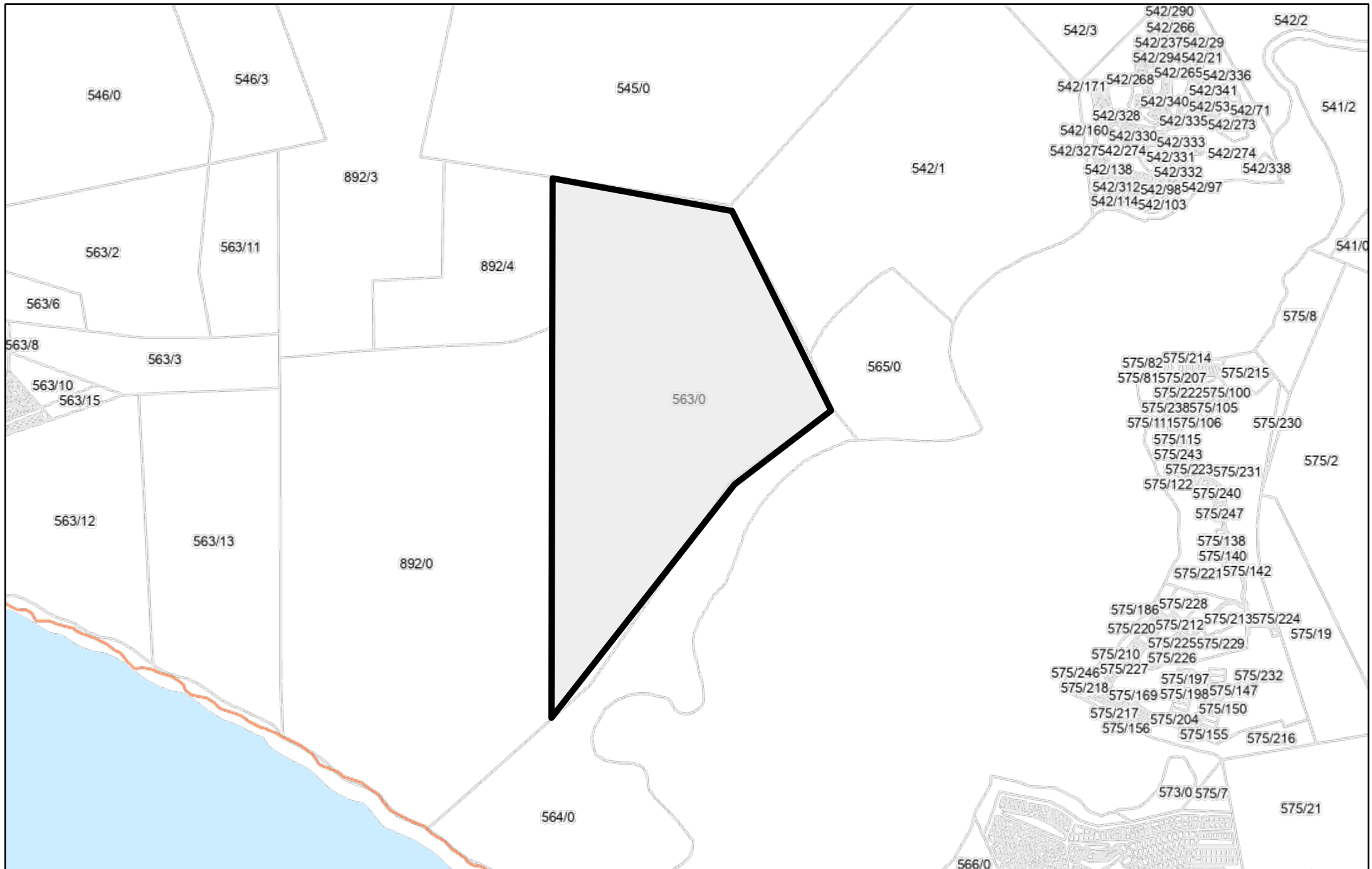


| OVERSTRAND MUNICIPALITY | OVERSTRAND MUNISIPALITEIT | UMASIPALA WASE-OVERSTRAND |
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| <p><u>REMAINDER OF THE FARM THE DRAAY NO 563, DIVISION CALEDON: APPLICATION FOR CONSENT USE: PLAN ACTIVE ON BEHALF OF ITHEMBA PROPERTY AND AGRICULTURE PROPRIETARY LIMITED</u></p> <p>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 an application received for a consent use in terms of Section 16(2)(o) of the By-Law to accommodate five additional dwelling units, an institution and intensive horticulture as proposed.</p> <p>Full details regarding the proposals above are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town and Spatial Planning, 16 Paterson Street, Hermanus and at the Kleinmond Library, Fifth Avenue, Kleinmond.</p> <p>Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before 13 December 2024, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the Senior Town Planner, Mrs. H. van der Stoep at 028-3138900. The Municipality may refuse to accept comments after the closing date. Any person who cannot read or write can visit the Town and Spatial Planning Department where they will be assisted by a municipal official in formulating their comments.</p> | <p><u>RESTANT VAN DIE PLAAS DIE DRAAY NR 563, AFDELING CALEDON: AANSOEK OM VERGUNNINGSGEBRUIK: PLAN ACTIVE NAMENS ITHEMBA PROPERTY AND AGRICULTURE PROPRIETARY LIMITED</u></p> <p>Kennis word hiermee gegee ingevolge Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) van 'n aansoek ontvang vir 'n vergunningsgebruik ingevolge Artikel 16(2)(o) van die Verordening om vyf addisionele wooneenhede, 'n inrigting en intensiewe tuinbou soos voorgestel te akkommodeer.</p> <p>Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stads- en Streekbeplanning te Patersonstraat 16, Hermanus en by die Kleinmond Biblioteek, Vyfdelaan, Kleinmond.</p> <p>Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op 13 Desember 2024, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Senior Stadsbeplanner, Me. H. van der Stoep by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.