



PORTION 94 OF THE FARM HEMEL EN AARDE NO. 587, DIVISION OF CALEDON: APPLICATION FOR DEPARTURE, AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN, AMENDMENT OF CONDITIONS OF APPROVAL AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: WRAP PROJECT OFFICE ON BEHALF OF HAYGROVE HEAVEN (PTY) LTD

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received for the following:

- **Departure** in terms of Section 16(2)(b) of the By-Law to relax the Eastern 30m building line to 12,04m to accommodate the proposed expansion of the existing pack shed; and to relax the same building line to 6,44m to accommodate the existing pergola.
- **Departure** in terms of Section 16(2)(b) of the By-Law to relax the Northern 30m building line to 9m, the Western 30m building line to 9m, the Southern 30m building line to 5m and the Eastern 30m building line to 3m to accommodate the existing intensive horticulture tunnels.
- **Departure** in terms of Section 16(2)(b) of the By-Law to relax the Northern 30m building line to 11m, 12m and 20m respectively, the Western 30m building line to 10m, 12m, 13,5m, 14m, 14,5m and 15,5m respectively, the Southern 30m building line to 7,3m, 8m, 23,7m and 23,8m respectively, the South-eastern 30m building line to 19m and 24,5m respectively and the Eastern 30m building line to 3m, 3,3m and 5,5m respectively to accommodate proposed new intensive horticulture tunnels.
- **Departure** in terms of Section 16(2)(b) of the By-Law to exceed the maximum allowable floor space from 6,1707ha to 22,2431ha to accommodate proposed new intensive horticulture tunnels.
- **Amendment of the existing approved site development plan** in terms of Section 16(2)(l) of the By-Law to accommodate the proposed expansion of the tunnels, the existing enclosed berry fields on the property and the larger agricultural industry footprint.
- **Amendment of conditions of approval** in terms of Section 16(2)(h) of the By-Law for the amendment of condition 1(c) in approval letter dated 13 July 2012 to accommodate the expansion of the footprint of the existing agricultural industry, and condition 3(a) in approval letter dated 9 February 2016 to accommodate the proposed expansion of the tunnels on the property.
- **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law for the unauthorised construction of intensive horticulture tunnels on the property.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any comments must be in writing in accordance with the provisions of Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) on or before **19 April 2024**, quoting your name, address and contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to the Town Planner, **Mr. H Olivier** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

GEDEELTE 94 VAN DIE PLAAS HEMEL EN AARDE NR. 587, AFDELING VAN CALEDON: AANSOEK OM AFWYKING, WYSIGING VAN GOEDGEKEURDE TERREINONTWIKKELINGSPLAN, WYSIGING VAN GOEDKEURINGSVOORWAARDES EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: WRAP PROJECT OFFICE NAMENS HAYGROVE HEAVEN (PTY) LTD

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek vir die volgende ontvang is:

- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die Oostelike 30m boulyn na 12,04m te verslap om die voorgestelde uitbreiding van die bestaande pakskuur te akkommodeer; en om dieselfde boulyn tot 6,44m te verslap om die bestaande priede te akkommodeer.
- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om onderskeidelik die Noordelike 30m boulyn na 9m te verslap, die Westelike 30m boulyn na 9m te verslap, die Suidelike 30m boulyn na 5m te verslap en die Oostelike 30m boulyn na 3m te verslap om die bestaande intensiewe tuinboutonnels te akkommodeer.
- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die Noordelike 30m boulyn te verslap tot onderskeidelik 11m, 12m en 20m, die Westelike 30m boulyn te verslap tot onderskeidelik 10m, 12m, 13,5m, 14m, 14,5m en 15,5m, die Suidelike 30m boulyn te verslap tot onderskeidelik 7,3m, 8m, 23,7m en 23,8m, die Suidoostelike 30m boulyn te verslap tot onderskeidelik 19m en 24,5m en die Oostelike 30m boulyn te verslap tot onderskeidelik 3m, 3,3m en 5,5m om voorgestelde nuwe intensiewe tuinboutonnels te akkommodeer.
- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die maksimum toelaatbare vloer ruimte vanaf 6,1707ha na 22,2431ha te oorskry om voorgestelde nuwe intensiewe tuinboutonnels te akkommodeer.
- **Wysiging van die bestaande goedgekeurde terreinontwikkelingsplan** ingevolge Artikel 16(2)(l) van die Verordening om die voorgestelde uitbreiding van die tonnells, die bestaande omheinde bessielande op die eiendom en die groter landboubedryf-vloeroppervlak te akkommodeer.
- **Wysiging van goedkeuringsvoorwaardes** ingevolge Artikel 16(2)(h) van die Verordening vir die wysiging van voorwaarde 1(c) in goedkeuringsbrief gedateer 13 Julie 2012 om die uitbreiding van die bestaande landboubedryf se vloeroppervlak te akkommodeer, en voorwaarde 3(a) in goedkeuringsbrief gedateer 9 Februarie 2016 om die voorgestelde uitbreiding van die tonnells op die eiendom te akkommodeer.
- **Bepaling van 'n administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening vir die ongemagtigde oprigting van intensiewe tuinboutonnels op die eiendom.

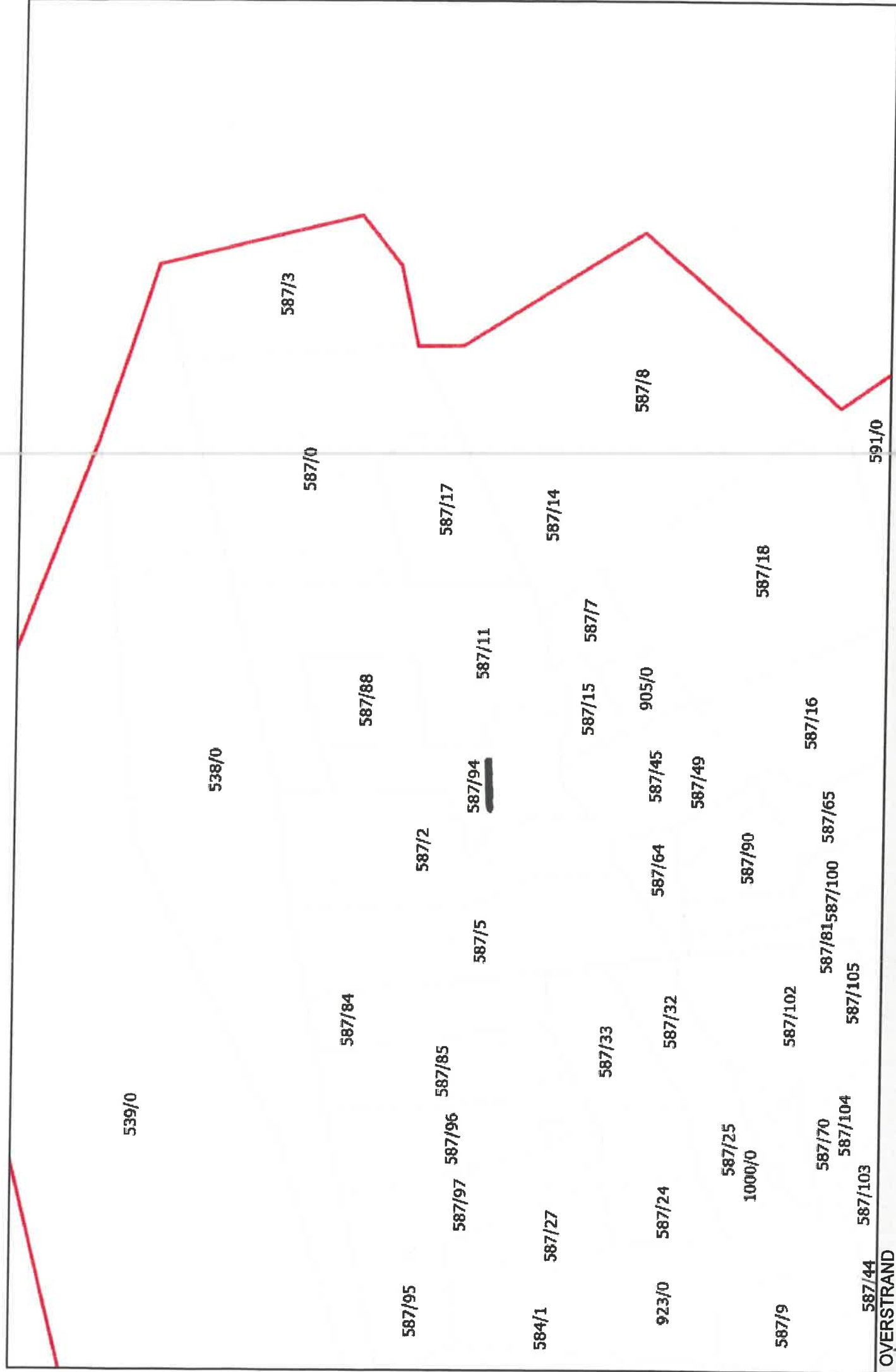
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende woensdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik wees ingevolge Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) bereik voor of op **19 April 2024**, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, **Mnr. H Olivier** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIGABA SAMA-94 SEFAMA I-HEMEL EN AARDE NO. 587, ICANDELO LE-CALEDON: ISICELO SOKUSHENXA KWEMIDA YESAKHIWO, UKULUNGISWA KWESICWANGCISO ESIKHOMO ESIVUNYIWEYO SOPHULISO, UKULUNGISWA KWEEMKO ZOKUVUNYWA YOKUVUMELWA NOKUMISELWA KWESOHLWAYO SOLAWULO: I-WRAP PROJECT OFFICE EGAMENI LIKA HAYGROVE HEAVEN (PTY) LTD

Isaziso siyanikezelwa ngokweCandelo lama-48 likaMasipala weOverstrand woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala) sokuba isicelo sifunyenwe soku kulandelayo:

