

OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<p>REMAINDER OF PORTION 7 (KANTOORSKLOOF) OF THE FARM HEMEL EN AARDE NO. 587, DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, REZONING AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WRAP PROJECT OFFICE ON BEHALF OF CLOUDS END (PTY) LTD</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 the following applications applicable to Remainder of Portion 7 of the Farm Hemel en Aarde No. 587 (the property) namely:</p> <p>Subdivision Application in terms of Section 16(2)(d) of the Bylaw for the subdivision of Remainder of Portion 7 of the Farm Hemel en Aarde No. 587 into two (2) portions namely, the Remainder of Portion 7 of Farm Hemel en Aarde No. 587 (±23,3084Ha) and Portion A (±0,3156Ha).</p> <p>Rezoning Application in terms of Section 16(2)(a) of the By-Law for the rezoning of subdivided Portion A from Agricultural Zone 1: Agriculture (AGR1) to Resort Zone: Holiday Resort (RZ1) (<i>Portion A will be Notarial Tied with Portion 15 of Farm Hemel en Aarde No. 587, Division Caledon, De Werf</i>).</p> <p>Determination of an Administrative Penalty Application in terms of Section 90(5) of the By-Law for the determination of an administrative penalty.</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.</p> <p>Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (e) loretta@overstrand.gov.za) on or before 18 July 2025, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the Town Planner, Mr. H. Olivier 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>RESTANT VAN GEDEELTE 7 (KANTOORSKLOOF) VAN DIE PLAAS HEMEL EN AARDE NR. 587, AFDELING CALEDON, OVERSTRAND MUNISIPALE GEBIED: AANSOEK OM ONDERVERDELING, HERSONERING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE WRAP PROJEKKANTOOR NAMENS CLOUDS END (PTY) LTD</p> <p>Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die volgende aansoeke van toepassing op Restant van Gedeelte 7 van die Plaas Hemel en Aarde Nr. 587 (die eiendom), naamlik:</p> <p>Onderverdeling Aansoek ingevolge Artikel 16(2)(d) van die Verordening vir die onderverdeling van Restant van Gedeelte 7 van die Plaas Hemel en Aarde Nr. 587 in twee (2) gedeeltes naamlik, die Restant van Gedeelte 7 van Plaas Hemel en Aarde Nr. 587 (±23,3084Ha) en Gedeelte A (±0,3156Ha).</p> <p>Hersonering Aansoek ingevolge Artikel 16(2)(a) van die Verordening vir die hersonering van onderverdeelde Gedeelte A vanaf Landbousone 1: Landbou (AGR1) na Oordsone: Vakansie-oorde (RZ1) (<i>Gedeelte A sal Notarieel gekoppel wees met Gedeelte 15 van Plaas Hemel en Aarde Nr. 587, Afdeling Caledon, De Werf</i>).</p> <p>Bepaling van 'n administratiewe boete Aansoek ingevolge Artikel 90(5) van die Verordening vir die bepaling van 'n administratiewe boete.</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.</p> <p>Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (e) loretta@overstrand.gov.za) voor of op 18 Julie 2025, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, Mnr. H. Olivier 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>INTSALELA YESAHLULO SESI-7 (KANTOORSKLOOF) SEFAMA IHEMEL EN AARDE NO. 587, ICANDELO LASECALEDON, UMMANDLA KAMASIPALA WASEOVERSTRAND: ISICELO SOKWAHLULWA KOMHLABA, UKUCANDWA NGOKUTSHA KUNYE NOKUMISELWA KWESOHLWAYO SOLAWULO: WRAP PROJECT OFFICE EMAGENI LIKA CLOUDS END (PTY) LTD</p> <p>Isaziso sinikwe apha ngokweCandelo lama-47 nelama-48 loMthetho kaMasipala oLungisiweyo we-Overstrand kuCwanciso lokuSetyenziswa koMhlaba kaMasipala, wowama-2020 (uMthetho kaMasipala) wezi zicelo zilandelayo zisebenza kwiNtsalela yesahlulo sesi-7 sefama iHemel en Aarde no. 587 (ipropati) eyile:</p> <p>Ukwahlulwa komhlaba Isicelo ngokweCandelo le-16(2)(d) loMthetho kaMasipala wokwahlulwa-hlulwa kweNtsalela yesahlulo sesi-7 sefama iHemel en Aarde no. 587 ibe ngamacandelo amabini (2) angala, Intsalela yesahlulo sesi-7 sefama iHemel en Aarde no. 587 (±23,3084Ha) kunye neSahlulo A (±0,3156Ha).</p> <p>Ukucandwa ngokutsha komhlaba Isicelo ngokweCandelo le-16(2)(a) loMthetho kaMasipala wocando ngokutsha lweSahlulo A esahluliweyo ukusuka kuMmandla wezoLimo 1: ezoLimo (AGR1) ukuya kwiNdawo ekuchithelwa kuyo iiholide: iHoliday Resort (RZ1) (<i>iCandelo A liya kuba yiNotarial Tied kunye iSahlulo sesi-15 seFama, iHemel en Aarde No. 587, iCandelo Caledon, De Werf</i>).</p> <p>Ukumiselwa kwesohlwayo solawulo Ukwenziwa kwesicelo ngokweCandelo lama-90(5) loMthetho kaMasipala wokumiselwa isohlwayo solawulo</p> <p>Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Izicwanciso zeDolophu nekucandwa kweNdawo, 16 Paterson Street, Hermanus.</p> <p>Naziphina izimvo mazibhalwe zifike kwaMasipala (16 Paterson Street, Hermanus / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi kwama-18 eYekhala 2025, zibe negama lakho, idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni iingathunyelwa kuCwancisi Omkhulu weDolophu, uMnu. H. Olivier kwa 028-3138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwanciso 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</p> <p style="text-align: right;"><i>Notice no. / Kennisgewing nr. / Inothi yeNomb: 114/2025</i></p>		