</p> | <p><u>INTSALELA YEFAMA I FARM THE DRAAY NO 563, DIVISION CALEDON: ISICELO ESIVUMELA UKUSEBENZISA: NGABAKWAPLAN ACTIVE EGAMENI LE-ITHEMBA PROPERTY AND AGRICULTURE PROPRIETARY LIMITED</u></p> <p>Kukhutshwe isaziso esimayela nemiba yeSolotyama47 nelama48 loMthethwana kaMasipala wase-Overstrand esingoMthethwana Osisihlomelo Esingezicwangciso ZoMthethwana Ongokusetyenziswa koMhlaba kaMasipala ku2020 (Umthethwana) esi sicelo sifunyenweyo singokuvumela ukusebenzisa ngokwemiba yeSolotyale16(2)(o) loMthethwana ukulungiselela iiyunithi ezintlanu zokuhlala ezongezelelweyo, isikolo samabanga aphezulu nezifundo ngezityalo njengoko kwenziwe isiphakamiso.</p> <p>linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu nekucandwa kweNdawo, 16 Paterson Street, Hermanus naseKleinmond Library, Fifth Avenue, Kleinmond.</p> <p>Naziphina izimvo mazibhalwe zifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi kwama-13 Disemba 2024, zibe negama lakho, idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni iingathunyelwa kuMcwangcisi Omkhulu weDolophu, Nkskz. H. van der Stoep kwa 028-3138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu neNdawo apho igosa likamasipala lizakumnceda afake izimvo zakhe ngokusemthethweni.</p> |
| <p>Dr DGI O'Neill Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200 Notice No. / Kennisgewing nr. / Inombolo yesaziso: 177/2024</p> | | |



APPLICATION FOR CONSENT USES
THE FARM DE DRAAY NO.563

OVERSTRAND MUNICIPALITY

CALEDON DISTRICT

MOTIVATION REPORT

1. BACKGROUND

The owner of the Farm De Draay No.563, Ithemba Property and Agriculture (Pty) Ltd, committed themselves to apply and promote sustainable farming practices. To ensure the feasibility of the farm through diversification, the owner wants to establish vineyards, intensive horticulture and additional dwelling units on the farm portion and the original farmstead will be used as a Mission Centre.

Existing structures that will continue to be used for agriculture purposes are the beekeeper's storage barn and the shed that are respectively located centrally on the farm. All other structures not mentioned in this report that have not been demolished or removed at the time of submission of this application will be demolished soonest and the Overstrand Municipality will be notified thereof. Two (2) structures have already been disassembled but cannot be removed due to the high water table making these sites inaccessible. Once these areas are accessible the disassembled structures will be removed from the farm.

The following proposed land uses requires approval as consent uses:

- 2 areas to be used for intensive horticulture;
- 5 additional dwelling units;
- Mission Centre.