- Ukutenxa ngokweCandelo le-16(2)(b) loMthetho kaMasipala ukunyenisa umda wesakhiwo ongaseMpuma ongama-30m ukuba ube yi-12,04m ukulungiselela ukwandiswa okucetywayo kweshedi ekhoyo yokupakisha; kunye nokucuthwa komda wesakhiwo omnye ube yi-6,44m ukulungiselela i-pergola ekhoyo;
- Ukutenxa ngokweCandelo le-16(2)(b) loMthetho kaMasipala ukunyenisa umda wesakhiwo osemantla wama-30m ukuba ubesisi-9m, umda wesakhiwo oseNtshona-30m ukuya kwisi-9m, umda wesakhiwo osemaZantsi ongama-30m ukuya kwisi-5m kunye umda wesakhiwo oseMpuma ongama-30m ukuya kwisi-3m, ukulungiselela itonela ezikhoyo zokulima izitya;
- Ukutenxa ngokweCandelo le-16(2)(b) loMthetho kaMasipala ukunyenisa umda wesakhiwo osemantla wama-30m ukuba ube yi-11m, 12m kunye ne-20m ngokulandelelanayo, umda wesakhiwo oseNtshona oyi-30m ukuya kwi-10m, 12m, 13,5m, 14m, 14,5m kunye ne-15,5m ngokulandelelanayo, umda wesakhiwo osemaZantsi oyi-30m ukuya kwi-7,3m, 1-8m, 23,7m kunye ne-23,8m ngokulandelelanayo, umda wesakhiwo osemazantsi-mpuma oyi-30m ukuya kwi-19m kunye ne-24,5m ngokulandelelanayo kunye nomda wesakhiwo oseMpuma oyi-30m ukuya kwi-3m, 3,3m kunye ne-5,5m ngokulandelelanayo ukulungiselela itonela entsha ecetywayo yokulima izitya;
- Ukutenxa ngokweCandelo le-16(2)(b) loMthetho kaMasipala ukuba kugqithe esona sithuba siphezulu sivumelekileyo somgangatho ukusuka kwi-6,1707ha ukuya kuma-22,2431ha ukuze kulungiselelwe itonela entsha ecetywayo yokulima izitya;
- Ukulungiswa kwesicwangciso esikhoyo esivunyiweyo sophuhliso lwesiza ngokweCandelo le-16 (2) (l) loMthetho kaMasipala ukulungiselela ukwandiswa okucetywayo kweetonela, amasimi amaqunube avaliweyo kwipropati kunye nendawo enkulu yoshishino lwezolimo.
- Ukulungiswa kweemeko zokuvunywa ngokweCandelo le-16(2)(h) loMthetho kaMasipala ukuze kuhlonyelwe imeko 1(c) kwileta yokuvunywa yomhla we-13 EyeKhala 2012 ukulungiselela ukwandiswa kweenyawo zeshishini lezolimo elikhoyo, kunye nomqathango 3(a) kwileta yemvume yomhla we-9 kweyoMdumba 2016 ukulungiselela ukwandiswa okucetywayo kweetonela kwipropati.
- Ukumiselwa kwesohlwayo solawulo ngokwemigaqo yeCandelo 16(2)(q) loMthetho kaMasipala ngolwakhiwo olungagunyaziswanga lwetonela yokulima ihorticulture kwipropati.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangciso ngeDolophu, ePaterson Street, eHermanus. Naziphi na izimvo mazibhalwe phantsi ngokungqinelana nezibonelelo zeCandelo lama-51 kunye nelama-52 oMthetho kaMasipala ukuze zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama- **19 UTshazimpunzi 2024**, ucaphula igama lakho, idilesi kunye nesizathu soqhagamshelwano lwakho. Imibuzo ngomnxeba ingenziwa kuMchwangcisi weDolophu, **uMnu. H Olivier** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.



Ptn 94 of Farm 587, Hemel en Aarde

App (nr)



TP. n./thealt
(11.01.2024)

OVERSTRAND MUNISIPALITEIT

REKORDBEHEER

21 FEB 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

PORTION 94 OF THE FARM HEMEL-EN-AARDE VALLEY 587, CALEDON

APPLICATION FOR DEPARTURE, AMENDMENT OF AN
APPROVED SITE DEVELOPMENT PLAN AND AMENDMENT OF
CONDITIONS OF APPROVAL

Application prepared for:

HAYGROVE HEAVEN (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

August 2023

Amended

February 2024

FILE NO. **PA 94/587**

Hemel & Aarde

SCAN NO.

COLLABORATOR NO.

2000655

TP 21 FEB 2024



TABLE OF CONTENTS

OVERSTRAND MUNICIPALITY APPLICATION FORM

1. ABBREVIATIONS	1
2. PROPERTY DETAILS	1
3. BACKGROUND AND INTENT	1
4. HISTORIC APPLICATIONS AND APPROVALS	4
5. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT	5
6. APPLICATION	14
7. LAND USE ENVIRONMENT	15
8. TITLE DEED	16
9. ZONING	16
10. SERVICES	20
11. NEED AND DESIRABILITY	22
12. POLICIES AND REGULATIONS	31
13. PLANNING PRINCIPLES	34
14. EVALUATION	35
15. RECOMMENDATION	36

LIST OF PLANS

PLAN 1:	LOCALITY PLAN
PLAN 2:	ZONING PLAN
PLAN 3:	AERIAL PLAN
PLAN 4.1:	SITE DEVELOPMENT PLAN
PLAN 4.2:	INSET SITE DEVELOPMENT PLAN
PLAN 5:	DEPARTURE PLAN
PLAN 5.1:	DEPARTURE PLAN – INSET 1
PLAN 5.2:	DEPARTURE PLAN – INSET 2
PLAN 5.3:	DEPARTURE PLAN – INSET 3
PLAN 5.4:	DEPARTURE PLAN – INSET 4
PLAN 5.5:	DEPARTURE PLAN – INSET 5
PLAN 5.6:	DEPARTURE PLAN – INSET 6
PLAN 6:	SURVEY PLAN
PLAN 7:	SURVEYOR GENERAL DIAGRAM

LIST OF ANNEXURES

ANNEXURE A:	POWER OF ATTORNEY AND RESOLUTION
ANNEXURE B:	COPY OF THE TITLE DEED
ANNEXURE C:	HISTORIC APPROVALS – 2012 & 2016
ANNEXURE D:	VISUAL IMPACT ASSESSMENT
ANNEXURE E:	FIRE MANAGEMENT PLAN



MOTIVATION

1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
BY-LAW	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
PSDF	Western Cape Provincial Spatial Development Framework, 2014
LUPA	Western Cape Land Use Planning Act, 2014.
MSDF	Overstrand Spatial Development Framework, 2020

2. PROPERTY DETAILS

Subject Property	Portion 94 of the Farm Hemel en Aarde Valley 587, Caledon
Extent	71,5045 ha
Zoning	Agricultural Zone 1: Agriculture

3. BACKGROUND AND INTENT

Situated in the Hemel en Aarde Valley, the subject property is Portion 94 of Farm Hemel en Aarde Valley 587, Caledon, as indicated in **Plan 1 - Locality**. Haygrove Heaven (Pty) Ltd owned the farm since 2007 but have operated on the farm since 2002. Haygrove Heaven (Haygrove) appointed WRAP Project Office to prepare this land use application on their behalf (refer **Annexure A – Power of Attorney** and **Company Resolution**).

Haygrove is a specialist horticulture business, producing the full berry basket. This includes strawberries, raspberries, blackberries and blueberries. On the farm in the Hemel-en-Aarde Valley, Haygrove produces raspberries, blackberries and blueberries.

Haygrove identified the Hemel-en-Aarde Valley as a perfect match with the appropriate climate to produce berries in the Southern Hemisphere for the Northern Hemisphere's berry demand. Haygrove set up its domestic head office within the Hemel-en-Aarde Valley in 2002. Haygrove was the first international producer of raspberries for the United Kingdom's winter.

Fast forward a few years, Haygrove now produces berries across its farms in South Africa for domestic sale (40%) and export (60%). The Hemel en Aarde's microclimate, as well as its proximity to distribution centres and Cape Town Airport is ideal for satisfying customer demand domestically and internationally and in the process creating economic prosperity for the surrounding community, upstream and downstream service providers and suppliers, and the country at large.

Haygrove employs 800 people permanently and up to an additional 2,500 seasonal and fixed term workers in peak season. In the Hermanus area specifically, Haygrove employs 400 people permanently and up to 1,800 in peak season making it arguably that largest private employer in the greater Hermanus area. Haygrove also invests in the communities it farms, through health and education initiatives, to schooling bursaries and donations to various organisations in the surrounding community. Should the proposal be approved to allow the expansion of the intensive horticulture tunnels an additional 100 seasonal

File 23/46

PORTION 94 OF THE FARM HEMEL EN AARDE VALLEY 587, CALEDON

AUG 2023 & AMENDED FEB 2024

Page | 1



MOTIVATION

jobs will be created (Seasonal jobs are a minimum of 18 weeks of employment). In addition, 6 additional permanent workers will be employed to assist with the maintenance of the tunnels.

The company measures its success and impact through a triple bottom line approach: Planet, People and Profit. Investments in carbon footprint reduction, biodiversity enhancement and ensuring thriving areas in which it farms are key to Haygrove. Investing in people, their health and education are critically important for the prosperity of the communities where we operate, and both of these bottom lines are dependent on the third – the business' ability to be profitable.

In terms of this application, Haygrove simply seeks to further cover its existing uncovered intensive horticulture raspberry fields with tunnels. The tunnels are an international norm for the economical farming of raspberries, which are highly susceptible to weather variation. The tunnels also allow for increased yield (or production per hectare of land), as well as stability in volumes and fulfilment of sales programmes, creating and sustaining employment. As demonstrated in the below graph of 6 years' rain data from the subject property, weather patterns have become increasingly erratic and excessive rainfall has led to significant crop losses. This, together with continued cost inflation pressures have rendered uncovered raspberry production uneconomical and unprofitable.

