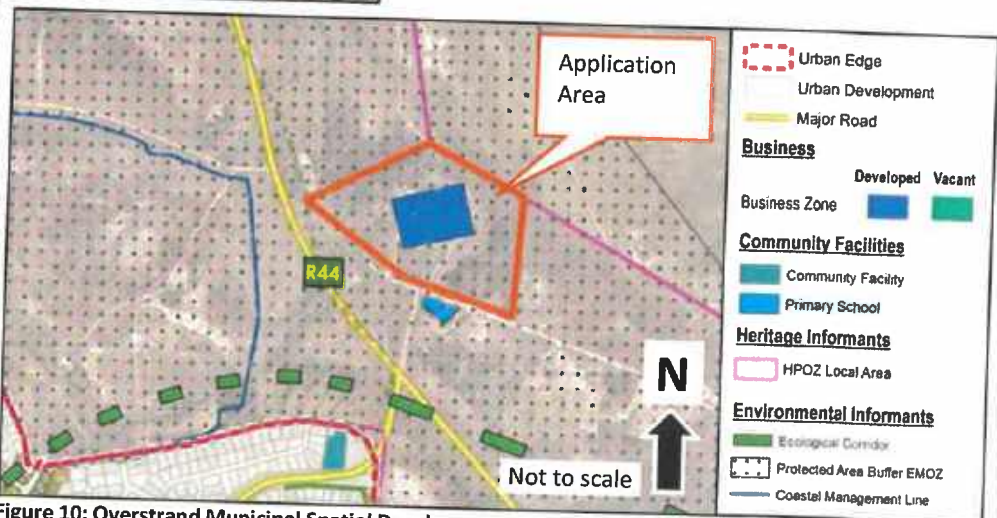


Figure 10: Overstrand Municipal Spatial Development Framework 2020, Plan 24: Pringle Bay: Status Quo extract

The application is consistent with the Overstrand Municipal Spatial Development Framework, 2020, as the proposed uses will be accommodated within the existing footprint and floor area on the application area including the proposed new staff cottages and solar panels. Therefore, no significant additional impact on natural vegetation, ecosystems or heritage worthy buildings is foreseen. The proposed use as a training centre is compatible with the

**ii. Overstrand Municipality Growth Management Strategy, 2010**

Furthermore, the application area is located outside the urban edge.

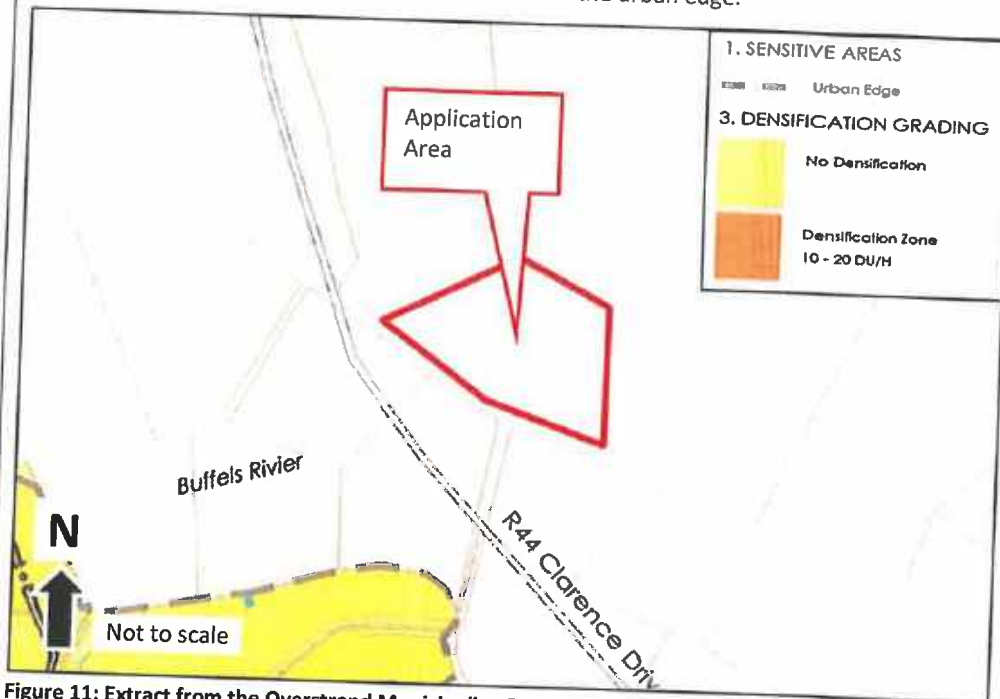


Figure 11: Extract from the Overstrand Municipality Growth Management Strategy, 2010 reflecting the envisaged land-uses for the area.

**f. Services**

**Electricity:**

The application area is proposed to be fully reliant on solar power and therefore the installation of solar pannels are proposed.

**Sewer:**

In 2007 Dr. Kevin Winter from Environmental and Geographical Science from the University of Cape Town has provided a letter of inspection of the existing septic tank and stated the the conditions are generally ideal for the efficient operation of a septic tank, subject to maintenance.

**Water:**

The application area has an existing water supply.

#### 4. Motivation

##### Motivation for the application:

Refer to **Annexure H** for the Site Development Plan

##### a. Introduction and Background

The application area, 10.6 ha in extent, and situated approximately 400m northeast of Pringle Bay village, is currently zoned for Rural Zone 2: Conservation Usage with a consent use for a Tourist Accommodation and Tourist Facilities.

The application area consisted of a hotel and conference facility with ancillary recreational and other buildings which are no longer operational and of which the site development plan was approved in 2012 to accommodate these existing buildings and previous uses.

The application area was originally purchased in 2003 by the previous owner as a site vastly overgrown and accommodated dilapidated and run-down buildings. A number of squatters lived on the application site which was required to be removed by the South-African Police Force at that time. Refer to Figure 12 for a photograph of the site prior to the renovations.

The previous owners operated the application area as a hotel. The hotel was however not consistently financially viable and therefore ceased operations resulting in the application area being vacant for some time.



**Figure 12: Photographs of the original site showing alien overgrowth and garbage**

The property was sold to the Foundation for Cross-cultural Education in 2022. The Foundation for Cross-cultural Education has 8 training centres within several African countries.

In figure 13 and 14, an areal photograph shows the buildings on the application site as well as the originally approved Site Development Plan.

11/20

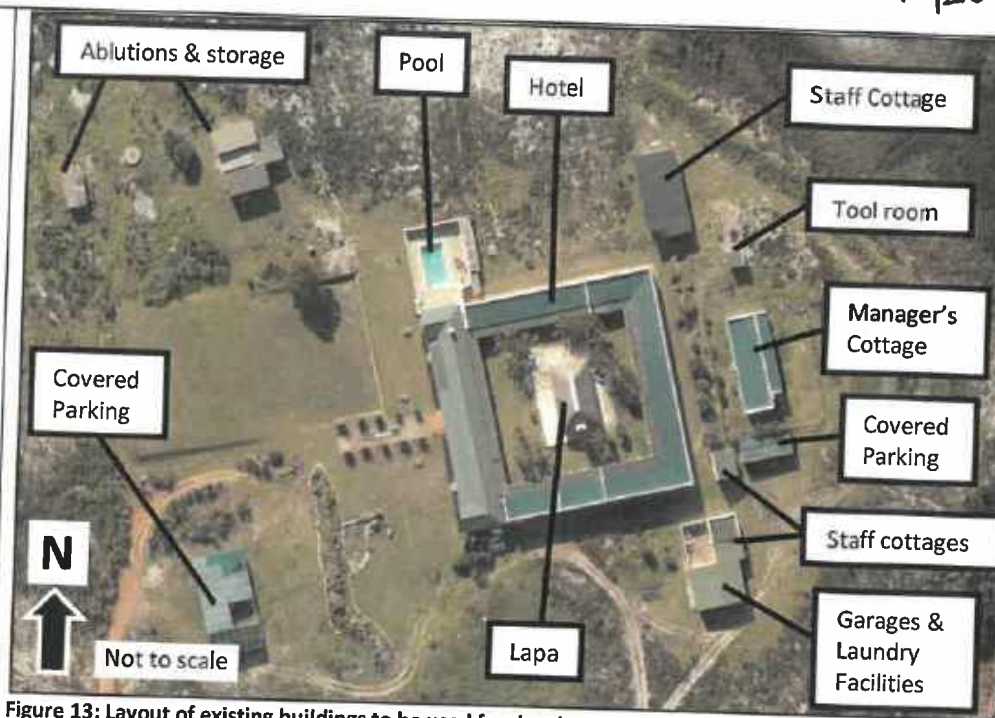


Figure 13: Layout of existing buildings to be used for development proposal

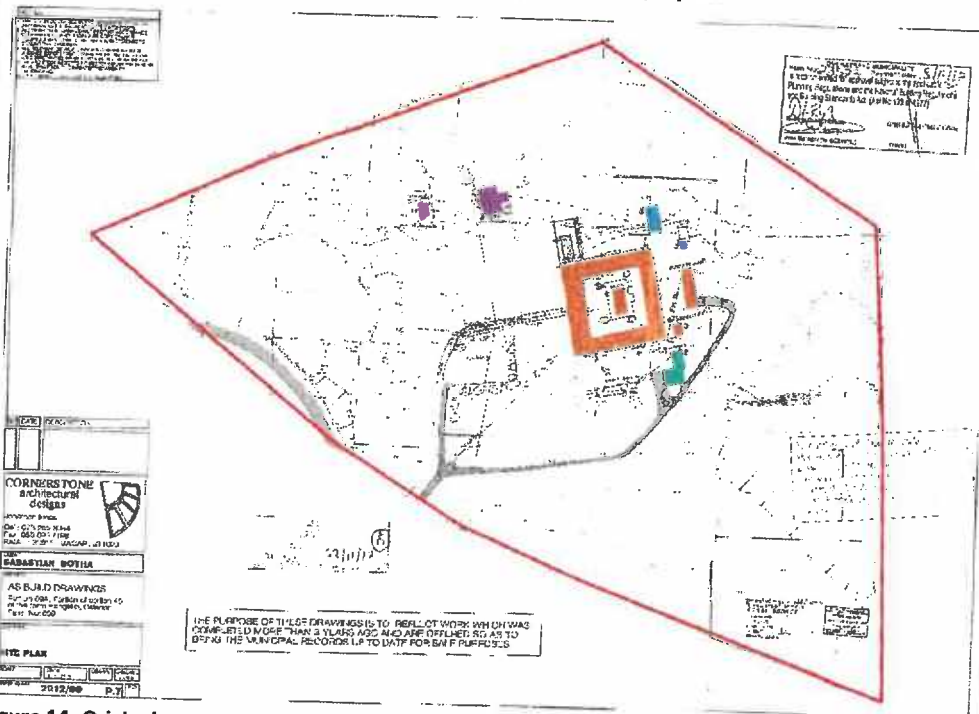


Figure 14: Original approved Site Development Plan

The following photographs show the existing buildings individually on the application area:

**Proposed Main Land Use Buildings**



**Lapa**



**Garages and laundry**



**Staff cottage**



**Manager's cottage**



Staff cottage



Staff cottage



Tool shed



Ablutions &amp; storage



Figure 15: Photographs of the existing buildings



Figure 16: Dam area and Pool on the application area

### b. Proposal

The proposal is to use the application area as a place of instruction and assembly as part of an international mission, educational and training centre and also a place of entertainment to accommodate weddings limited to 3 times per year. The proposal also includes approval for two new staff cottages with a carport and solar panels.

The mission & training centre will have approximately 20 students at a time as well as training centre staff. The existing hall can accommodate up to approximately 50 seats. Events with up to 100 people are proposed approximately two or three times a year for periods between one to four days.

The proposed premises is anticipated to accommodate the following structures:

- Existing main building (1485m<sup>2</sup>)
  - 19 single bedrooms
  - 5 offices
  - Reception

- Dining room
- Kitchen
- Bar
- 2 Lounges
- Dining room
- Board room
- Lecture room
- Bathrooms
- Storage
- Existing lapa / multifunction hall & braai area (136m<sup>2</sup>)
- 6 Existing and 2 new staff & management cottages (592m<sup>2</sup>)
- Existing storeroom (168m<sup>2</sup>)
- Amended parking
  - 2 Carports
    - 4 bay carport
    - 2 bay carport
  - 40 bays in main parking lot
  - 16 additional parking bays
  - 30 bays overflow parking on the activity field
- New solar panels (792m<sup>2</sup>)

Tool shed and ablutions building

The additional structure footprints/ floor space total 1071m<sup>2</sup> and consists of the following:

- Staff cottages: 117m<sup>2</sup> x 2 = 234m<sup>2</sup>
- 2 bay carport: 55m<sup>2</sup>
- Solar panels: 792m<sup>2</sup>

The existing main parking carports are proposed to be removed.

The total floor space of all structures amounts to 3280m<sup>2</sup>. 2400m<sup>2</sup> floor space was previously approved and as a result this application includes an amendment of the existing condition of approval.

Since the application is for a training and educational centre, application is made for a consent use for place of instruction and a place of entertainment for weddings only.

In addition to the above, occasionally and during special events, the multifunction hall is proposed to be used for lectures, sermons and events such as weddings to larger groups, and therefore the application includes a consent use for a place of assembly.

Subsequently, the application proposal is for:

- Consent use for a Place of Instruction
- Consent use for a Place of Entertainment (for weddings only)
- Consent use for a Place of Assembly
- Consent use for a Utility Service
- The removal of a restrictive title deed condition
- Amendment of a condition of approval from a maximum permissible floor space of 2400m<sup>2</sup> to 3280m<sup>2</sup>.
- Amendment of the Site Development Plan

The proposed Site Development Plan is shown in Figure 17 below:

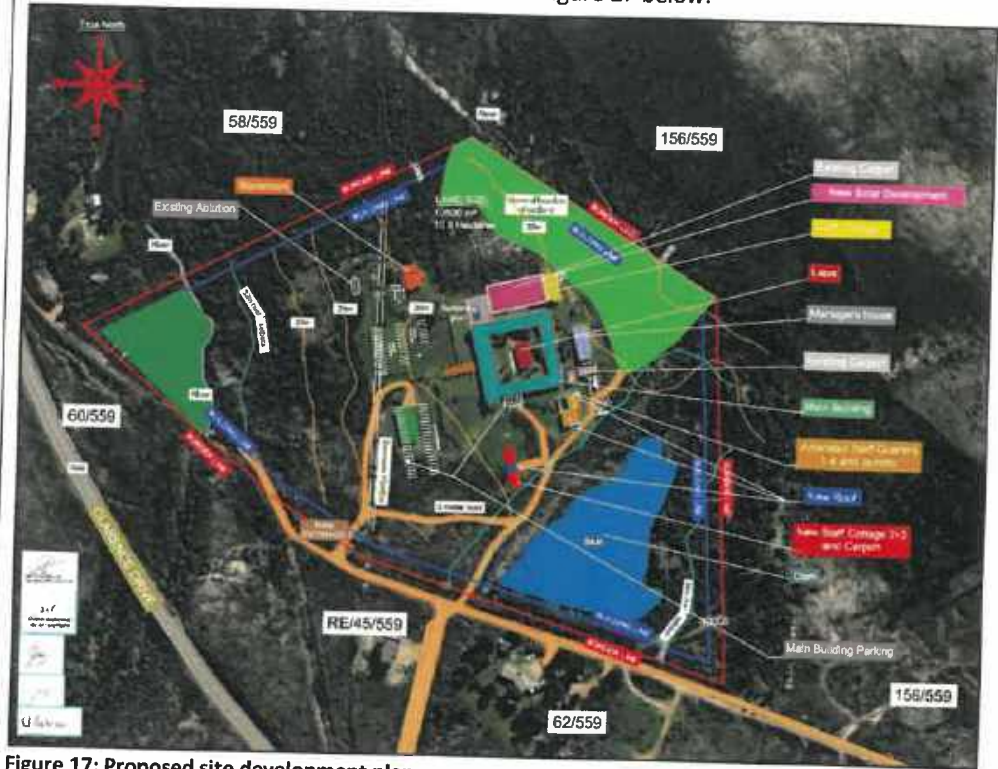


Figure 17: Proposed site development plan

The main building plan and elevations are shown in Figures 18 and 19 below:

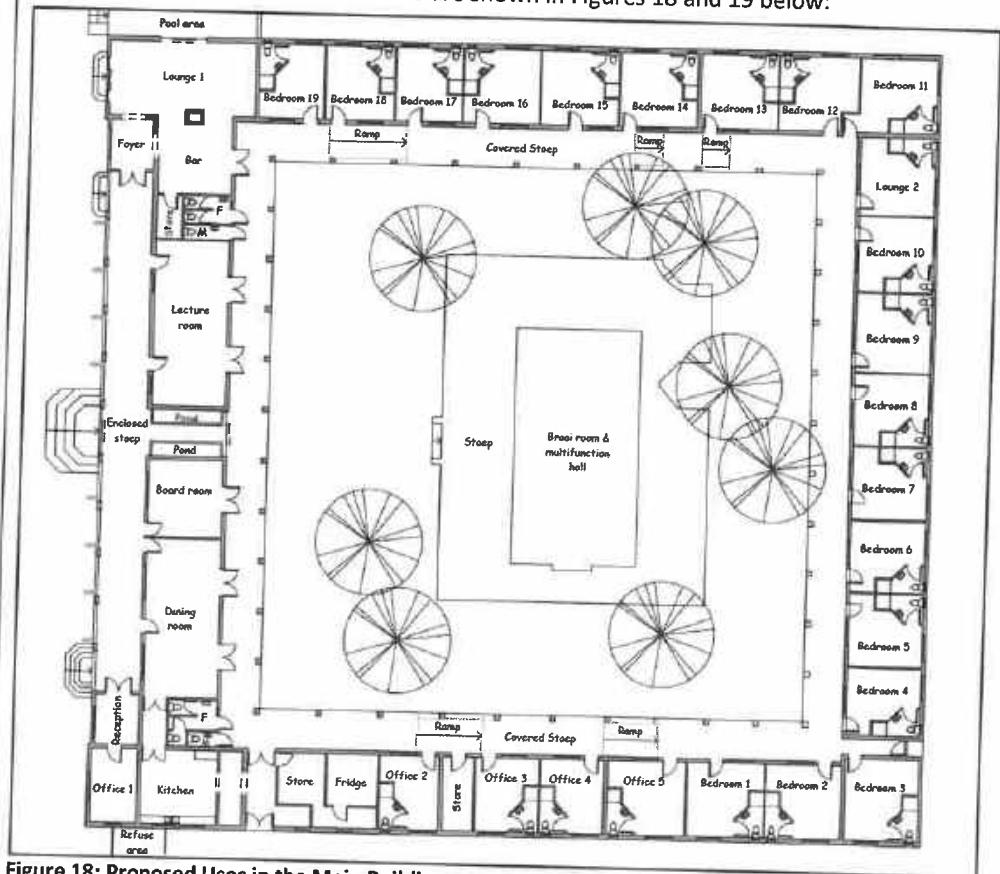


Figure 18: Proposed Uses in the Main Building potentially subject to some internal changes

Main Building Southern Elevation



Main Building Western Elevation



Main Building Northern Elevation



Main Building Eastern Elevation



Figure 19: Main Land Use Building elevations

#### Consent use for a place of instruction

The primary land use proposed for the application area is for an international mission, educational, weddings on exceptional occasions (limited to 3 times per year) and training centre. Approximately 20 students will attend the training centre at a time. The students and staff will reside on the application area with the students in the main building and the staff in the cottages.

The calm environment surrounded by nature is an ideal location for a training centre, since it facilitates contemplation and reflection.

The scale of the proposed place of instruction is significantly smaller than that of an average school, only having approximately 20 students at a time.

#### Consent use of a place of entertainment

Occasional weddings are proposed on the application area up to 5 times per year. The existing hall can accommodate approximately 50 seats.

Sound will be limited to comply with the Western Cape Noise Control Regulations.

30 bays overflow parking bays on lawn in addition to the 62 permanent bays are proposed to be used during larger events as needed.

The consent use for place of entertainment only for weddings will not result in other uses as per the zoning scheme definition of place of entertainment. (i.e. not for a cinema, a theatre, an amusement park, a dance hall or a night club and gambling etc.)

17/20

Consent use for place of assembly

Occasional larger events such as church camps amongst others are foreseen in future. These events include one day and on rare occasion four day events. The number of people attending these events will vary but can potentially be up to 100 people. It is not foreseen that such events will exceed two or three times per year.

The existing hall can accommodate approximately 50 seats, and the lecture room approximately 20. For bigger functions provision will be made accordingly.

Sound will be limited to comply with the Western Cape Noise Control Regulations.

Sufficient parking and overflow parking is available to be provided.

Consent use for utility service

A 792m<sup>2</sup> solar power plant is proposed within the application area in order to provide electricity to all buildings on the application area. The solar power plant is proposed on ground level and will be screened by structures from the west, south and east.

As a result of the solar panels, the application area will no longer be reliant on the national electrical grid and will therefore reduce pressure on the overburdened electrical grid.

A stable power supply will improve productivity on the application area and will make the use of the facility more desirable, especially for international students and guests, which will also improve the viability of the missionary educational and training centre.

Solar is a renewable energy source, being environmentally friendly and contributing to national carbon reduction goals as well.

Removal of a restrictive title deed condition

The application area title deed, T2048/2006, contains a restrictive title deed condition which is proposed to be removed and reads as follows:

*"E. SUBJECT AND/OR ENTITLED to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T.18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T.5789/1957:*

***(o) The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them."***

The above title deed restriction does not clearly restrict the application proposal as it is written in such a way that it can be interpreted as to give rights and that the rights are not exclusive rights. The clause reads "the said land may be used for" and does not include words such as "exclusively" or "only". It is interpreted by the local authority that the proposed activities are restricted by this specific clause.

In order to have certainty that the proposed land uses are permissible, restrictive title deed condition E.(o) is proposed to be removed from title deed, T2048/2006.

Land-use is prescribed and managed by the Overstrand Municipality Land-Use Scheme Regulations, 2020. The Overstrand Municipality Land-Use Scheme Regulations, 2020 has evolved over time, in contrast to the title deed restrictions which have remained static. The application is also considered desirable, allowing for an appropriate use of the application area. The application therefore includes the removal of title deed condition E.(o) from title deed T2048/2006.

	<p><u>Amendment of a condition of approval from a maximum permissible floor space of 2400m<sup>2</sup> to 3280m<sup>2</sup></u></p> <p>The carports over the main parking are proposed to be removed and two new staff cottages with a carport for two vehicles and solar panels are proposed.</p> <p>The solar panels are proposed in close proximity of the main building to reduce potential impact on the natural environment and for practical installation purposes.</p> <p>To operate the proposed missionary educational and training centre, 13 bedrooms in addition to the manager's cottage are required for proposed staff. The existing cottages only accommodates 7 bedrooms in addition to the manager's cottage and the main building is proposed to be reserved for students and temporary guests. The main building is not suitable for staff due to the lack of private living areas. As a result two additional staff cottages with 3 bedrooms each are proposed. These cottages will have three bedrooms each with a private open-plan kitchen, dining area and living room. The following staff composition relating to the cottages is envisaged:</p> <ul style="list-style-type: none"> <li>• FCE director (Staff Cottage 3)(New)</li> <li>• Administration and correspondent (Managers House)</li> <li>• Administration (Staff Quater 3)</li> <li>• Finances (Staff Cottage 1)</li> <li>• Kitchen &amp; finances support (Staff Quarter 2)</li> <li>• Kitchen (Staff Quater 4)</li> <li>• Maintenance and IT (Staff Cottage 1)</li> <li>• Media and building projects (Staff Quarter 1)</li> <li>• Hospitality and general facility management. (Staff Cottage 2)(New)</li> <li>• 2x Training &amp; course facilitators (Main Building)</li> </ul> <p><u>Access &amp; Parking</u></p> <p>For normal operations, 51 bays are required and up to additional 25 bays will be required for events which will occur two or three times a year.</p> <p>Sixty two dedicated parking bays are proposed and thirty overflow parking bays are proposed on the activity field respectively. More than sufficient parking will therefore be provided.</p>
	<p><b>c. Desirability</b></p> <p>The development proposal, as explained above, is considered <u>desirable</u> for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposal represents the optimizing of the application area for uses being in higher demand, is permanent and stable and is more economically feasible than the previous uses.</li> <li>• The application area being outside of the urban edge and distant from the main Pringle Bay residential area, the impact on the area and residential area will be small if any apart from contributing to the economy of the village.</li> <li>• Sufficient parking is proposed.</li> <li>• The application proposal is to run the entire property from solar power, reducing load on the electrical grid while being environmentally friendly.</li> </ul>

19/20

**d. Planning Principles**

In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles have been applied to the application site:

- 1) **Spatial Justice** which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land.

**Possible results of the development**

The proposal for a training centre in mostly existing buildings will not impact on spatial justice.

The application proposal is **consistent** with **spatial justice**.

- 2) **Spatial Sustainability** which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.

**Possible results of the development**

Although the application area is situated outside the urban edge, the farm is not currently used for agricultural purposes but was previously used for tourist accommodation and a tourist facility with existing buildings and facilities which are to be used for the proposal. Therefore, the proposal will not impact on any existing agricultural or environmentally sensitive land and would in fact represent a lower intensity use of the land.

The application proposal can thus be deemed to be **spatially sustainable**.

- 3) **Efficiency** which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.

**Possible results of the development**

The proposal is for the optimal use of existing buildings, which is a suitable and efficient proposal for the application area.

The application proposal is **consistent** with the **efficiency principle**.

- 4) **Spatial Resilience** which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.

**Possible results of the development**

The existing property is currently not optimally used and also not economically viable. The proposed training centre is a more optimal land use, therefore improving spatial resilience.

The application proposal is **consistent** with the principle of **spatial resilience**.

- 5) **Good Administration** which, in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure that a joint planning approach is pursued.

**Possible results of the development**

Consultative practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the relevant government tiers and the general public to participate in the eventual decision-making process.

The application proposal is **consistent** with the principle of **good administration**.

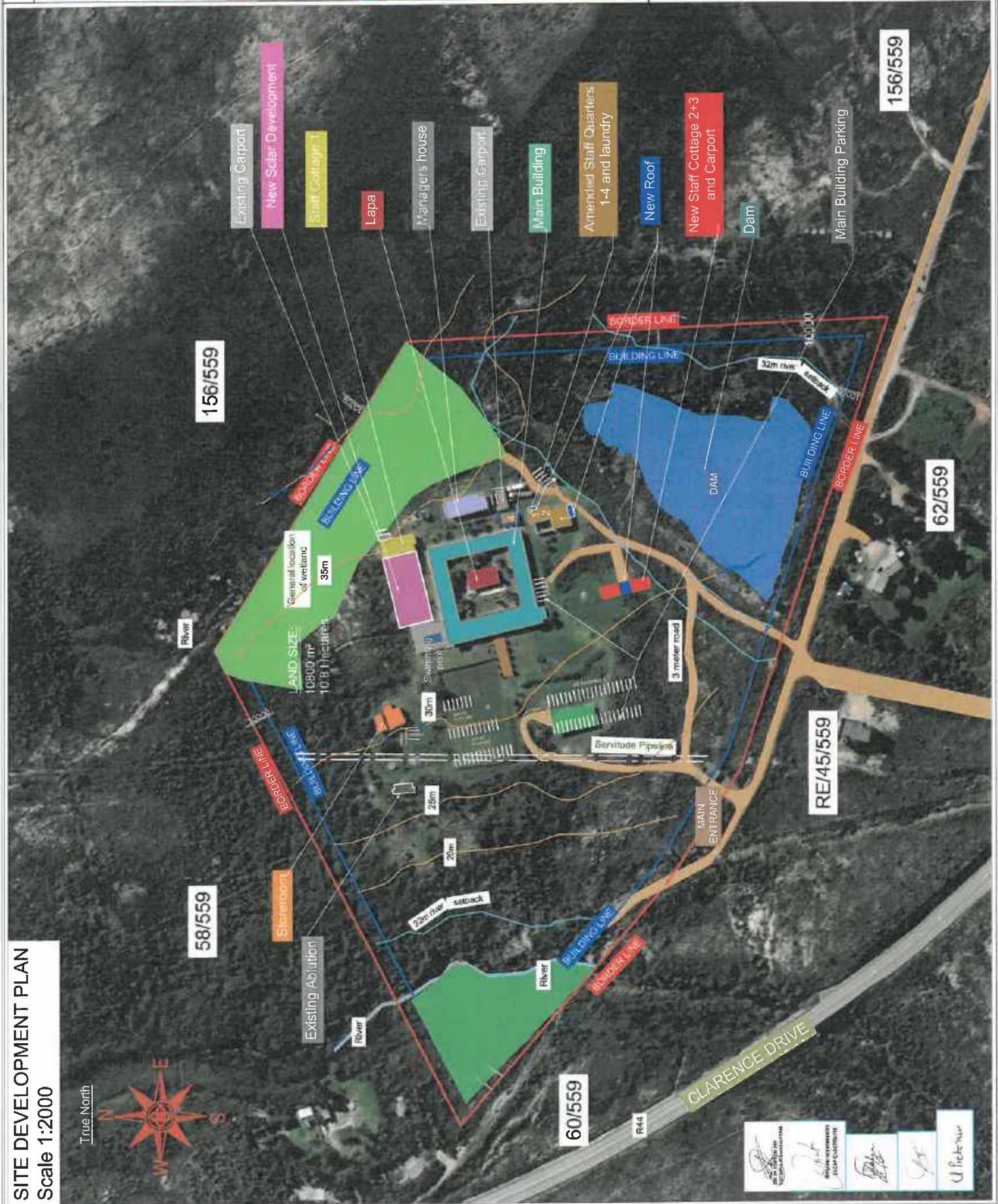
## 5. Conclusion

The application as motivated in this report is regarded **desirable** within its local context and well-integrated within the existing community land-use activities.