In terms of the Baseline Botanical Assessment, Site Sensitivity Report and Agricultural Agro-Ecosystem Assessment certain areas of the farm portion were flagged as environmentally sensitive areas as indicated on the site development plan. The remaining extent of the farm will be used for agricultural purposes of which the first phase would be the establishment of ± 13 ha of vineyards, 1ha for cultivation purposes and 2 areas of ± 2 ha each to be used for intensive horticulture (Agricultural Tunnels). The company PHS Consulting has been appointed and will submit a Basic Assessment Report to the Department of Environmental Affairs and Development Planning for their authorisation. This process will run concurrently with this application for the consent uses. PHS Consulting will also attend to the registration of the existing water sources.

The proposal will be described in detail further in this document.

2. APPLICATION DETAILS

2.1 Property Description

The Farm De Draay No.563 is ± 351 ha in extent, held by Title Deed T5422/2020 and is situated ± 6 km east of Kleinmond, north-west of the Botrivier and bisected by the R44.

The property is within an area of natural beauty of which farms consist mainly of natural vegetation. The Arabella Golf Estate consisting of a golf course, hotel and housing development is located ± 3 km north east of the subject farm portion.

2.2 Application

It is the owner's intention to make provision for 2 intensive horticulture (Agricultural Tunnels), ±2ha portions each, that will be located on already disturbed areas, 5 additional dwelling units and a combined place of safety and children's home by means of consent uses. Application is therefore made for the following, in terms of:

- Chapter 4, Section 16(2)(o) of the Overstrand Municipality's revised By-law on Municipal Land Use Planning, 2020, for consent uses for intensive horticulture, additional dwelling units and an institution.

3. ZONING

The Farm De Draay No.563 is zoned Agriculture Zone I in terms of the Overstrand Municipality Zoning Scheme.

4. LAND USE

The land use of the farm consists mainly of natural vegetation, agricultural tunnels were previously established on the farm portion but no longer exist. A number of illegal structures have been established onsite of which a number of buildings have been removed already. In addition, two (2) buildings have been dismantled but cannot be removed from the site due to the high water table. Once the water table has subsided these dismantled buildings will be removed. An illegal wooden house situated on the farm portion is part of a divorce settlement and once the divorce has been settled the wooden house will also be demolished.

The other buildings that have no building plan approvals, with the specific exclusion of the beekeeper's storage barn, shed, labourer's cottage and original farmstead, where the place of safety and children's home will be

established, will be demolished. A Baseline Botanical Assessment, Site Sensitivity Report and Agricultural Agro-Ecosystem Assessment were conducted, and areas were flagged as environmentally sensitive areas and mapped as such on the site development plan.

5. PROPOSAL

The Farm De Draay No. 563 is currently zoned Agriculture Zone 1 in terms of the Overstrand Municipal Land Use Scheme 2020 that makes provision for the following consent uses:

*“Consent uses are **additional dwelling units**, agricultural industry, animal care centre, aquaculture, day care centre, farm shop/stall, fertiliser plant, guest house, hotel, **institution**, intensive animal farming, **intensive horticulture**, lodge, mining, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, service trade, tourist accommodation, tourist facilities, transmission apparatus, utility services, wellness centre and 4x4 trail.”*

With reference to the above consent use definition we are submitting an application for 5 additional dwelling units, an institution and intensive horticulture. The detail of the proposed consent uses is as follows:

▪ PROPOSED 5 ADDITIONAL DWELLING UNITS

Five (5) additional dwellings are proposed on the Farm De Draay No. 563. The proposed additional dwellings will comply with the following land use restrictions as defined in the Overstrand Municipality Land Use Scheme Regulations, 2020:

- a) the additional dwelling units shall remain on the same cadastral boundary as the primary dwelling unit;
- b) the number of additional dwelling units shall not exceed the 1 unit per 10,0 ha, up to a maximum of 5 additional dwelling units per land unit;

- c) one additional dwelling unit will also be considered for land units less than 10,0 ha;
- d) no additional dwelling units may be erected within 100 m of the high water mark on the coast, other than where additional dwelling units are provided as an integral part of an existing farmstead with special consent of the Municipality;
- e) the total floor area of the dwelling is limited to 250 m²; and
- f) no sectional title or alienation of units.

The additional dwelling units are located within the cadastral boundaries of the subject farm that is ±351ha in extent. With reference to the mentioned size of the farm it can also be confirmed that the proposed additional dwelling units do not exceed the density of 1 dwelling unit per 10 hectares with a maximum of 5 units. The proposed additional dwelling units are also in excess of 500m from the Botriver's edge and each additional dwelling unit will not exceed a total floor area of 250m² in extent. The additional dwelling units will also not be sectionalised or alienated from the Farm De Draay No. 563.