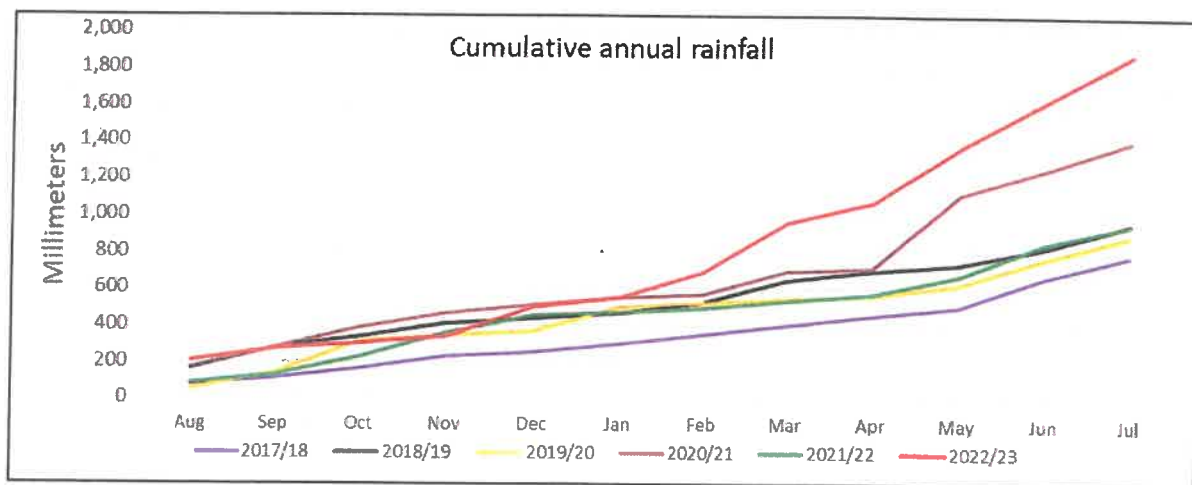


Figure 1

Haygrove understands the importance of ecotourism in the Hemel en Aarde Valley, which is globally renowned for its wine production, agricultural heritage and picturesque landscapes. The presence of farms, vineyards, and agricultural activities adds to the unique appeal of the area. The surrounding area and specific farms for example Creation has been awarded with one of the best wine farms in the world, which was awarded in July 2023, all with the existence of the tunnels on the subject property. Meaning with the existence of the tunnels the surrounding area is still considered as a tourist attraction. The tunnels are an integral part of the agricultural nature of the valley and are not expected to detract from the overall visitor experience. On the contrary, they can provide an opportunity for tourists to witness and learn about modern farming practices and the cultivation of crops in a controlled environment.



MOTIVATION

Moreover, the Hemel en Aarde Valley is renowned for its wine production and agricultural heritage. Many visitors are attracted to the valley to explore its vineyards, taste local wines, and immerse themselves in the agricultural lifestyle. The addition of tunnels aligns with the valley's identity as an agricultural destination and contributes to the preservation of its rich farming traditions.

It is important to note that the tunnels are designed and positioned in a manner that ensures they blend harmoniously with the surrounding landscape although there will always be a visual impact. The visual impact has been taken into consideration during the planning and design process to minimize any potential disruption to the aesthetic appeal of the valley. Haygrove is committed to maintaining the scenic beauty of the area while simultaneously enhancing the agricultural productivity of the property. More motivation is provided throughout the report below.

To be able to obtain municipal approval for both the existing and proposed horticulture tunnels the following applications need to be submitted and approved in terms of the OMLUS:

- Departure from the 30m building lines;
- Departure from the maximum allowable floor space;
- Amendment of conditions of approval; and
- Amendment of an approved site development plan.



4. HISTORIC APPLICATIONS AND APPROVALS

Since 2012, WRAP Project Office has been a land use consultant to Haygrove, facilitating the necessary land use approvals for their agricultural operations. The initial approval granted in 2012 permitted the establishment of a pack shed on the property, enabling Haygrove to efficiently pack their produce for both domestic and international markets. Subsequently, in 2016, a second land use application was successfully approved by the OM.

This consent use approval allowed Haygrove to utilise the farm for intensive horticulture and allowing encroachment on certain building lines to build tunnels that assist with the growing of the soft fruits as identified above. For further details, please refer to **Annexure C**, which includes the historic letter of approval outlining the relevant conditions associated with this application. The collaboration between WRAP Project Office and Haygrove has been instrumental in navigating the necessary regulatory processes, ensuring compliance with land use regulations, and facilitating the growth and expansion of Haygrove's agricultural operations. The mentioned approval includes:

- "1. that in terms of Clause 2.2 of the Overstrand Municipality Zoning Scheme Regulations the application for a consent use on Remainder Portion 94 of Farm Hemel en Aarde No.587 to accommodate intensive horticulture (tunnels) on the property be approved;
2. that in terms of Section 15 of LUPO the application for departure to relax the western lateral building line from 30m to 10m and the 30m eastern building line to 3m to accommodate portions of the tunnels, be approved;
3. That 1 and 2 above be approved subject to the following conditions:
 - (a) That the placement of the intensive horticulture tunnels be in line and limited to the tunnels indicated on the Site Development Plan 14/073/01 submitted with the application **and application will have to be made for any possible future tunnels:**
 - (b) That detailed building plans be submitted to the Building Department for approval;
 - (c) That this approval does not absolve the applicant/owner from compliance with any other relevant legislation;
 - (d) That all the other development parameters as prescribed in the Zoning Scheme Regulations be retained; ..."

The tunnels measuring 5,8727ha approved in 2016 have been built on the subject property. The property owner wants to increase the number of tunnels. This would require condition of approval 3. (a) to be amended to increase the number of tunnels allowed on the subject property.

The OMLUS defines intensive horticulture as follow: **"intensive horticulture"** means the cultivation of plants and indigenous flora on an intensive scale, where plants are cultivated under a roof or on open land or in greenhouse(s) and includes the sale of self-produced plants from the land;"

Details of the extension being proposed will be shared throughout Section 5 of this motivational report.



MOTIVATION

5. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

5.1 Amendment of condition of approval 1(c) dated 13 July 2012 to allow the proposed expansions of the agricultural industry in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning Act, 2020.

As aforementioned, Haygrove obtained approval in 2012 to allow them to establish a pack shed which is considered as an agricultural industry. The agricultural industry was limited to the specific size of the pack shed. The intention is to convert and renovate several areas of the pack shed to be more efficient and be able to accommodate the future growth of the business. While also allowing an existing farm shed to be used for agricultural industry purposes. In essence expanding the agricultural industry and the allowable extent. The condition stated that the agricultural industry be limited to only 809m², with the proposed increases in the business and proposed future expansions the proposal is required to amend this condition and allow them to extend the area of the agricultural industry as per the table below:

Agricultural industry extent on Portion 94 of the Farm Hemel en Aarde Valley 587	
Approved agricultural industry extent (2012)	Approved extent of pack shed (2012) – 809m ²
Proposed agricultural industry extent (2023)	Proposed extent of pack shed (2023) – ±1018m ² Existing farm shed – ±617m ² Total Extent of agricultural industry – ±1635m ²
Refer to Plan 5.5 that illustrates the proposed pack shed extension.	

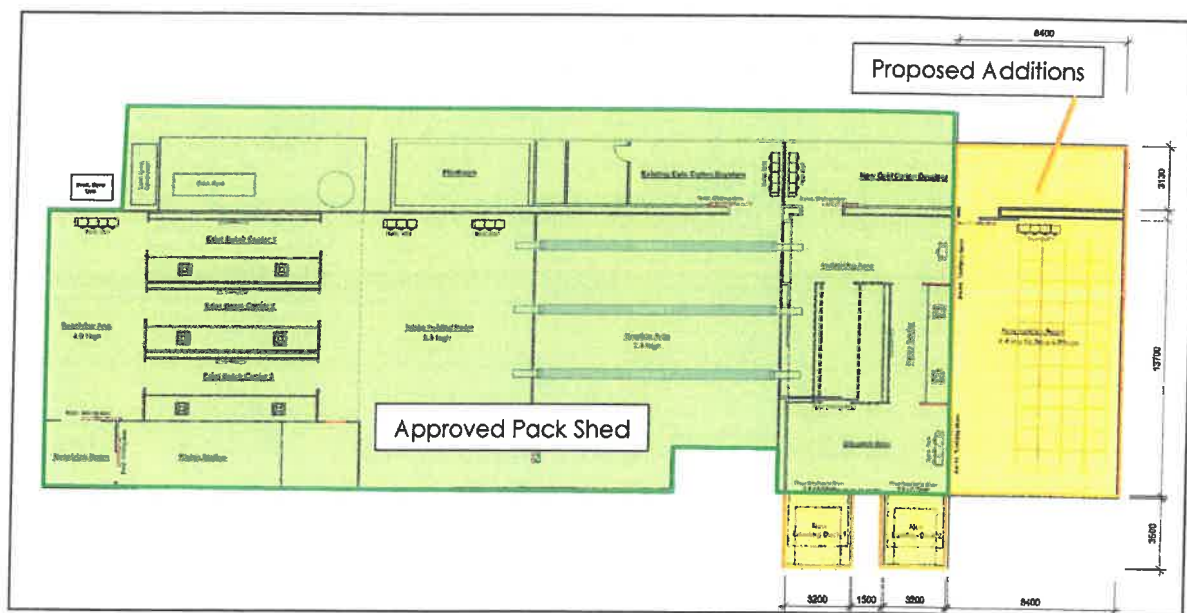


Figure 2: Proposed additions to the pack shed



MOTIVATION

It should be noted that the pack shed currently accommodates both the produce of the subject property and that of the neighbouring property, which is also owned and operated by Haygrove. The pack shed is used for cooling, sorting, and packing the fresh produce destined for end-users who purchase the product.

On the other hand, the existing farm shed's use is proposed to be altered, the proposal to use areas in the structure for storing the packing materials utilised in the pack shed. This means that no actual produce is handled in the existing farm shed; however, to free up space in the pack shed this associated use is proposed to be relocated to the farm shed, as this use falls within the scope of the agricultural industry it is required to include.