1. Locality Plan

Remainder of Portion 7 of the Farm 587, Caledon



Subject property

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



11/587

17/587

94/587

15/587

RE/7/587

14/587

50/587

905

45/587

RE/18/587

Scale 1 : 10000



REMAINDER OF PORTION 7 OF FARM HEMEL EN AARDE 587, CALEDON

APPLICATION FOR SUBDIVISION, REZONING & DETERMINATION OF
AN ADMINISTRATIVE PENALTY

Application prepared for:

CLOUDS END (PTY) LTD

Application prepared by:

WRAP Project Office
PostNet Hermanus Suite 170
Private Bag X16
Hermanus 7200
Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Web: www.wrapgroup.co.za

Author

Thian Jansen (A/2858/2019)

Submitted

January 2025

Amended

March 2025



TABLE OF CONTENTS

OVERSTRAND MUNICIPALITY APPLICATION FORM..... 1

1. SUMMARY OF PROPERTY DETAILS..... 1

2. BACKGROUND 1

3. FORMAT OF THE APPLICATION 2

4. MOTIVATION FOR THE APPLICATION 2

5. ZONING..... 6

6. SERVICES..... 7

7. NEED & DESIRABILITY 7

8. POLICIES AND REGULATIONS 8

9. PLANNING PRINCIPLES..... 8

10. EVALUATION..... 10

11. RECOMMENDATION 10

LIST OF PLANS

- PLAN 1:** LOCALITY PLAN
- PLAN 2:** AERIAL PLAN
- PLAN 3:** ZONING PLAN
- PLAN 4:** SUBDIVISION PLAN
- PLAN 5:** PROPOSED ZONING PLAN
- PLAN 6:** SURVEYOR GENERAL DIAGRAMS

LIST OF ANNEXURES

- ANNEXURE A:** POWER OF ATTORNEY
- ANNEXURE B:** COPY OF THE TITLE DEEDS



1. SUMMARY OF PROPERTY DETAILS

Property description	REMAINDER OF PORTION 7 OF FARM HEMEL EN AARDE 587
Division	Caledon
Registered owner	Clouds End (Pty) Ltd
Registration number	1986/03639/07
Farm extent	23,6240 Ha
Nearest town	Hermanus
Title deed	T41177/1986
Current land use	Agriculture
Current zoning	Agricultural Zone 1: Agriculture

2. BACKGROUND

The subject property, the Remainder of Portion 7 of Farm Hemel en Aarde 587, Division Caledon, is located outside Hermanus in the Hemel en Aarde Valley (refer to **Plan 1: Locality Plan**). The property is owned by Clouds End (Pty) Ltd.

A portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon has been used to gain access to Portion 15 of Farm Hemel en Aarde 587 Caledon, which is owned by De Werf (Pty) Ltd. Following negotiations, an agreement was reached whereby De Werf (Pty) Ltd would purchase the portion they traverse from Clouds End (Pty) Ltd.

To facilitate this, it is proposed that the small portion be subdivided and notarially tied to Portion 15 of Farm Hemel en Aarde 587 Caledon, ensuring that the two portions cannot be dealt with separately. The notary tie is proposed as there is a sectional title scheme registered on Portion 15 of Farm Hemel en Aarde 587 Caledon. This application is significant as it formalises access to Portion 15 of Farm Hemel en Aarde 587 Caledon, given that the previous arrangement was never legally finalised. The property owners have appointed WRAP Project Office to apply to the Department of Agriculture, Land Reform and Rural Development and the Overstrand Municipality on their behalf (refer to **Annexure A: Power of Attorney**).

In addition to formalising the access to Portion 15 of Farm Hemel en Aarde 587 Caledon, there was a garage built without the necessary approval across the boundary lines of Portion 15 of Farm Hemel en Aarde 587 Caledon & Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon. The owners of Portion 15 of Farm Hemel en Aarde 587 Caledon has undertaken, once the approval is received, to demolish a section of the garage which straddles the boundary line, to line up with the boundary line and submit building plans for the structure. As the structure is located over the building line, an application for the subdivision and determination of administrative penalty is required.



3. FORMAT OF THE APPLICATION

This application is divided into two sections:

Application 1:

Subdivision of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon (23,6240 Ha) into two portions, refer to the table below:

PROPOSED SUBDIVISION	
Remainder of Portion 7 of Farm Hemel en Aarde 587 Caledon	±23,3084 Ha
Portion A	±0,3156 Ha

Refer to **Plan 4 – Proposed Subdivision**.

Application 2:

Rezoning of Portion A (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) from Agricultural Zone 1: Agriculture to Resort Zone: Holiday Resorts, refer to the table below:

PROPOSED REZONING OF PORTION A
FROM <u>AGRICULTURAL ZONE 1: AGRICULTURE</u>
TO <u>RESORT ZONE: HOLIDAY RESORTS</u>

Refer to **Plan 5 – Proposed Rezoning**.

4. MOTIVATION FOR THE APPLICATION

4.1 Current agricultural activities

The owners of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon, utilise the farm for agricultural purposes, specifically irrigated orchards. The section proposed for subdivision and rezoning does not contain any agricultural activities.

The proposed subdivision and rezoning are therefore not expected to impact on the agricultural viability of any of the properties.

4.2 Western Cape Land Use Planning Guidelines Rural Areas

The proposed subdivision and rezoning are not expected to conflict with the Western Cape Land Use Planning Guidelines for Rural Areas. Despite the reduction in farm size, the agricultural enterprise will remain unaffected.

The proposed subdivision lines have been carefully positioned along the existing road that traverses the property, ensuring that no vegetation or agricultural land is disturbed. Subdividing the underutilised land will provide access to Portion 15 of Farm Hemel en Aarde 587 Caledon. This approach promotes a balanced and sustainable strategy for rural land use.

4.3 Proposed Rezoning

Portion A (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) is proposed to be rezoned to align with the current zoning of **Portion 15** of Farm Hemel en Aarde 587 Caledon. This rezoning is essential to ensure land-use consistency and legal compliance, thereby enabling the effective management and functional integration of the two portions. Furthermore, it is proposed that **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) is notarially tied to **Portion 15** of Farm Hemel en Aarde 587 Caledon, to ensure that these properties remain permanently linked and cannot be sold or dealt with separately, safeguarding the long-term integrity of the resort operation. As there is a sectional title scheme registered on **Portion 15** of Farm Hemel en Aarde 587 Caledon it cannot be consolidated with **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) but can be notary tied.