It was decided to create 3 clusters in positioning the additional dwelling units. The situation of proposed additional dwelling unit 1 of 5 is proposed in close proximity of the original farm stead that is centrally located. Even though it is located in close proximity to the original farmstead it does offer privacy to the future residents and it is also easily accessible from the existing internal farm road network.

Proposed additional dwelling units 2, 3 and 4 of 5 will be clustered alongside the north-eastern border of the environmental sensitive area, northeast of the proposed vineyards. These units are easily accessible from existing internal farm roads and offers great views over the Botriver, surrounding mountains and the coastline.

Proposed additional dwelling unit 5 of 5 will be located on the northern portion of the farm, north of the R44 that bisects the farm. The area of the farm north of the R44 is less frequently visited by the owner and it is becoming a safety risk. It was therefore decided to propose an additional dwelling unit on this northern portion to manage this

portion of the Farm De Draay No.563. A driveway to this proposed dwelling will be created from an existing internal farm road and an existing access from the R44 as indicated on the proposed site development plan.

The total square meterage of the floor area of the 5 proposed additional dwelling units will not exceed 1250m² in extent.

▪ **PROPOSED INSTITUTION**

A portion of the Farm De Draay No.563 that is centrally located was sporadically used as a Mission Centre in the past. It is the intention of the owner to apply for a consent use to formalise the proposed land use. The area allocated for the use as a Mission Centre is ±8 355m² in extent on which 3 buildings are established that were formerly used as the original farmstead. Please refer to the enclosed site development plan. The respective areas of the 3 buildings established on this portion of the farm are ±96m², ±26m² and ±225m² in extent.

The Mission Centre will be managed by Johannes Matthee, his wife Marié Matthee and their team of care givers. The Mission center will offer a place of safety for children and will fall under the auspices of the Zehandi Mission South Africa.

Zehandi Mission South Africa to be situated on the farm will consist of a baby house that will provide temporary residence and place of safety to seven or eight babies/children from birth until the age of about 10 years, who have been given up for adoption, abandoned, or neglected. The existing house that is ±225m² in extent, will become a place where babies and children can be cared for while they await the next stage of their life.

As far as how the farm and the Mission Centre and their reliance on each other is concerned the farm will create a bustling but interesting environment for all concerned. Farm produce will be available to the Mission for own consumption and distribution to their wide network. The Mission aims to create a place of safety for vulnerable individuals who would enjoy the distraction of farm life to aid in their healing.

A model of farming God's way will be implemented and consists of vegetable gardening, small scale goat farming, church and Bible school. The children will be home schooled and will also be taught mechanical skills. The unrestored house that is $\pm 96\text{m}^2$ in extent will be restored when an approval has been obtained. This building will serve as an office, communal kitchen, guest room for speakers or adopting parents, hall and training room.

The building located north of the existing house currently serves as an outbuilding and will be utilized as a skills development area as well as for the maintenance of farm implements and the Mission's private vehicles. This outbuilding that is $\pm 25\text{m}^2$ has been used as a workshop for the maintenance of farm implements and to service the farm vehicles and will continue to be utilized as such.

▪ **PROPOSED INTENSIVE HORTICULTURE**

Two (2) areas have been demarcated on the proposed site development plan that are $\pm 2\text{ha}$ in extent each. The one area is located west of the existing Beekeeper's Storage Barn and the other area is located south of the existing Shed. Both these proposed 2ha areas are centrally located on the farm in already disturbed areas. A combination of agricultural land covered with nets and tunnels will be constructed and will be used for seasonal vegetables etc.

It is estimated that the maximum water usage for the proposed combined area allocated for intensive horticulture of 4ha in extent will be $\pm 50\,000$ liter / ha / day. It is however anticipated that the actual water usage will be less. The provision of water will be dealt with later in this motivation report under Section 7.

6. ACCESS ROADS

Access to the subject farm is obtained from the R44 via District Road No.4006. The R44 bisects the subject farm and direct access is also gained to the northern portion of the farm from the R44. Please refer to the enclosed site development plan. One (1) additional dwelling unit numbered 5 of 5 on the site development plan will make use of the existing access from the R44 in a northern direction.

The majority of the farm, that is located south of the R44, is accessed from District Road No.4006 that runs parallel to the western boundary of the subject farm. It is proposed that the mentioned District Road be used to also access the proposed additional dwellings 1 - 4, the proposed Mission Centre and the proposed intensive horticulture portions. Additional dwelling unit 5 will be accessed via an existing access point from the R44, via an existing farm road that will be extended up to the proposed additional dwelling unit.