The pack shed was historically allowed to depart from the 30m building line between two properties owned by Haygrove, because of the extension consent of the municipality needs to be obtained as the extension will also encroach on the 30m building line.

In addition to the proposed extension of the pack shed, the owners have erected a pergola at the back of the shed which covers a yard which is used for temporary storage of the crates which the produce is received from the farm. As a result of it encroaching the building line it is required to be included into the application to obtain consent for its position.

The following application will be required to allow the extension of the pack shed:

- 5.2 Permanent Departure** from the eastern 30m building line to 12,04m to allow the proposed extension of the pack shed in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.3 Permanent Departure** from the eastern 30m building line to 6,44m to allow the existing pergola in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



MOTIVATION

5.4 Amendment of condition of approval 3(a) dated 9 February 2016 to allow the proposed expansions of the tunnels in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning Act, 2020.

As mentioned above Haygrove has the intention to obtain approval to increase and expand on their approved intensive horticulture tunnels. The approval of 2016 allowed for the erection of 5,8727ha of tunnels, which have subsequently been expanded upon and the proposal is to apply for both the contravening tunnels as well as new tunnels.

Intensive Horticulture Tunnels on Portion 94 of the Farm Hemel en Aarde Valley 587	
Existing approved intensive horticulture tunnels (2016)	5,8727 ha
New proposed intensive horticulture tunnels	±7,746 ha
Existing and not approved intensive horticulture tunnels	±8,337 ha
Total intensive horticulture tunnels	21,9557 ha
<i>Refer to Plan 4.1 and 4.2 that illustrates the proposed intensive horticulture tunnels.</i>	

The farm currently encompasses approximately 33 hectares of intensive horticulture berry fields, catering to both local and international markets. Out of this total area, approximately 14.2097 hectares are currently enclosed within tunnels. The proposed expansion aims to increase the tunnel-enclosed area to 21.9557 hectares by adding an additional 7.746 hectares to the existing farm.

Intensive horticulture tunnels offer several advantages over traditional berry farming, making it a more efficient. Firstly, intensive horticulture tunnels generate higher yields per square meter of cultivated land compared to traditional farming methods. The focused cultivation techniques, optimized resource utilization, and higher crop yields contribute to increased financial returns for Haygrove which is used to fund both expansion projects that in turn allows Haygrove to employ more workers and have a positive impact on the surrounding area.

In addition to profitability, intensive horticulture tunnels also boast higher crop output per square meter. By utilizing advanced cultivation practices, such as controlled environments, precision irrigation, and tailored nutrition, Haygrove can achieve greater productivity from limited land resources. This increased output helps meet growing market demands and ensures a steady supply of fresh produce.

Furthermore, intensive horticulture tunnels require less resources compared to traditional agriculture, making the overall process more efficient. These tunnels provide a controlled environment that minimizes water usage, reduces pesticide application, and protects crops from adverse weather conditions. By optimizing resource allocation, farmers can achieve higher yields with reduced environmental impact.



MOTIVATION

Another advantage of intensive horticulture tunnels is the ability to cultivate a wider variety of crops. Unlike traditional farming, where soil and weather conditions can limit crop choices, tunnels enable farmers to grow diverse plant species throughout the year. This flexibility allows them to cater to market preferences, meet specific consumer demands, and take advantage of niche markets.

By approving this proposal, the owner of the subject property will be able to harness the benefits offered by intensive agriculture tunnels. The exponential growth of the agricultural enterprise on the property has exceeded initial projections, resulting in demand surpassing supply. This application seeks to obtain appropriate land use rights for the planned expansions of intensive horticulture tunnels. It is indicative of a larger trend among farmers in the surrounding area, where an increasing number are embracing tunnels meet market demands. This trend is beneficial as it maximizes agricultural output, enhances regional and national food security, and contributes to South Africa's position as an exporter of agricultural produce.

The approval and implementation of this proposal will not only enable the subject farm to generate higher income but also address the escalating demand for agricultural products. By embracing intensive horticulture tunnels, the farm can meet market demands more efficiently and contribute to the overall growth and sustainability of the agricultural sector.

It is important to emphasize that the proposed increase in intensive horticulture tunnels does not signify a change in the operational nature of the farm. While the number of tunnels is set to expand, the farm will continue to operate as an agricultural enterprise. The addition of more tunnels is intended to enhance and optimize the existing agricultural activities rather than introduce a different operational framework. The focus remains on the cultivation and production of crops within the farm's established agricultural framework.

To allow the establishment of the additional intensive horticulture tunnels, the following application will also be required:

Refer to Plan 5.1 – Inset 1 of Departure Plan - Plan 5:

- 5.5 Permanent Departure** from the northern 30m building line to 9m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.6 Permanent Departure** from the western 30m building line to 9m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.7 Permanent Departure** from the northern 30m building line to 11m, 12m & 20m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Refer to Plan 5.2 – Inset 2 of Departure Plan - Plan 5:

- 5.8 Permanent Departure** from the western 30m building line to 12m, 13,5m, 14m, 14,5m & 15,5m to allow the proposed intensive horticulture tunnels in terms of Section



MOTIVATION

16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

- 5.9 Permanent Departure** from the southern 30m building line to 23,7m & 23,8m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.10 Permanent Departure** from the southern 30m building line to 5m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Refer to Plan 5.3 – Inset 3 of Departure Plan - Plan 5:

- 5.11 Permanent Departure** from the western 30m building line to 10m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By Law on Municipal Land Use Planning, 2020;
- 5.12 Permanent Departure** from the southeastern 30m building line to 19m & 24,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Refer to Plan 5.4 – Inset 4 of Departure Plan - Plan 5:

- 5.13 Permanent Departure** from the southern 30m building line to 7,3m & 8m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.14 Permanent Departure** from the eastern 30m building line to 3,3m & 5,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Refer to Plan 5.5 – Inset 5 of Departure Plan - Plan 5:

- 5.15 Permanent Departure** from the eastern 30m building line to 3m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Refer to Plan 5.6 – Inset 6 of Departure Plan - Plan 5:

- 5.16 Permanent Departure** from the eastern 30m building line to 3m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The subject farm encompasses various natural features, including a mountain, wetland, and critical biodiversity areas, which collectively make up approximately 35% of the total land area. These areas are considered environmentally sensitive and limit the available land for the expansion of intensive horticulture tunnels. It is important to note that the proposed expansions are not planned on any environmentally sensitive land.

The crops cultivated on the subject property does not emit offensive smells or fumes that could negatively impact the neighbouring properties. The proposal to locate the intensive horticulture tunnels encroaching on the building lines, are not predicted to cause any disturbances to adjacent property owners.

Farm workers work in the tunnels for short periods, rotating between tunnels and spending time throughout the day, while caring and working in these berry fields contained within the intensive horticulture tunnels. Their presence is minimal, reducing the likelihood of noise impact on neighbouring property owners. As a result, the approval of expanding the intensive horticulture tunnels beyond the building lines will not infringe upon the rights enjoyed by adjacent property owners in the occupation of their properties. See the following figures of the proposed and existing tunnels:

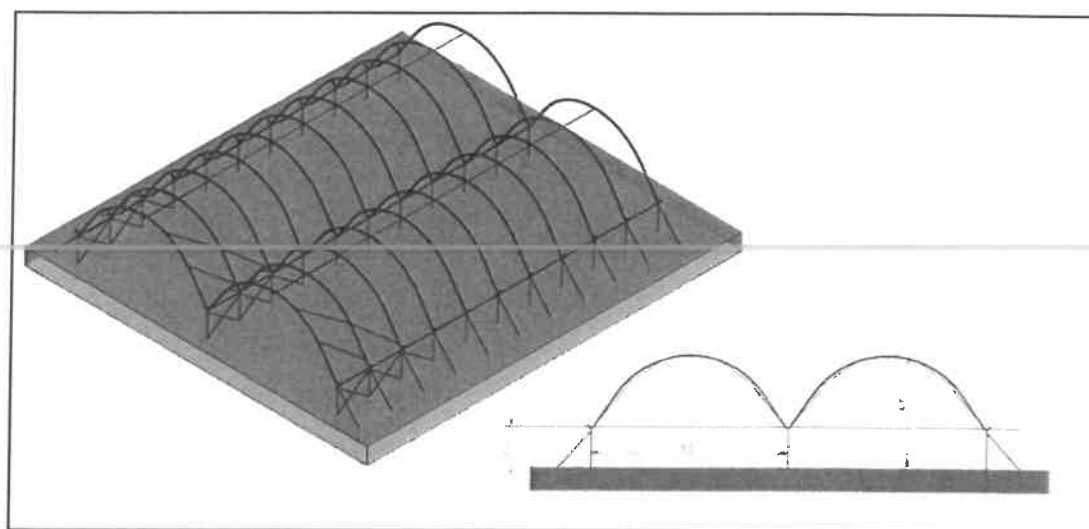


Figure 3: Intensive Horticulture Tunnels

5.17 Permanent Departure from the maximum allowable floor space in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

As mentioned previously throughout the history of Haygrove owning the subject property there have been historical land use applications and specific reference is being made to the 2016 land use approval Annexed as **Annexure C – Historic Approval**.

The approval allowed the accommodation of intensive horticulture tunnels and departure from building lines. A condition of the approval (Condition 3(a)) linked the Site Development Plan 14/073/01/P11 to the approval. The approval allowed for 5,8727 ha of intensive horticulture tunnels with the remaining extent divided between the existing agricultural buildings, offices, pack shed, and labourer's cottages for a total allowable floor space of 6,1707 ha (2016).

The proposal to allow all of the existing intensive horticulture tunnels including the existing tunnels within floor space requires the consent of the OM is required as the current floor space is exceeding the allowable 5000m² as determined by the OMLUS. After internal discussions, the OM's town planning department indicated that intensive horticulture tunnels must be considered as part of a farm's floor space. As a result, a departure from the allowable floor space is being applied for as the proposal is to increase the floor space by approximately 16,083ha which will be the footprint of the intensive horticulture tunnels as illustrated and depicted in the site development plan.