It is therefore recommended that the application **be approved** in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020, as follows:

- **Consent use** for a Place of Instruction in terms of Chapter IV, Section 16(2)(o).
- **Consent use** for a Place of Entertainment (for weddings only) in terms of Chapter IV, Section 16(2)(o).
- **Consent use** for a Place of Assembly in terms of Chapter IV, Section 16(2)(o).
- **Consent use** for a Utility Service in terms of Chapter IV, Section 16(2)(o).
- **Removal of restrictive title deed condition E.(o)** from title deed T2048/2006 in terms of Chapter IV, Section 16(2)(f).
- **Amendment in respect of an existing approval** from a maximum permissible floor space of 2400m<sup>2</sup> to 3280m<sup>2</sup> in terms of Chapter IV, Section 16(2)(h).
- **Amendment of the Site Development Plan** in terms of Chapter IV, Section 16(2)(l).

ERF 59 PORTION 559	
SITE DEVELOPMENT PLAN	
SITE LEGEND	
Existing carports	20.35m <sup>2</sup>
Staff Cottages	159m <sup>2</sup>
Managers House	199.37m <sup>2</sup>
7 x New Carport Roof	55m <sup>2</sup>
Staff Cottage 2+3	234m <sup>2</sup>
Storeroom	167.73m <sup>2</sup>
Existing Ablution	30.15m <sup>2</sup>
Main Building	1484.7m <sup>2</sup>
New Solar Dev.	791.66m <sup>2</sup>
Lapa	135.51m <sup>2</sup>
TOTAL	3280.48m <sup>2</sup>
Dam	
Application Area	
Building Line	
General location	
Wet land	
5m Land Contours	
82 Main Building grass	
Parking's	
7 Staff grass parkings	
Total Coverage:	155
TOTAL Coverage: 3280.48m <sup>2</sup> = 3.2%	
TOTAL Land	100 008 m <sup>2</sup>
LAND SIZE:	10800 m <sup>2</sup>
10.8 Hectares	
Alotment no.	C0130000
DATE	27 NOV. 2022
REVISION	
<b>Glen Craig Training Center</b> Portion 59 Farm 559 Pringle Bay Glen Craig Kogel/Barn state Forest Clearance drive (R44) 7230	
PROJECT	
SITE DEVELOPMENT PLAN AMENDMENTS	
NEW ADDITIONS AND FUNCTION CHANGES	
OWNER/DESIGNER	DATE
PREPARED BY	REVISION



SITE DEVELOPMENT PLAN  
Scale 1:2000

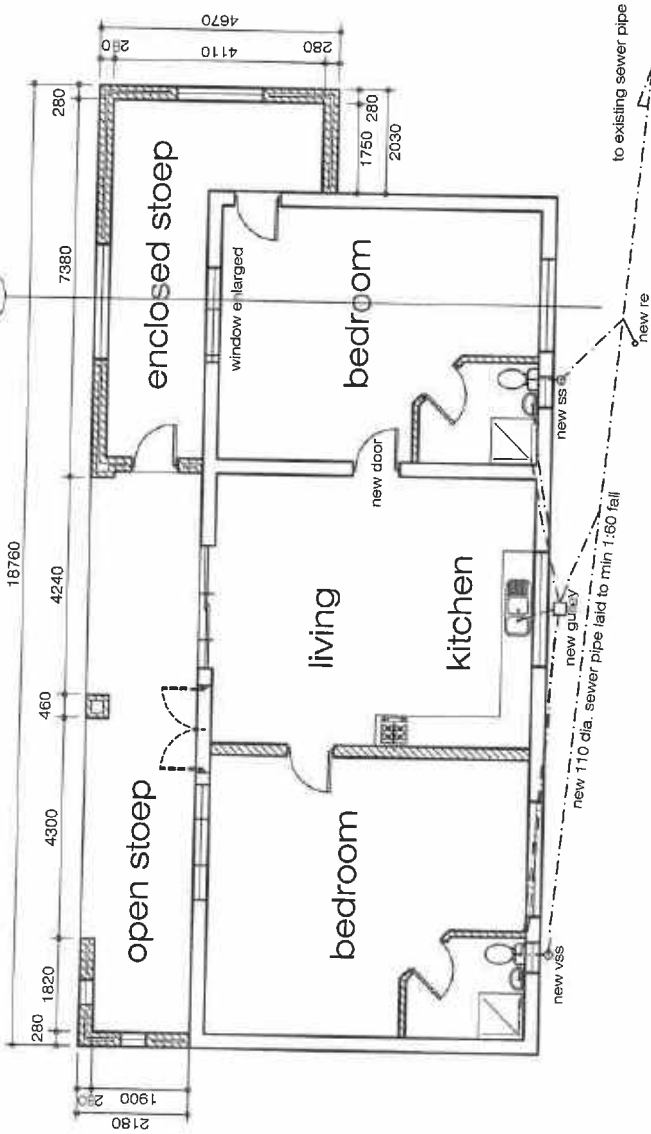


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AREAS DESCRIPTION	ROOM
Existing structure	113.00
New covered stoep	24.50
New enclosed stoep	21.50

REV	DATE	DESCRIPTION

**CORNERSTONE architectural designs**  
 Jonathan Innes  
 Cell: 073 255-3084  
 Fax: 049 685 7198  
 SAIAI : 30811 SACAP : ST1029

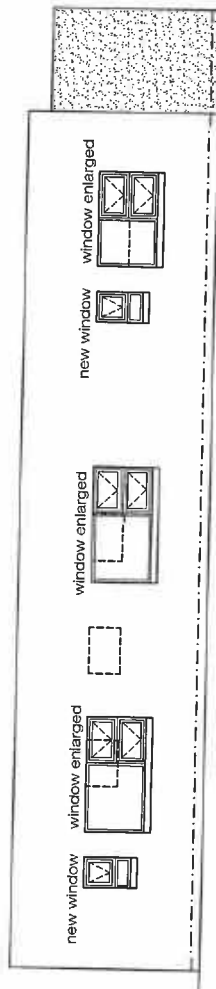
**CLIENT**  
**SABASTIAN BOTHA**

**PROJECT**  
**AS BUILD DRAWINGS**  
 Portion 59A, Portion of portion 45 of the farm Hangklip, Caledon.  
 Farm No: 559

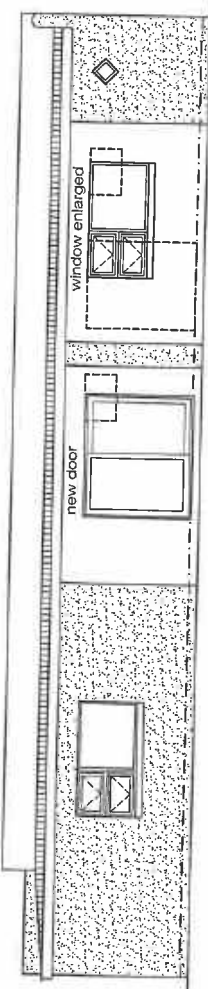
**DRAWING**  
 Laundry converted into a 2 bed unit covered stoep & enclosed stoep added

**FLOOR PLAN, ELEVATIONS**

SCALE: 1:100 DATE: JULY 2012 DRAWN: CHECKED: NUMBER: REV: 2012/69 P.3



west elevation  
scale 1:100



east elevation  
scale 1:100



PROJECT

Portion 59 of Farm  
559 Hangklip

TITLE

Main Retirement  
Building Elevations

West Elevation



South Elevation



East Elevation



East Elevation



North Elevation



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CLIENT

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CHECKED BY: [blank]  
SCALE: (B3)  
PROJECT NUMBER: 0001

DATE: 11/20/20

InterActive Town & Regional Planning

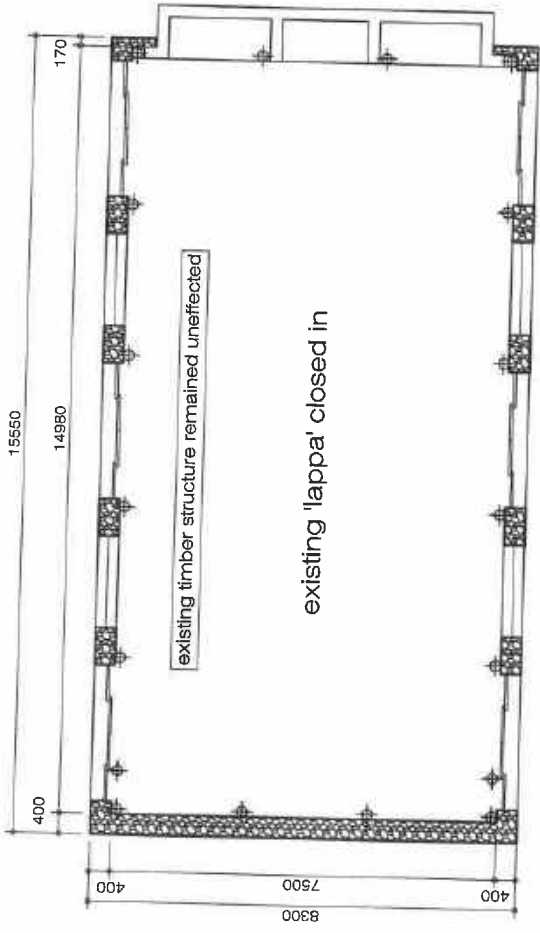
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Beverly Hills, CA 90210  
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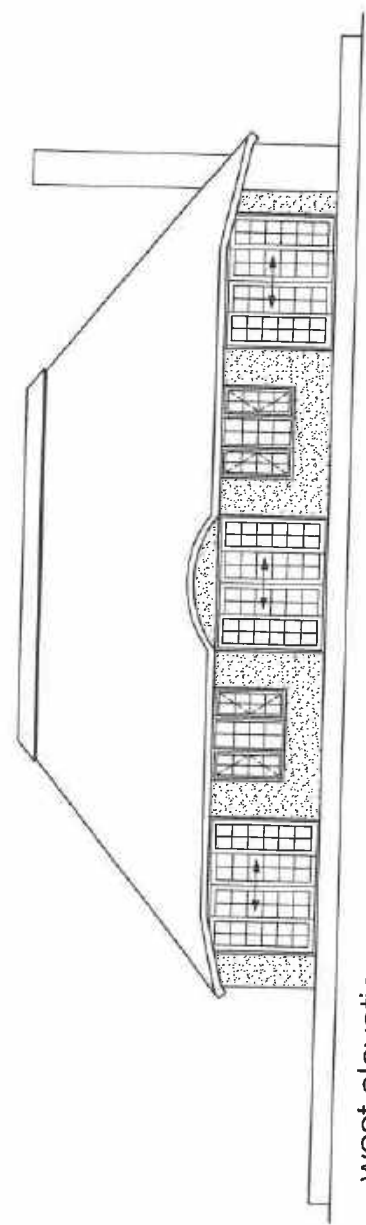
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existing raised concrete plinth



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west elevation  
scale 1:100

REAS	DESCRIPTION	SQM
	Existing structure	138.00

REV	DATE	DESCRIPTION

**CORNERSTONE**  
architectural  
designs

Jonathan Innes  
Cell: 073 255-3084  
Fax: 086 695 7198  
SAIAT : 30811 SACAP : ST1029

CLIENT  
**SABASTIAN BOTHA**

AS BUILD DRAWINGS  
Portion 59A, Portion of portion 45  
of the farm Hangklip, Caledon,  
Farm No: 559

DRAWING  
Existing lappa enclosed with natural  
stone walls & timber windows & doors

**FLOOR PLAN , ELEVATION**

SCALE 1:100	DATE JULY 2012	DRAWN	CHECKED JANES
PROJECT NO <b>2012/69</b>			REV <b>P.5</b>

PROJECT  
**Portion 59 of Farm  
559 Hangklip**

TITLE  
**Main Building  
Floor Plan**

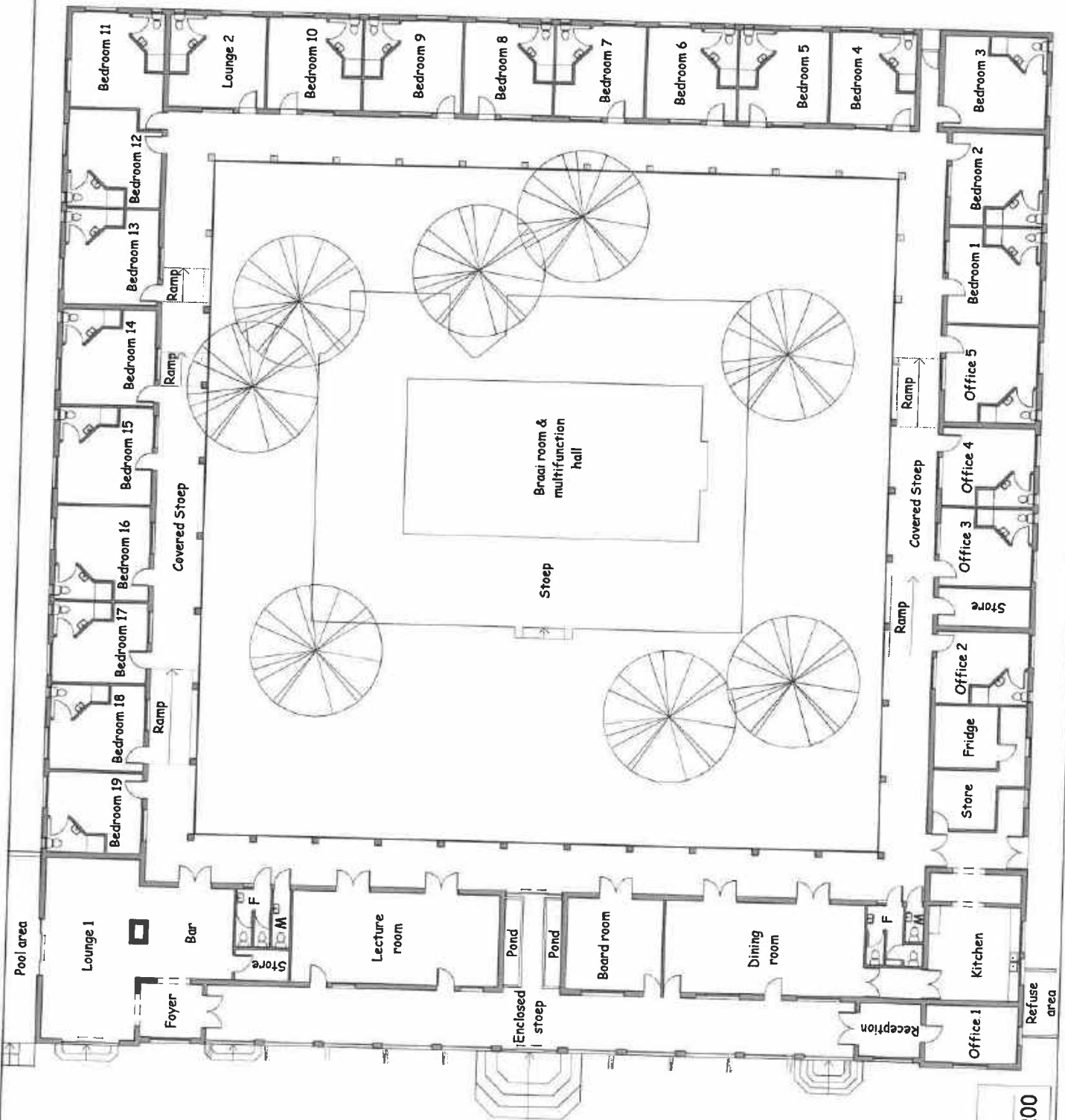


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DRAWN BY	CHECKED BY	DATE
SCALE (B/A)	PROJECT NUMBER	0001
1:200	DRAWING NUMBER	A101

**InterActive Town & Regional Planning**  
 10001 Wainwright Rd, 401271944  
 Telephone: 021 571 1888  
 Cell phone: 082 496 6166  
 Email: info@interactiveplanning.com



**Ground Floor**  
**A3 Scale 1 : 200**

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NO.	REVISION	DATE	DESCRIPTION	SCALE
1			Existing main building	1:25.00
2			Existing garage	25.00
3			Existing covered stoep	47.00

REV	DATE	DESCRIPTION

**CORNERSTONE architectural designs**

Jonathan Innes  
 Cell: 073 255-3084  
 Fax: 086 695 7198  
 SAIAT : 30811 SACAP - ST1029

CLIENT  
**SABASTIAN BOTHA**

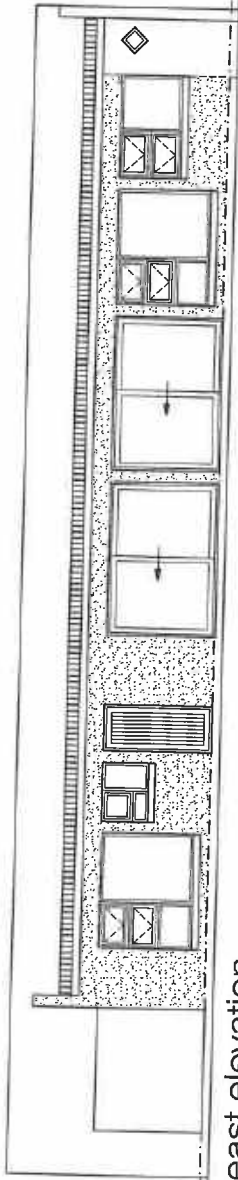
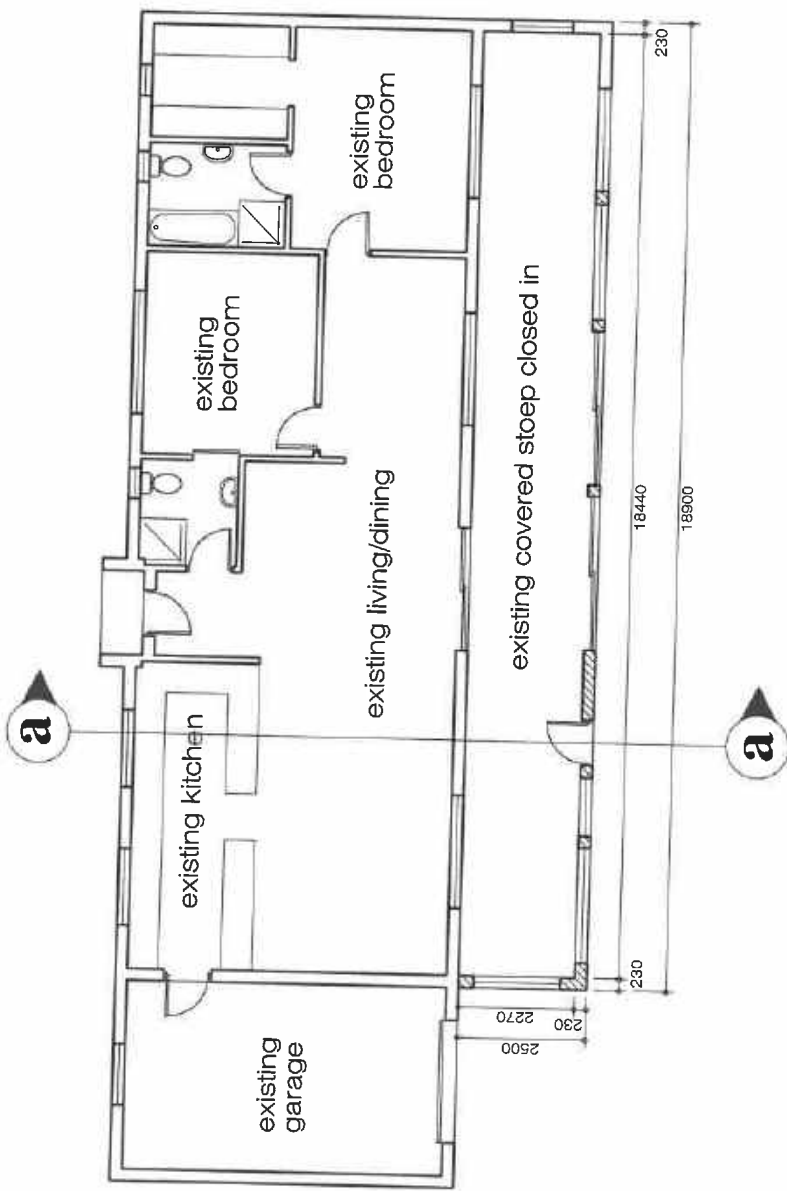
AS BUILT DRAWINGS  
 Portion 59A, Portion of portion 45 of the farm Hangklip, Calabon, Farm No: 559

DRAWING  
 Managers cottage existing covered stoep enclosed

**FLOOR PLAN , ELEVATION**

SCALE	DATE	DRAWN	CHECKED
1:100	JULY 2012		

DRAWING NO **2012/69** P.1



east elevation  
 scale 1:100

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<b>PROJECT</b> Portion 59 of Farm 559 Hangklip	
<b>TITLE</b> Photos	
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<b>CLIENT</b> InterActive Town & Regional Planning 4600 W. 10th St. (Trom and Regional Planning) Co. 480000 282 277 999 Email: info@iarp.com	



Typical bedroom



Typical bedroom



Typical bathroom



Braai room & multipurpose hall



Manager's cottage front



Manager's cottage rear



Staff units



Laundry & garage



Staff cottage



Staff cottage front



Staff cottage rear



Ablutions



Ablutions

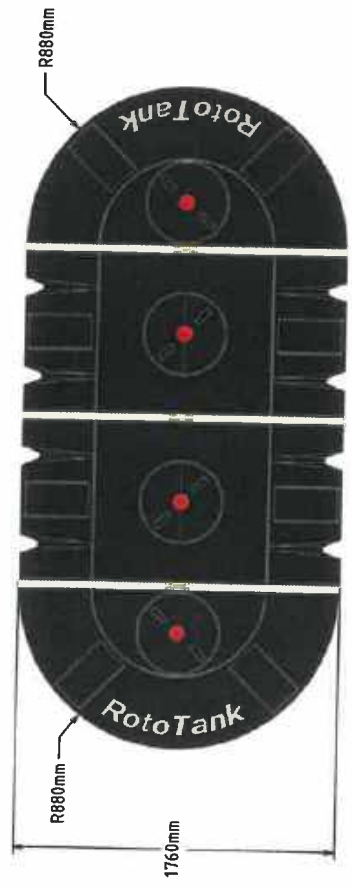
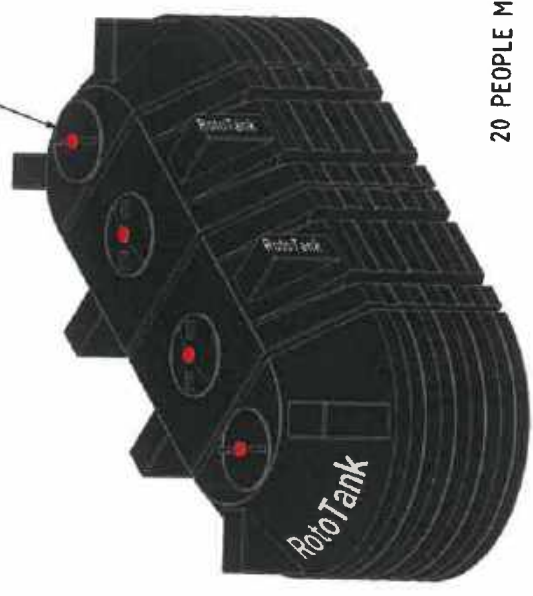


Shed



SCALE 1:20

x4 450mm LIDS



ACCESSORIES	
	150mm CONNECTION FITTING
	VENT VALVE 110mm
	ELBOW 110mm
	T-PIECE 110mm
	PVC PIPE 110mm

Date	Name

TITLE: SEPTIC MODULAR TANKS



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**PROJECT INFORMATION**

**PROJECT:** ERF 59/559 Existing Garage Amendments  
**CLIENT:** UFRU  
**DATE:** 2023/07/20

**OWNER INFORMATION**

**OWNER 1:** UFRU  
**OWNER 2:** UFRU  
**OWNER 3:** UFRU

**ARCHITECT INFORMATION**

**ARCHITECT:** ADRIAN WILSON ARCHITECTS  
**PROJECT NO.:** A0003  
**DATE:** 2023/07/20

**SCALE**

1:50  
1:100  
1:200

**ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL FIRE BRANCH REGULATIONS 2012.**

**THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.**

**THE ARCHITECT HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE EXISTING CONDITIONS AND HAS NOT CONDUCTED A DETAILED SURVEY OF THE EXISTING CONDITIONS.**

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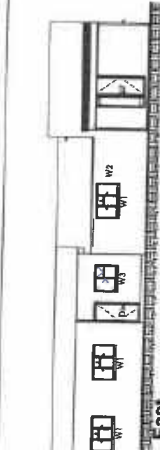
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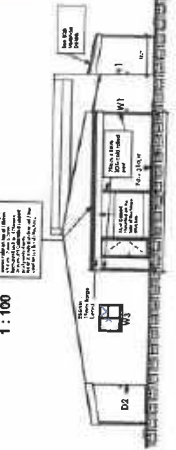
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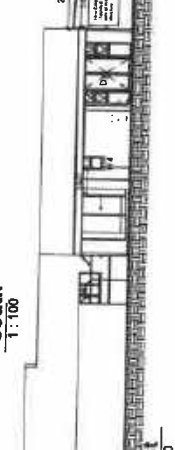
East 1:100



North 1:100



South 1:100



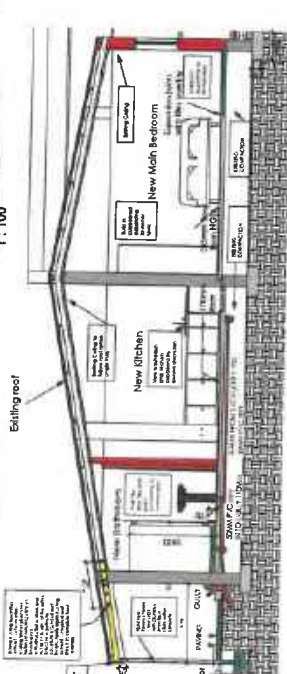
West 1:100

Name	Level	Area
New Wash	Level 0	9 m²
New Dining	Level 0	10 m²
New Lounge	Level 0	13 m²
New Store	Level 0	5 m²
New Bedroom	Level 0	14 m²
New Bath	Level 0	16 m²
New Kitchen	Level 0	16 m²
Existing Living	Level 0	16 m²
Existing Store	Level 0	10 m²
Existing Kitchen	Level 0	10 m²
Existing Lounge	Level 0	16 m²
Existing Kitchen	Level 0	9 m²
Existing Kitchen	Level 0	10 m²
Existing Lounge	Level 0	3 m²
Existing Bath	Level 0	3 m²
Grand total	Level 0	154 m²