The existing internal farm roads are sufficient to provide access to the existing and proposed land uses. Only small sections of driveways, not wider than 3m, will have to be constructed to provide access to 3 of the 5 proposed additional dwelling units.

No additional accesses are applied for with this application and the existing accesses will suffice.

7. PROVISION OF SERVICES

The farm would mostly be self-sufficient in terms of the provision of services. Not all structures will be making use of ESKOM **electricity**. The proposed dwellings, Mission Centre and agricultural water pumps will be supplied with electricity generated on the farm by means of solar panels that will be affixed to the roofs of each dwelling unit and other structures connected to electricity storage devices and inverters.

The ground **water** potential of the study area is indicated as 2 to 5 liter / second and is of good to moderate quality at a depth of less than 20m. The Farm has one main dam and a number of ponds linked to a natural drainage system. The farm dam has a surface area of $\pm 800\text{m}^2$ and an estimated full storage capacity of $\pm 15\,000\text{m}^3$.

A new borehole was drilled to a depth of 126m by RPM drilling in April 2023. The borehole was fitted with uPVC casing and screen to the bottom of the borehole and reported to have a blow yield of approximately 30L/s. The borehole is artesian in character, flowing at 1L/s on 8 May 2023. It was decided to commence with a calibration test and even at 8.7L/s limited drawdown was observed. This was the maximum rate of the pump that could fit into the borehole. Consequently, it was decided to commence with the 24h constant discharge test.

Pumping included a drawdown of just 2.55m when pumped for 24 hours at 8.7L/s. On cessation of pumping, the borehole recovered fully within 2 minutes. The quality of the water is good and within the SANS241 limits for drinking water. For full detail of the borehole test results, please refer to the enclosed report from Parsons & Associates.

With reference to the above study, it can be accepted that the yield of the borehole is 10L/s that calculates to the provision of water of 864 000L/day. This water source alone is more than sufficient to provide the proposed 5 additional dwellings, Mission Centre and 4ha of intensive horticulture with water and will be used to fulfil this function. If required the water will be filtered for household purposes.

PHS Consulting has been appointed to apply for the necessary water registration certificates and water usage rights.

Refuse will be privately removed and delivered to the Karwyderskraal Municipal Refuse Station for the expense of the owner.

Being within a rural area no municipal **sewer** system exists to which the proposed land uses can connect. The development of the sewage system will be done in line with the municipal guidelines and it is proposed that conservancy tanks be installed at each additional dwelling unit that will be emptied by a third party such as Boland Toilet Services that service the area.

8. CHARACTER OF THE ENVIRONMENT

It is proposed that 5 additional dwellings, a Mission Centre and intensive horticulture be established on the farm. The proposed consent uses will not affect the agricultural activities on the subject farm. The current zoning is Agriculture Zone 1 and this zoning will be retained. The impact on the character of the area will be minimal.

9. POTENTIAL OF THE PROPERTY (DESIRABILITY OF THE PROPOSED UTILIZATION)

The subject property's zoning will remain unchanged, as we are only applying for consent uses. The location of the subject farm within a rural area allows the farm to be developed for low impact land uses such as additional dwelling units, tourist facilities, tourist accommodation, institutions, place of instruction, place of assembly etc. as being provided for as a consent use under the current Agriculture Zone 1 zoning.

Since the zoning of the property will remain unchanged the impact on the surrounding farms will be kept to a minimum. Property values of surrounding farms will therefore not be negatively affected by the proposed application.

10. TITLE DEED

There are no restrictive title deed conditions in Title Deed T5422/2020 that will have to be removed to accommodate the proposed consent uses.

There is no bond registered against the subject farm.

11. OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

11.1. HERITAGE VALUE

The Farm De Draay No.563 is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

In the light of the above mentioned it is evident that the proposed consent uses will not have a negative impact on the heritage value of the subject property or the Greater area of the Overstrand.

11.2. IMPACT ON THE BIOPHYSICAL ENVIRONMENT

A minimalistic approach was taken for the placement of the 5 additional dwelling units and the 2 areas earmarked for intensive horticulture to minimise the impact on the natural environment and future farming activities. PHS Consulting has been appointed to apply for a Basic Assessment in terms of the National Environmental Management Act that will run concurrently with this application.

11.3. FORWARD PLANNING AND LAND USE DOCUMENTS

The ***Overstrand Municipal Growth Management Strategy (OMGMS, 2010)*** does not include the specific farm within an urban edge and is therefore not addressed in this document.