MOTIVATION

Proposed Floor Space Departure		
Existing and approved intensive horticulture tunnels	5,8727 ha	
Proposed intensive horticulture tunnels	±7,746 ha	±16,083 ha
Existing and not approved intensive horticulture tunnels	±8,337 ha	
Other structures extent (2023) •Agricultural Buildings (±275m²) •Labourers Cottages (±377m²) •Pack Shed (±1018m²) •Offices (±587m²) •Farm Store (±617m²)	±0.2874 ha	
Proposed Floor Space (2023)	22,2431 ha (5,8727 ha + 16,083 ha + 0.2874 ha)	

The departure is required to allow the proposed horticulture tunnels to be established. As motivated in Section 5.1, the tunnels are not predicted to have any negative impact on any surrounding property owners as the property is zoned for agricultural purposes and the property owners are attempting to increase and secure future demands.

5.18 Amendment of an approved site development plan in terms of Section 16(2)(L) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The current SDP was approved in 2016 (14/073/01), which SDP is attached together with the historical approval Annexed as **Annexure C**. With the proposal to add more intensive horticulture tunnels to the subject property, the SDP requires amendment. Refer **Plan 4.1 and 4.2** which is proposed to replace the existing approved site development. The alterations required include the proposal to enclose existing berry fields as has been motivated in Section 5.4 & 5.17 of this report. As well as the expansion of the agricultural industry which will add a small section as has been motivated in Section 5.1 of this report.

5.19 Determination of an administrative penalty in terms of Section 90(5) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Over the past few years, Haygrove has made additions to the property by implementing intensive horticulture tunnels. While some of these tunnels have not yet received formal approval from the municipality, it is essential to prioritize compliance with the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. In line with this objective, it is crucial to include the determination of an administrative penalty within this application. By addressing this matter proactively, Haygrove aims to rectify any potential non-compliance issues and ensure adherence to the applicable regulations and by-laws governing land use planning. Haygrove has identified the areas where approvals have not yet been obtained (Refer to **Plan 4.1** and **Plan 4.2**).



MOTIVATION

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

The nature, duration, gravity and extent of the contravention

The tunnels are clearly illustrated on the SDP provided in Plan 4.1 and Plan 4.2. It should be noted that in terms of land use, the approval for intensive horticulture has been received. Meaning only the encroachment of building lines and increasing the maximum allowable floor space are being contravened from a land use perspective. The tunnels however have also been erected without prior municipal consent. This application serves as a testament to the proactive measures taken by the property owners to rectify any contravention of the By-law. Considering that no complaints have been lodged regarding these specific tunnels depicted in the aforementioned plans and their usage is consistent with the prevailing practices in the area, it is requested that a more lenient administrative penalty be imposed. This acknowledgment underscores the property owners' commitment to compliance and the absence of any unusual circumstances warranting severe penalties.

Contravening tunnels built without prior approval	
Existing and not approved intensive horticulture tunnels	±8,337 ha

Of the ±8,337ha tunnels built without prior approval approximately 9000m² was built across the building lines, refer to the table below:

Contravening tunnels encroaching on the building lines	
Plan 5.1 – Inset 1 of Departure Plan - Plan 5	4400m ² of tunnels encroaching on the side building line (refer section 5.2, 5.3 & 5.4)
Plan 5.2 – Inset 2 of Departure Plan - Plan 5	1100m ² of tunnels encroaching on the side building line (refer section 5.7)
Plan 5.5 – Inset 5 of Departure Plan - Plan 5	3500m ² of tunnels encroaching on the side building line (refer section 5.12)

In addition to the above, the pergola at the rear of the pack shed was also constructed without prior municipal approval, although the building line being encroached upon is connected to boundary being shared by the second farm owned by Haygrove, approval was still required to erect the structures.

Contravening pergola	
Pergola Extent	50m ²

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

Haygrove's intention was always to operate in accordance with the By-Law and not to contravene any regulations. The introduction of tunnels on the property was motivated by the need to enhance the viability of the agricultural enterprise and provide protection for crops against adverse climate conditions, among other benefits previously discussed. It is important to note that Haygrove's decision to add the tunnels was never driven by any malicious intent.



MOTIVATION

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

Due to the nature of the structures and the structures being non-habitable the company which supplies the tunnels to the property owner is its sister company a quote was provided for the ±8,337ha of contravening tunnels. The total cost of tunnels is proximately R479 000 per hectare. The pergola is such a small encroachment, it was not included in the calculation.

Whether the unlawful conduct was stopped

The tunnels have been erected and are in use. They have been unskinned meaning the plastic covering has been removed to prevent damage from adverse weather conditions.

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 owners have not previously contravened the By-Law on the subject property.



6. APPLICATION

Considering the above, application is made for the following:

- 6.1 **Amendment of condition of approval** 1(c) dated 13 July 2012 to allow the proposed expansions of the agricultural industry in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning Act, 2020.
- 6.2 **Permanent Departure** from the eastern 30m building line to 12,04m to allow the proposed extension of the pack shed in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 6.3 **Permanent Departure** from the eastern 30m building line to 6,44m to allow the existing pergola in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By Law on Municipal Land Use Planning, 2020.
- 6.4 **Amendment of condition of approval** 3(a) contained in letter of approval dated 9 February 2016 to allow the proposed expansions of the tunnels in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning Act, 2020;
- 6.5 **Permanent Departure** from the northern 30m building line to 9m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.6 **Permanent Departure** from the western 30m building line to 9m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.7 **Permanent Departure** from the northern 30m building line to 11m, 12m & 20m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.8 **Permanent Departure** from the western 30m building line to 12m, 13,5m, 14m, 14,5m & 15,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.9 **Permanent Departure** from the southern 30m building line to 23,7m & 23,8m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.10 **Permanent Departure** from the southern 30m building line to 5m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.11 **Permanent Departure** from the western 30m building line to 10m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;



MOTIVATION

- 6.12 Permanent Departure** from the southeastern 30m building line to 19m & 24,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.13 Permanent Departure** from the southern 30m building line to 7,3m & 8m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.14 Permanent Departure** from the eastern 30m building line to 3,3m & 5,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.15 Permanent Departure** from the eastern 30m building line to 3m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.16 Permanent Departure** from the eastern 30m building line to 3m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.17 Permanent Departure** from the allowable floor space in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 6.18 Amendment of an approved site development plan** in terms of Section 16(2)(L) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- 6.19 Determination of an administrative penalty** in terms of Section 90(5) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

7. LAND USE ENVIRONMENT

The subject property is situated in the Hemel en Aarde Valley, located between a mixture of agricultural and resort properties. The surrounding properties are used for agricultural, residential, and tourism-related purposes. This makes the intensive horticulture tunnels part of the agricultural experience and not considered out of the ordinary. The surrounding properties have different land uses, and their zonings are depicted in **Plan 2**, which illustrates the zoning in the area.

The proposed expansion of intensive horticulture tunnels on the property is unlikely to offend the tourists who visit the Hemel en Aarde Valley. The visual impact of the tunnels is considered to be in harmony with the valley's agricultural character and natural surroundings. As an agricultural area, the presence of horticulture tunnels is expected and contributes to the overall character of the region.

Tourists who visit the Hemel en Aarde Valley are often drawn to its rural and picturesque landscape. The presence of farms, vineyards, and agricultural activities adds to the unique appeal of the area. The proposed tunnels, being an integral part of the



MOTIVATION

agricultural nature of the valley, are not expected to detract from the overall visitor experience. On the contrary, they can provide an opportunity for tourists to witness and learn about modern farming practices and the cultivation of crops in a controlled environment.

As previously mentioned, the Hemel en Aarde Valley is renowned for its wine production and agricultural heritage. Many visitors are attracted to the valley to explore its vineyards, taste local wines, and immerse themselves in the agricultural lifestyle. The expansion of horticulture tunnels aligns with the valley's identity as an agricultural destination and contributes to the preservation of its rich farming traditions.

It is important to note that the proposed tunnels are designed and positioned in a manner that ensures they blend harmoniously with the surrounding landscape although there will always be a visual impact. The visual impact has been taken into consideration during the planning and design process to minimize any potential disruption to the aesthetic appeal of the valley. The farm owner is committed to maintaining the scenic beauty of the area while simultaneously enhancing the agricultural productivity of the property.

8. TITLE DEED

Title deed T97282/2007 (refer **Annexure B – Title Deed**) was perused and there are no restrictive conditions that prohibits the proposed development on the subject property.

9. 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:



MOTIVATION

AGRICULTURE ZONE 1: AGRICULTURE (AGR1)			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Agriculture. Crèche, Dwelling House, Guest Rooms and Home Occupation.	Agriculture	Comply
Consent uses that may be applied for	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. The total floor space of all buildings on the land unit may not exceed 5000m², provided that the Municipality may relax this requirement if it is satisfied that such buildings are required for bona fide farming activities on the land unit.	Intensive horticulture (tunnels) expansion	Applied for and motivated.
Floor Space		Proposal Floor Space Departure	Applied for and motivated.
		Approved horticulture tunnels (2016) – 5,8727 ha	
		Proposed horticulture tunnels – ±16,083 ha	
		Other Structures - ±0.2874 ha	
		Proposed Floor Space (2023) – ±22,2537 ha	
Building Lines	The street and common boundary building lines are determined in accordance with the area of the land unit as specified in the table below. Greater than 10 ha: Street boundary building lines = 30m Common boundary building lines = 30m	The 2016 approval allowed: Departure of the: <ul style="list-style-type: none"> Western lateral building line from 30m to 10m; Eastern lateral building line from 30m to 3m. Current Proposal: <ul style="list-style-type: none"> Departure from the eastern 30m building line to 12,04m to allow the proposed extension of the pack shed in terms; 	Applied for and motivated.