New Amendment 1:100

Demolish Instruction 1:100



Section 1 1:50



Section 2 1:50

10/A0003 Wall Detail 1:10

NO.	DOOR	Description	Material	Height	Width	Location
D1	DOOR	DOOR	FL	2100	1100	Living Room
W1	Window	Window	FL	2100	1100	Living Room
W2	Window	Window	FL	2100	1100	Living Room
W3	Window	Window	FL	2100	1100	Living Room
W4	Window	Window	FL	2100	1100	Living Room
W5	Window	Window	FL	2100	1100	Living Room
W6	Window	Window	FL	2100	1100	Living Room
W7	Window	Window	FL	2100	1100	Living Room
W8	Window	Window	FL	2100	1100	Living Room
W9	Window	Window	FL	2100	1100	Living Room
W10	Window	Window	FL	2100	1100	Living Room
W11	Window	Window	FL	2100	1100	Living Room
W12	Window	Window	FL	2100	1100	Living Room
W13	Window	Window	FL	2100	1100	Living Room
W14	Window	Window	FL	2100	1100	Living Room
W15	Window	Window	FL	2100	1100	Living Room
W16	Window	Window	FL	2100	1100	Living Room
W17	Window	Window	FL	2100	1100	Living Room
W18	Window	Window	FL	2100	1100	Living Room
W19	Window	Window	FL	2100	1100	Living Room
W20	Window	Window	FL	2100	1100	Living Room
W21	Window	Window	FL	2100	1100	Living Room
W22	Window	Window	FL	2100	1100	Living Room
W23	Window	Window	FL	2100	1100	Living Room
W24	Window	Window	FL	2100	1100	Living Room
W25	Window	Window	FL	2100	1100	Living Room
W26	Window	Window	FL	2100	1100	Living Room
W27	Window	Window	FL	2100	1100	Living Room
W28	Window	Window	FL	2100	1100	Living Room
W29	Window	Window	FL	2100	1100	Living Room
W30	Window	Window	FL	2100	1100	Living Room
W31	Window	Window	FL	2100	1100	Living Room
W32	Window	Window	FL	2100	1100	Living Room
W33	Window	Window	FL	2100	1100	Living Room
W34	Window	Window	FL	2100	1100	Living Room
W35	Window	Window	FL	2100	1100	Living Room
W36	Window	Window	FL	2100	1100	Living Room
W37	Window	Window	FL	2100	1100	Living Room
W38	Window	Window	FL	2100	1100	Living Room
W39	Window	Window	FL	2100	1100	Living Room
W40	Window	Window	FL	2100	1100	Living Room
W41	Window	Window	FL	2100	1100	Living Room
W42	Window	Window	FL	2100	1100	Living Room
W43	Window	Window	FL	2100	1100	Living Room
W44	Window	Window	FL	2100	1100	Living Room
W45	Window	Window	FL	2100	1100	Living Room
W46	Window	Window	FL	2100	1100	Living Room
W47	Window	Window	FL	2100	1100	Living Room
W48	Window	Window	FL	2100	1100	Living Room
W49	Window	Window	FL	2100	1100	Living Room
W50	Window	Window	FL	2100	1100	Living Room
W51	Window	Window	FL	2100	1100	Living Room
W52	Window	Window	FL	2100	1100	Living Room
W53	Window	Window	FL	2100	1100	Living Room
W54	Window	Window	FL	2100	1100	Living Room
W55	Window	Window	FL	2100	1100	Living Room
W56	Window	Window	FL	2100	1100	Living Room
W57	Window	Window	FL	2100	1100	Living Room
W58	Window	Window	FL	2100	1100	Living Room
W59	Window	Window	FL	2100	1100	Living Room
W60	Window	Window	FL	2100	1100	Living Room
W61	Window	Window	FL	2100	1100	Living Room
W62	Window	Window	FL	2100	1100	Living Room
W63	Window	Window	FL	2100	1100	Living Room
W64	Window	Window	FL	2100	1100	Living Room
W65	Window	Window	FL	2100	1100	Living Room
W66	Window	Window	FL	2100	1100	Living Room
W67	Window	Window	FL	2100	1100	Living Room
W68	Window	Window	FL	2100	1100	Living Room
W69	Window	Window	FL	2100	1100	Living Room
W70	Window	Window	FL	2100	1100	Living Room
W71	Window	Window	FL	2100	1100	Living Room
W72	Window	Window	FL	2100	1100	Living Room
W73	Window	Window	FL	2100	1100	Living Room
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W75	Window	Window	FL	2100	1100	Living Room
W76	Window	Window	FL	2100	1100	Living Room
W77	Window	Window	FL	2100	1100	Living Room
W78	Window	Window	FL	2100	1100	Living Room
W79	Window	Window	FL	2100	1100	Living Room
W80	Window	Window	FL	2100	1100	Living Room
W81	Window	Window	FL	2100	1100	Living Room
W82	Window	Window	FL	2100	1100	Living Room
W83	Window	Window	FL	2100	1100	Living Room
W84	Window	Window	FL	2100	1100	Living Room
W85	Window	Window	FL	2100	1100	Living Room
W86	Window	Window	FL	2100	1100	Living Room
W87	Window	Window	FL	2100	1100	Living Room
W88	Window	Window	FL	2100	1100	Living Room
W89	Window	Window	FL	2100	1100	Living Room
W90	Window	Window	FL	2100	1100	Living Room
W91	Window	Window	FL	2100	1100	Living Room
W92	Window	Window	FL	2100	1100	Living Room
W93	Window	Window	FL	2100	1100	Living Room
W94	Window	Window	FL	2100	1100	Living Room
W95	Window	Window	FL	2100	1100	Living Room
W96	Window	Window	FL	2100	1100	Living Room
W97	Window	Window	FL	2100	1100	Living Room
W98	Window	Window	FL	2100	1100	Living Room
W99	Window	Window	FL	2100	1100	Living Room
W100	Window	Window	FL	2100	1100	Living Room

Window door Schedule 1:50

SQ3 Veranda roof 1:50

Section 4 A9 1:50

Section 4 A9 1:50

Section 4 A9 1:50

Section 4 A9 1:50

Section 4 A9 1:50

Section 4 A9 1:50

Section 4 A9 1:50

Section 4 A9 1:50

Section 4 A9 1:50

OWNER 1: UFRU  
OWNER 2: UFRU  
OWNER 3: UFRU  
ARCHITECT: ADRIAN WILSON ARCHITECTS  
DRAUGHTSMAN: ADRIAN WILSON ARCHITECTS  
SCALE: 1:50

Annexure D 1/6

185  
MALAN-LOURENS INC.  
PICKLE STREET  
STRAND  
7140

Prepared by me

CONVEYANCER  
MALAN D J

**FEE**  
R...500,00.....

**T** 274874

**DEED OF TRANSFER**

BE IT HEREBY MADE KNOWN THAT

**RIANA SERDYN**

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said  
appearer being duly authorised thereto by a Power of Attorney which said Power  
of Attorney was signed at STRAND on 15 NOVEMBER 2005 granted to him by

**SEBASTIAN BOTHA**  
Identity Number 490528 5022 08 9  
Married out of community of property

17 FEB 2006  
*[Signature]*

09 FEB 2006

And the appearer declared that his said principal had, on 14 October 2005, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**GLEN CRAIG TRAINING CENTRE (PROPRIETARY) LIMITED**  
**No. 2003/013392/07**

or its Successors in Title or assigns, in full and free property

PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP  
NO 559  
In the OVERSTRAND MUNICIPALITY  
Division of CALEDON, Province WESTERN CAPE;

IN EXTENT 10,6546 (TEN COMMA SIX FIVE FOUR SIX) HECTARES

FIRST TRANSFERRED by Deed of Transfer No. T 18344/1959 with  
Diagram No. 9766/1958 relating thereto and held by Deed of Transfer No.  
T109237/2003

A. **SUBJECT** to the conditions referred to in Certificate of Registered Title  
T.5789/1957.

B. ....

C. ....

D. **SUBJECT** to the conditions referred to in the Servitude Endorsement dated  
12<sup>th</sup> April 1944, appearing on Certificate of Consolidated Title T.3720/1937,  
which Endorsement reads as follows:-

"By Notarial Deed No 109/44 dated 24/2/1944 the Administrator of the Province of the Cape of Good Hope, or his Nominee, acting in trust for such Local Authority as may hereafter be constituted for the Pringle Bay Township, has been granted certain rights to supply of water by means of a pipeline marked a, b, c, d, e, f, g, on the Servitude Diagram No. 2120/1943 annexed to the said Notarial Deed, and certain other rights ancillary thereto.

Subject to conditions as will more fully appear on reference to said Notarial Deed."

which servitudinal rights are referred to by a blue line lettered x y on the Diagram No. 9766/58 hereto annexed.

**E. SUBJECT AND/OR ENTITLED to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T.18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T.5789/1957:-**

- (a) All buildings and other constructional works commenced shall be completed within a reasonable time. If any building or works shall not be so completed the Seller shall have the right to require such uncompleted building or works either to be completed within a specified period or alternatively to be demolished.
- (b) No wood and iron buildings or works of any description shall be erected nor shall corrugated iron be used for roofing purposes.
- (c) No building shall be erected within 25,19 metres of any road boundary or within 9,45 metres of any other boundary of the land.
- (d) All buildings and other constructional works, including all fences and garden and other gated shall be of good design and sound construction and the plans thereof must be approved by the Seller before construction is commenced. In the event of a breach of this Clause the Seller shall have the right to require the Purchaser to demolish such unauthorised buildings or works and/or shall have the option to repurchase the land upon payment of the cost price thereof without compensation for improvements.
- (e) No signs, advertisements, advertisement hoardings or other lettering shall be erected on the land hereby sold and purchased, nor shall any advertisements signs or lettering be painted on any buildings, walls or fences erected or to be erected on the said land save and except with the written approval of the Seller.
- (f) No noxious trade or activity shall be carried on on the said land.
- (g) Save with the consent in writing of the Seller, the Purchaser shall not have the right to make or cause to be made upon the said land for any purpose other than the use in his own building and/or works any bricks, tiles or earthenware pipes or other articles of such nature, nor shall he have any right to dig or quarry any earth, gravel, lime, or stone thereon other than for use in his own buildings and/or works.
- (h) No debris scrap or other unsightly material shall be deposited on the said land nor shall the Purchaser or his Successors in title deposit or allow to be deposited any debris, scrap or other unsightly material on the said land without the written consent of the Seller first had and obtained.
- (i) .....

- (j) No person other than the registered Owner and his immediate family shall camp overnight or light open fires on the said land save with the written consent of the Seller which shall have the right to refuse such consent without assigning any reason therefore or to give such consent subject to such conditions as it thinks fit.
- (k) Access to public roads shall be limited to such points on the road boundary as may be approved by the Provincial or Divisional Council through its responsible Officers or be the duty of the Purchaser to obtain approval of points of access.
- (l) No sewage shall be disposed of otherwise than by means of a properly constructed septic tank. No pit or bucket latrine will be permitted, except in the case of camping as provided for in (i) above.
- (m) The purchaser shall have no right to use the water of the Buffels River for industrial purposes, which right the Seller reserves to itself. The Purchaser shall not do or construct anything which will interfere with or interrupt the natural and normal flow of water in the said River without the written consent of the Seller.
- (n) The purchaser shall not subdivide the said land without the written consent of the Seller first had and obtained.
- (o) The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them.

In the foregoing conditions except where otherwise stated or inferred the expressions "the Company" and "the Seller" shall mean Hangklip Beach Estates Limited and the expression "the Purchaser" shall include the Successors in Title, invitees and persons lawfully occupying the land or portion thereof with the permission or consent of the registered Owner.

F **SUBJECT** to the terms of an endorsement dated 24 March 1980 on the aforesaid Deed of Transfer T. 18344/1959 reading:-

**SERWITUUTREG VAN WEG 7,87m WYD**

**Gesedeer aan DIE AFDELING VAN CALEDON**  
Deur Akte van Sessie No. K 187/80 S

WHEREFORE the said Appearer renouncing all right and title which the said

**SEBASTIAN BOTHA, Married as aforesaid**

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

**GLEN CRAIG TRAINING CENTRE (PROPRIETARY) LIMITED  
No. 2003/013392/07**

or its Successors in Title or assigns now is and hereafter shall be entitled thereto, conformably to local custom, the State however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 100 000 00 (ONE MILLION ONE HUNDRED THOUSAND RAND)

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

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town on 12 January 2006

①

  
\_\_\_\_\_  
②  


In my presence

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

## CONVEYANCER'S CERTIFICATE

I, AMELIA GALVIN

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

PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP NO 559 IN THE OVERSTRAND MUNICIPALITY, DIVISION OF CALEDON, WESTERN CAPE PROVINCE, IN EXTENT 10,6546 (TEN COMMA SIX FIVE FOUR SIX) HECTARES, HELD BY DEED OF TRANSFER NO T2048/2006

(property description(s))

In respect of which it was found that there are no restrictive conditions registered against such property prohibiting it from being utilised / developed for the following purposes (as elaborated on in more detail in the accompanying application) :

- Consent Use for a Place of Instruction
- Consent Use for a Place of Entertainment (for weddings only)
- Consent Use for a Place of Assembly
- Consent Use for a Utility Service
- Amendment in respect of an existing approval to allow for additional floor space
- Amendment of the Site Development Plan

(proposed use / development / zoning of property)

(\* please delete whichever not applicable)

### LIST OF RESTRICTIVE TITLE CONDITIONS (if applicable)

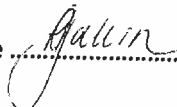
Deed no	Clause no	Description

### PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

Removal / suspension / Amendment of Restrictions in terms of Act 84/1967 (Submit spate application)	Notarial Deed of Cancellation (Submit copy of signed agreement)	Consent (Submit copy of signed consent)	Expungement by means of 'rule nisi' application to High Court (Submit copy of Court order)
---	--	---	---

Signed at Brackenfell on this 20<sup>th</sup> day of FEBRUARY 2024

Signature



Kindly endorse certificate by  
Affixing firm's official stamp  
Here and initialling it.

**AMELIA GALVIN**

6 Fonteinlaan / 6 Fontein Avenue, Brackenfell  
Kommissaris van Ede / Commissioner of Oaths  
Praktiserende Prokureur / Practising Attorney  
R.S.A.

(support)

174

Annexure E 1/25



**ROCK FORAGE**  
CONSULTING SERVICES

Lylaprox (Pty) Ltd  
Portion 59 of Farm Hangklip 559, Pringle Bay, 7196  
Tel: +27 82 413 4727  
Email info@rockforage.com

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
11 NOV 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

8 November 2024

TP - A Theart  
(H vld Stoep)

Senior Town Planner  
Mrs. H. van der Stoep  
Overstrand Municipality

Dear Sir / Madam

**RE: PORTION 59 OF FARM 559 HANGKLIP: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, CONSENT USES, AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVAL AND AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN: INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF GLEN CRAIG TRAINING CENTRE PTY LTD – 2 October 2024**

Lylaprox (Pty) Ltd, as owner of Portion 62 of Farm Hangklip 559, supports the application of Glen Craig Training Centre Pty Ltd as detailed in your letter of 2 October 2024.

Kind regards

Pierre Fourie  
Director

FILE NO. Ptn 591.559
Hangklip
SCAN NO.
COLLABORATOR NO.
2325212

TP 11 NOV 2024

(Support)

175

2/25

OVERSTRAND MUNISIPALITEIT

REKORDBEHEER

09 OCT 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Loretta Gillion

**From:**  
**Sent:** Wednesday, 09 October 2024 06:54  
**To:** Loretta Gillion  
**Cc:** josiahm@iatrp.co.za  
**Subject:** FW: Portion 59 of Farm 559 Hangklip - Town Planning Application Notice  
**Attachments:** Public Participation Notice & Application.pdf

Dear Loretta and Josiah,

I have reviewed the attached Public Participation Notice & Application and support the request to remove the Restrictive Title Deed Conditions to allow for the listed Consent Uses and the application to increase the permissible floor space to 3280 sq M.

Brandon Topham  
Portion 156 of Farm 559 Hangklip

Neighboring Property

Best regards

Brandon Topham  
Tel : ( ) | Email :

FILE NO. Ptn 59/559 ✓
Hangklip
SCAN NO.
PTN 59
COLLABORATOR NO.
2137323

**From:** josiahm@iatrp.co.za <josiahm@iatrp.co.za>  
**Sent:** Friday, October 4, 2024 12:41 PM  
**To:** josiahm@iatrp.co.za  
**Subject:** Portion 59 of Farm 559 Hangklip - Town Planning Application Notice

Attention Sir / Madam

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), of the following application applicable to Portion 59 (a Portion of Portion 45) of the Farm Hangklip No. 559 (the property), namely:

**Removal of Restrictive Title Deed Condition**

Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed condition E.(o) as contained in Title Deed T2048/2006 of the property to accommodate the proposed land uses.

**Consent uses**

Application in terms of Section 16(2)(o) of the By-Law, to accommodate the following:

- A place of instruction to allow for a training and educational centre,
- A place of entertainment to allow for weddings,
- A place of assembly to accommodate special events such as lectures, sermons, and weddings, and
- A utility service to accommodate a solar power plant.

**Amendment of conditions in respect of existing approval**

3/25

**HANGKLIP ENVIRONMENTAL ACTION GOUP (HEAG)****OBJECTION:****APPLICATION: PORTION 59 OF THE FARM HANGKLIP 559,  
PRINGLE BAY:****CONSENT USES, THE REMOVAL OF A RESTRICTIVE TITLE DEED  
CONDITION, AMENDMENT OF A CONDITION OF APPROVAL AND  
AMENDMENT OF THE SITE DEVELOPMENT PLAN****Introduction:**

The Hangklip Environmental Action Group (HEAG), established in the year 2000 consists of residents of Pringle Bay that are passionate about protecting and ensuring that the integrity of the biosphere (i.e. in our case predominantly the smallholdings surrounding Pringle Bay) stays unspoiled and intact.

We are writing to you concerning the application for the removal of the restrictive title deed condition of Portion 59 of Farm Hangklip 559, Pringle Bay. Although the concept and establishment of an educational institution is praiseworthy HEAG object to the said application for removal of a restrictive title deed based on a number of concerns regarding some specifications contained in the application as well as a general deep concern about setting a precedent should the restrictive conditions pertaining to the title deed be removed.

Specific concerns regarding the present application were articulated during HEAG's Committee meeting held on the 26<sup>th</sup> of October 2025. These are:

1. Does the application to remove restrictive conditions pertaining to the title deed imply that the present (or a future) title deed owner of the property will be allowed to establish for example a petrol station or other enterprise deemed unsuitable, on this property, irrespective of the suitability given the sensitive environmental context? This is HEAG's primary concern, i.e. the precedent setting of such development, should removal of the existing title deed be granted.
2. The document contains some contradictions and inconsistencies, and these confuse the matter. Although the school's intention is to accommodate 20 learners (that is entirely acceptable), it is mentioned that a variety of special events (e.g. weddings, church

FILE NO. Ptn 59/559
Hangklip
SCAN NO.
2196594

camps, various other large functions, special events) will be staged three (or four or five?) times a year with a maximum of 100 people attending. The generous provision made for parking bay suggests that even more people could attend such meetings that could last for a couple of days. HEAG is concerned about the environmental impact that this increase in vehicles and overall activity will inevitably have on the immediate surrounding natural environment encircling this smallholding as well as its broader impact on a number of other relevant aspects.

3. The application for the removal of the title deed mentions that the integrity and overall condition of the sewerage system was inspected in 2007 which is a substantial number of years ago. The critical question that should be asked and addressed is to what extent will this system be able and adequate to accommodate the pressure during the above mentioned special events that will see significant number of people attendees making use of the ablution facilities?
4. The application document is silent regarding the source of the water to be used during both the educational phases as well as the staging of the special events which inevitably will translate in significant escalation in water usage. Will the water be (partially) sourced via bore holes or sourced exclusively from the Buffels Dam?
5. Not mentioned at all in the application is the matter of the significant upsurge in traffic volume during periods of increased visitations to the facility like weddings. The intersection of the R44 and the entrance to Pringle Bay (Hangklip Road) is already problematic during peak times and seen serious accidents with tragic consequences in the recent past. The high number of additional cars during special events to be held as mentioned in the application will thus negatively impact on the already vulnerability of this intersection which has to be used by motorists attending these special events. The increase in traffic on the gravel road leading from the R44 to the smallholding will also inevitably impact negatively on the biodiversity and natural fynbos vegetation of the immediate surroundings skirting the gravel road. The unavoidable increase (at times drastic) in traffic will thus have manifold negative diverse consequences, something of great concern to HEAG.
6. **To sum up:** Although HEAG is not per se against the development of small holdings it must be deemed appropriate given the unique context, i.e. the sensitive and precious biosphere. The idea of a training centre or school is per definition thus not to be opposed principally. However, HEAG needs 1) clarity regarding the ramifications and consequences of removing restrictions of the title

deed conditions as well as 2) answers/clarity regarding issues mentioned above and especially the additional activities mentioned in the application. Of concern is that the staging of these additional activities and special events that implies high numbers of people and traffic can escalate over time. This will fundamentally transform the nature of this application, i.e. an educational initiative. The cumulative impact of these heightened activities on diverse aspects and levels is of concern to HEAG and needs clarification. Since its establishment, HEAG's major concern had been and still is that if restrictions of a small holding's title deed is removed or altered and this has unintended consequences that seriously negatively impact on the biosphere it sets an precedent and open the door for similar future developments deemed inappropriate that will ultimately lead to the destruction of the relatively pristine environment that envelopes Pringle Bay for future generations.



6/25

Suzelle Kruger

Francois &

TP - A Theart  
(Hvd Stoep)

Erf 89, 9 Gull

Road, Pringle Bay, 7196

Cell no: .....

The Town Planning Department  
Overstrand Municipality  
16 Paterson Street  
Hermanus  
loretta@overstrand.gov.za

FILE NO.	Pbn 59/559
SCAN NO.	Hangklip
COLLABORATOR NO.	2196840

Date 07/11/2024

**OBJECTION REGARDING APPLICATION: PORTION 59 OF THE  
FARM HANGKLIP 559, PRINGLE BAY:  
CONSENT USES, THE REMOVAL OF A RESTRICTIVE TITLE DEED  
CONDITION, AMENDMENT OF A CONDITION OF APPROVAL AND  
AMENDMENT OF THE SITE DEVELOPMENT PLAN**

**OUR INTEREST IN THE APPLICATION**

My husband and I are property owners and permanent residents in Pringle Bay. We have retired to Pringle Bay because we care deeply about the environment and in particular, the pristine areas of critical biodiversity around us in the UNESCO declared Kogelberg Biosphere

- 8 NOV 2024

Reserve (and World Heritage Site). **We wish to register our objection against the application for consent use, removal of a restrictive title deed condition, amendment of a condition of approval and amendment of the site development plan on Portion 59, Farm Hangklip 559, for the reasons as set out below.**

In principle, we are not against the property being used as a training centre, such as it is currently registered and operational as. We do however object to the planned expansion as is in the current application which we find somewhat inconsistent in many aspects (as elaborated on below):

The application contains many inconsistent statements, such as the **total increase in floor space**, actual large functions referred to as **weddings only** (p.4 - 2(d), limited to 3 times a year (p13 - 4 (b)(p. 16 - "up to 5 times a year", then elsewhere as **various other large functions**, often as lasting up to 3 days, and also occasionally and during **special events**.... lectures, sermons and events such as weddings to larger groups...".

Then p.17 - "Occasional larger events such as church camps amongst others are foreseen in future. These events include one day and on rare occasion four day events. The number of people attending these events will vary but can potentially be up to 100 people. It is not foreseen that such events will exceed two or three times per year. "

If the increase in number of parking bays is considered, there could be many more people accommodated at events (40+16+30= 86 parking bays, potentially 4 persons per car = 344 people, p.14)

This adds to the confusion in wording of facts and figures, and ultimately in the credibility of the application. Additionally, the Annexures as described in the Table of contents were not all included (eg. Annexure A, B, C,D,K,L) on the Overstrand Municipality website, - which seems to be

the only source available to the public. Where can the public access these documents like the Title Deed to better understand the implications of the proposed changes?

## 1. REMOVAL OF A RESTRICTIVE TITLE DEED CONDITION

- Removing title deeds or rezoning of areas in this UNESCO declared Biosphere Reserve can lead to major destruction of critical biodiversity, and also create a precedent to future development that can have a detrimental impact on the environment and indeed when changing it to accommodate a venue that envisions regular use by larger groups of people, will NOT contribute to the preservation and protection of the natural environment.
- Title deed conditions cannot be removed if it is not in the “public interest” or “desirable” (as legally defined to) to do so. There are no compelling reasons stated why the application is either desirable or in the public interest. Has the local community, i.e. Pringle Bay and surrounding properties been consulted on this matter? **Most importantly it will be setting a negative precedent.**
- The application to remove the title deed restriction for use of educational reasons is also over-reaching, as the property is already a functioning training centre, and there is currently enough space to accommodate the planned “up to 20 students”
- The applicant does not apply for re-zoning, but according to the Zoning map (p.8), all the other smallholdings in the area are zoned Rural Area 2: Conservation or Undetermined (**Undetermined only permits existing use which is a single dwelling or no development at all on most of the erven**), or Agriculture Zone 1. Surely this was also defined in order to protect the environment and therefore should remain as such.

- On p.8 - 3 (e) it states that “the application area... falls within a Heritage: HPOZ Local Zone and Protected Area Buffer EMOZ - does it therefore comply with the OVERSTRAND MUNICIPALITY HERITAGE PROTECTION OVERLAY ZONE REGULATIONS 2020 (ANNEXURE C: HPOZ)? (<https://www.overstrand.gov.za/>)
- **IF** this application is approved and **IF** permission is granted to change the restrictive condition - this should **not be transferable upon change of ownership** in the future.

## 2. Consent uses

Application in terms of Section 16(2)(o) of the By-Law, to accommodate the following:

- A place of instruction to allow for a training and educational centre,
- A place of entertainment to allow for weddings,
- A place of assembly to accommodate special events such as lectures, sermons, and weddings, and
- A utility service to accommodate a solar power plant.

## • 3. Amendment of conditions in respect of existing approval

L Application in terms of Section 16(2)(h) of the By-Law, to exceed the permissible floor space from 2400m<sup>2</sup> to 3280m<sup>2</sup> to accommodate the proposed expansion of the existing development. Below are listed the various inconsistent figures:

- p.1 - 1. Introduction: (b) maximum permissible floor space of 2400m<sup>2</sup> to 3280m<sup>2</sup> so a total increase of 880m<sup>2</sup> not 800m<sup>2</sup> as stated on p.3 - 2(b) Floor Space.
- If the “other facilities that are no longer operational” (p.2, 1(c) are removed, will it not be unnecessary to apply for expansion of floor space?
- p.8 - 3 (e) “the proposed uses will be accommodated within the existing footprint and floor area.... including the proposed new staff

cottages and solar panels”, again not necessary for expansion of floor space?

- p.13 & 14 - 4 (b) “The additional structure footprints/floor space total 1071m<sup>2</sup>...” (incorrectly calculated and actually adds up to 1081m<sup>2</sup>)
- and just below that “The total floor space of all structures amounts to 3280m<sup>2</sup>” - however, when the numbers are added, it totals 3462m<sup>2</sup> (a discrepancy of 182m<sup>2</sup>) and on the building plans (Elevations and Floor Plan, Drawing A004): “Total footprint of 2 houses including with carport 272.63m<sup>2</sup>”....
- So what are the final, correct measurements and why is it so inconsistent throughout the application?

- **4. Amendment of the existing approved site development plan**

~~SEP~~ Application in terms of Section 16(2)(l) of the By-Law, to accommodate the proposed expansion of the existing development. ~~SEP~~

Additional matters:

- On p.9 - 3 (f) Services
- **Sewer:** A letter of inspection of the existing septic tank was provided in 2007 (17 years ago!) - surely that is no longer valid; and it does not take in account the planned increased volume of full-time users and “occasional” large volume of potentially more than 300 people (considering parking 86 parking bays, p.14) over 3 days for the large events... there is no mention of the planned improvement or enlargement of of the sewerage plan. However, on the architect's drawings of the building plans and (Elevations and floor plan, Drawing 004) there is a septic tank under the two new cottages (Sections and Roofing, Sewer System, Drawing A005) and there is a diagram of a “RotoTank™ French drain as optional addition...”. This seems to be specifically for the two new staff cottages only as per plan(?) and seems to be very close to the dam (potentially

contaminating the dam/water source?).

- **Water:** What is the existing water supply?(not specified) The Training Centre will not get enough water from the dam: how much will be used per year, and where will it come from?
- We are also concerned about the increased traffic, particularly from the R44 turning into Glen Craig - there has already been an increase in road accidents on this crossing which is directly across the Pringle Bay entrance - has this issue been considered at all, and will the the Municipal Traffic Department be consulted?
- Additional regular traffic on the gravel road will affect the natural environment and the neighbours - what about all delivery trucks going back and forth during the week? The wild animals and birds will also be affected. What about the inconvenience to all other smallholdings with this traffic? The impact of traffic into this fragile area, especially by large trucks on this single lane dirt road, will be unsustainable; what about regular maintenance on the road?