Portion A (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) has an existing structure located thereon which currently straddles the boundary between **Portion 15** of Farm Hemel en Aarde 587 Caledon and the subject property. The structure will be partially demolished to comply with the necessary building regulations and building plans will be submitted. Refer to the figure 1:

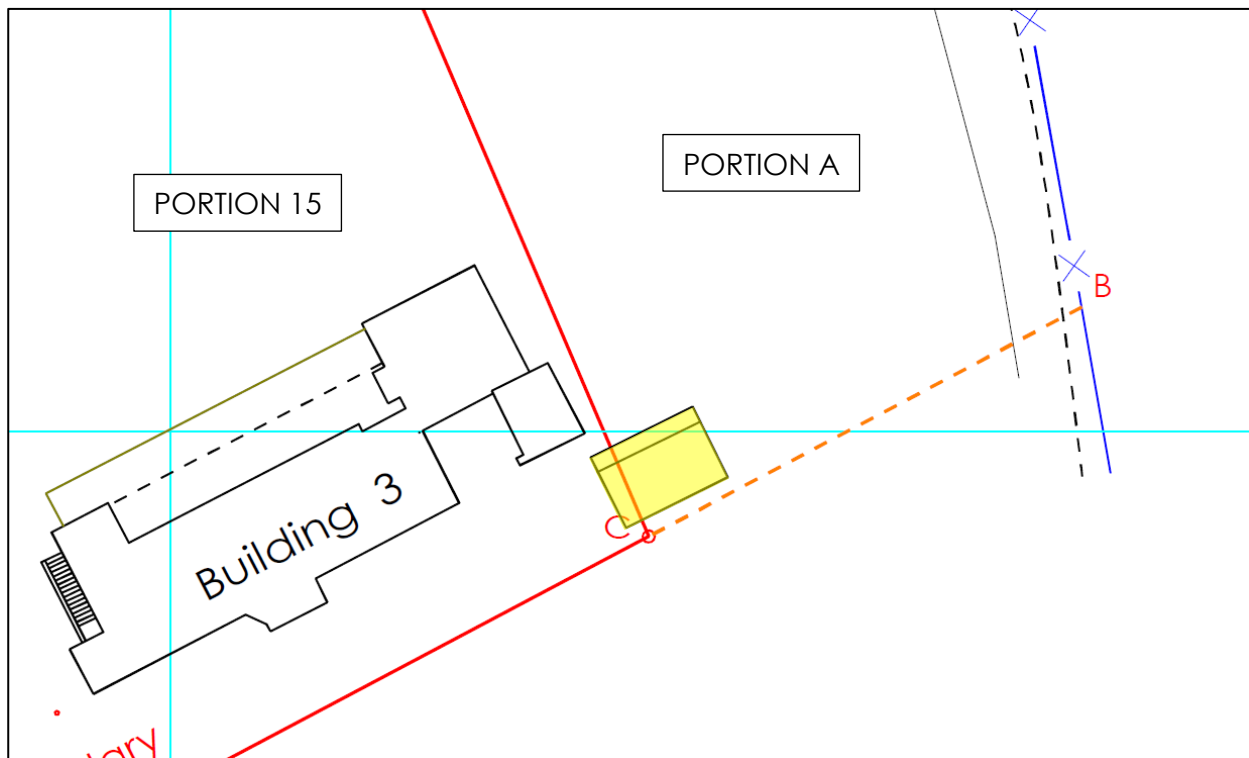


Figure 1: Existing Structure on Portion A & Portion 15



- Consistency with Existing Land Use

The rezoning of **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) to match the existing Resort zoning of **Portion 15** of Farm Hemel en Aarde 587 Caledon, ensures continuity and prevents any land-use conflict. This consistency aligns with municipal land-use planning objectives, which aim to promote coordinated development and the efficient use of land in rural areas.

- Preservation of Agricultural Land

The proposed rezoning will have no impact on the agricultural viability of the remaining portions of the farm. **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) is an underutilised piece of land that does not currently support any agricultural activities, ensuring that no productive farmland is lost. This approach adheres to the principles of the Western Cape Land Use Planning Guidelines for Rural Areas, which seek to protect agricultural land while allowing for sustainable rural development.

- No Additional Development Impact

The intended use of **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) is limited solely to provide access to **Portion 15** of Farm Hemel en Aarde 587 Caledon. No new development, infrastructure, or structures are proposed, ensuring that the rezoning will not result in any environmental or visual impact on the surrounding rural landscape. The existing vegetation and character of the area will remain intact, further supporting the sustainability of the proposal.