MOTIVATION

	<ul style="list-style-type: none">• <u>Departure</u> from the eastern 30m building line to 6,44m to allow the existing pergola;• <u>Departure</u> from the northern 30m building line to 9m to allow the existing intensive horticulture tunnels;• <u>Departure</u> from the western 30m building line to 9m to allow the existing intensive horticulture tunnels;• <u>Departure</u> from the northern 30m building line to 11m, 12m & 20m to allow the proposed intensive horticulture tunnels;• <u>Departure</u> from the western 30m building line to 12m, 13,5m, 14m, 14,5m & 15,5m to allow the proposed intensive horticulture tunnels;• <u>Departure</u> from the southern 30m building line to 23,7m & 23,8m to allow the proposed intensive horticulture tunnels;• <u>Departure</u> from the southern 30m building line to 5m to allow the existing intensive horticulture tunnels;• <u>Departure</u> from the western 30m building line to 10m to allow the proposed intensive horticulture tunnels;• <u>Departure</u> from the southeastern 30m building line to 19m & 24,5m to allow the proposed intensive horticulture tunnels;• <u>Departure</u> from the southern 30m building line to 7,3m & 8m to allow the proposed intensive horticulture tunnels;	
--	---	--



MOTIVATION

	<ul style="list-style-type: none"> • Departure from the eastern 30m building line to 3,3m & 5,5m to allow the proposed intensive horticulture tunnels; • Departure from the eastern 30m building line to 3m to allow the proposed intensive horticulture tunnels; and • Departure from the eastern 30m building line to 3m to allow the proposed intensive horticulture tunnels. 	
Height	<p>The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m, provided that agricultural buildings other than dwelling units shall not exceed a height of 12,0 m, measured from the base level to the top of the structure, and where the Municipality is satisfied that a greater height is necessary for the agricultural function of the building, it may permit such greater height.</p>	Buildings which are not related to agriculture are not higher than 8m.
Parking	<p>Parking and access shall be provided on the land unit in accordance with 17.1.</p> <p>Office 6 bays per 100m² GLA</p> <p>Storage 2 bays per 100m² GLA</p> <p>Loading bays 1 bay per 500m² for the first 1 000 m² of GLA, thereafter 1 bay per 1 000 m².</p> <p>There are no parking requirements for intensive horticulture tunnels.</p>	<p>The existing and proposed intensive horticulture building do not and will not exceed the 12m height restriction</p> <p>The office is 587m² and require 35,36 parking bays;</p> <p>Storage/pack shed is 1018m² and requires 20,36 parking bays.</p> <p>There are 57 parking bays required and 62 parking bays are provided.</p> <p>The GLA is 1701 m² and there are 4 loading bays required which are provided.</p>
		Comply
		Comply



10. SERVICES

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

Water

There are historic water rights which exist on the subject property. The proposed tunnel expansion in aligned with the existing water rights capacity. The existing intensive horticulture fields is being proposed to be covered by the tunnels there will be no expansion of the number of extents of agricultural fields on the farm. This will ensure that the extraction of water does not exceed existing capacities.

Additionally, it is expected that with the inclusion of more tunnels, the water requirements are lower. Intensive horticulture tunnels play a significant role in water conservation within agricultural practices. Through controlled irrigation systems, water usage is optimized as water is delivered precisely to the plant's root zone, minimizing evaporation and runoff. The enclosed environment of the tunnels further reduces water loss by limiting exposure to external elements such as wind and excessive heat, thus minimizing evapotranspiration.

In addition to precise irrigation, water recycling and conservation methods are often implemented in intensive horticulture tunnel systems. Runoff water and condensation can be collected and reused for irrigation purposes, reducing the reliance on fresh water sources. This proactive approach to water management helps maximize water efficiency and minimize wastage.

Furthermore, the use of efficient water distribution systems, such as drip irrigation or micro-sprinklers, ensures that water is evenly and directly applied to the plants. This targeted approach reduces water loss due to overspray or inefficient distribution, allowing for more effective water usage and conservation.

Within intensive horticulture tunnels, farmers also have greater control over crop-specific water requirements. By tailoring irrigation schedules and amounts based on the specific needs of each crop, water can be allocated in the most efficient manner. This precise water management approach prevents overwatering and ensures that plants receive the necessary amount of water for optimal growth, minimizing water wastage.

Overall, intensive horticulture tunnels offer an innovative and sustainable solution for water-saving in agriculture. By optimizing irrigation, recycling water, improving distribution, and tailoring water management to specific crops, these tunnels significantly reduce water consumption compared to traditional open-field farming methods. This not only benefits the environment by conserving a precious resource but also contributes to the long-term viability and sustainability of agricultural practices.

Sewage

"Boland Toilets" provides toilets and pumping services for the agricultural fields and tunnels. The sewage services have been installed in accordance with the prescripts of audits which have been done on the property and the capacity thereof can be regarded as sufficient.



MOTIVATION

As the season workers increase so do the number of toilets that are being provided on the farm. Boland Toilers are a registered company that are required to adhere to all regulation and standards.

The packhouse and offices have conservancy tanks which are emptied by the Overstrand Municipality.

Solid Waste

Solid waste is collected and kept on-site and taken to the waste transfer station in Hermanus. The area where the waste is kept complies with the regulations set out by the OMLUS.

Electricity

Electricity is provided by Eskom and there is a separate proposal submitted to reduce the reliance on the electricity producer and become more sustainable by Haygrove to construct a solar installation that will be able to adequately run the daily operation of both farms during loadshedding.

Access and egress

Access to the subject property is currently gained from Minor Road number OP04012 from km marker 0,991. The approval and implementation of this proposal will not alter this.

Egress is obtained through an internal road running from the subject property to Portion 11 (adjacent farm) also in ownership of Haygrove. The internal road connects to a servitude road that leads toward the R320. There have been past concerns with reference to dust and the property owner took it upon themselves to maintain the egress road and keep dust low by scraping the road at their own expense. The access road is tarred.

The table below shows the amount of traffic being generated currently and how the proposal will impact the traffic:

Vehicle type	Current	Expected with tunnels	Increase
Packhouse cold truck (fruit transport)	2	2	No additional trucks will be required; however, the frequency of the trips may increase depending on volume profile.
Buses (staff transport)	9	11	The increase will a result of the additional seasonal workers.
Cars and bakkies (management)	18	18	No change



11. NEED AND 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

	<p>The introduction of new intensive horticulture tunnels brings about several positive socio-economic impacts:</p> <ul style="list-style-type: none">• Job Creation: The expansion of intensive horticulture tunnels requires additional labour for tasks such as planting, monitoring, and harvesting crops. This leads to the creation of new employment opportunities, both temporary and permanent, within the local community. The availability of jobs contributes to reducing unemployment rates and improving the socio-economic well-being of individuals and families.
Socio-economic impact	<p>Haygrove currently employs 800 workers permanently and up to an additional 2,500 seasonal and fixed term workers in peak season. In the Hermanus area specifically, Haygrove employs 400 people permanently and up to 1,800 in peak season making it arguably that largest private employer in the greater Hermanus area. Haygrove also invests in the communities it farms, through health and education initiatives, to schooling bursaries and donations to various organisations in the surrounding community.</p> <p>Should the application be approved to allow the expansion of the tunnels an additional 100 seasonal jobs will be created (Seasonal jobs are a minimum of 18 weeks of employment). In addition, 6 additional permanent workers will be employed to assist with the maintenance of the tunnels.</p> <ul style="list-style-type: none">• Local Economic Growth: The establishment of intensive horticulture tunnels stimulates economic growth at the local level. As the agricultural enterprise becomes more viable, there is an increased demand for various goods and services, such as equipment, supplies, transportation, packaging, and marketing.



MOTIVATION

	<p>Local businesses and service providers benefit from this increased demand, leading to increased revenue, tax contributions, and overall economic activity in the area.</p> <ul style="list-style-type: none">• Income Generation: Intensive horticulture tunnels enhance the income potential for farmers and farm workers. With increased productivity and higher yields per square meter, Haygrove can generate more income from their agricultural operations. This improved financial standing not only benefits Haygrove themselves but also contributes to the stability and prosperity of the local economy.• Market Expansion and Trade Opportunities: The availability of a wider range of crops from intensive horticulture tunnels allows farmers to meet diverse market demands. By supplying both local and international markets with fresh and high-quality produce, Haygrove can continue into new market segments and potentially increase export opportunities. This expansion of market reach contributes to the growth of the agricultural sector and strengthens the region's position as a reliable supplier of agricultural products.• Community Development: The establishment of intensive horticulture tunnels encourages community development in various ways. The increased economic activity and job creation lead to improved living standards and enhanced access to services and infrastructure within the community. Additionally, Haygrove invests into community initiatives, sponsor local events, or participate in cooperative efforts, fostering a sense of community engagement and cohesion.• Food Security and Sustainability: Intensive horticulture tunnels contribute to food security by increasing local food production. With higher crop yields, farmers can meet the growing demand for fresh and nutritious food within the community. This reduces reliance on imported produce and enhances the region's self-sufficiency in food production. Moreover, the adoption of sustainable farming practices within
--	--



MOTIVATION

	<p>the tunnels promotes environmental stewardship and ensures the long-term viability of agricultural activities.</p> <p>Overall, the new intensive horticulture tunnels positively impact the socio-economic landscape by creating employment opportunities, driving local economic growth, generating income, expanding markets, fostering community development, and contributing to food security and sustainability. These socio-economic benefits contribute to the overall well-being and prosperity of the local community.</p>
Compatibility with surrounding uses	<p>Intensive horticulture tunnels are not considered out of the ordinary in an area primarily characterized by agricultural properties and residential properties, even though the area is predominantly zoned for agriculture. There are several compelling reasons to support this perspective:</p> <ul style="list-style-type: none">• Compatibility with the Surrounding Environment: Intensive horticulture tunnels align with the existing agricultural landscape and practices within the area. As neighbouring properties predominantly engage in agricultural activities, the expansion of intensive horticulture tunnels maintains consistency with the agricultural zoning and reinforces the agricultural character of the region.• Efficient Land Utilisation: Intensive horticulture tunnels enable farmers to optimize land utilisation and increase agricultural productivity within limited spaces. Given the zoning primarily focused on agriculture, it is essential to encourage efficient and sustainable farming practices that maximize yield per hectare. Intensive horticulture tunnels facilitate such practices, allowing farmers to cultivate a diverse range of crops and meet market demands without encroaching on larger land areas.• Economic Benefits: By supporting the expansion of intensive horticulture tunnels, the local economy stands to gain significant advantages. The increased agricultural output resulting from these tunnels translates into higher yields, which in turn generate employment opportunities and stimulate economic growth. Moreover, the production of quality agricultural produce can