The **Overstrand Municipality Spatial Development Framework** earmarks the subject farm portion for Agricultural purposes. With reference to the Heritage Protection Overlay Zone the proposed application has no impact on Scenic Drives, Landscape Significance etc. due to the small scale and the location of the proposed dwelling units, intensive horticulture and Mission Centre that will be established in existing buildings as consent uses.

With reference to the Environmental Management Overlay Zone the farm is labelled as being within the Coastal Protection Zone. The positioning of the 5 proposed additional dwelling units, 2 areas earmarked for intensive horticulture and the Mission Centre will not have a negative impact on the Coastal Zone and can be supported.

From the above it is evident that the proposed consent uses adheres to the spatial planning policies for the area and subsequently falls within the existing planning for the area.

11.4. PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial Justice: The proposed consent uses to make provision for 5 proposed additional dwelling units, 2 areas earmarked for intensive horticulture and the Mission Centre will create employment opportunities during the construction phase for the local residents and also long term work opportunities.

The owner will ensure that the proposed development compliments existing land uses and the character of the area. The proposed 5 dwelling units will be carefully designed. A Cape Vernacular style is envisaged for the proposed additional dwellings.

Spatial sustainability: To ensure the feasibility of the farm through diversification, the owner wants to establish vineyards, intensive horticulture and additional dwelling units on the farm. The original farmstead buildings will be used as a Mission Centre. The owner will ensure that the development will not have a negative impact on the farming activities, the existing tourist related land uses and the rural character of the area.

Efficiency: The proposed consent uses are easily accessible and conveniently located on the farm De Draay No. 563 and will be primarily self-sufficient with reference to the provision of services, especially water and electricity.

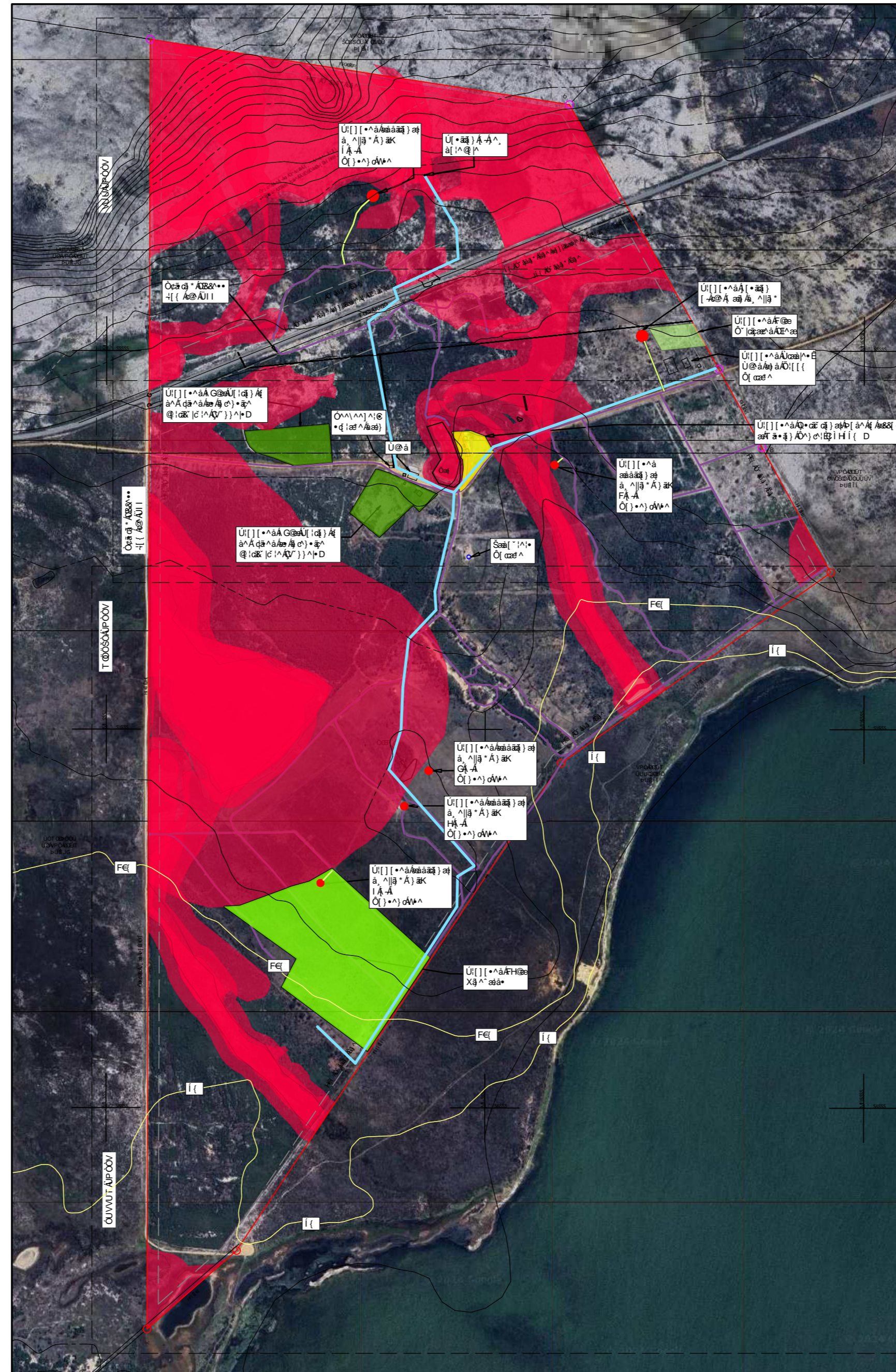
Spatial Resilience: Spatial resilience is not applicable to this application.