- Improved Access and Functional Integration

By formalising the access route to **Portion 15** of Farm Hemel en Aarde 587 Caledon, the proposed rezoning enhances the operational efficiency and functionality of the resort. The current access arrangement is informal, and this application ensures that access rights are legally secured. This is particularly important given the economic contribution of the resort to the local tourism industry, as it provides accommodation and recreational opportunities in the Hemel en Aarde Valley.

4.4 Determination of an administrative penalty;

As previously mentioned, the owners of **Portion 15** of Farm Hemel en Aarde 587, Caledon, have constructed a garage that currently extends over the boundary line separating **Portion 15** of Farm Hemel en Aarde 587, Caledon, from **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon). In order to ensure that the structure complies with the relevant building regulations and legal requirements, it is necessary for the garage to be partially demolished. The demolition will be carried out up to the boundary line between **Portion 15** of Farm Hemel en Aarde 587, Caledon, and **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) ensuring the structure conforms to the necessary spatial guidelines.

The structure is situated in a location where no formal building lines apply, as **Portion A** (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) is proposed to be rezoned to align with the existing Resort zoning of **Portion 15** of Farm Hemel en Aarde 587, Caledon, which does not impose building line restrictions. Therefore, the proposal is to modify the existing garage structure to ensure it aligns with the boundary line between **Portion 15** of Farm Hemel en Aarde 587, Caledon, and **Portion A** (a Portion

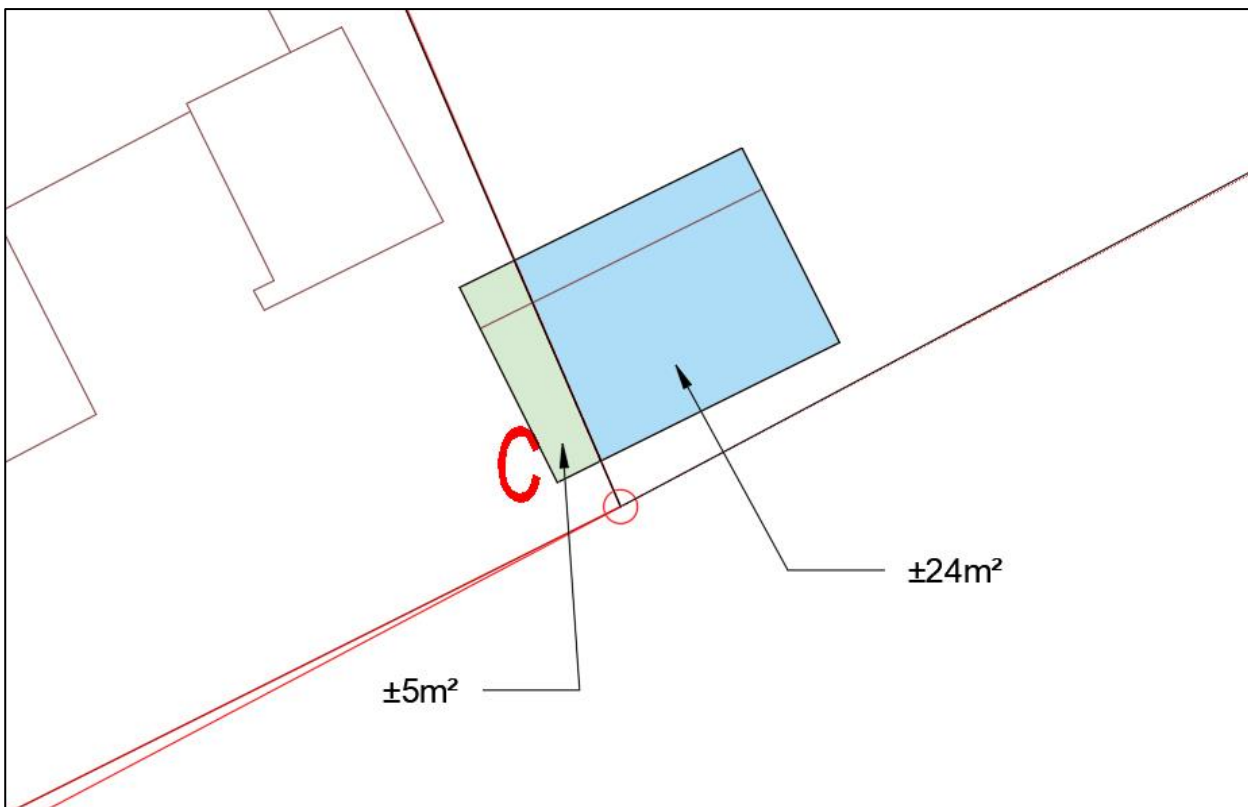
of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) These alterations will ensure that the structure complies with the necessary building regulations while maintaining its current position, thereby avoiding the need for significant reconstruction or relocation.