In conclusion; we are concerned about the implications to remove the restriction to the title deed as this will set a negative precedent, and that the document contains unclear statements, allowing for potential discrepancies which is why we strongly feel that the application should not be allowed to proceed to the next level.

We would like to be registered as an interested and affected party for further developments.

Kindly acknowledge receipt of this objection.

Yours faithfully,

Francois & Suzelle Kruger

07/11/2024

**Loretta Gillion**

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**From:** Suzelle Kruger < >  
**Sent:** Thursday, 07 November 2024 18:13  
**To:** Loretta Gillion  
**Cc:** Francois Kruger  
**Subject:** Objection to Application: Portion 59 of Farm 559 Hangklip  
**Attachments:** Objection- Glen Craig.30.10.2024.rtf

For attention: Senior Town Planner, Mrs. H. van der Stoep  
The Town Planning Department  
Overstrand Municipality

Please find attached our letter of objection to the above-mentioned application. I would like to be registered as an interested and affected party for further developments.

Kindly acknowledge receipt of this objection.

Sincerely  
Suzelle Kruger



**PRINGLE BAY RATEPAYERS' ASSOCIATION**  
**PRINGLEBAAI BELASTINGBETALERSVERENIGING**

SARS Reg. 9101/138/16/3

NPO Reg. 214-205

www.pringlebayratepayers.co.za

P O Box 409, Pringle Bay, 7196 / Posbus 409, Pringlebaai, 7196

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OVERSTRAND MUNISIPAL

REKORDBEHEER

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OVERSTRAND MUNICIPA

TP - A Theart  
(H vld Stoep)

8 November 2024

The Municipal Manager  
 OVERSTRAND MUNICIPALITY  
 PO BOX 20  
 HERMANUS  
 7200  
 PER EMAIL: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**SUBJECT: PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP NO. 559, A DIVISION OF CALEDON: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, CONSENT USES, AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVAL AND AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN: INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF GLEN CRAIG TRAINING CENTRE PTY LTD**

**PREAMBLE**

I, the undersigned, ALBERT WILLEM VORSTER (Identity no. 611004 5027 084) in my capacity as representative of the PRINGLE BAY RATEPAYERS' ASSOCIATION (hereafter referred to as PBRA, being a separate legal entity having a constitution, in terms of which it has a right, inter alia, to sue and to be sued), on behalf of our members who have granted a mandate to the PBRA to, among others, comment on and provide input on land use applications referred to the PBRA, hereby wishes to submit comments on behalf of the PBRA regarding the subject application.

**1. ORGANISATION**

The Pringle Bay Ratepayers' Association (PBRA) was started in 1967 by the first property owners of Pringle Bay to represent the interests of ratepayers and residents. Today it is a registered Non-Profit, Public Benefit Organisation.

Our primary function is to liaise with the Overstrand Municipality, with whom we enjoy a close relationship and to support local environmental conservation. We represent the community on the local Ward Committee and other consultative bodies. We maintain close contact with local authorities and service providers, particularly on matters affecting ratepayers and residents.

The PBRA represents the ratepayers within the declared Urban Edge. This currently constitutes approximately 1,800 properties (erven) of which approximately 1,200 are developed (thus having a habitable structure erected on it either for residential or business purposes).

FILE NO. Ptn 59/559
Hangklip
SCAN NO.
COLLABORATOR NO.
2196772



- 2. OUR REQUESTS PLEASE**
- 2.1. We request please that, instead of completely removing the Title Deed condition that restricts the use of the property to agricultural purposes and certain other purposes, as applied for, an appropriate amendment of the Title Deed condition rather be considered in line with the current zoning of conservation usage, as we submit in our PART A below.
- 2.2. In our PART B below we submit that the original approval, dated 12 January 2015, of the maximum permissible floor space of 2,400 m<sup>2</sup> was not strictly required in terms of the new Conservation Use zoning, and that, given the status quo, under the present zoning, the maximum permissible floor space of 800 sq m cannot now be further exceeded without an amendment of the scheme regulations. A departure is not available to the applicant.
- 2.3. We suggest in our PART B below a possible solution for overcoming the floor space problem relating to especially the major additional floor space coverage that will result from the proposed new solar development.
- 2.4. We question the statement by the applicant that in terms of the requirement of "*Spatial Sustainability*", the application be deemed to be spatially sustainable. Our PART C addresses our grounds for the objection.
- 2.5. The present application falls within the area of the buffer zone of the Kogelberg Biosphere Reserve (KBR), in that the area directly adjoins the KBR. In addition, CapeNature defines an area within a certain number of kilometres from a nature reserve as a "Zone of Influence". The present application is situated in such a Zone of Influence. It is also regarded as a Critical Biodiversity Area.
- 2.6. We therefor request that, as part of the revised Environmental Management Plan for which approval is now sought, compliance with the NEMA Listings 1 and 3 requirements in respect of possible structures within 32 meters of a waterway and the clearing of fynbos more than 300 m<sup>2</sup> respectively be specifically addressed.
- 2.7. We request that, as indicated by the applicant per our PART D paragraph 7.5, the consent use for place of entertainment be formulated in such a way that it is only for weddings and exclusive of the other uses as per the zoning scheme definition of "place of entertainment" (i.e. not for a cinema, a theatre, an amusement park, a dance hall or a night club and gambling etc.).
- 2.8. We furthermore request please that any of the consent uses that may be granted to the applicant, be conditional for the benefit of the current owner only and that in the event of any change of shareholders of the Glen Craig Training Centre Pty Ltd or a change of ownership of the property, the consent uses granted under this application must be re-applied for.



- 2.9. We draw the attention that the subject property is only entitled to one household water connection from the Buffels River water scheme. We request please that when considering the application, the OM Infrastructure Department pay special attention to the water supply and sewage treatment demands that the proposed development could potentially have. We discuss these matters in our PART D paragraphs 7.2 and 7.4 below.
- 2.10. We wish to emphasise to the Municipal Planning Tribunal that according to our records, the mentioned pipeline servitude (refer to Figure 17 of the Motivation Report) is the main bulk supply line feeding the Pringle Bay Reservoirs and as such is considered critical infrastructure not only as domestic water supply, but also as a critical link in firefighting activities. We request please that appropriate attention be given to this aspect when considering the application. We discuss these matters in our PART D paragraphs 7.3 below.
- 2.11. We request that the Municipal Planning Tribunal confirm that the zoning as indeed being Rural 2: Conservation Usage and that it be verified through an official Zoning Certificate from the OM Planning Department. We furthermore request that the OM PD please update their official zoning maps to reflect the correct zoning. We discuss these matters in our PART D paragraphs 7.7 to 7.12 below.
- 3. BACKGROUND**
- 3.1. Municipal Notice number 154/2024 has reference.
- 3.2. *"The development objective is to use the application area as an international missionary educational and training centre. The institution involved is the Foundation for Cross-Cultural Education (FCE).*
- ....
- The property is planned to be used for courses, seminars, retreats for churches, groups and functions and with exceptions for weddings. The application proposal also includes the addition of two staff cottages and a solar panel plant. "*
- 3.3. The application received via email on 21 August 2024 from "Josiah Mos" of InterActive Town & Regional Planning addresses the aspects to achieve the development as outlined above in paragraph 3.2. These include:
- a) **Consent Use** in terms of Chapter 4, Section 16(2)(o) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, to accommodate the following:
    - i) Place of Instruction in terms of Chapter IV, Section 16(2)(o)Place of Instruction



- ii) Place of Entertainment (**for weddings only**) in terms of Chapter IV, Section 16(2)(o)
  - iii) Place of Assembly in terms of Chapter IV, Section 16(2)(o). Place of Assembly
  - iv) Utility Service in terms of Chapter IV, Section 16(2)(o).
- b) **Amendment** of current development parameters including:
- i) **Existing approval** from a maximum permissible floor space of 2,400m<sup>2</sup> to 3,280m<sup>2</sup> in terms of Chapter IV, Section 16(2)(h)
  - ii) **Site Development Plan** in terms of Chapter IV, Section 16(2)(l).
- c) **Removal of restrictive title deed condition E.(o)** from title deed T2048/2006 in terms of Chapter IV, Section 16(2)(f).

3.4. Our comments follow in five parts, namely:

PART A: WHICH IS ADVISABLE: AN AMENDMENT OF A TITLE DEED CONDITION OR ITS COMPLETE REMOVAL?

PART B: FLOOR SPACE

PART C: DESIRABILITY AND SPATIAL SUSTAINABILITY

PART D: OTHER COMMENTS

4. **PART A: WHICH IS ADVISABLE: AN AMENDMENT OF A TITLE DEED CONDITION OR ITS COMPLETE REMOVAL?**

4.1. We object against the complete removal of the present title deed condition.

When considering an application for removal of conditions of title the relevant competent authority must be mindful of the legal principles governing such applications whereby it is clear that the interests which must be served by the removal of restrictive conditions are the broader interests of **the township or the area, or the public interest**. The personal interest of an applicant seeking the removal of title deed conditions is therefore not the only consideration.. Moreover, the mere fact that the removal of restrictive conditions may not be *undesirable* does not mean that the removal is in fact *desirable* (*Camps Bay Ratepayers Association v Minister of Planning, Western Cape supra 321C*).

4.2. We object against the apparent practice of the overbroad removal of title deed conditions, an action that affects all property owners as holders of praedial or other rights along the HPOZ: R44 Scenic Route as well as the present Pringle Bay township extensions.



- 4.3. In a previous appeal decision by the OM Appeal Authority, it was rightly pointed out, in line with common professional knowledge, that *“Restrictive conditions on a title deed are placed for a specific reason and the removal of these conditions should not be considered lightly”*. The allowable land use restrictions per the title deed restriction are in our opinion essential for maintaining the spatial character of Pringle Bay and surrounds **as is the case in terms of the utilisation (zoning or usage) of the subject conservation use smallholding.**
- 4.4. We submit that it is especially not desirable that a title deed restriction be removed in order to legalise a proposed new structure (or for that matter to legalise an apparent illegal building), nor is it desirable to remove a restrictive Title Deed condition in an attempt to allow a consent use described in the Scheme Regulations.

The applicant states in the Motivation report on Page 17 the following:

“The application area title deed, T2048/2006, contains a restrictive title deed condition which is proposed to be removed and reads as follows:

*“E. SUBJECT AND/OR ENTITLED to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T.18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T.5789/1957:*

***(o) The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them.”***

The above title deed restriction does not clearly restrict the application proposal as it is written in such a way that it can be interpreted as to give rights and that the rights are not exclusive rights. The clause reads “the said land may be used for” and does not include words such as “exclusively” or “only”. It is interpreted by the local authority that the proposed activities are restricted by this specific clause.

In order to have certainty that the proposed land uses are permissible, restrictive title deed condition E.(o) is proposed to be removed from title deed, T2048/2006.”

We object to this overbroad removal proposal and instead propose to rather amend the said condition to read as follows:

“....

***(o) The said land must [may] be used for the purposes of [agriculture] conservation usage as defined in an applicable land use scheme.”***

We draw the attention of the Municipal Planning Tribunal to the common professional knowledge that title deed conditions and scheme regulations serve different purposes, and that a title deed condition cannot be removed, as the



application would imply, because a scheme regulation cover the **consent use** (a non-allowable so-called “blanket removal”, on the basis that more restrictive scheme regulations “cover” the situation).

We draw the applicant’s attention to the fact that it is not sufficient merely to get the municipality to have the relevant building plans approved as required by the town planning scheme. The law in this respect is quite clear:

- (a) *A municipality’s zoning scheme does not override title deed conditions (Camps Bay Ratepayers Association v Minister of Planning, Western Cape supra 324).*
- (b) *A consent by a local authority in terms of a town planning scheme does not per se authorise the use of an erf contrary to its registered restrictive title conditions (Malan v Ardconnel Investments (Pty) Ltd supra 40E). (refer to paragraph 2.7 herein).*

**4.5. We request please that the Municipal Planning Tribunal favourably consider our plea above. We request that no removal of the Title Deed condition be considered, but rather an appropriate amendment in line with the consent use as pointed out in paragraph 4.4 above.**

## **5. PART B: FLOOR SPACE**

- 5.1.** The subject property was previously zoned COMMUNITY ZONE 1: COMMUNITY FACILITIES (CO1). On 12 January 2015 an approval letter was issued by the OM for the rezoning of the property to RURAL ZONE 2: CONSERVATION USAGE (R2) in terms of the Overstrand Land Use Scheme as was promulgated in November 2013. This was to legalise the then existing use through a consent use.
- 5.2.** At the same time a maximum permissible floor space of 2 400 was approved. The approval was accompanied by a diagram reflecting buildings with a footprint of apparently 2 400 sq meters. These buildings were apparently constructed in the distant past without approved building plans and for uses contrary to the title deed restrictions. These buildings were then subsequently approved by Building Control on 8 November 2012, prior to the promulgation of the 2013 by-law with its 800 sq meter floor covering restriction for properties zoned Conservation Usage. We submit that this was not an approval of coverage in the strict sense, as the buildings were constructed before the advent of the 2013 by-law, albeit illegally.
- 5.3.** Any subsequent application however will be subject to the 800 sq meter restriction for Conservation Usage. The requirement is so worded that a departure can only be given to construct in excess of 800 sq m. for conservation or farming purposes, for which the present application consent use does not qualify.
- 5.4. We submit that the applicant will not be able to build in excess of the present 2 400 m<sup>2</sup> without a change in the scheme regulations.**



- 5.5. As the applicant had apparently not considered the 800 m<sup>2</sup> restriction, it had apparently also not considered alternatives for achieving its stated objectives, especially for a possible solution for overcoming the floor space problem relating to the major additional floor space coverage that will result from the proposed new solar development.
- 5.6. We would submit that the solar panels may possibly be installed on the roofs of the covered parking areas, instead of separately freestanding as per the present application. The definition of "floor space" as per the scheme regulations exclude certain parking areas from "floor space", as follows:

*"floor space" in relation to any building means the area of the floor which is covered by a slab, roof or projections, provided that:*

- i) any area, including a basement, which is reserved solely for the parking or loading of vehicles shall be excluded;*
- ii) ....*
- iii) ....*
- iv) ....*
- v) any covered area outside and immediately adjoining a building at or below the ground floor level, where such paved area is part of a forecourt, yard, external courtyard, pedestrian walkway, parking area or vehicular access and which is permanently open to the elements on at least the front or the side(s) shall be excluded "*
- vi) ..."*

We also draw the attention to the SCENIC CORRIDOR HERITAGE PROTECTION OVERLAY ZONE ("Scenic Corridor HPOZ") paragraph 8.2 of which reads:

*"8.2 Outdoor spaces must be designed so that the landscape appears to flow throughout the site. Extensions on coverage will be discouraged." (Our emphasis)*

- 5.7. We also request that, with the help of a professional architect, the roofs of the parking areas be so slanted towards the R44 as to minimise the visual impact of the parking/solar panel roofs from the R44.
- 5.8. We submit that it may also be necessary for the applicant to revisit other proposed and existing structures in order to stay within the approved 2 400 m<sup>2</sup> floor space as approved.

## 6. PART C: DESIRABILITY AND SPATIAL SUSTAINABILITY.

- 6.1. The applicant on page 17 of the Motivation Report states:



"Land-use is prescribed and managed by the Overstrand Municipality Land-Use Scheme Regulations, 2020. The Overstrand Municipality Land-Use Scheme Regulations, 2020 has evolved over time, in contrast to the title deed restrictions which have remained static. The application is also considered desirable, allowing for an appropriate use of the application area. The application therefore includes the removal of title deed condition E.(o) from title deed T2048/2006. "

6.2. We object to the notion that it is desirable to remove a restrictive title deed condition only to allow the Scheme Regulations to take effect. Refer to our paragraphs 4.4 and 4.5 above.

6.3. The applicant on page 19 of the Motivation Report states:

**"Spatial Sustainability** which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.

**Possible results of the development**

Although the application area is situated outside the urban edge, the farm is not currently used for agricultural purposes but was previously used for tourist accommodation and a tourist facility with existing buildings and facilities which are to be used for the proposal. Therefore, the proposal will not impact on any existing agricultural or environmentally sensitive land and would in fact represent a lower intensity use of the land.

The application proposal can thus be deemed to be **spatially sustainable**.

**We object to this statement. We do not see how the applicant in terms of the "Spatial Sustainability" addresses the impact of the proposal on:**

- i) **The requirements of the Heritage Protection Overlay Zone in general and in particular the "SCENIC CORRIDOR HERITAGE PROTECTION OVERLAY ZONE ("Scenic Corridor HPOZ")"**
- ii) **The impact on the Kogelberg Biosphere Reserve, especially given that the proposed development lies within the so-called identified "Buffer Zone". We submit that it is appropriate for the applicant to consider the various Environmental Management Overlay Zones (EMOZ).**
- iii) **The impact on the environment in general as per the requirements of NEMA as is pointed out in our paragraph 2.4 above.**

**7. PART D : OTHER COMMENTS**

7.1. It is not clear to us from the application documentation whether notice of the application had been sent to all the holders of praedial rights against the subject property, namely the owners of the smallholdings into which Portion 45 had been subdivided.



7.2. The applicant mentions in the Motivation Report on Page 9:

*"The application area has an existing water supply."*

We request more information about the legitimacy of the existing water connection. According to our understanding the current water supply is from the same bulk supply pipeline from the Buffelsdam Purification Works, also serving Pringle Bay, and it is supposed to be only one connection serving a single residential dwelling. It would be beneficial for the applicant to ensure that the referenced water connection is:

- i) In fact, in accordance with the demand for land uses applied for; and
- ii) In accordance with the applicable Water Use Licence (if any) or permit(s)

7.3. Furthermore, we draw the attention that, as per the Figure 17, page 15 of the Motivation Report, a servitude in favour of the Overstrand Municipality runs across the application area. Apart from depicting it on the referenced Figure 17, no further mention about the importance thereof could be identified in the Motivation Report. The development proposal indicates that parking facilities will be provided over the servitude water pipeline. Existing roads in the development area also seems to cross the servitude. We question whether the applicant is allowed to transgress on the OM's servitude, besides raising the possibility of the pipeline being damaged by parking vehicles and raising the risk of obstructing the access by the OM to the pipeline in a case of emergency repairs.

**We wish to emphasise to the Municipal Planning Tribunal that according to our records, the mentioned pipeline servitude is the main bulk supply line feeding the Pringle Bay Reservoirs and as such is considered critical infrastructure not only as domestic water supply, but also as a critical link in firefighting activities. We request please that appropriate attention be given to this aspect when considering the application.**

7.4. We notice on page 9 of the Motivation Report, the applicant states the following:

***"Sewer:***

*In 2007 Dr. Kevin Winter from Environmental and Geographical Science from the University of Cape Town has provided a letter of inspection of the existing septic tank and stated the the conditions are generally ideal for the efficient operation of a septic tank, subject to maintenance. "*

We however fail to see how the applicant motivates the existing capacity versus the potential demand based on the application for consent uses. We request that the application be required to fully address sewage demand vs existing capacity as well as the functional status of the existing tank, especially given that the seepage of the effluent feeds the nearby Buffels River that flows into the sea in Pringle Bay. We request that the potential effect of contamination of the river water be addressed.



7.5. The applicant mentions parking requirements in the Motivation Report on Page 3 and motivates same in Paragraph 4 on pages 16 and 17.

- 51 bays are required (up to additional 25 bays will be required for events which will occur approximately two or three times a year)
- 62 Dedicated parking bays are proposed &
- 30 Overflow parking bays are proposed on the activity field

The abovementioned is based on the following parking requirements:

- Place of assembly / conference centre: 1 bay per 4 seats
- Place of instruction: 0.5 bays per student plus 1 bay per classroom or office
- Residential building: 2 bays per establishment per one bay per guest room
- Dwelling houses / dwelling units: 2 bays per dwelling

We notice the reference to “conference centre”. We wish to point out that neither the scheme regulations definition for “Place of Assembly” nor that for “Place of Instruction” include the use as “Conference Centre”. As a matter of fact “Place of Instruction” specifically excludes a conference centre. We assume that the reference to “Conference Centre” is inadvertent. **If not, then we object to a consent use of “Conference Centre”.**

We acknowledge the applicant’s reference to providing 62 on-site parking bays with the potential of an additional 30 bays elsewhere on the property. We however wish to point out that on page 17 of the Motivation Report, the applicant states:

Consent use for place of assembly

Occasional larger events such as church camps amongst others are foreseen in future. These events include one day and on rare occasion four day events. The number of people attending these events will vary but can potentially be up to 100 people. It is not foreseen that such events will exceed two or three times per year.

The existing hall can accommodate approximately 50 seats, and the lecture room approximately 20. For bigger functions provision will be made accordingly. “

We wish to bring to the Municipal Planning Tribunal’s attention that, when considering this application, we request please that a condition be set that any additional parking requirements be accommodated on site at a secured area and not outside the boundaries of the application area, where safety and security could be jeopardised.

7.5.1. Parking requirements per Overstrand Municipality Amendment By-law on Municipal Land Use Planning 2020: Schedule 2 of the Bylaw: Chapter 17, paragraph 17.1.6: Parking for the disabled states:

*“Other than in the single residential zones, parking that is capable of being used by physically disabled persons must be provided on any land unit to ensure easy and convenient access for physically disabled persons to services and facilities generally open and accessible to the public and to residential uses.”*



We fail to identify adequate provision for disabled parking in accordance with the requirements quoted above.

7.6. The applicant on Page 16 of the Motivation Report states the following:

*"The consent use for place of entertainment only for weddings will not result in other uses as per the zoning scheme definition of place of entertainment. (i.e. not for a cinema, a theatre, an amusement park, a dance hall or a night club and gambling etc.)"*

**We request please that in the event the OM approves the consent uses applied for, strict conditions be set to ensure conformance to the above-mentioned statement made by the applicant.**

7.7. The PBRA in their email of 8 October 2024 requested a copy of the complete application including, but not necessarily limited to the conveyancer certificate, Title Deed, Original approval documentation and zoning certificate. The OM Planning Department (OMPD) kindly replied and forwarded same via email dated 10 October 2024. The OMPD on 11 October 2024 further replied as follows:

"The zoning certificate did not form part of the application documentation.

Kindly follow the link to the municipal website for the Bulk Zones & Maps: [Town & Spatial Planning - Overstrand Municipality](#)"

7.8. We submit that the above-mentioned link yielded the following zoning for the subject property:



Legend	
	Agricultural Zone 1: Agriculture
	Authority Zone : Authority Usage
	Business Zone 1: General Business Bulk Zone 1
	Business Zone 2: General Business Bulk Zone 2
	Business Zone 3: Local Business
	Business Zone 4: Service Station
	Community Zone 1: Community Facilities

**"Community ZONE 1: Community Facilities" appears to be the applicable zoning the OMPD considers the official zoning.**



The applicant on page 7 of the motivation Report states *"The surrounding properties are used for open space / rural purposes and community facilities which is used as a school."* (The school has since relocated).

As per Schedule 2 of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning 2020, the applicable consent uses are:

*"Consent uses are: dwelling units, cemetery, conference facility, dwelling house, hospital, institution, recreational facilities, residential building, transmission apparatus (subject to the provisions of Chapter 16.10) and urban agriculture."*

7.9. We submit that the applicant in Annexure H: Zoning Map confirms the zoning as per 7.7 above.

7.10. We submit that the zoning in the Motivation Report on page 2, in Paragraph 2(b): Zoning on page 3, and on page 8, is presented as:

*"The application area of 10.6 ha is situated approximately 400m northeast of Pringle Bay village and is zoned Rural Zone 2: Conservation Usage". Our emphasis is "...zoned Rural Zone 2: Conservation Usage".*

We submit that the applicant focuses their application for consent uses based on "Rural Zone 2: Conservation Usage", as per Schedule 2 of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning 2020, are:

*"Consent uses are: agriculture ,aquaculture, day care centre, harvesting of natural resources, intensive animal farming, intensive horticulture, place of assembly, place of entertainment, place of instruction, plant nursery, recreational facilities, second dwelling unit, tourist accommodation, tourist facilities, transmission apparatus, and utility services."*

7.11. Taking cognisance of the above we submit that there are material differences between the two zonings. Whether intention or by mistake, this not only causes confusion but is also misleading the public as to what the actual zoning of the property is. Our attempt to obtain an official Zoning Certificate furthermore contributed towards uncertainty in this regard.

7.12. **We request that he OM PD in their recommendation to the Municipal Planning Tribunal conform that the zoning is indeed Rural 2: Conservation Usage and that it be verified through an official Zoning Certificate. We furthermore request that the OM PD please update their official zoning maps to reflect the correct zoning.**



## 8. CONCLUSION

Ancillary to our detailed requests in paragraphs 2.1 tot 2.8 above, we conclude as follows:

- 8.1. We request please that the Municipal Planning Tribunal NOT approve the complete removal of the Restrictive Title Deed Condition. We propose to rather amend the condition as per our paragraph 4.4 above.
- 8.2. We furthermore request please that the Overstrand Municipal Infrastructure Department carefully consider the application to ensure conformance to municipal requirements regarding water supply and sewage treatment, given the potential peak usages that could occur at the proposed development.
- 8.3. We request that the OM PD ensures conformance to parking requirements, in particular the need for handicapped parking.
- 8.4. Finally, we request that the OM PD ensures that the correct Zoning is indeed considered in the application and furthermore that the various OM Zoning Maps be amended to consistently reflect the correct Zoning of the Application Area.

We sincerely request that you will please be so kind to acknowledge receipt of our objections and to take the necessary steps outlined above.

Kind regards

A handwritten signature in black ink, appearing to read "AW Vorster".

---

**AW Vorster**

Obo: Pringle Bay Ratepayers' Association

Annexure F 1/19



**InterActive Town & Regional Planning**

**6 Broad Street**

**Hermanus**

**7200**

TP - A Theart  
(H vld Stoep)

**Reference: Portion 59 of Farm 559, Hangklip: Objections**

**Date: 24 January 2025**

**Attention:** Hanneen van der Stoep

**Overstrand Municipality:** Town Planning Department

File ref: KHANG 59/559

**PORTION 59 OF FARM 559, HANGKLIP: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, CONSENT USES, AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVAL AND AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN: RESPONSE TO OBJECTIONS**

The e-mail received from the Overstrand Municipality, dated the 25 November 2024, requesting written response to the objections and comments received.

Letters of Support and Objections were received from the following:

Support:

- Brandon Topham
- Rock Forage Consulting Services, Pierre Fourie
- CapeNature

Objections:

- Hangklip Environmental Action Group
- Francois and Suzelle Kruger
- Pringle Bay Ratepayers Association
- Department of Environmental Affairs and Development Planning

The methodology used in this response consists of:

- A summary and background of the application proposal,
- A summary of the comments followed by a response to the comments,
- A conclusion and recommendation by ITRP on behalf of the applicant.

**A. Summary and Background to the application**

The **development objective** is to use the application area as an international missionary educational and training centre. The institution involved is the Foundation for Cross-Cultural Education (FCE).

The FCE (Register in South Africa as a Non-Profit Company) is an international mission organization that operate from South Africa into Namibia, Zambia, Malawi, Zimbabwe, Europe and the East.


They are a non-profit organization and all funds received are used to maintain and support the ministry and the premises where they operate from. The facility is to provide a service for the wider international church community.

FILE NO. Ptn 59/559
Hangklip
SCAN NO.
COLLABORATOR NO.
2594636

27 JAN 2025

For the functioning of the Missionary Educational and Training Centre, facilities for staff accommodation, places for courses, seminars, retreats, groups and functions are required. Given the available infrastructure and facilities an application was made to accommodate occasional and limited weddings as a source of additional income for the missionary centre. To optimize the missionary centre's functioning / operation, application was also made for two additional staff cottages and a solar panel plant.