Good administration: Our company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's By-law on Municipal Land Use Planning.

RECOMMENDATION

- There are no Title Deed conditions that restrict the proposed consent uses for the Farm De Draay No. 563,
- The proposed consent uses will not negatively affect the agricultural activities on the farm;
- All services can be provided on the subject farm portion to the satisfaction of the Overstrand Municipality;
- The zoning of farm portion will be retained;
- The proposed consent uses will not have a negative impact on the surrounding land uses of other farms in the area;
- The proposal is compatible with the existing built character of the area.
- The proposed consent uses will give the farm the opportunity to be further managed as a viable farming unit of which the capital can be used for the upkeep of the farmstead and the expansion of possible future farming activities.

With regards to the above mentioned it would be appreciated if the application for the proposed consent uses to accommodate 5 proposed additional dwelling units, 2 areas earmarked for intensive horticulture and the Mission Centre on the Farm De Draay No. 563 be approved.

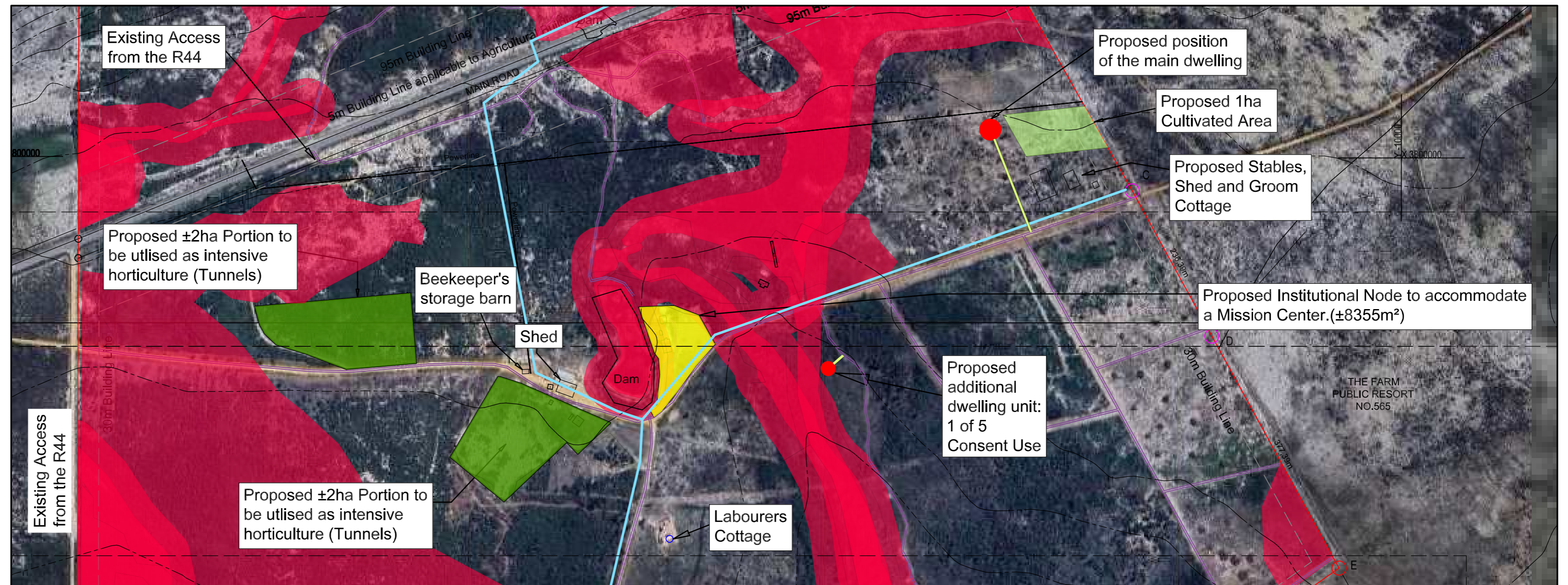
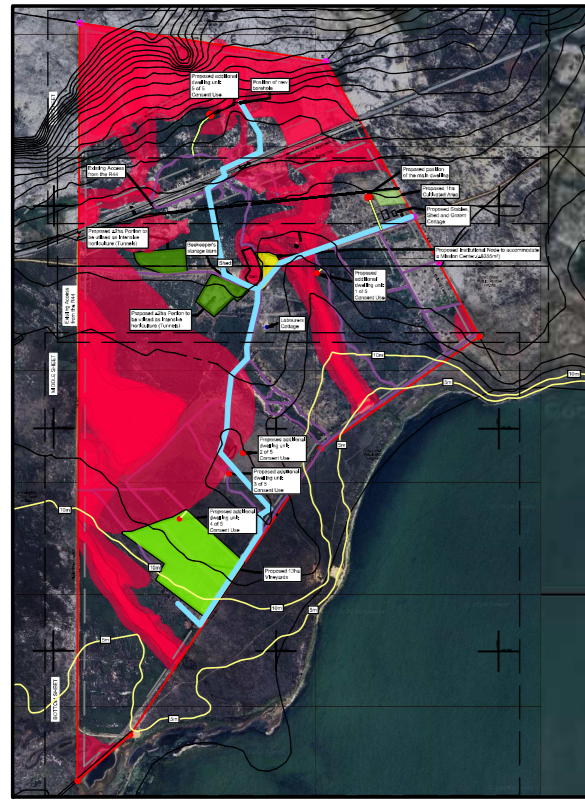