It is however necessary to include a determination of an administrative penalty as the structure was built without the necessary approvals that will ensure compliance with the By-Law. It is however requested that the administrative penalty be waived in total as the structure was not erected with any malintent and the demolition of a portion of the garage will already be a financial burden to the owners.

Section 90(3) of the By-law requires that the following information be provided:

The nature, duration, gravity and extent of the contravention

The total extent of the building is $\pm 29\text{m}^2$, of which $\pm 5\text{m}^2$ will be demolished to align with the boundary lines:



The conduct of the person (allegedly) involved in the contravention

The owners of Portion 15 of Farm Hemel en Aarde 587, Caledon was responsible for ensuring that there were no contraventions in terms of the By-Law.

A report by a quantity surveyor in matters of unauthorised building/construction

Due to the small-scale nature of the encroachment no quantity surveyor was involved.



Whether the unlawful conduct was stopped

The structure has already been constructed.

Whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.

To the knowledge of this office, the property owner has not previously contravened the By-Law.

5. ZONING

The following zoning parameters were assessed in conjunction with the OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:

PROPOSED ZONING – PORTION A (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon)

RESORT ZONE: HOLIDAY RESORTS (RZ)			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Conservation Use, Holiday Accommodation , Private Open Space , Private Road and Tourist Accommodation		Comply
Consent uses that may be applied for	Additional Dwelling Units, Conference Facilities, Holiday Housing, Hotel, Place of Assembly, Place of Entertainment, Recreational Facilities, Restaurant, Transmission Apparatus (subject to the provisions of Chapter 16.10), Tourist Facilities or any other uses determined by the Municipality.		Comply
Development Parameters			
a) Prior to the approval of any building or engineering services plan, the Municipality shall stipulate development parameters with regard to density, height, coverage, layout, building design, landscaping, parking, access, signage and the use of the property when: <ul style="list-style-type: none"> (i) the zoning of a land unit to this zone is approved; (ii) any environmental impact report is considered; (iii) any environmental management plan is considered; and (iv) any site development plan and landscape master plan are approved. b) A site development plan must be submitted to the Municipality for approval in accordance with 16.3. c) A landscape master plan and environmental management plan shall be submitted to the Municipality and approved in terms of the provisions stipulated in 16.4. d) The Municipality shall stipulate the required services and other infrastructure required to service the resort.			No additional structures are proposed.



6. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

Electricity, Water, Sewage and Solid Waste

The proposed subdivision and rezoning are not expected to have an impact on the existing services.

Access and Egress

Access and egress to the property is gained from a subordinate district road that links up with the R326.

7. NEED & DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66(1)(c) of the OM By-Law can be illustrated as follow:

Need and desirability.

The need for the land use application is a result of addressing all the land use requirements and ensuring the property meets the needs of the owner. To achieve this, the proposed applications are required.

Socio-economic impact	The proposed application is expected to have minimal socio-economic impact.
Compatibility with surrounding uses	The application to formalise the access for Portion 15 of Farm Hemel en Aarde 587, Caledon is not considered to be out of the ordinary to the surrounding area.
Impact on the external engineering services	No impact is expected.
Impact on safety, health and wellbeing of the surrounding community	The proposed application is not expected to have an impact on safety, health and wellbeing of the surrounding community.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	No impact is expected on the biophysical environment as the proposed application is only cadastral lines and no physical changes are being proposed.
Traffic impacts, parking, access and other transport related considerations	The proposal will not have an impact on traffic, parking or access, as the roads and access points are existing.