The current zoning is Rural Zone 2: Conservation Usage, allowing Conservation use, dwelling house, guest rooms, home occupation as primary right and Agriculture, aquaculture, day care centre, harvesting of natural resources, intensive animal farming, intensive horticulture, place of assembly, place of entertainment, place of instruction, plant nursery, recreational facilities, rooftop base station, second dwelling unit, tourist accommodation, tourist facilities, transmission tower, utility services. In 2015 a consent use was approved by the Mayoral Committee to accommodate tourist accommodation including a lecture room for tourists and visitors and floor space of existing buildings of  $\pm 2\ 400\text{m}^2$  as reflected in the adjacent extract:

Name: Empfänger: N van der Stoep (Service Town Planner)	 Munisipaliteit - U - Meebida - Municipality <b>OVERSTRAND</b> TOWN PLANNING / STADSBEPLANNING HERMANUS
Referensyansig: Die Referensie: N/AMG 08029 (2073)	
Datum: Date: 17 January 2015	
Creative Profile Town Planners PO Box 6590 WELGEMOED 7536	
Attention: Mr F du Toit	
REGISTERED MAIL	
Dear Sir	
<b>PROPOSED REZONING AND CONSENT USE: PORTION 59 OF THE FARM HANGKLIP NO. 559</b>	
With reference to your application regarding the above dated 26 May 2014 it is hereby confirmed that the matter was considered by the Mayoral Committee during a meeting held on 3 December 2014, and that it was resolved as follows:	
<b>RESOLVED:</b>	
<ol style="list-style-type: none"> <li>1. that the proposed rezoning of Portion 59 of the Farm Hangklip No. 559 from Community Zone 1: Community Facilities to Rural Zone 2: Conservation Usage, be approved, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);</li> <li>2. that the proposed departure of the maximum permissible floor space within Rural Zone 2 (floor space of existing buildings on Portion 59 of the Farm Hangklip no. 559 is <math>\pm 2400\text{m}^2</math>), be approved, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);</li> <li>3. that the application for the consent use to enable the owners of Portion 59 of the Farm Hangklip no. 559 to continue with the offering of tourist accommodation and to provide a lecture room for tourists and visitors, be approved, in terms of Chapter 2.2 of the Scheme Regulations made in terms of Section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), subject to the following conditions.           <ol style="list-style-type: none"> <li>(a) that an Environmental Management Plan, including proof of potable water, sewerage treatment and parking layout as per scheme requirements, be submitted;</li> <li>(b) that this approval does not absolve the applicant from compliance with any other relevant legislation; and</li> <li>(c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.</li> </ol> </li> </ol>	

As per the Site Development Plan below the floor space is calculated at  $3\ 280\text{m}^2$  including the proposed two new cottages and solar panels.

Since the application has been lodged, it was determined through further investigation that the area for the solar plant can be reduced to approximately  $300\text{m}^2$  instead of the original  $800\text{m}^2$  applied for. This implies that the total floor space will be  $2\ 780\text{m}^2$  compared to the approved floor space of  $2\ 400\text{m}^2$  implying an increase in floor space of  $380\text{m}^2$  of which the solar plant amounts to  $300\text{m}^2$ .

The Municipal Planning Tribunal should also be made aware that the additional cottages is to accommodate the total number of staff even-though it may happen that in certain instances it can happen some of them are not present for some lengthy periods. Hence, the reason for the additional cottages is to accommodate possessions and/or dependants of the missionaries / staff.

It should also be noted that the civil services have more than sufficient capacity to accommodate the full staff compliment and trainees simultaneously.

Subsequent to the above, application was made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020, for:

- **Consent use** for a Place of Instruction in terms of Chapter IV, Section 16(2)(o).
- **Consent use** for a Place of Entertainment (for weddings only) in terms of Chapter IV, Section 16(2)(o).
- **Consent use** for a Place of Assembly in terms of Chapter IV, Section 16(2)(o).
- **Consent use** for a Utility Service in terms of Chapter IV, Section 16(2)(o).
- **Removal of restrictive title deed condition E.(o)** from title deed T2048/2006 in terms of Chapter IV, Section 16(2)(f).
- **Amendment in respect of an existing approval** from a maximum permissible floor space of  $2400\text{m}^2$  to  $3280\text{m}^2$  in terms of Chapter IV, Section 16(2)(h).

The following plan shows the proposed Site Development Plan of the missionary, educational and training centre on Portion 59 of Farm 559 Hangklip.



Figure 1: Site Development Plan

In summary, application is made for a missionary centre as **primary** activity on the original approved development area and also for the accommodation of weddings on limited occasional.

### B. Summary of the Comments/Objections

As mentioned here-above, objections/comments and letters of support were received against and for the proposed application respectively from the following parties:

Letters of Support	Comments and Objections
<ul style="list-style-type: none"> <li>Brandon Topham</li> <li>Rock Forage Consulting Services, Pierre Fourie</li> <li>CapeNature</li> </ul>	<ul style="list-style-type: none"> <li>Hangklip Environmental Action Group (HEAG)</li> <li>Francois and Suzelle Kruger</li> <li>Pringle Bay Ratepayers Association (PBRA)</li> <li>Department of Environmental Affairs and Development Planning (DEA&amp;DP)</li> </ul>

The letters of support were received from neighbours that are knowledgeable and familiar with the activities of the missionary centre. These comments are considered of value given that these neighbours are also sensitive and caring about environment and the future of the area. They are familiar and experience the daily activities of the application area. The confirmation and support of the application by the parastatal department of CapeNature is of substantial value.

It is apparent from the letters of objection of the local residents that in principle they support of the missionary as land use but are concerned about the implications of the removal of the restrictive title condition and the resulting potential impact it can have on the natural and built environment.

Contrary with the local residents support of the existing land-use on the application site, the DEA&DP does not support the land-use based primarily on the compatibility of the use.

As mentioned in the introduction, each of the three objections are dealt with separately in accordance with the nature and emphasis of the objections.

**Response from the Hangklip Environmental Action Group (HEAG)**

The HEAG indicated that they are not opposed to the training centre in principle but more about the impact of additional activities and special events on traffic and the environment and biosphere that can set a precedent for similar developments.

They indicated that they also object to the removal of the restrictive title conditions as they have a deep concern regarding setting a precedent should the restrictive title conditions pertaining to the title deed be removed.

The specific concerns are dealt with in the following table:

Summary of the point of objection	Response
<p>The removal of the restrictive title conditions creates a potential precedent for similar applications of future developments within the area.</p>	<p>The objector needs to understand the reason why the specific title condition needs to be removed.</p> <p>As background and reminder, the relevant title condition applied for to remove reads as follows:</p> <p><i>"E. SUBJECT AND/OR ENTITLED to the benefit of the following special conditions contained in the aforesaid Deed of Transfer T.18344/1959 and imposed by Hangklip Beach Estates Limited for the benefit of itself and its successors in Title as the Owner of the remaining extent of the said portion 45 of the Farm Hangklip measuring as such remainder 250,8309 hectares, and held under Certificate of Registered Title T.5789/1957:</i></p> <p><i>(o) The said land may be used for the purposes of agriculture and the breeding and keeping of domestic animals, poultry and/or bees provided that no goats or pigs may be kept, and/or for the purpose of carrying on the business or businesses of a boarding house, garage, filling station, restaurant, recreational club and/or general dealer or any of them."</i></p> <p>From the above, this title condition refers to businesses not being allowed. However, the local authority interprets the application activity of a training centre as a business. <u>Therefore, for the purposes of the application the said condition needs to be removed.</u></p> <p>It is also known that the local authority considers all applications on the merit of the application. Therefore, the local authority will not allow for a precedent to take place.</p> <p>It should also be noted that the purpose of a title deed is not to manage land-use; a zoning scheme manages land-use.</p> <p>Therefore, the point of objection is not considered valid and should be omitted by the deciding authority.</p>
<p>Specific concerns involve the use of the property for:</p>	<p>As background, cognizance must be taken that the application site was previously used for inter alia a hotel subject to standard civil services requirements of water, electricity and sewer.</p>

<ul style="list-style-type: none"> <li>• a petrol station</li> <li>• Special events like weddings, church camps and other large functions</li> <li>• The sewerage system ability to accommodate large events or functions</li> <li>• Water source</li> <li>• Traffic concerns during large events</li> </ul>	<p>This application is clearly only for a Place of Instruction and Assembly (Missionary activities), a Place of Entertainment for the purposes of occasional wedding events limited to approximately three events a year and Utility Services to accommodate the solar panels as source of electricity for the missionary and supporting uses. These uses will accordingly be managed by the Overstrand Municipality on approval. Therefore the fear of allowing a petrol station is unfounded.</p> <p>These land-uses will have a limited impact on services; and the demand is substantially less than the previous land-use that is currently approved.</p> <p>Water is provided from an approved municipal system and no reason for concerns about the water source should subsequently exist.</p> <p>As mentioned here-above, the events are restricted to rare occasional events and subsequently the concern about the traffic impact is considered invalid. Guests also do not have to travel through the Hangklip urban area to reach the application area from the R44 and the additional infrequent traffic is within the carrying capacity of the existing road network. It should also be taken into consideration that most of the trainees are shuttled in from the airport when training takes place.</p> <p>Therefore, the point of objection is not considered valid and should be ignored.</p>
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**Objection from Francois and Suzelle Kruger**

In principle the objectors also indicated that they are not against the property being used as a training centre, however they object to the planned expansion.

Their objections are in essence about the increase in floor space, large functions like weddings and also the proposed occasional and special events for larger groups.

In the following paragraph responses are provided to each of summarized the points of objections:

<b>Objection Summary</b>	<b>Response to the point of objection</b>
<p>The number of people attending of 100 is questioned given that according to their calculations 86 parking bays can be provided and based on 4 people per car implying that 344 people can subsequently attend.</p>	<p>The objectors are making their own assumptions which are invalid and not applicable.</p> <p>Therefore, this point of objection should be rejected.</p>
<p>The annexures of the application were not available on the website which seems to be the only source available to the public and then requesting where the title deed can be obtained to understand the implications better.</p>	<p>The statement made by the objector that the website was the only source available to the public is incorrect. The application made it clear that more information can be obtained through the relevant town planner for the subject application and also from the municipal offices on request.</p> <p>The information provided by the objector is invalid, as there were clear ways to obtain the required information. Therefore, this point of objection should be ignored.</p>

<p>With reference to the Removal of the Restrictive title conditions the objectors express / interpret that:</p> <ul style="list-style-type: none"> <li>• The removal of title deed or rezoning of areas in UNESCO declared Biosphere Reserves can lead to major destruction of critical biodiversity</li> <li>• Title deed conditions cannot be removed if it is not in the public interest or desirable</li> <li>• The removal of conditions will be setting a negative precedent</li> <li>• The application to remove the title deed restrictions is over-reaching as the property as it is already functioning as a training centre and there is enough space to accommodate 20 students</li> <li>• The zoning of the property is intended to protect the environment</li> <li>• Question whether the EMOZ and HPOZ complies with the Overstrand Municipality Heritage protection overlay zone regulations, 2020?</li> <li>• If the application is approved, it should not be transferable upon change of ownership.</li> </ul>	<p>The general the statements made by the objectors are incorrect.</p> <p>This is a generalized statement with unproven assumptions.</p> <p>This is incorrect. Furthermore, the application proposal is considered desirable as motivated in the application.</p> <p>This is also a vague generalized and non-verified statement. Also read the response provided regarding a precedent in the previous response.</p> <p>The objectors statement is not motivated with any facts and therefore has no merit at all. The objector does not appear to understand the removal of the title deed condition as the training centre is considered by the local authority as a business and therefore the removal of the restrictive title deed is a requirement.</p> <p>This statement is unsubstantiated and incorrect. No development is proposed within critical biodiversity, wetland or other environmentally sensitive areas. The support of CapeNature should be acknowledged as per attachment.</p> <p>The existing development was originally approved within the footprint of the development and therefore compliant with the relevant regulations.</p> <p>This is considered as a statement and not an objection.</p> <p>It is evident from these points of objections the objector are concerned about the environment, which is acknowledged and respected. However, the nature of the proposed use, especially that of the accommodation of weddings is proposed to be on such a limited scale that the impact of it would be materially less than that of the previous use of a hotel. The application proposal will not have any significant impact on the environment.</p> <p>It is therefore requested that this objection be respected, but rejected.</p>
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<p>In terms of the Amendment of the conditions in respect of the existing approval the objectors state that there are various inconsistent figures which includes the:</p> <ul style="list-style-type: none"> <li>• Increase in floor space</li> <li>• Non-necessity for expansion- floor space, cottages and solar panels</li> </ul>	<p>It is evident that the objector scrutinized the application to look for errors to discredit the application. It also appears deliberate misinterpretation of the application facts are made.</p> <p>The increase in the floor space involves inter alia the demolishing of a structure and the construction of new structures including that of the solar plant / panels.</p> <p>The design and extent of the solar plant makes provision to be on ground level and is incorporated in the increase of floor space.</p> <p>As mentioned in the introduction the following further investigations and technology improvements, the new solar plant will only be an additional 300m<sup>2</sup> instead of 800m<sup>2</sup>. Without the solar plant, the increase in floor area will only be 380m<sup>2</sup>. resulting to a net floor area of approximately 2 780m<sup>2</sup>.</p> <p>It should also be acknowledged that the solar plant will in essence contribute to a more environmentally development than previously.</p>
<p>Objection relevant to the sewer:</p> <ul style="list-style-type: none"> <li>• Question the validity of the inspection of the existing septic tank</li> <li>• The usage of the septic tank for more than 300 people over 300 people over more than 3 days</li> <li>• Distance of the staff cottages to the dam</li> </ul>	<p>The current longstanding system was originally designed to accommodate a hotel with its associated functions for more people and more frequent use compared to the use for the training centre.</p> <p>The existing proposal including the use for camps and occasional weddings are meant for substantially lower usage and therefore consider to be compliant with the facilities provided.</p> <p>The distance of the staff cottages is proposed to be approximately 45m from the dam and is compliant with the NEMA regulations.</p>
<p>Objections relating to water:</p> <ul style="list-style-type: none"> <li>• Questions the existing water supply</li> <li>• The training centre will not get enough water from the dam- demand and supply</li> </ul>	<p>The water is obtained officially from the municipality and completely legal.</p>
<p>Objections with regards to traffic:</p> <ul style="list-style-type: none"> <li>• Increased traffic</li> <li>• Already an increase in road accidents on the crossing to the application area</li> <li>• Additional regular traffic will affect the fragile natural environment and neighbours causing more maintenance.</li> </ul>	<p>The daily general use of the missionary is less than the use of a hotel as explained in the summary and background to the application.</p> <p>The increase in traffic will only be on rare occasions approximately three times a year and also normally during off-peak periods, resulting that the impact will be not material.</p> <p>Furthermore, most of the training to groups involve groups being shuttled in, resulting to substantially less traffic than in the past when the property was used as a hotel.</p>
<p>Objectors conclusion:</p> <p>The removal of the restrictive title conditions will create a negative precedent, and the application provides unclear statements allowing discrepancies and should not proceed to the next level.</p>	<p>The application for the removal of the restrictive title conditions were specifically aimed at the business component where potential trading according to the local authority's interpretation is taking place.</p> <p>Furthermore, every land-use application is considered by the Overstrand Municipality on the merit of the application. Therefore the chance of creating a precedent is completely unlikely.</p>

**Objection is from the Pringle Bay Ratepayers' Association (PBRA)**

It should inter alia be noted that the PBRA as part of their letter of objection states that "The PBRA represent the ratepayers within the declared Urban Edge."

Nevertheless, the following response to the summary of objections are provided in the following table:

Objection / comment summary	Response to point of objection / comment
<p>Objection to the complete removal of the title condition but to retain parts of it. Refer to the arguments of the PBRA as part of Part A of the objection.</p>	<p>The interpretation of the PBRA is incorrect in the sense that application is made to remove E.(o) from title deed T2048/2006 with the specific purpose to accommodate the weddings and courses and training where fees (i.e. considered as business by the local authority) are involved.</p> <p>It should be acknowledged that the subject clause as a whole is written in an ambiguous manner not being clear to which uses rights are permitted or restricted. The municipality via the zoning scheme and approvals provides clear permissions and restrictions. Therefore this clause needs to be removed as a whole to clarify to which is allowed or restricted.</p> <p>The restriction of the accommodation of the uses being applied for, forms part of the consent use applications and the site development plan.</p> <p>As the title deed is not absolutely clear, it was required to apply for the removal of the said title deed restriction.</p> <p>It should also be noted, even though that the PBRA do not agree, and with the knowledge that zoning schemes do not override a title deed condition, the objective of a title deed is not to function as a land-use management tool.</p> <p>In conclusion, the entire Condition E.(o) needs to be removed. Furthermore, the content of the remainder of the specific condition is dealt with by the relevant Overstrand Zoning Scheme.</p>
<p>Part B: Floor Space - The Existing allowable 800m<sup>2</sup> zoning parameter requires a departure as the current Overstrand Land Use Scheme was promulgated in November 2013 implying that the approval of the previous Site Development Plan and rezoning in 2015 allowing 2400m<sup>2</sup> floor area, was illegal.</p> <p>In addition to the above that the solar panels rather be installed on the roofs of the existing covered parking areas in collaboration with an architect ensuring that it aesthetically pleasing.</p> <p>That the proposed and existing building be revisited to stay within the 2400m<sup>2</sup> floor space as approved.</p>	<p>The objector contradict himself in this point of argument where he firstly states that the decision of 2400m<sup>2</sup> floor area is illegal and a new consent use application based on the current zoning scheme needs to be made and then under the same section (Part B) states that the floor areas be revisited to stay within the original area approved. The objector makes serious unfounded false accusations. A floor area departure was legally approved in 2015.</p> <p>The matter of the fact is that previous approvals cannot be withdrawn and would be irrational resulting that the implementation of such an amendment would have an impractical, unsustainable management implication.</p> <p>The extent of the solar plant is also not practical to be installed in the current situation on the roofs of the existing parking bays.</p> <p>The point of objection is ambiguous, confusing, impractical, unrealistic and subsequently should be omitted.</p>

<p>In Part C of the objection, objection is made to the removal of a restrictive title condition to allow a Scheme regulation to take effect in the place thereof with specific reference to environmental management of the area.</p>	<p>The objector from a practical point of view loses the context of the existing situation as part of his motivation as the application area forms part of an area that has already been disturbed. This is also confirmed by CapeNature's response to the application attached as an Annexure. An investigation by the reputable Environmental Practitioner, Lornay Environmental Consultant proved that the development area is restricted to the existing approved disturbed area.</p> <p>Secondly, paragraph 2 of the response to the PBRA associations objections should also be considered in the sense that the purpose of a title deed is not to manage land-use; a zoning scheme manages land-use and inter alia also environmental matters.</p> <p>Thirdly, cognizance should be taken that the removal of the condition is primarily to accommodate business activities with the specific use of the wedding activities and potential of trading of the courses and training.</p> <p>The removal of the restrictive title deed condition does not exempt the property owners from compliance with the relevant environmental legislation and restrictions.</p> <p>It is once again evident that the point of objection is not valid and should be rejected by the deciding authority.</p>
<p>As part of Part D, the PBRA had the following points of objection:</p> <p>Questions whether the notice of the application documentation has been sent to all the holders of the praedial rights against the property.</p> <p>The legitimacy of the existing water connection is questioned.</p> <p>Question whether applicant is allowed to transgress the pipeline with the possibilities that it may potentially cause damage to this main water line.</p> <p>The sewer is not motivated in the report with reference to capacity compared to demand and request demand vs capacity as well as a functional status and related impact of the facilities on the area report.</p>	<p>Apart from notices in the local newspapers, a site notice which was strictly maintained, the application was also sent via email to all parties identified by the Overstrand Municipality and those parties that do not have email per registered post; hence a comprehensive process was followed in compliance with the relevant municipal planning by-law to ensure that affected parties were notified.</p> <p>The application site was used previously for inter alia a hotel subject to all requirements including the provision of water and provided, monitored, managed and billed by the local authority and is completely legitimate.</p> <p>The referred pipeline is an underground pipeline and will not be affected by the parking area or any roads within or outside the application area. The owner of the property is aware of the said servitude and pipeline and respect it accordingly. All buildings are also subject to municipal management and treated accordingly.</p> <p>The existing system is a longstanding system as reflected in the application report and is functioning well. It was originally designed to accommodate a hotel with its associated functions. The existing proposal including the proposed camps and occasional weddings usage is on a substantially lower usage level and therefore consider to be compliant with the need. The system is constantly monitored and accordingly managed.</p>

<p>Reference is made to a conference centre in the report and object to a conference facility.</p> <p>In terms of parking, it is requested that a condition be included that all parking needs to be on site.</p> <p>No provision is made for parking for physical disabled people.</p> <p>The local authority should ensure as part of their approval for weddings strict conditions be set to ensure conformance to weddings and no other uses under the definition of a "Place of Entertainment".</p> <p>With reference to paragraphs 7.8 to 7.12 the zoning of the application site is questioned and request that the Overstrand Municipality Planning Department confirm and verify the zoning and correctly reflect it on the official zoning maps</p>	<p>The application area is not intended for a conference facility as per definition in the town planning scheme, but for courses, seminars, retreats for churches, groups and functions as part of the Foundation for Cross-Cultural Education international missionary educational and training centre and as per the application on exceptional instances for weddings. Therefore, this point of objection is not applicable.</p> <p>When parking calculations are made, it is clearly mentioned to be on-site. Therefore, this request as part of the objection of the PBRA is considered not appropriate and applicable and should be ignored.</p> <p>No specific bays have been identified as such on the site development plan. Ample space is available to provide for such for physically disabled people parking and if required can be done accordingly.</p> <p>From an applicant's perspective this request as part of the PBRA is noted and will be adhered to.</p> <p>From a consultant's point of view, a zoning certificate was obtained, but apart from that, the on-line information was found to be aligned with the zoning certificate and previous decisions and correspondence.</p>
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#### Objection from the Department of Environmental Affairs and Development Planning (DEA&DP)

The said provincial department's objection is based on planning guidelines and opinions that that the application use of a missionary is not compatible with the tourist and conservation land uses.

The response to the four points of objections is dealt with in the table here-below:

Summary of Objection	Response to points of objection
<p>The application uses are not consistent with the recommendations of the Western Cape Land Use Planning Guidelines for Rural Areas, 2019 recommending that private and institutional facilities regarded as businesses and not community facilities be located within urban areas, but that small scale facilities may be considered of such uses, they should serve the local farm / rural communities being distant from rural areas.</p>	<p>The Western Cape Land Use Planning Guideline for Rural Areas, 2019 is a guideline and not a law and should be accordingly be dealt with.</p> <p>It is evident from the comments from the DEA&amp;DP that they are not familiar with the nature of a missionary /theological place of education where caring of people and also the nature within a tranquil environments forms ideally part of their function.</p> <p>As mentioned in the previous comments, the local authority considers the use as business activity, but in essence it is not a business. The activities for weddings are used for additional fund raising events and which is proposed be approximately three occasions a year, if it will happen.</p> <p>In comments from the department is also contradicting in the sense that they imply the application area as a rural activity on the one hand but on the other hand they also admit that "The application property is situated very close to an urban area".</p>

<p>The opinion is that the consent uses for an educational and place of assembly are not aligned with the objectives of a conservation zone and that the scale and nature of the consent use permitted should be subservient and related to the primary conservation use.</p>	<p>This opinion of the DEA&amp;DP is interpreted incorrect. As correctly mentioned, the application site is 10,65ha and the subject development area is restricted to an area of 2 780m<sup>2</sup>, thus implying less than 3% of the property footprint is indented for development whilst 97%, i.e. <u>10 hectares of the 10.65 hectare is still subject to conservation.</u> Thus, the proposed use is subservient to the conservation use.</p> <p>In addition to the above, and as previously mentioned in the comments, the reputable and valued CapeNature supports the proposal. The proposal is also supported by the environmental practitioner Michelle Naylor from Lornay Environmental Consultants- also refer the Annexures.</p> <p>This opinion should thus be rejected.</p>
<p>The wedding venue and place of assembly may have negative impact on the surrounding smallholdings especially regarding noise and traffic.</p>	<p>The objector does not consider the fact that the number of weddings is proposed to be approximately three occasions per year, and the fact that the neighbouring property is used for art and music performances and the general scale of the proposal and that neighbours in writing support the existing missionary operation and that the objectors here-above do not have and objection to the missionary centre per se.</p> <p>Therefore, this point of objection is not considered valid and should be ignored.</p>
<p>The uses are not viewed as being compatible with the conservation and tourist land uses that are promoted for the small holding area.</p>	<p>The view of the DEA&amp;DP is considered to be incorrect. The reasons here-above serves as motivation that the land-use is most compatible with the conservation use. Furthermore, the site is also used, as mentioned in the report as a retreat for the staff and learner missionaries, hence aligned with that of tourism.</p> <p>In the light of the above, the use is compatible with the area and supported by neighbours, CapeNature and a local environmental practitioner knowing the area very well.</p>

**C. Final Conclusion**

Subsequently, the application proposal is considered highly desirable and essential spiritual function globally. The application site is surrounded with areas of nature, silence and contemplation as part of such a theological spatial area as primary land use.

The previous tourist accommodation use of the highly capital invested facilities proved financially non-viable. The current primary use is a non-noxious and non-annoying land-use restricted to the existing disturbed area. The use has a low impact on the natural as well as the built environment and civil services.

The use is also compatible with the surrounding uses.

The application for weddings occasionally within the existing facility, serving as additional income for the non-profit organization is limited and will have a limited impact on services. This proposed use is not foreseen to have any impact on the natural environment at all as all existing facilities will be used as was designed for the original hotel.

The objections are considered opportunistic, invalid, misinterpreted and not realistic.

No expansion of the existing developed / disturbed area is proposed and any one of the application uses with the exception of additional staff accommodation is proposed to be accommodated within the existing building and facilities only and would represent a lower intensity use than the former hotel and conference facility on the application area where conservation of the area will be retained as a priority.

In view of the above, we therefore recommend that the proposal be approved.

Kind Regards



Andre Wiehahn Pr Pln A/927/1996

Cellphone: 082 466 0490 E-Mail: [info@iatrp.co.za](mailto:info@iatrp.co.za)



**LORNAY**  
ENVIRONMENTAL CONSULTING

15/05/2023

For attention: Overstrand Municipality

**PROPOSED ADDITIONS AND ALTERATIONS TO EXISTING INFRASTRUCTURE ON PORTION 59 OF THE FARM 559, PRINGLE BAY, CALEDON RD**

Portion 59 of the Farm 559, Pringle Bay, Glen Craig, is located just outside Pringle Bay. The property is already developed and utilised as a guest house. The change of use for a training centre is proposed, using existing infrastructure.