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KEY:

- Farm Boundary
- 30m Building Line
- Existing Roads & Tracks
- Proposed Additional Dwellings
- Proposed Institution (Mission Center)
- Proposed Intensive Horticulture
- Proposed Vineyards
- Proposed 1ha Cultivated Area
- Proposed Internal Road (3m)
- Proposed Pipeline from borehole

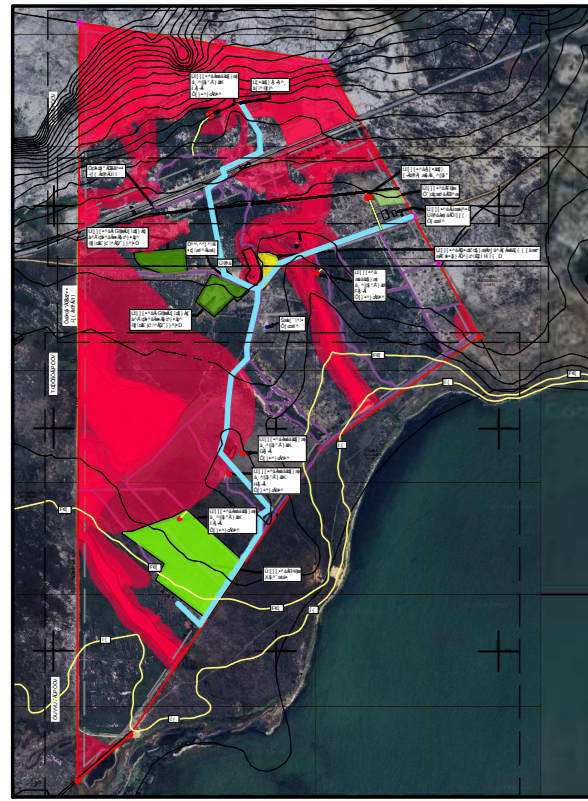
Environmental Key:

- Environmental Sensitive Areas

Sizes:

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| Total Farm Size | ±358ha |
| Proposed 5 additional dwelling <250m² each | ±1250m² |
| Manor House <250m² | ±250m² |
| Proposed Institution (Mission Center) | ±8355m² |
| Proposed Intensive Horticulture | ±4ha |
| Proposed Vineyards | ±13ha |
| Proposed Cultivated Area | ±1ha |
| Proposed Internal Roads (3m) | ±2580m² |





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