Impact on views, sunlight and character of the area

Due to the application being only for cadastral changes between the two land portions, it is not accepted to have a negative impact on views, sunlight and character of the area.

Economic impact

The proposal is not expected to have a long- or short-term economic impact.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposal is not predicted to have a negative impact on the surrounding properties.

8. POLICIES AND REGULATIONS

8.1 Environmental Management Overlay Zone (EMOZ)

The property is located within the EMOZ. A portion of the property is located in the riverine environmental management overlay zone, the purpose of which is to protect and conserve the ecological functioning of the Overstrand's main river courses and associated wetlands.

The proposed subdivision and rezoning are not expected to have an impact on the Riverine EMOZ.

8.2 Heritage Protection Overlay Zone (HPOZ)

The subject property is located along a 'Route of Local Scenic Significance' the proposed subdivision and rezoning are not expected to have an impact on the route as it is a cadastral amendment being applied for and no new development will take place.

8.3 Spatial Planning Policies

This proposal is not in conflict with any provisions of the Western Cape Provincial Spatial Development Framework, 2014 or the Overstrand Spatial Development Framework, 2020.

9. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided by. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

Spatial sustainability and Efficiency

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal to subdivide and notorially tie the properties to ensure a formal access to Portion 15 of Farm Hemel en Aarde 587, Caledon ensure sustainable and efficient use of existing accesses.



Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good administration

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process.

The public participation process provides people who may be affected by the proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly.



10. EVALUATION

The proposed subdivision and rezoning of Portion A (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) represent a carefully considered and sustainable approach to land use in the Hemel en Aarde Valley. By formalising access to the neighbouring portion, Portion 15 of Farm Hemel en Aarde 587 Caledon, the approval of the application ensures legal certainty and operational efficiency for the existing development without compromising the agricultural viability or environmental integrity of the surrounding area.

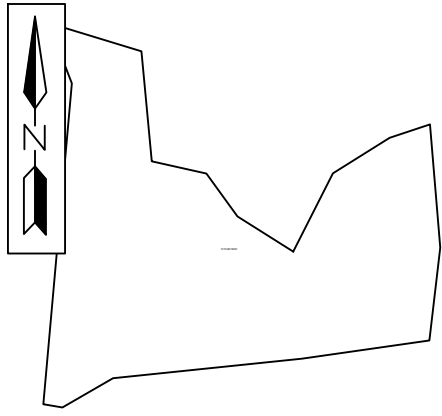
Furthermore, the alignment with the Western Cape Land Use Planning Guidelines for Rural Areas and relevant municipal planning policies demonstrates that the proposal is consistent with regional development objectives. No new development or structures are proposed, preserving the rural character and ensuring minimal impact on the landscape.

In light of these considerations, the application contributes to the balanced utilisation of rural land, supporting both tourism and agriculture as key economic drivers. Approval of this application is therefore in the public interest and aligned with sustainable land use planning principles.

11. RECOMMENDATION

That the following application be approved:

- 11.1 Subdivision** of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon into **Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon (±23,3084 Ha) and Portion A (±0,3156Ha)** in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- 11.2 Rezoning** of the Subdivided Portion A (a Portion of the Remainder of Portion 7 of Farm Hemel en Aarde 587, Caledon) from **Agricultural Zone 1: Agriculture to Resort Zone: Holiday Resorts**, in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 11.3 Determination of an administrative penalty** in terms of Section 90(5) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



PORTION A (±0,3156ha)

15/587

RE/7/587

905

Scale 1 : 4 000

INSET

PORTION A

INSET

PORTION A

4. Proposed Subdivision

Remainder of Portion 7 of the Farm 587, Caledon

Remainder of Portion 7 of the Farm 587, Caledon = 23,6240ha

Proposed Subdivision

Portion A = ±0,3156ha / ±3156m²

Remainder of Portion 7 of the Farm 587, Caledon = ±23,3084ha

Plan number: 22.165/001

Date - 28/11/2024

Plan prepared by: Thian Jansen
Based on surveys done by Geomatics Africa

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



5. Proposed Zoning Plan

Remainder of Portion 7 of the Farm 587, Caledon



Agricultural Zone 1: Agriculture



Resort Zone

REZONING OF PORTION A

15/587

RE/7/587

905

NTS

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

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