**Figure 1.** Location of the subject property

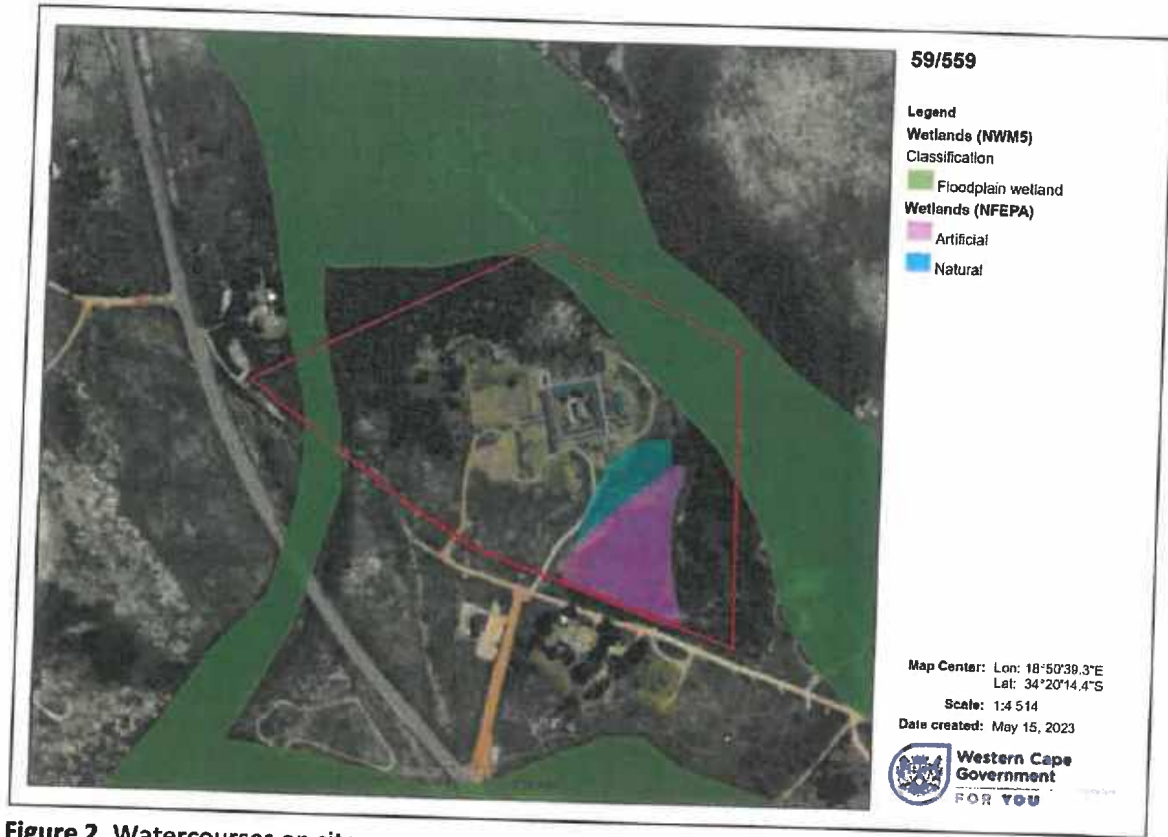


Figure 2. Watercourses on site

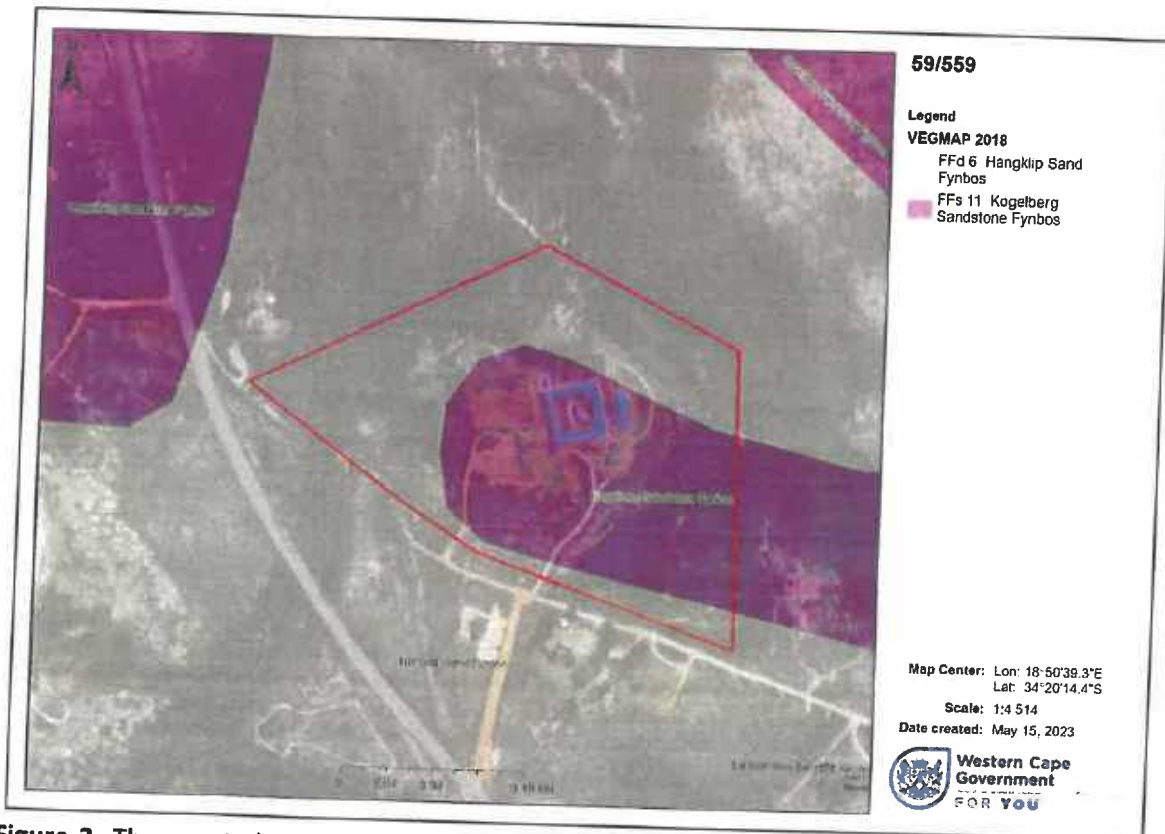


Figure 3. The vegetation on site is classified as Koegelberg Sandstone Fynbos and Hangklip Sand Fynbos. The site is completely transformed.

The existing infrastructure on site includes the following:

- Staff cottages and accommodation
- Lapa
- Carports
- Main building
- Main parking areas

The following additions and / or expansions, are proposed:

1. Additions to existing staff quarters 1 to 4
2. New carport – 45.34 m<sup>2</sup>
3. New staff cottages 2 and 3 and carport – 234 m<sup>2</sup>
4. Solar array – 791.66 m<sup>2</sup>

Refer to the site plan attached below.

The proposed additions and alterations do not require Environmental Authorisation for the following reasons:

1. The new proposed additions and alterations are all located more than 32m from the edge of the wetland
2. All areas proposed for additions and expansions are transformed and do not have any natural vegetation
3. The solar array is located between existing buildings within a transformed landscape and will not generate more than 10 megawatts and is less than 1 ha in extent.

Refer to site photos below:



Area proposed for new staff cottages – located more than 32 m from the watercourse, no natural vegetation present in this area



Existing cottages proposed for expansion. No natural vegetation present.



Area proposed for the solar array – no natural vegetation

## CONCLUSION

In terms of the National Environmental Management Act (Act 106 of 1998), the proposed activities on site do not trigger any listed activities or require Environmental Authorisation. All new proposed footprints as well as additions, are not located within 32 m of a watercourse / wetland and no indigenous vegetation will be removed to accommodate the new development.

Kind regards,

*mncaylor*

Michelle Naylor

**SITE DEVELOPMENT PLAN**  
Scale 1:2000

True North



**ERF 59 PORTION 559**  
**SITE DEVELOPMENT PLAN**

SITE LEGEND	
	Staff Cottages 159m <sup>2</sup>
	Managers House 199,37m <sup>2</sup>
	New Houses Carport 45,35m <sup>2</sup>
	Staff Cottage 2+3 234m <sup>2</sup>
	Storeroom 167,73m <sup>2</sup>
	Main Building 1484,7m <sup>2</sup>
	New Solar Development 735,65m <sup>2</sup>
	Lepa 735,65m <sup>2</sup>
	TOTAL 2649,95m <sup>2</sup>
	Dem
	Application Area
	Building Line
	General location
	Ver land
	5m Land Contours
	44 Main Building Parking

<b>Total Coverage:</b>	10800 m <sup>2</sup> -2,6%
<b>LAND SIZE:</b>	10800 m <sup>2</sup>
<b>Alignment no:</b>	C0130000
<b>DATE:</b>	27 NOV 2023
<b>SCALE:</b>	1:2000

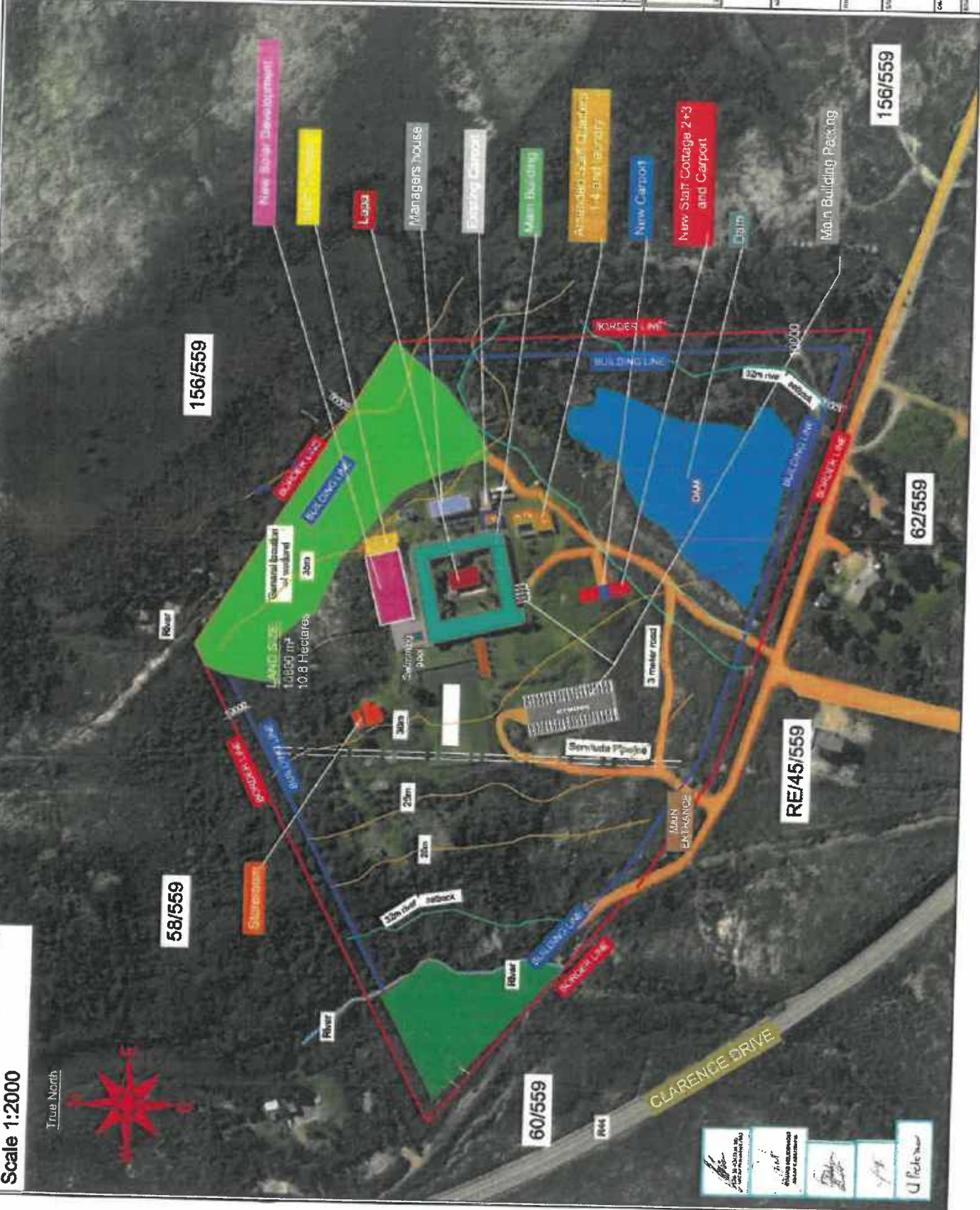
**Glen Craig Training Center**

Address: Porton 69 Farm 349  
Pilliga Bay  
Glen Craig  
Koppal Bang waste Farm  
Clarence drive (R44)  
7230

SITE DEVELOPMENT PLAN  
AWR/10/20/23

NEW ADDITIONS AND  
FUNCTION CHANGES

DATE: 11 Feb 2023  
REV: 001



Professional Engineer  
No. 123456789  
Date: 11 Feb 2023

U. B. [Signature]



## CONSERVATION INTELLIGENCE: LANDSCAPE CENTRAL

**postal** Private Bag X5014 Stellenbosch 7599  
**physical** Assegaibosch Nature Reserve Jonkershoek  
**website** www.capenature.co.za  
**enquiries** Leandra Knoetze  
**telephone** +27 21 866 8022 cell +27 83 278 0949  
**email** lknoetze@capenature.co.za  
**reference** SSD14/2/6/1/7/2/559-59\_ConsentUse\_Hangklip\_Caledon  
**date** 02 December 2024

Loriaan Isaacs / Loretta Gillion  
 Overstrand Municipality  
 Directorate: Planning & Development – Town & Spatial Planning  
 P.O. Box 20  
 Hermanus  
 7200

By email: [loriaanisaacs@overstrand.gov.za](mailto:loriaanisaacs@overstrand.gov.za) / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

Dear Ms Isaacs

**RE: Portion 59 (A portion of Portion 45) of the Farm Hangklip No. 559, A Division of Caledon: Application for removal of Restrictive Title Deed Condition, Consent Uses, Amendment of Conditions in respect of existing approval and Amendment of the existing approved Site Development Plan: Interactive Town and Regional Planning on behalf of Glen Craig Training Centre Pty Ltd**  
 APP ID: 4464/2023

CapeNature would like to thank you for the opportunity to comment on this application. Please note that our comments pertain primarily to impacts on biodiversity and not to the overall desirability of the project.

1. According to the South African Vegetation Map (2018), the proposed development area historically supported Hangklip Sand Fynbos, and an area in the middle of Kogelberg Sandstone Fynbos, both listed as Critically Endangered vegetation types (NBA 2018). However, the area seems to be completely transformed, due to previous development and only small areas of natural vegetation remains along the edges of the property boundary.
2. The development area is situated in close proximity to an Ecological Support Area (ESA: Restore) – which play an important role in supporting the functioning of Critical Biodiversity Areas (CBAs), and are often vital for delivering ecosystem services. The ESA was determined due to the presence of the Critically Endangered vegetation types, Wetland and a water source and it is essential that this area is maintained in a functional, near-natural state and underlying biodiversity objectives are not compromised. Part of the property (North-Eastern and Western corners) has been determined as a Critical Biodiversity Area (CBA) - which include areas in a natural condition that are required to meet biodiversity targets. No further loss of natural habitat should occur in CBAs and degraded areas should ideally be rehabilitated. The Aquatic CBA was determined due to the presence of the Southwest Sand Fynbos Channelled Valley Bottom Wetland and Buffelsrivier FEPA (Freshwater Ecosystem Priority Area) River Corridor.
3. The proposed development of the new staff cottages, carport and Solar development will be located within the existing transformed portion of the property. CapeNature is therefore satisfied that there will be no significant impacts on biodiversity as a result of this application and

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Ms Marguerite Loubser (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Mr Tom Blok, Mr Mervyn Burton, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Mr Paul Slack

therefore we do not object to this application, provided that the Wetland areas are avoided (and clearly demarcated as No-go areas) during the construction and operation of the cottages, carport and Solar development and that no further loss of the natural vegetation on the property boundaries occur.

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

Yours sincerely



Leandra Knoetze

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED  
CONDITIONS, CONSENT USES, AMENDMENT OF CONDITIONS IN  
RESPECT OF EXISTING APPROVAL & AMENDMENT OF EXISTING  
APPROVED SITE DEVELOPMENT PLAN: PORTION 59 (A PORTION OF  
PORTION 45) OF THE FARM HANGKLIP NO. 559, A DIVISION OF  
CALEDON (4464/2023)**

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

**Conditions:**

1. that the developer arrange with ESKOM for the provision of electricity and that he complies with all conditions as may be set by ESKOM;
2. that the property have existing municipal water supply from bulk network feeding Hangklip reservoirs;
3. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and Department of Water & Sanitation for approval;
4. that the developer complies to all the conditions set by Department Of Water & Sanitation and BGCMA;
5. that, as there is currently no municipal sewer network in the vicinity, Portion 59 of the Farm 559 must be provided with adequate sewer conservancy tanks, which must comply with the standards of the Division: Engineering Services (Hermanus), and to which the sewer services on the development must connect to;
6. that the Municipality does not have the capacity to service the proposed development with regards to removal of sewerage from the property. The owner is therefore responsible for removal of sewerage from the property, and thereof at a licensed municipal sewerage treatment facility;
7. that alternatively, sewer treatment facilities that are approved by the Department of Water & Sanitation may be provided for disposal of sewer from the developments. Written proof of such approval is to be submitted to the Municipality;

8. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 140400 – P: 2010: Drainage;
9. that stormwater discharged from higher lying properties and generated in the catchment area of Portion 59 of the Farm 559 be allowed to drain freely through the property;
10. 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;
11. that on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Division: Engineering Services;
12. that access can be obtained via the existing access routes(s) to Portion 59 of the Farm 559, that any additional and / or extended vehicle entrances will be for the owner's account. The Provincial Engineer must however provide comment in this regard.



**RICARDO ANDREW**  
**PRINCIPAL TECHNOLOGIST:**  
**DEVELOPMENT CONTROL**

16/05/2025  
DATE



Western Cape  
Government

OVERSTRAND MUNISIPALITEIT

REKORDBEHERR

21 OCT 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Department of Environmental Affairs and Development Planning  
Dalene Carstens  
Directorate: Development Management (Region 2)  
dalene.carstens@westerncape.gov.za | Tel: 061 404 8133

Reference: 15/3/2/12/BO3

The Municipal Manager  
Overstrand Municipality  
PO Box 20  
HERMANUS  
7200

TP-N/heat  
(Hud Stoop)

FILE NO. P/N 59/569

Hangklip

SCAN NO.

COLLABORATOR NO.

2143373

**REQUEST FOR PROVINCIAL PLANNING COMMENT: APPLICATION FOR CONSENT USES, REMOVAL OF RESTRICTIVE TITLE CONDITION, AMENDMENT OF A CONDITION OF APPROVAL & AMENDMENT OF APPROVED SITE DEVELOPMENT PLAN: PORTION 59 OF FARM 559, HANGKLIP**

1. Your request for comment, dated 3 October 2024, has reference.
2. The application property is 10,6 ha in extent and is currently zoned "Rural Zone 2: Conservation Usage" with a consent use for "Tourist Accommodation" and "Tourist Facilities". The property is situated in a smallholding area outside the urban edge applicable to Pringle Bay.
3. The development as proposed, is for the following:
  - 3.1 **Consent use** for a Place of Instruction (for the mission, educational and training centre)
  - 3.2 **Consent use** for a Place of Entertainment (weddings only)
  - 3.3 **Consent use** for a Place of Assembly (for the mission, educational and training centre)
4. The purpose of the application is to use the property as an international missionary educational and training centre, with associated uses.
5. From a provincial land use planning perspective, the following concerns are noted:

- 5.1 The proposed uses are not consistent with the recommendations of the Western Cape Land Use Planning Guidelines for Rural Areas, 2019, which recommends that private educational and institutional facilities be regarded as businesses and not community facilities and should be located in urban areas. Small-scale community facilities and institutions may only be considered in cases where these facilities serve the needs of the local farm/rural community and where travel distances are too far, or the rural population concentration justifies the community facilities in rural areas. The application property is situated very close to an urban area and will not serve the needs of the local community.
- 5.2 The opinion is held that the proposed consent uses for an educational facility and place of assembly are not aligned with the objectives of a conservation zone. The scale and nature of consent uses permitted in a conservation zone should be subservient and related to the primary use, which is conservation.
- 5.3 The application property is only 10,6 ha in extent and is situated within a smallholding area. The proposed place of entertainment (wedding venue) and place of assembly may have a negative impact on the surrounding smallholdings, especially regarding noise and an increase in traffic.
- 5.4 The proposed land uses are not viewed as being compatible with the conservation and tourism land uses that are promoted for the smallholding areas.

**Kobus Munro** Digitally signed by Kobus Munro  
Date: 2024.10.18 16:13:53 +02'00'

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)**

21 MAY 2025

Annexure I/15

DOCUMENT CONTROL  
OVERSTRAND MUNICIPALITYDepartment of Environmental Affairs and Development Planning  
Ntanganedzeni Mabasa  
Directorate: Development Management, Region 1  
Ntanganedzeni.Mabasa@westerncape.gov.za | Tel: 021 483 2803TP - A Theart  
(H vld Stoep)REFERENCE: 16/3/3/6/E2/27/1174/25  
DATE: 20 May 2025

FILE NO. Ptn 59/559
Hangklip
SCAN NO.
COLLABORATOR NO.
2666217

The Board of Directors  
InterActive Town & Regional Planning  
PO Box 980  
HERMANUS  
7200Attention: Mr. André Wiehahn

Dear Sir

Tel: 028 312 1668  
Email: wiehahn.a@gmail.com**APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) TO THE PROPOSED REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS ON PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP NO. 559, OVERSTRAND.**

1. The correspondence issued by the Directorate: Development Management (Region 1) ("this Directorate") on 2 Decembbber 2024 and the additional information received on 17 April 2025, refer.
2. This Directorate's aforementioned correspondence highlighted that if the new staff buildings and solar plant facility will result in the clearance of an area of 300m<sup>2</sup> or more of the mapped indigenous vegetation types and/or if the development footprint will encroach into or be located within 32m of the watercourses present on the site, Activities 12 and 19 of Listing Notice 1 and Activity 12 of Listing Notice 3 may be triggered by the proposed development.
3. Based on the additional information received on 17 April 2025, the new proposed additions and alterations are all located more than 32m from the edge of the wetland present on the site and on transformed areas that do not contain any indigenous vegetation. Considering the above, the proposed development will not trigger Activities 12 and 19 of Listing Notice 1 and Activity 12 of Listing Notice 3. Environmental Authorisation is therefore not required from the competent authority prior to the proposed development of the training centre on Portion 59 of Farm Hangklip No 559, Pringle Bay, Overstrand.
4. This determination is solely based on the additional information received and should any revision of the proposed development trigger any listed activity(ies) as defined terms of Listing Notice 1, 2 & 3, an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.
5. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to

TP  
21 MAY 2025

prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”

6. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
7. This Directorate reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

**Andrea**

Digitally signed by Andrea

Thomas

**Thomas**

Date: 2025.05.20 08:24:57

+02'00'

**ppHEAD OF COMPONENT**

**DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**



**Western Cape  
Government**

Department of Environmental Affairs and Development Planning  
**Ntanganedzeni Mabasa**  
 Directorate: Development Management, Region 1  
 Ntanganedzeni.Mabasa@westerncape.gov.za | Tel: 021 483 2803

**REFERENCE:** 16/3/3/6/6/E2/27/1518/24  
**DATE:** 2 December 2024

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

**Attention: Ms L Gillion**

Dear Madam

FILE NO. Ptn. 596559
Hangklip
SCAN NO.
COLLABORATOR NO.
2564751

OVERSTRAND MUNISIPALITE
REKORDBEHEER
02 DEC 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP - A Theart  
 (H vld stoep)  
 Tel.: (028) 313 8000

Email: loretta@overstrand.gov.za

**THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) TO THE PROPOSED REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, CONSENT USES, AMENDMENT OF CONDITIONS OF THE EXISTING APPROVAL AND AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN ON PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP NO. 559, PRINGLE BAY.**

1. The electronic copy of the abovementioned documents, as received by the Directorate: Development Management (Region 1) ("this Directorate") on 3 October 2024, refer.
2. This letter serves as an acknowledgement of receipt of the correspondence by this Directorate.
3. According to the information contained in the correspondence, this Directorate notes the proposal entails the following:
  - 3.1 A land use planning application for consent uses, the removal of restrictive title deed restrictions, an amendment of the site development plan and of a condition of approval to allow existing and proposed buildings to be used as a place of instruction and assembly (i.e. an education and training centre and a place of entertainment, specifically for weddings).
  - 3.2 The existing tourist facility, approved in 2012, comprised a hotel and conference facility with ancillary recreational uses that are no longer operational.
  - 3.3 The existing development footprint will be expanded by 1081m<sup>2</sup> to include two additional staff cottages (234m<sup>2</sup>), a two-bay carport (55m<sup>2</sup>), and solar panels (792m<sup>2</sup>).
  - 3.4 A number of freshwater resources are present on the site, and it is mapped to contain Kogelberg Sandstone Fynbos (critically endangered) and Hangklip Sand Fynbos (endangered).
  - 3.5 The site is zoned Rural Zone 2: Conservation Use, is located approximately 400m northeast of Pringle Bay and outside the urban area (as defined) and the municipal urban edge.
4. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that the development as described above may trigger one or more of the following listed activity(ies) as defined in terms of the EIA Regulations, 2014 (as amended):

- 2 DEC 2024

If the new staff buildings and solar plant facility will result in the clearance of an area of 300m<sup>2</sup> or more of the mapped indigenous vegetation types and/or if the development footprint will encroach into or be located within 32m of the watercourses present on the site, one or more of the following activities may be triggered by the proposed development:

**Activity 12 of Listing Notice 1:**

**The development of—**

- (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or
- (ii) infrastructure or structures with a physical footprint of 100 square metres or more;**

**where such development occurs—**

- (a) within a watercourse;
- (b) in front of a development setback; or
- (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —

excluding—

- (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
- (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;
- (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;
- (dd) where such development occurs within an urban area;
- (ee) where such development occurs within existing roads, road reserves or railway line reserves; or
- (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.

**Activity 19 of Listing Notice 1:**

**The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;**

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.

**Activity 12 of Listing Notice 3**

The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

**i. Western Cape**

- i. **Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;**
  - ii. Within critical biodiversity areas identified in bioregional plans;
  - iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;
  - iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or
  - v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.
5. If one or more of the listed activities are applicable, written authorisation will be required from the competent authority prior to the undertaking of the said activity.
  6. The Application Form, as well as other relevant forms and guidelines, are available from this Department's website: <http://eadp-westerncape.kznshf.gov.za/>.
  7. The Directorate reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

**Andrea**

Digitally signed by  
Andrea Thomas

**Thomas**

Date: 2024.12.02  
12:26:59 +02'00'

pp **HEAD OF COMPONENT**

**DIRECTORATE: DEVELOPMENT PLANNING (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**



FILE NO. Ptn 59/559
Hangklip
SCAN NO.
COLLABORATOR NO.
2564749

## CONSERVATION INTELLIGENCE: LANDSCAPE CENTRAL

postal Private Bag X5014 Stellenbosch 7599  
 physical Assegaibosch Nature Reserve Jonkershoek  
 website [www.capenature.co.za](http://www.capenature.co.za)  
 enquiries Leandra Knoetze  
 telephone +27 21 866 8022 cell +27 83 278 0949  
 email [lknoetze@capenature.co.za](mailto:lknoetze@capenature.co.za)  
 reference SSD14/2/6/1/7/2/559-59\_ConsentUse\_Hangklip\_Caledon  
 date 02 December 2024

Loriaan Isaacs / Loretta Gillion  
 Overstrand Municipality  
 Directorate: Planning & Development – Town & Spatial Planning  
 P.O. Box 20  
 Hermanus  
 7200

By email: [loriaanisaacs@overstrand.gov.za](mailto:loriaanisaacs@overstrand.gov.za) / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

Dear Ms Isaacs

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
02 DEC 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP-A Theart  
(H vld Stoep)

**RE: Portion 59 (A portion of Portion 45) of the Farm Hangklip No. 559, A Division of Caledon: Application for removal of Restrictive Title Deed Condition, Consent Uses, Amendment of Conditions in respect of existing approval and Amendment of the existing approved Site Development Plan: Interactive Town and Regional Planning on behalf of Glen Craig Training Centre Pty Ltd**  
 APP ID: 4464/2023

CapeNature would like to thank you for the opportunity to comment on this application. Please note that our comments pertain primarily to impacts on biodiversity and not to the overall desirability of the project.

1. According to the South African Vegetation Map (2018), the proposed development area historically supported Hangklip Sand Fynbos, and an area in the middle of Kogelberg Sandstone Fynbos, both listed as Critically Endangered vegetation types (NBA 2018). However, the area seems to be completely transformed, due to previous development and only small areas of natural vegetation remains along the edges of the property boundary.
2. The development area is situated in close proximity to an Ecological Support Area (ESA: Restore) – which play an important role in supporting the functioning of Critical Biodiversity Areas (CBAs), and are often vital for delivering ecosystem services. The ESA was determined due to the presence of the Critically Endangered vegetation types, Wetland and a water source and it is essential that this area is maintained in a functional, near-natural state and underlying biodiversity objectives are not compromised. Part of the property (North-Eastern and Western corners) has been determined as a Critical Biodiversity Area (CBA) - which include areas in a natural condition that are required to meet biodiversity targets. No further loss of natural habitat should occur in CBAs and degraded areas should ideally be rehabilitated. The Aquatic CBA was determined due to the presence of the Southwest Sand Fynbos Channelled Valley Bottom Wetland and Buffelsrivier FEPA (Freshwater Ecosystem Priority Area) River Corridor.
3. The proposed development of the new staff cottages, carport and Solar development will be located within the existing transformed portion of the property. CapeNature is therefore satisfied that there will be no significant impacts on biodiversity as a result of this application and

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Ms Marguerite Loubser (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Mr Tom Blok, Mr Mervyn Burton, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Mr Paul Slack

therefore we do not object to this application, provided that the Wetland areas are avoided (and clearly demarcated as No-go areas) during the construction and operation of the cottages, carport and Solar development and that no further loss of the natural vegetation on the property boundaries occur.

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

Yours sincerely



Leandra Knoetze

<p><b>FILE REF:</b> KHANG 59/559  <b>APP ID:</b> 4464/2023                  LI</p>	<h1 style="margin: 0;">Internal Memorandum</h1>												
<p><b>FROM:</b>                  Town &amp; Spatial                  Planning</p> <p><b>TOWN PLANNER:</b>                  Hanneen van der Stoep</p> <p><b>DATE:</b>                  3 October 2024</p>	<p><b>APPLICANT:</b>                  INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF GLEN CRAIG TRAINING CENTRE PTY LTD</p> <p><b>PROPERTY DETAILS:</b>                  PORTION 59 (A PORTION OF PORTION 45) OF THE FARM HANGKLIP NO. 559, A DIVISION OF CALEDON</p> <p><b>APPLICATION:</b>                  REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, CONSENT USES, AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVAL AND AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="text-align: center; padding: 2px;"><u>PUBLIC LIAISON MANAGER</u></td> <td style="text-align: center; padding: 2px;"><u>BUILDING CONTROL</u></td> <td style="text-align: center; padding: 2px;">DISTRICT HEALTH</td> <td style="text-align: center; padding: 2px;"><u>ELECTRICAL</u></td> </tr> <tr> <td style="text-align: center; padding: 2px;"><u>ENVIRONMENTAL</u></td> <td style="text-align: center; padding: 2px;"><u>ENGINEERING SERVICES</u></td> <td style="text-align: center; padding: 2px;">FIRE DEPARTMENT</td> <td style="text-align: center; padding: 2px;">LOCAL HERITAGE</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><u>OPERATIONAL</u></td> <td style="text-align: center; padding: 2px;">TOURISM</td> <td style="text-align: center; padding: 2px;"><u>WASTE MANAGEMENT</u></td> <td style="text-align: center; padding: 2px;"><u>WARD COUNCILLOR</u></td> </tr> </table>	<u>PUBLIC LIAISON MANAGER</u>	<u>BUILDING CONTROL</u>	DISTRICT HEALTH	<u>ELECTRICAL</u>	<u>ENVIRONMENTAL</u>	<u>ENGINEERING SERVICES</u>	FIRE DEPARTMENT	LOCAL HERITAGE	<u>OPERATIONAL</u>	TOURISM	<u>WASTE MANAGEMENT</u>	<u>WARD COUNCILLOR</u>
<u>PUBLIC LIAISON MANAGER</u>	<u>BUILDING CONTROL</u>	DISTRICT HEALTH	<u>ELECTRICAL</u>										
<u>ENVIRONMENTAL</u>	<u>ENGINEERING SERVICES</u>	FIRE DEPARTMENT	LOCAL HERITAGE										
<u>OPERATIONAL</u>	TOURISM	<u>WASTE MANAGEMENT</u>	<u>WARD COUNCILLOR</u>										
<p><b>NOTES:</b>                  Please provide your comments (with specific reference to any conditions of approval that should be imposed) in the space provided above or in a separate Memo <u>by not later than the date stipulated below</u>. If you require an extension of time for submission of comments, kindly request this in writing. Should no comments be received, it will be assumed that you have no objection to the proposal and where appropriate, the MPT will be informed accordingly.</p> <p><i>Building Control Department to confirm that all structures on the property/ies are in accordance with the approved building plans.</i></p>	<h2 style="margin: 0;">INTERNAL DEPARTMENT COMMENTS</h2> <p>The EMC has no objection to this application but with the following conditions:</p> <ol style="list-style-type: none"> <li>1) Any proposed additions to the current infrastructure, Environmental Authorisation from the Department of Environmental Affairs and Development Planning (DEA&amp;DP) may be required and the Environmental Management &amp; Conservation Department will request that plans and the amended SDF submitted to the Building Control Office are also submitted - via the NEMA Applicability Checklist - to the DEA&amp;DP to determine the requirement of EA</li> <li>2) The septic tank/soak away is converted into a sealed Conservancy Tank with minimum capacity of 5000 litre. The 2007 report mentioned in the application can be considered to be outdated, especially considering the proposed increase in infrastructure and the proximity to watercourses (wetlands/rivers).</li> <li>3) The property is within the EMOZ Protected Area Buffer Zone. The EMOZ Regulations must be adhered to, including items stated in the Schedules attached to the EMOZ Regulations: this includes the prohibited activities as per Schedule A: "harboring of declared Alien Invasive Plant Species"</li> </ol>												

05.26.2023

# Memo

Pg.02

	<b>SIGNATURE:</b>
<b>DATE:</b>	<b>7 NOVEMBER 2024</b>

**CLOSING DATE:**  
8 NOVEMBER 2024

*Should the information be insufficient for you to make an informative comment, please list any additional documentation that you would require to make informed comments.*





PLAN SHOWING TOPOGRAPHY AND DATA FOR  
 PORTION 31 & PORTION OF PORTION 32 OF  
 THE EAST MANHATTAN AIRPORT MAP R-55  
 SCALE 1"=50'

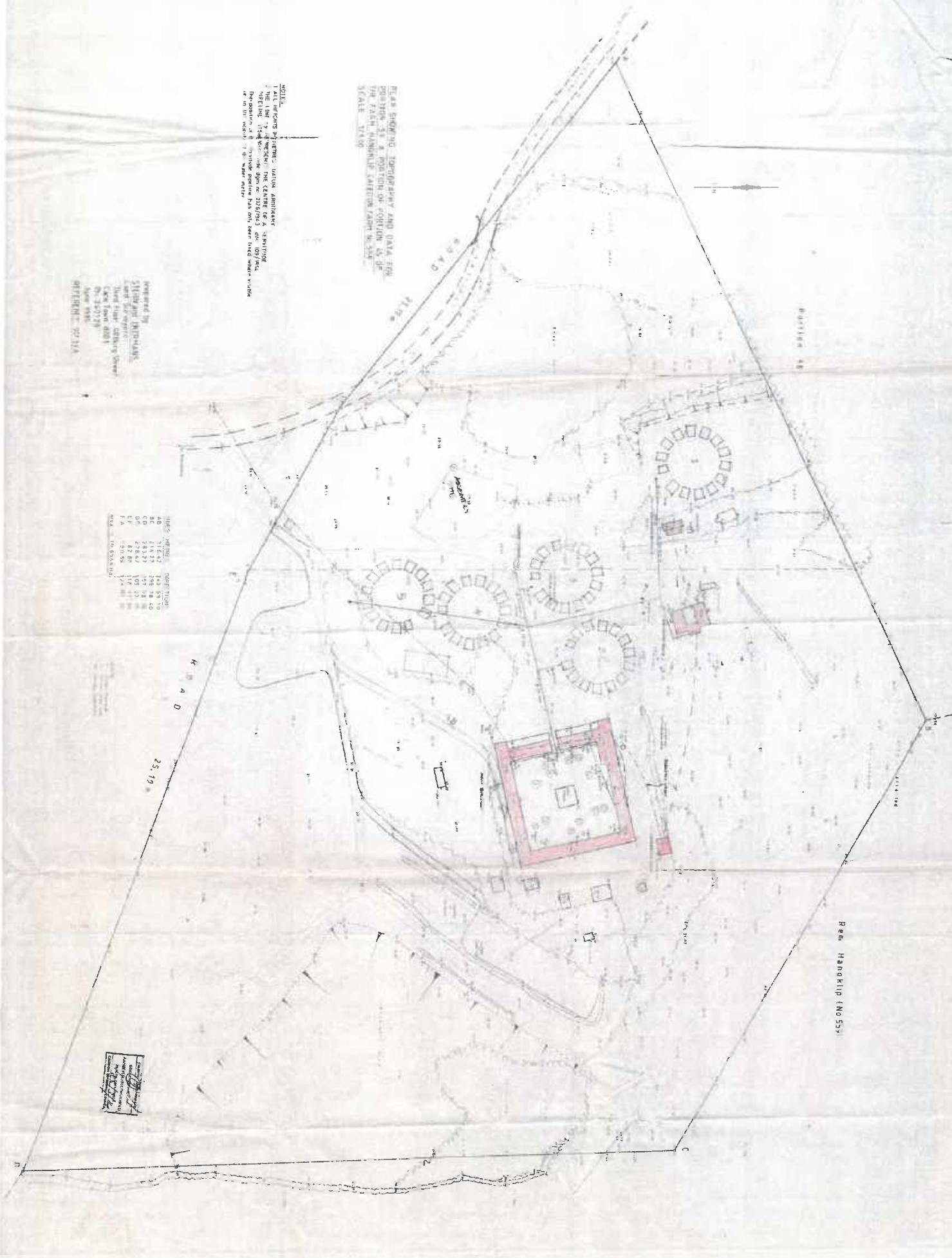
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Prepared by  
 STEVEN J. HIRSHMAN  
 Civil Engineer  
 100 West 42nd Street  
 New York, N.Y. 10018  
 Phone: 212-692-1111  
 Reference: R-55A

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Surveyed by  
 Steven J. Hirshman  
 Civil Engineer  
 100 West 42nd Street  
 New York, N.Y. 10018  
 Phone: 212-692-1111  
 Reference: R-55A

Rem. Handclip (No. 55)

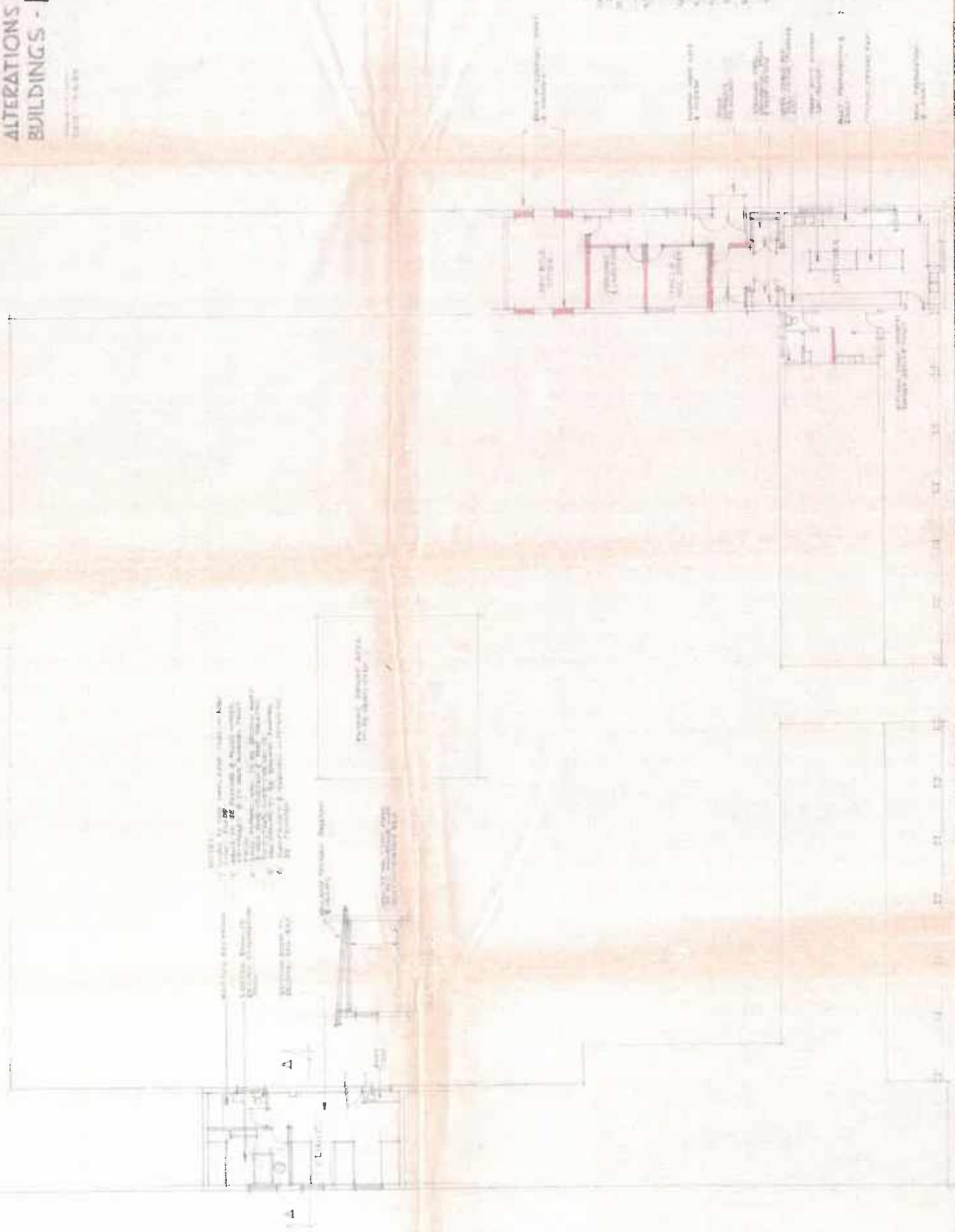


NETZER MAGINIM CAMP SITE  
 PRINGLE BAY, CAPE.

SKETCH PLAN OF PROPOSED  
 ALTERATIONS TO EXISTING  
 BUILDINGS - [MAIN BLOCK]

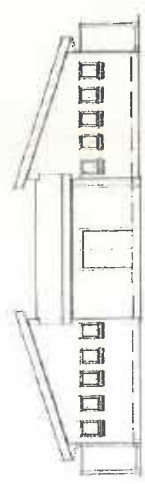
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NOTES:  
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 2. ALL WALLS ARE 230mm THICK UNLESS OTHERWISE SPECIFIED.  
 3. ALL DOORS ARE 2100mm HIGH AND 900mm WIDE UNLESS OTHERWISE SPECIFIED.  
 4. ALL WINDOWS ARE 1200mm HIGH AND 1500mm WIDE UNLESS OTHERWISE SPECIFIED.  
 5. ALL ROOFS ARE 5% FALL TO THE NORTH UNLESS OTHERWISE SPECIFIED.  
 6. ALL ROOFS ARE TO BE CONCRETE OR CORRUGATED GALVANIZED IRON UNLESS OTHERWISE SPECIFIED.  
 7. ALL ROOFING IS TO BE 10% OVERHANG.  
 8. ALL ROOFS ARE TO BE FINISHED WITH A 25mm THICK LAYER OF PLASTER OR CONCRETE UNLESS OTHERWISE SPECIFIED.  
 9. ALL ROOFS ARE TO BE FINISHED WITH A 25mm THICK LAYER OF PLASTER OR CONCRETE UNLESS OTHERWISE SPECIFIED.  
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PRINGLEPARK EDMS BPK

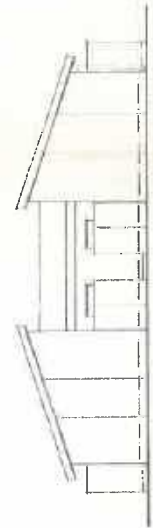
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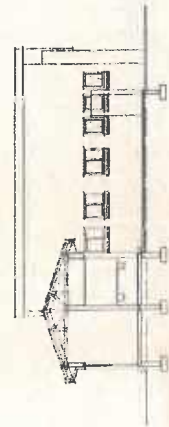
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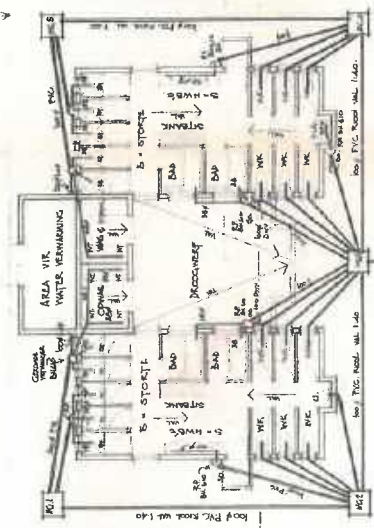
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 CALESON UNIVERSITEIT

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CALESON UNIVERSITEIT  
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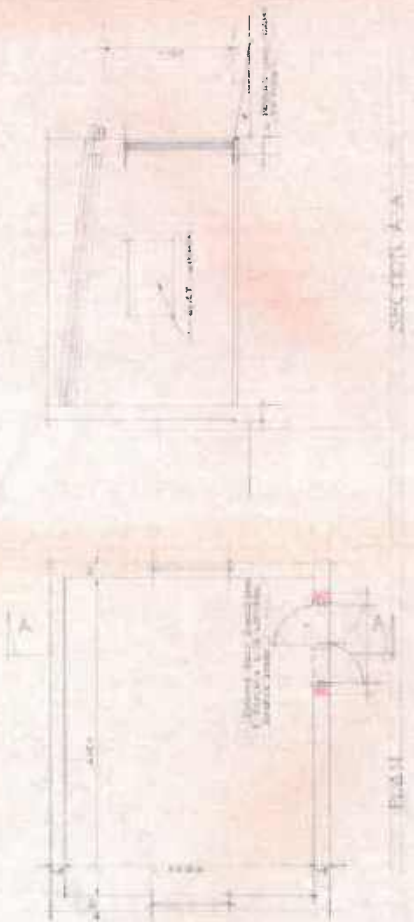
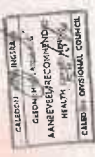
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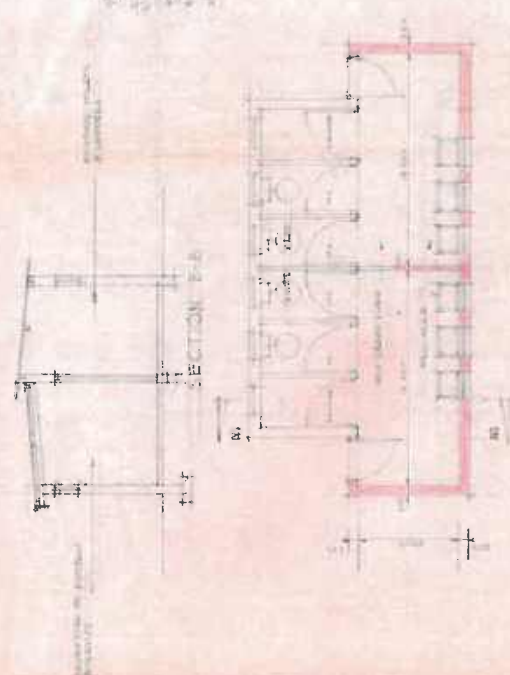
1986.

NETZER MAGINIM CAMP SITE - PRINGLE BAY, CAPE  
SKETCH PLANS OF PROPOSED ALTERATION TO  
GENERATOR ROOM & ABLUTION BLOCK.

NOTES:  
1. THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND HAS OBSERVED THE EXISTING STRUCTURES AND THE SURROUNDING TERRAIN. THE PROPOSED ALTERATION TO THE GENERATOR ROOM AND ABLUTION BLOCK IS BASED ON THESE OBSERVATIONS AND THE REQUIREMENTS OF THE PROJECT. THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND HAS OBSERVED THE EXISTING STRUCTURES AND THE SURROUNDING TERRAIN. THE PROPOSED ALTERATION TO THE GENERATOR ROOM AND ABLUTION BLOCK IS BASED ON THESE OBSERVATIONS AND THE REQUIREMENTS OF THE PROJECT.



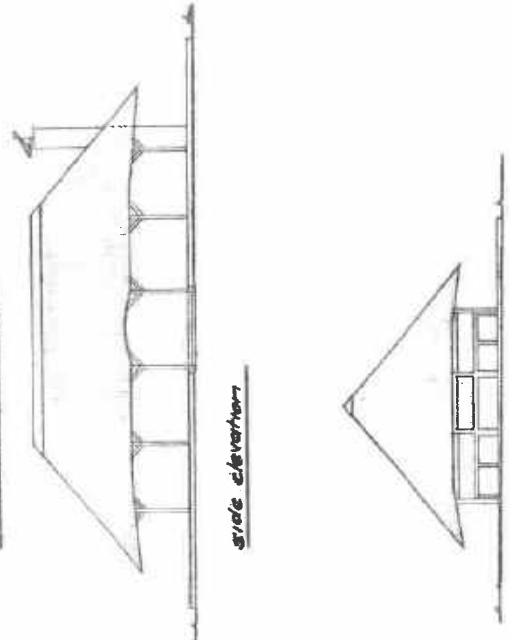
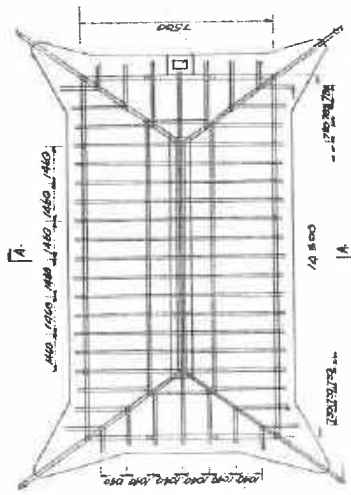
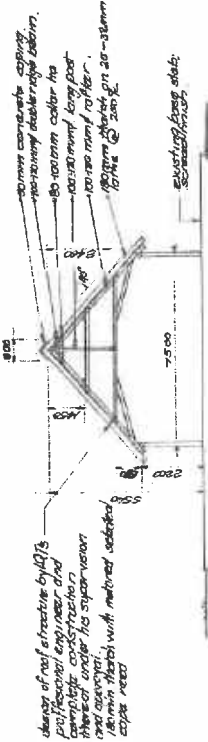
EXISTING BUILDING TO BE ADDED TO HOUSE GENERATOR.



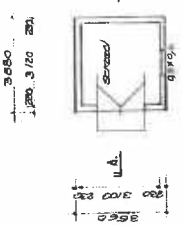
PROPOSED ALTERATIONS TO EXISTING ABLUTION BLOCK.



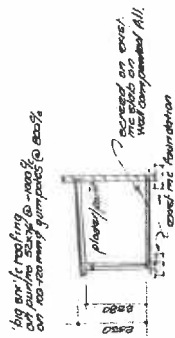




side elevation type details.

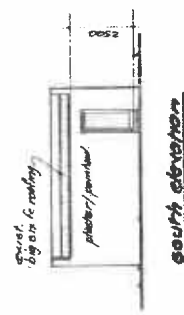
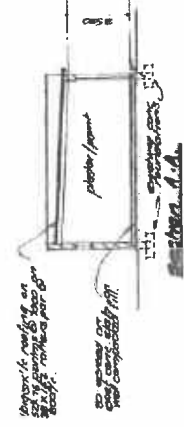


food room scale 1:100

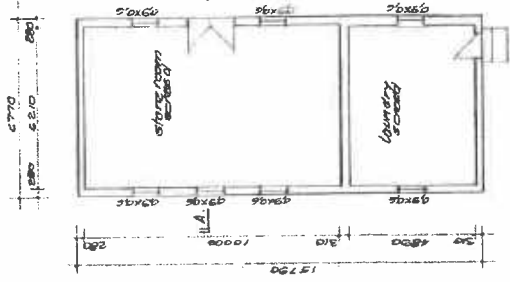
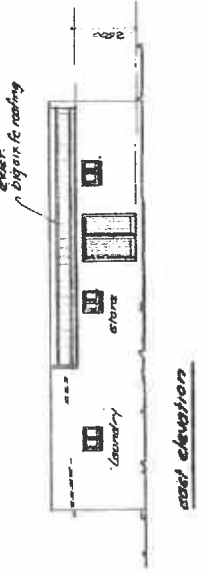


west elevation

south elevation



south elevation



generator room of store scale 1:100



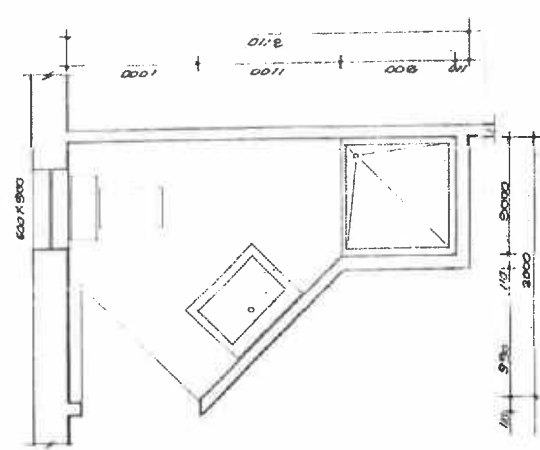
no built drawing:  
 partner 55 A  
 partner 55 B  
 partner 55 C  
 partner 55 D  
 partner 55 E  
 partner 55 F  
 partner 55 G  
 partner 55 H  
 partner 55 I  
 partner 55 J  
 partner 55 K  
 partner 55 L  
 partner 55 M  
 partner 55 N  
 partner 55 O  
 partner 55 P  
 partner 55 Q  
 partner 55 R  
 partner 55 S  
 partner 55 T  
 partner 55 U  
 partner 55 V  
 partner 55 W  
 partner 55 X  
 partner 55 Y  
 partner 55 Z

CHRIS FAASCH

16.0007.0133

9/22

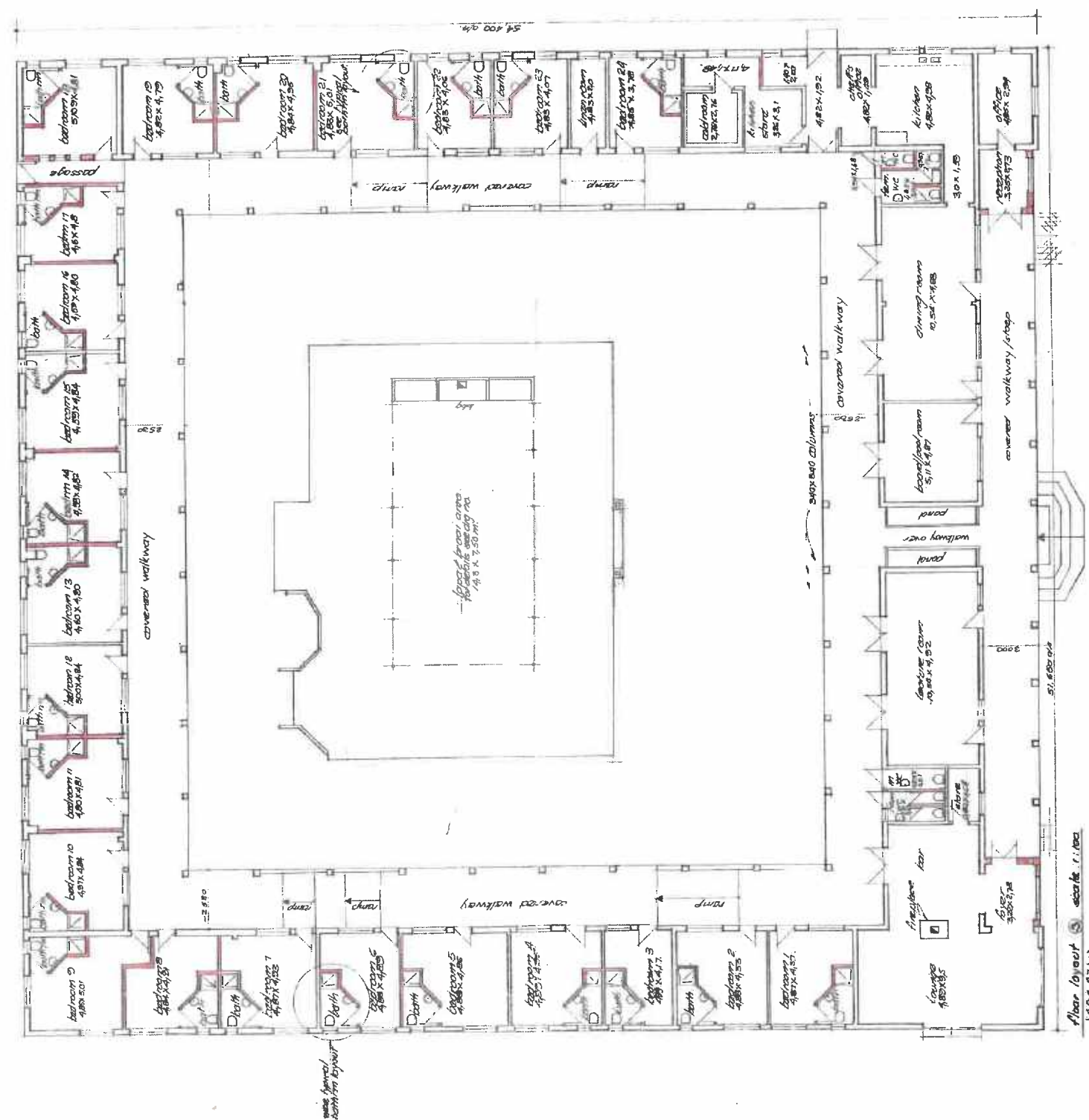
project 555/45/25 page 1 of 1



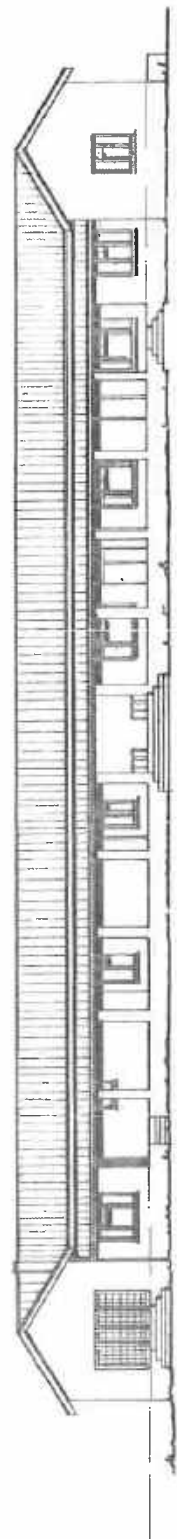
typical detail: bath room layout  
scale: 1/8" = 1'-0"

General notes: unless shown  
 - ceiling: 4'0" acoustical tiles on  
 existing frame/masonry.  
 - walls: 5/8" gypsum board on  
 existing masonry. 2 1/2" max  
 clearance over door frames.  
 - doors: 2 1/2" max clearance over  
 door frames.  
 - windows: 2 1/2" max clearance over  
 window frames.  
 - stairs: 4" max riser, 11" max  
 tread.  
 - floor: 1/2" max clearance under  
 floor joists.  
 - walls: 5/8" gypsum board on  
 existing masonry. 2 1/2" max  
 clearance over door frames.  
 - doors: 2 1/2" max clearance over  
 door frames.  
 - windows: 2 1/2" max clearance over  
 window frames.  
 - stairs: 4" max riser, 11" max  
 tread.  
 - floor: 1/2" max clearance under  
 floor joists.

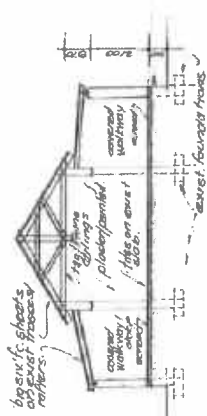
as built drawing of  
 main building of  
 portion of parking #6 of  
 the farm building  
 drawings: 1/8" = 1'-0"  
 sheet no. 555/45/25  
 Mr. Richard Carter  
 shown:  
 DATE: 9/22/00  
 BY: [Signature]



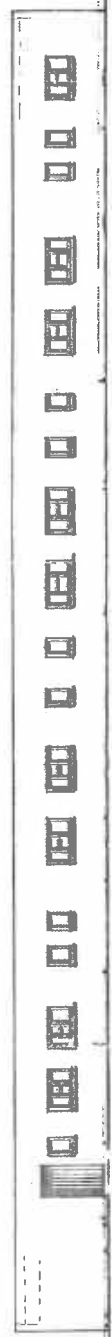
floor plan scale: 1/8" = 1'-0"



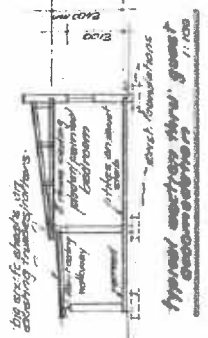
west elevation



typical section thru west wall  
scale: 1:100



east elevation



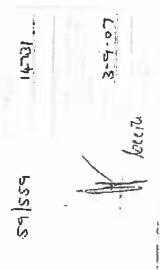
typical section thru east wall  
scale: 1:100



south elevation

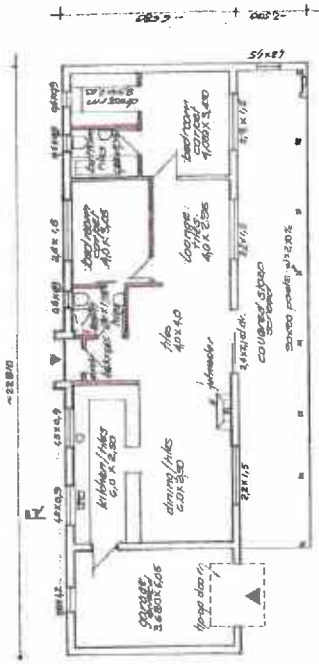
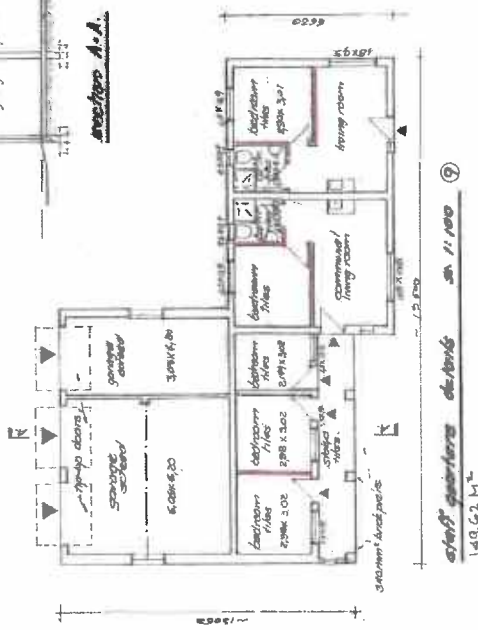
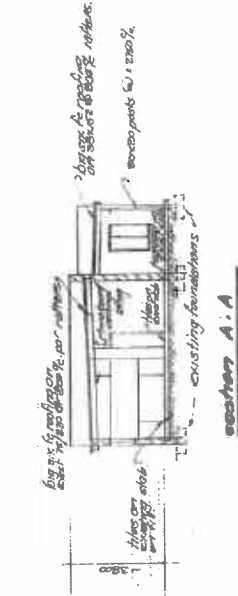
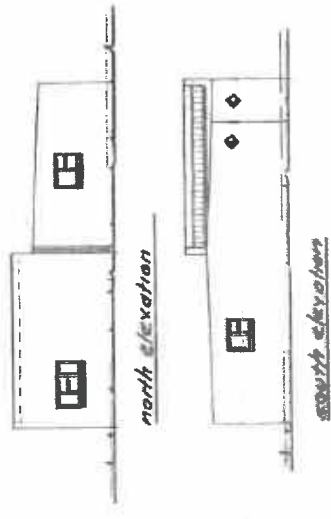
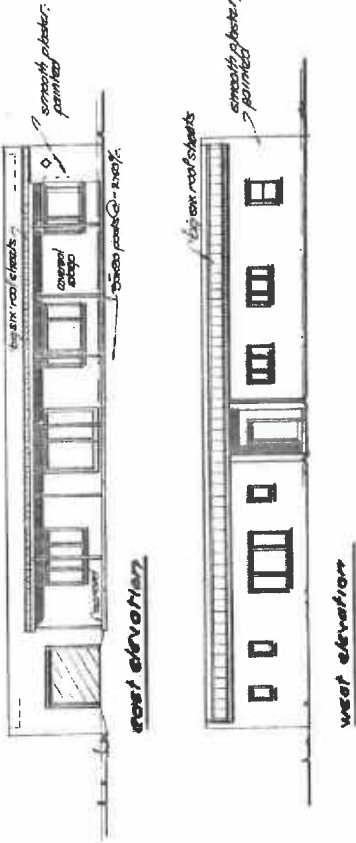
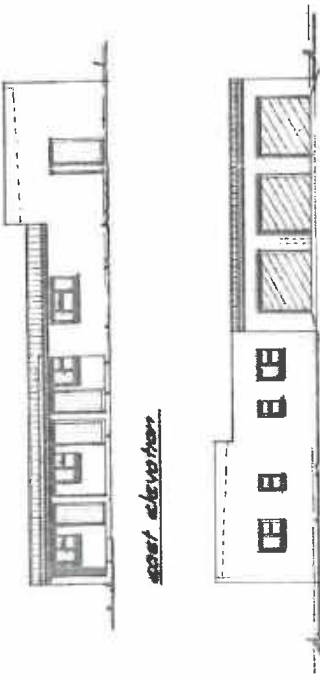


north elevation  
scale: 1:100



As-built drawings  
main building off  
part of the  
part of the  
at the 18th May 1997  
SSS/45/55  
Form No. 555  
owner: station bank.

10/22



as built drawing.  
 manager's cottage  
 11/22  
 owner: becher both

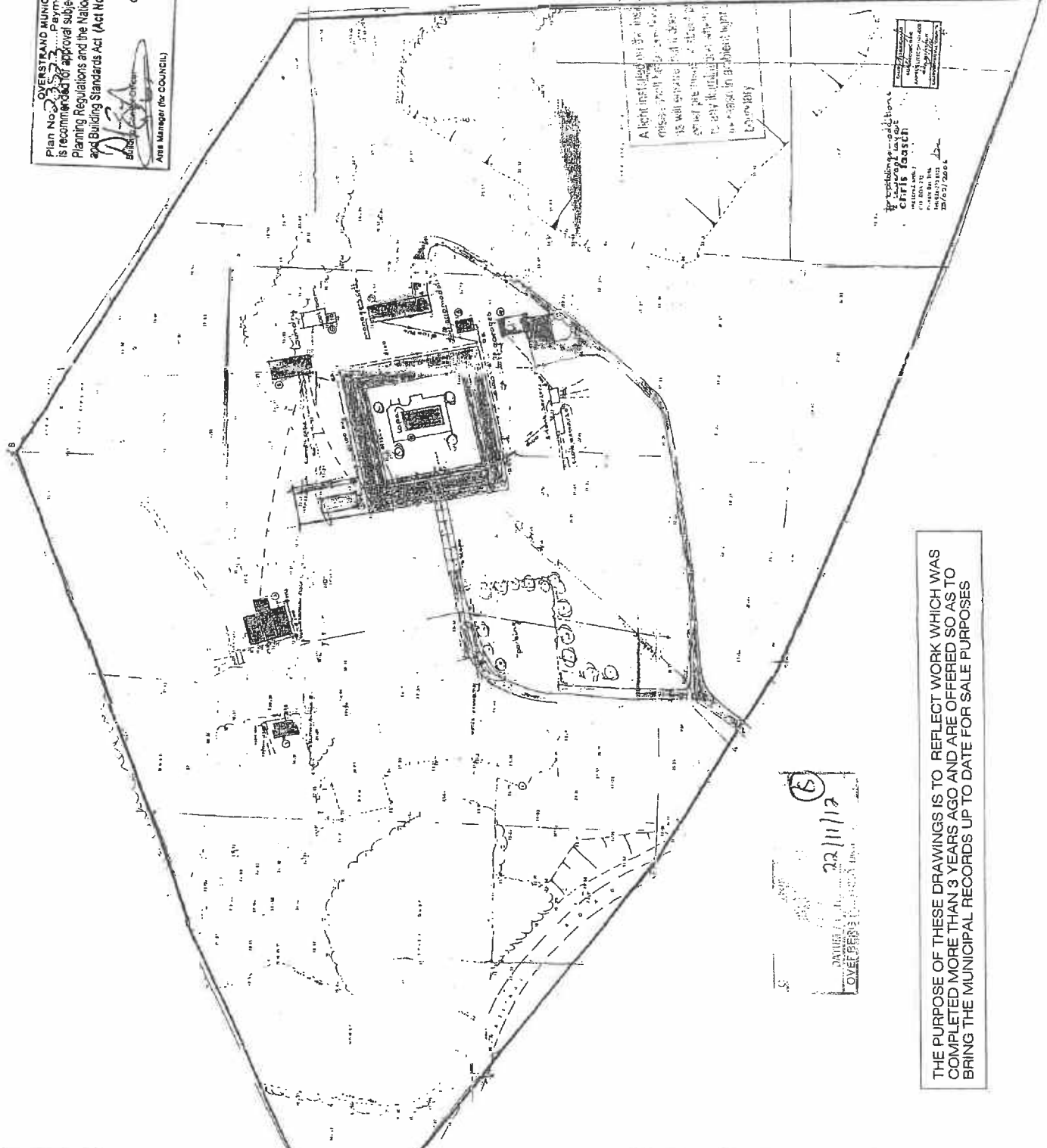
chris fensch  
 eng. arch. arch.  
 no. 101A, 272  
 Pungelstr. 2118  
 10100 VAI 22

manager's cottage  
 11/22



- NOTES**
1. THE DESIGNER HAS TO BE RESPONSIBLE FOR THE PROJECT.
  2. ALL WORK TO BE CARRIED OUT AT THE ADDRESS.
  3. WITH SANS 1040 AND LOCAL AUTHORITY BY-LAWS.
  4. SOAKAWAY DRAWINGS BE INHERENT IN EXPERIENCE TO OBTAIN APPROVAL.
  5. CHECKED BEFORE WORK COMMENCES AND ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT.
  6. REVISIONS TO BE REPORTED TO THE ARCHITECT.
  7. ALL DRAWINGS TO BE IN ACCORDANCE WITH THE SANS 1040 AND LOCAL AUTHORITY BY-LAWS.

OVERSTRAND MUNICIPALITY  
 Plan No. 23572  
 is recommended for approval subject to the applicable Town Planning Regulations and the National Building Regulations and Building Standards Act (Act No 103 of 1977)  
 Date: 13/11/12  
 Chief Building Control Officer  
 Area Manager (for COUNCIL)



REV.	DATE	DESCRIPTION

**CORNERSTONE architectural designs**  
 Jonathan Innes  
 Cell: 073 255 3084  
 Fax: 088 605 7106  
 SAAT: 30811 SACAP: ST1029

**CLIENT**  
**SABASTIAN BOTHA**

**PROJECT**  
**AS BUILD DRAWINGS**  
 Portion 59A, Portion of portion 45 of the farm Langklip, Caledon.  
 Farm No: 559

**DRAWING**  
**SITE PLAN**

SCALE	DATE	DRAWN	CHECKED
	JULY 2012		JONES
DRAWING NO: 2012/69			REV: P.7

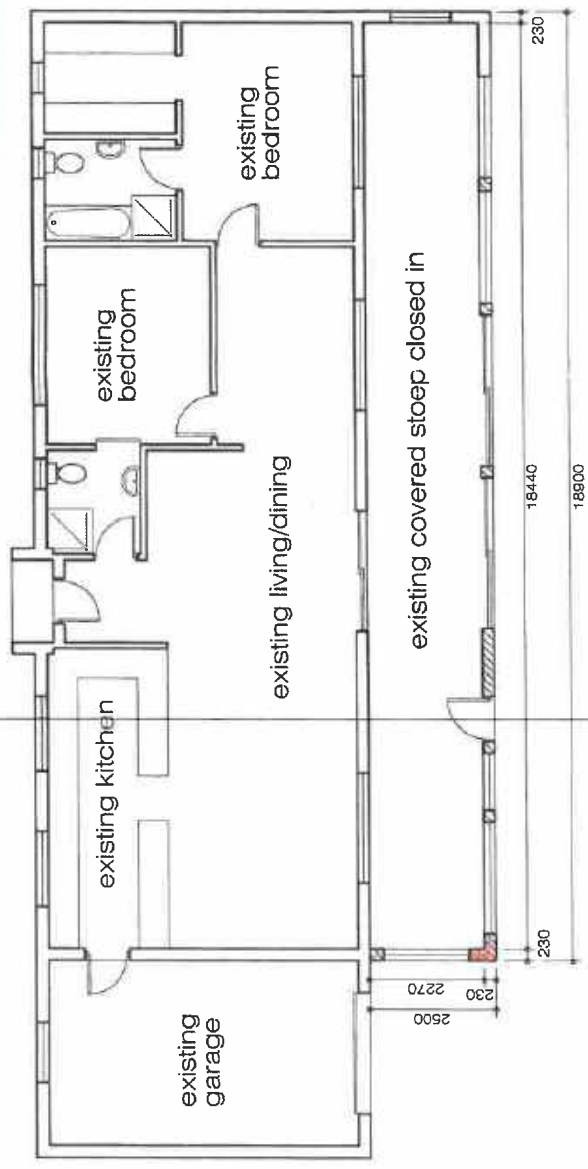
22/11/12  
 OVERSTRAND MUNICIPALITY

A light that does not shine in the direction of the road will not be a problem. It will be a problem if it shines in the direction of the road. It will be a problem if it shines in the direction of the road. It will be a problem if it shines in the direction of the road.

Chris Kooch  
 13/11/12

THE PURPOSE OF THESE DRAWINGS IS TO REFLECT WORK WHICH WAS COMPLETED MORE THAN 3 YEARS AGO AND ARE OFFERED SO AS TO BRING THE MUNICIPAL RECORDS UP TO DATE FOR SALE PURPOSES

Light fixtures shall be so positioned and screened if necessary as will ensure that it does not shine directly into any other premises or street, provided this does not apply to any illuminator which mainly causes an increase in ambient light beyond the property boundary.



DATE: 22/11/12  
OVERSEER: [Signature]

**NOTES**

1. THE DESIGN CONTAINS INFORMATION THAT IS CONFIDENTIAL AND REMAINS THE PROPERTY OF THE ARCHITECT. IT IS TO BE KEPT IN STRICT CONFIDENCE AND NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL BUILDING STANDARDS ACT (ACT NO 103 OF 1977).
3. ALL RELEVANT DETAILS, LEVELS, DIMENSIONS AND MATERIALS TO BE USED SHALL BE SPECIFIED IN THE ARCHITECT'S DRAWINGS AND SHALL BE KEPT UNDER REVIEW FOR THE ENTIRE DURATION OF THE PROJECT.
4. ALL DIMENSIONS ARE GIVEN IN METRES.

**OVERSTRAND MUNICIPALITY**  
 Plan No: 8/11/12  
 Payment date: 13/06/12  
 Is in accordance with the applicable Town Planning Regulations and the National Building Regulations and Building Standards Act (Act No 103 of 1977)

Area Manager (for COUNCIL)  
 Chief Building Control Officer  
 Date: 13/06/12

AREAS	DESCRIPTION	SQM
Existing main building		128.00
Existing garage		26.00
Existing covered stoep		47.00

REV	DATE	DESCRIPTION

**CORNERSTONE architectural designs**  
 Jonathan Innes  
 Cell: 073 255-3084  
 Fax: 086 695 7198  
 SAIAT : 30811 SACAP : ST1029

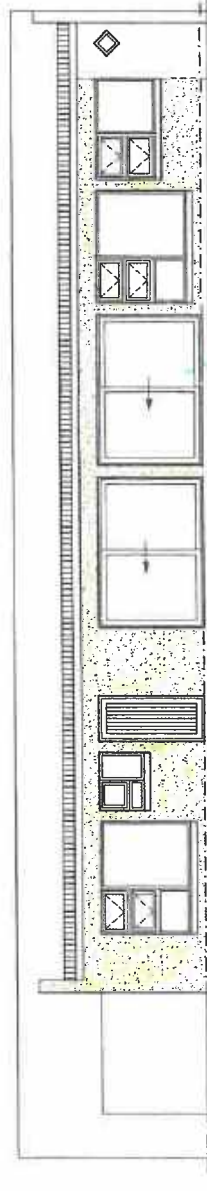
**CLIENT**  
**SABASTIAN BOTHA**

**PROJECT**  
**AS BUILD DRAWINGS**  
 Portion 59A, Portion of portion 45 of the farm Hangklip, Caledon.  
 Farm No: 559

**DRAWING**  
 Managers cottage existing covered stoep enclosed

**FLOOR PLAN - ELEVATION**

SCALE: 1:100  
 DATE: JULY 2012  
 DRAWN: [Signature]  
 CHECKED: [Signature]  
 2012/69  
 P.1



east elevation  
 scale 1:100

THE PURPOSE OF THESE DRAWINGS IS TO REFLECT WORK WHICH WAS COMPLETED MORE THAN 3 YEARS AGO AND ARE OFFERED SO AS TO BRING THE MUNICIPAL RECORDS UP TO DATE FOR SALE PURPOSES





THE PURPOSE OF THESE DRAWINGS IS TO REFLECT WORK WHICH WAS COMPLETED MORE THAN 3 YEARS AGO AND ARE OFFERED SO AS TO BRING THE MUNICIPAL RECORDS UP TO DATE FOR SALE PURPOSES

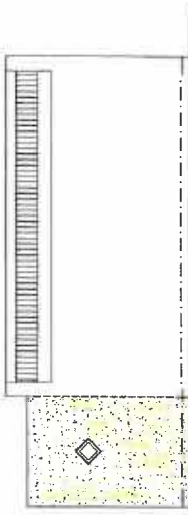
A light installed on the inside or outside of any premises shall be so positioned and screened if necessary as will ensure that it does not shine directly into any other premises or street provided this does not apply to any illumination which merely causes an increase in ambient light beyond the property boundary.

ROOF CONSTRUCTION:  
 'BIG 6' PROFILE ROOF SHEETS PAINTED TO MATCH EXISTING ON 76 x 50mm SSAP PURLINS @ MAX 900mm O/C FIXED WITH HURRICAN CLIPS ON 150x50mm RAFTERS WRAPPED IN PLASTIC & BUILT INTO BRICKWORK  
 ROOF PITCH 5 DEG

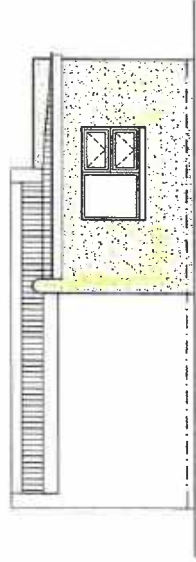
CEILING CONSTRUCTION:  
 6mm RHINOBOARD CEILING BOARDS, 50mm RAFTERS @ MAX 400mm O/C SPACING STANDARD 75mm RHINO CORNICE

700x230MM 15MPA CONCRETE STRIP FOUNDATION

SURFACE BED:  
 SCREED TO SUIT FLOOR FINISH ON 75MM 15 MPA CONCRETE SURFACE BED ON 250mm DPM ON SAND BLINDING ON WELL COMPACTED FILL TAKEN UP IN LAYERS OF MAX 150MM



north elevation  
 scale 1:100



south elevation  
 scale 1:100

bedroom

EXISTING FOUNDATION

COVERSTAND MUNICIPALITY  
 Plan No 6243  
 Payment date: 5/11/13  
 Is recommended for approval subject to the applicable Town Planning Regulations and the National Building Regulations and Building Standards Act (Act No 107 of 1977)  
 Building Official  
 Chief Building Control Officer  
 Date: 13/11/13

<p><b>NOTES</b></p> <ol style="list-style-type: none"> <li>1. THE PERSONS/COMPANY IN THE KNOWLEDGE/CONSCIOUSNESS OF THE APPLICANT, HAS/ARE OFFERING THE PROPERTY OF THE APPLICANT, WITH SANS INKLAND LOCAL AUTHORITY BY-LAWS, TO BE BUILT UPON AND TO BE BUILT IN ACCORDANCE TO THE DRAWINGS AND SPECIFICATIONS.</li> <li>2. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>3. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>4. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>5. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>6. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>7. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>8. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>9. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> <li>10. THE DRAWINGS AND SPECIFICATIONS SHALL BE TAKEN IN CONJUNCTION WITH THE SANS INKLAND LOCAL AUTHORITY BY-LAWS AND THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT (ACT NO 107 OF 1977).</li> </ol>																
<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION													<p><b>CLIENT</b>  <b>SABASTIAN BOTHA</b></p> <p><b>ARCHITECT</b>  <b>CORNERSTONE architectural designs</b>          Jonathan Innes          Cell: 073 255-3084          Fax: 086 685 7186          SAIAT : 30811 SACAP : ST1029</p>
NO.	DATE	DESCRIPTION														
<p><b>SCALE</b> 1:50</p> <p><b>DATE</b> 2012/69</p> <p><b>CHECKED</b> [Signature]</p> <p><b>DRAWN</b> [Signature]</p> <p><b>SECTION, ELEVATIONS</b></p> <p><b>LAUNDRY</b> converted into a 2 bed unit covered stoep &amp; enclosed stoep added</p>																



**NOTES**

1. THE CLIENT CONFIRMS THE DRAWING IS CORRECT
2. AND WAIVES THE LIABILITY OF THE ARCHITECT
3. WITH REGARD TO THE ACCURACY OF THE INFORMATION
4. WITH REGARD TO LOCAL AUTHORITY REGULATIONS
5. REGARDING THE DRAWING
6. CHECKED FOR USE AND FOR ANY CHANGES TO BE MADE
7. ON CHANGES TO BE REFERRED TO THE ARCHITECT
8. RESULTING FROM THE MAINTENANCE OF
9. ALL DIMENSIONS ARE GIVEN IN METERS

**SPECIFICATIONS**

**FOUNDATIONS:**  
 ALL EXTERNAL AND INTERNAL LOAD-BEARING WALLS TO BE FOUNDATIONS TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER. FOUNDATIONS TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**WALLS:**  
 EXTERNAL BOUNDARY WALLS TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER. ALL EXTERNAL WALLS TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**ROOF CONSTRUCTION:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**WINDOWS AND DOORS:**  
 ALL WINDOWS AND DOORS TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**INTERNAL FITTINGS:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**PLUMBING AND ELECTRICAL:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

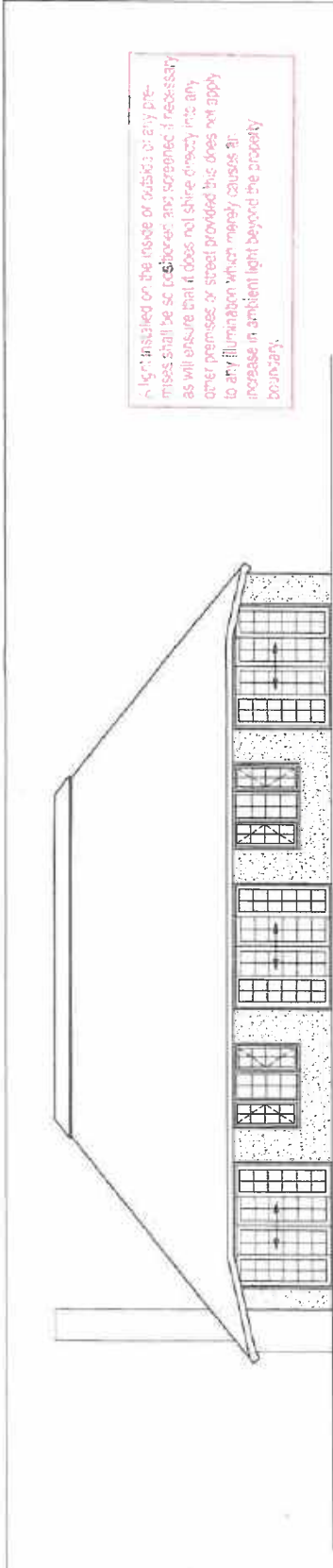
**PAINTS AND FINISHES:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**DRAINAGE:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**GENERAL NOTES:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

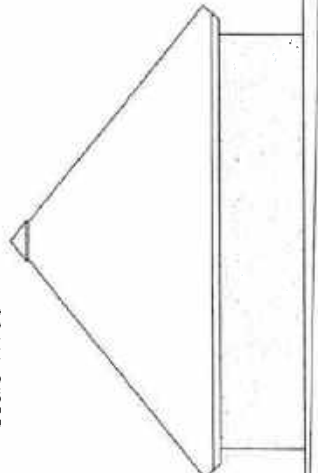
**REVISIONS:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

**DATE:**  
 TO BE CONSTRUCTED TO THE FULL DEPTH OF THE FOUNDATION TO BE VERIFIED BY THE ENGINEER.

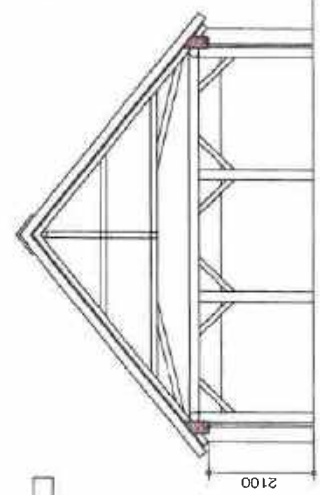


east elevation  
scale 1:100

THE PURPOSE OF THESE DRAWINGS IS TO REFLECT WORK WHICH WAS COMPLETED MORE THAN 3 YEARS AGO AND ARE OFFERED SO AS TO BRING THE MUNICIPAL RECORDS UP TO DATE FOR SALE PURPOSES



north elevation  
scale 1:100



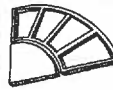
south elevation  
scale 1:100

WALL CONSTRUCTION  
 NATURAL STONE WITH MORTAR BETWEEN  
 PRE-STRESSED CONCRETE LINTOLS  
 ABOVE ALL OPENINGS

section a-a  
scale 1:100

OVERSTRAID MUNICIPALITY  
 Plan No. 13/11/12  
 Payment date: 13/01/14  
 is recommended for approval subject to the applicable Town  
 Planning Regulations and the National Building Regulations  
 and Building Standards Act (Act No 103 of 1977)

Building Official  
 Chief Building Control Officer  
 13/01/14



**CORNERSTONE**  
 architectural  
 designs

Jonathan Innes  
 Cell: 073 255-3084  
 Fax: 086 685 7198  
 SA/AT : 30811 SACAP : ST1029

CLIENT  
**SABASTIAN BOTHA**

REV	DATE	DESCRIPTION

SCALE	DATE	DRAWN	CHECKED
	19/01/2012		

2012/69

P.6

27/05/2004



20/01/2005