File 23/46

PORTION 94 OF THE FARM HEMEL EN AARDE VALLEY 587, CALEDON
AUG 2023 & AMENDED FEB 2024

Page | 24



MOTIVATION

	<p>boost local trade, attract buyers, and contribute to the area's reputation as a reliable supplier of fresh, high-value products.</p> <ul style="list-style-type: none">• Environmental Considerations: Intensive horticulture tunnels offer potential environmental benefits. They promote efficient resource utilization by minimizing water consumption and reducing the need for chemical inputs. The controlled environment provided by the tunnels also helps protect crops from adverse weather conditions, decreasing the reliance on pesticides and fostering more sustainable farming practices.
	<ul style="list-style-type: none">• Support for Food Security: Encouraging intensive horticulture in an agriculturally zoned area contributes to regional and national food security. The increased production capacity enabled by the tunnels helps meet the growing demand for fresh and nutritious food, both locally and beyond. This aligns with the agricultural zoning's primary goal of supporting food production and self-sufficiency. <p>In summary, considering the predominant agricultural zoning, the expansion of intensive horticulture tunnels in an area of agricultural and residential properties is justified by their compatibility with the existing landscape, efficient land utilization, economic benefits, environmental considerations, and support for food security. Embracing innovative and sustainable farming practices, such as intensive horticulture, can enhance the agricultural sector, promote local economies, and foster a thriving farming community.</p>
Impact on the external engineering services	Refer Section 9.
Impact on safety, health and wellbeing of the surrounding community	<p>The presence of intensive horticulture tunnels can have positive impacts on the safety, health, and overall well-being of the surrounding community in several ways:</p> <ul style="list-style-type: none">• Reduced Use of Chemicals: Intensive horticulture often utilizes integrated pest management (IPM) practices, which minimize the use of chemical pesticides. This approach prioritizes the use of natural pest control methods, such as beneficial insects or organic



MOTIVATION

	<p>sprays, resulting in reduced chemical exposure for both the workers on the subject property and the surrounding community. This promotes a healthier environment and minimizes any potential health risks.</p> <ul style="list-style-type: none">• Improved Air Quality: Intensive horticulture tunnels provide a controlled environment for crop cultivation, reducing the dispersion of dust, pollen, and other airborne particles. This improves air quality in the vicinity of the tunnels. Reduced air pollution can alleviate allergies and create a safer and more pleasant living environment.
	<ul style="list-style-type: none">• Noise Mitigation: Unlike some agricultural practices involving livestock or machinery, intensive horticulture tunnels produce minimal noise. The absence of loud machinery or animal noises minimizes noise pollution, allowing for a quieter and more peaceful community environment. This can positively impact the well-being and quality of life for nearby residents.• Enhanced Food Safety: Intensive horticulture tunnels enable farmers to implement strict quality control measures and hygienic practices during the cultivation and handling of crops. This ensures that the produce meets high food safety standards, reducing the risk of contamination and related health hazards. The availability of safe and fresh produce from the tunnels contributes to the well-being and peace of mind of the surrounding community.• Intensive horticulture tunnels often present a neat and organized appearance, contributing to the aesthetic appeal of the surrounding area. Well-maintained and visually pleasing agricultural landscapes can enhance community pride and create a positive ambiance. This can positively influence the overall well-being and satisfaction of residents in the vicinity.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	The establishment of intensive horticulture tunnels has several positive impacts on the biophysical environment:



MOTIVATION

	<ul style="list-style-type: none">• Land Conservation: Intensive horticulture tunnels allow for higher crop yields per square meter, reducing the need for land conversion. This helps preserve natural habitats, ecosystems, and valuable agricultural land.• Water Efficiency: The use of efficient irrigation systems, such as drip irrigation, in intensive horticulture tunnels minimizes water wastage. Precise water delivery directly to the plant roots conserves water resources and reduces water runoff.• Soil Health: Proper soil management practices in intensive horticulture tunnels, such as the use of organic fertilizers and crop rotation, promote soil fertility and structure. This helps maintain soil health and reduces the risk of erosion.• Energy Savings: Intensive horticulture tunnels provide a controlled environment, reducing the need for excessive heating or cooling. The enclosed space can help save energy, especially when combined with energy-efficient technologies or the use of renewable energy sources.• Waste Management: Implementing effective waste management practices, such as composting, within intensive horticulture tunnels reduces organic waste and reliance on synthetic fertilizers. This promotes sustainable nutrient cycling and minimizes pollution risks. <p>Overall, intensive horticulture tunnels contribute to land conservation, water efficiency, soil health, energy savings, and effective waste management practices. These positive impacts help promote environmental sustainability within the agricultural sector.</p>
Traffic impacts, parking, access and other transport related considerations	<p>While the establishment of intensive horticulture tunnels may have some implications for traffic, it is not predicted to have an effect on the surrounding area. The property is being utilised for agricultural and farming purposes, and the promotion of sustainable transport practices can help manage and mitigate any potential impacts of the traffic. Haygrove has a communal bus system that transports the workers to and from Hermanus. By</p>



MOTIVATION

	considering these factors, the overall transport-related impacts can be minimized, contributing to the smooth functioning and sustainability of the agricultural operations.
--	--

The property owners have tasked WRAP Project Office with submitting this application to ensure the proposed development aligns with policies, legislation, and title deed conditions, in pursuit of their vision.

Impact on views, sunlight and character of the area

The visual impact of the intensive horticulture tunnels on the surrounding area is an acknowledged consideration. It is important to note that the area surrounding the Hemel and Aarde Valley, where the subject property is located, is characterized by a mix of natural vegetation and various agricultural activities, particularly vineyards. The presence of agricultural enterprises, including intensive horticulture tunnels, is not uncommon in this region, and they are widely utilized throughout the Western Cape. Given that the entire area is predominantly zoned for agricultural purposes, the establishment of intensive horticulture tunnels aligns with the existing land use regulations. The zoning regulations allow for a range of agricultural activities aimed at maximizing agricultural productivity and economic viability in the region. It is worth noting that the only exception to the agricultural zoning is a property that is specifically zoned as a resort, highlighting the predominantly agricultural nature of the area.

Considering the agricultural character of the region and the prevalence of similar farming practices, the introduction of intensive horticulture tunnels on the subject property is in line with the existing land use patterns. The visual impact of the tunnels can be mitigated through appropriate design and landscaping measures, ensuring they harmonize with the surrounding natural environment and agricultural landscape.

Furthermore, the use of intensive horticulture tunnels in the region has been proven to be a successful and efficient method of crop production. They provide opportunities for increased yield, better crop protection, and improved resource utilization. These factors contribute to the overall sustainability and economic viability of agricultural operations in the area.

In its efforts to address potential visual impacts, Haygrove strategically incorporates coastal beefwoods as windbreaks, serving the dual purpose of mitigating wind effects and providing visual barriers. These well-placed trees help to blend in the horticulture tunnels harmoniously into the natural surroundings. Additionally, Haygrove incorporates an additional layer of shade netting above the tunnels, this layer reduces the effectiveness of the tunnels, however, it reduces the visual impact of the tunnels and any potential glare. Haygrove would ideally want to remove this layer however as they are being reasonable neighbours, they added this layer after comments were received during previous applications.

Furthermore, Haygrove demonstrates its commitment to environmental stewardship by investing in alien clearing initiatives. By actively clearing invasive species, particularly in the areas of natural fynbos, Haygrove ensures the preservation of the native ecosystem and promotes the ecological integrity of the region. Through these practices, Haygrove



MOTIVATION

exemplifies its dedication to maintaining a balance between agricultural productivity and environmental conservation.

Figure 2 and 3 illustrates the terrain and elevation of the surrounding area from the R320:

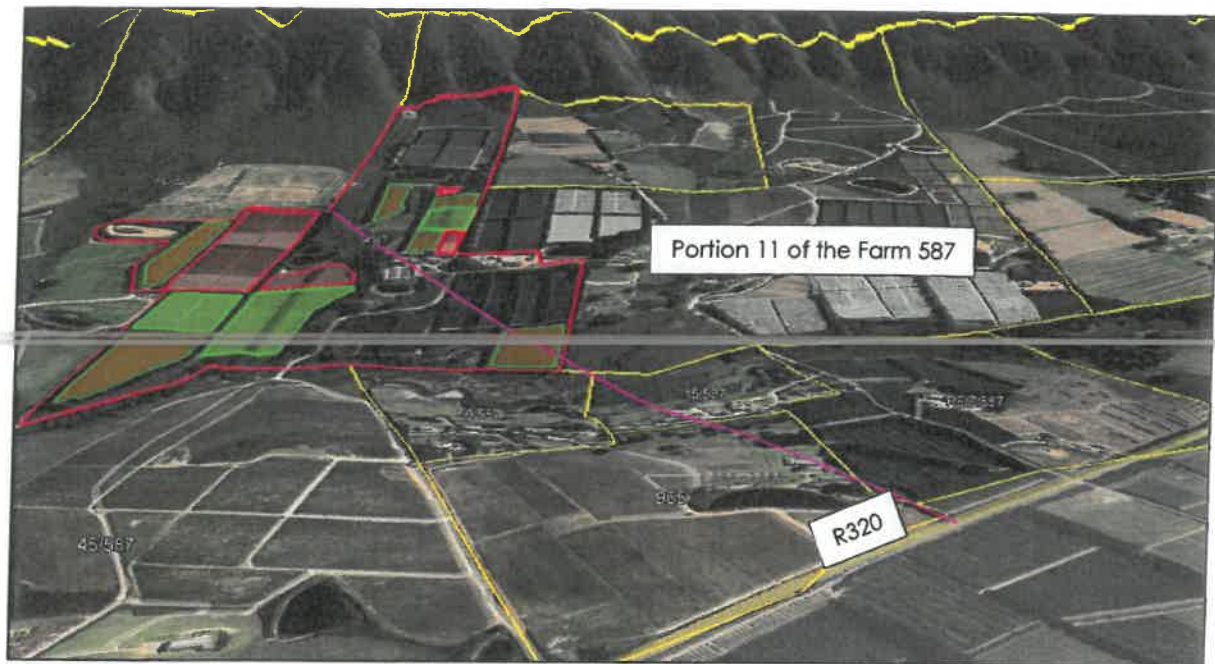


Figure 4: Surrounding Area Terrain

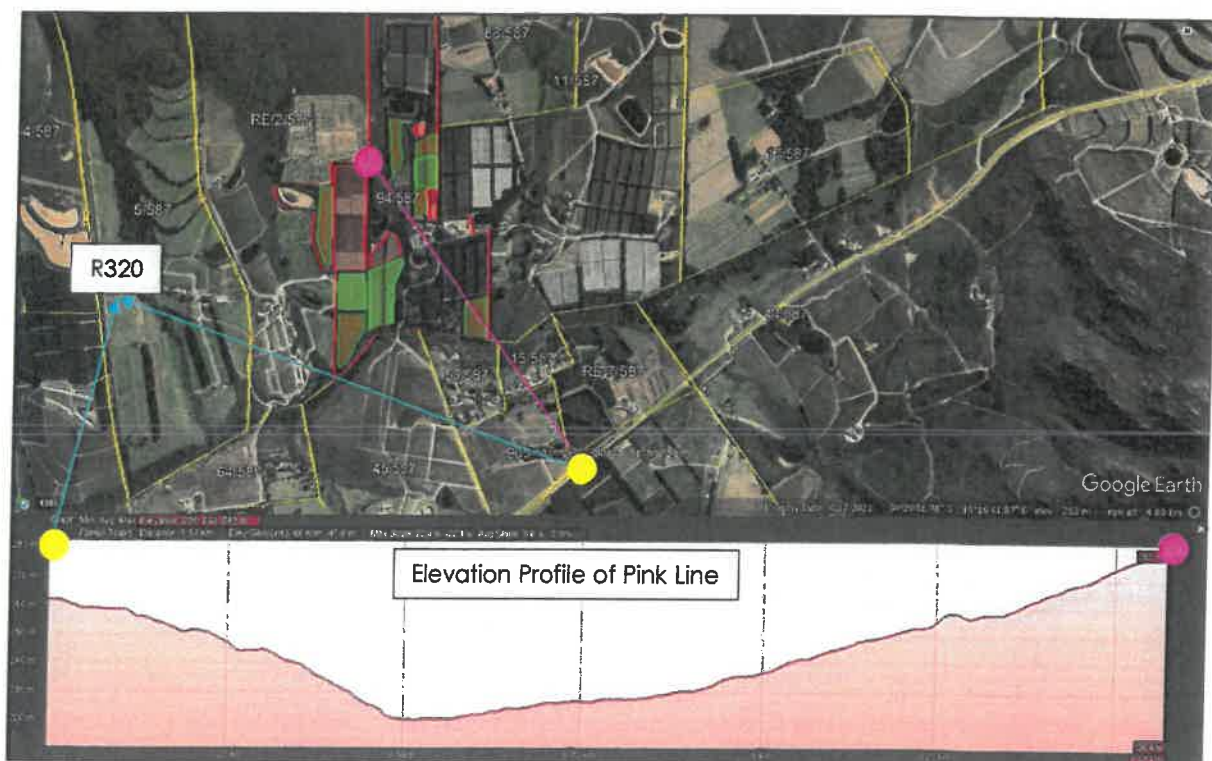


Figure 5: Elevation Profile from the R320 to edge of the subject property (PINK LINE)



To indicate the property owners are committed they appointed a professional landscape architect to conduct a visual impact assessment (VIA) refer **Annexure D**. The VIA indicated that from a visual perspective, the proposal should be endorsed as it will result in a moderate to moderate-low visual impact on the condition that the visual impact follows the mitigation measures and recommendations set out in **Annexure D**. The property owners intend to follow the mitigation measure as required within the VIA.

Economic impact

1. **Increased Agricultural Output:** The expansion of intensive horticulture tunnels allows for greater crop production on the subject property. This leads to increased agricultural output, resulting in higher yields and a greater supply of fresh produce. The availability of a larger quantity of crops can meet the growing demand from local and international markets, potentially leading to increased revenue for the farm.
2. **Job Creation and Employment Opportunities:** The expansion of intensive horticulture tunnels requires additional labour for tasks such as planting, harvesting, and maintenance. This creates employment opportunities, particularly for the surrounding community. The hiring of local workers can contribute to reducing unemployment rates, improving livelihoods, and enhancing socio-economic well-being in the area.

As mentioned previously Haygrove employs 800 people permanently and up to an additional 2,500 seasonal and fixed term workers in peak season. In the Hermanus area specifically, Haygrove employs 400 people permanently and up to 1,800 in peak season making it arguably that largest private employer in the greater Hermanus area. Haygrove Heaven also invests in the communities it farms, through health and education initiatives, to schooling bursaries and donations to various organisations in the surrounding community. The company's commitment to its workforce is evident through the substantial wages it has paid, amounting to more than R100 million in the past financial year alone. These salaries and wages have a direct and positive impact on the local economy, as they circulate within the surrounding area, supporting local businesses and contributing to the overall prosperity of the community. By generating employment opportunities and injecting substantial funds into the region, Haygrove plays a crucial role in promoting economic growth and stability in the area.

3. **Revenue Generation and Export Potential:** With a larger production capacity enabled by the expanded tunnels, the farm can generate increased revenue through the sale of fresh produce. The surplus crops can be exported to international markets, further contributing to the farm's profitability. Exporting agricultural products can enhance foreign exchange earnings for the region and contribute to the overall economic growth and development.
4. **Value Addition and Market Competitiveness:** Intensive horticulture tunnels allows for the cultivation of a wide variety of crops, including high value produce such as berries, which are in high demand both domestically and internationally. By diversifying the farm's product range, the proposal enhances its market competitiveness and potential for value addition. This can lead to higher profit margins and economic sustainability.



MOTIVATION

5. **Economic Resilience and Diversification:** Intensive horticulture tunnels offer a means of diversifying agricultural activities and income sources. By expanding the intensive horticulture tunnels, the farm can reduce its reliance on a single crop or farming method, thereby enhancing its resilience to market fluctuations and environmental challenges. This diversification contributes to the long-term sustainability of the agricultural sector in the region.

12. POLICIES AND REGULATIONS

12.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

A portion of subject property is located in the "Mountain Catchment EMOZ" and "Protected Area Buffer EMOZ".

The purpose of the "Mountain Catchment EMOZ" is to protect and conserve the ecology and water provision functions of priority unprotected mountain catchments, to ensure optimal water security for the Overstrand communities and to preserve the significant eco-cultural tourism value of the Overstrand's natural mountain landscape character. The purpose of the "Protected Area Buffer EMOZ" is to protect the integrity of National, Provincial and Municipal Nature Reserves from negative external pressures/impacts while reducing pressure on core areas and to assist in preserving their value to the eco-cultural tourism economy of the Overstrand through alignment of appropriate land use and regulation.

These proposed tunnels are not located in the EMOZ, and it is not predicted to have an effect on the EMOZ.

12.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The top portion of the subject property is located in the "Landscapes HPOZ" and its purpose is to protect and enhance landscapes identified as having high natural, scenic and heritage significance and which contribute to the character and sense of place in the Overstrand and its economic base.

These proposed tunnels are not located in this HPOZ, and it is not predicted to have an effect on the HPOZ.

12.3 Spatial Planning Policies

WCLPGRA

The policy promotes appropriate growth of the rural economy in appropriate locations. Policy proposals in the WCLPGRA pertinent to this proposal are recorded as below:

Enhancing the Economic Viability of Farms through Intensification: The aim of intensification on farms is to boost economic viability by increasing capital investment and labour to achieve higher yields and output. In line with the WCLPGRA, this application seeks to grant the property owner the appropriate land use rights to implement agricultural intensification, thereby enhancing the farm's economic sustainability.

Preserving Agricultural Landscapes and Minimizing Fragmentation: Agricultural fragmentation occurs when farms are subdivided into smaller units, compromising their



MOTIVATION

agricultural viability. This proposal is not synonymous with fragmentation. On the contrary, it enables the property owner to increase agricultural output, aligning with the objectives outlined in the WCLPGRA to discourage fragmentation and promote the consolidation of agricultural land.

Maintaining Consistency and Scale within the Farm Precinct: The proposed tunnels conform to the prescribed height restriction of 12 meters, ensuring that they remain consistent with the scale and structures found on neighbouring farms. By reflecting similar characteristics and adhering to the appropriate scale, the proposal aligns with the desired farm precinct environment as outlined by the WCLPGRA.

PSDF

The PSDF is a product of a provincial inter-departmental and inter-governmental collaboration under the guidance of the inter-departmental steering committee in collaboration with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns in urban and rural areas in the province.

Consistency with the PSDF

Promoting Rural Development and Agricultural Investment: The primary objective of this proposal is to prioritize rural development by increasing investment in agricultural activities on the subject property, aligning with the goals set forth by the PSDF. By directing resources and efforts towards agricultural development in the Hemel en Aarde rural area, this proposal aims to stimulate inclusive economic growth, create employment opportunities, and uplift the local community.

Enhancing Agricultural Expansion and Diversification: The implementation of this proposal will lead to increased agricultural output, enabling the farm owner to expand and diversify their crop production. By introducing intensive horticulture tunnels, a wider range of fruits and crops can be cultivated, thereby promoting the diversification of agricultural activities in the region. This diversification not only strengthens the resilience of the agricultural sector but also opens up new markets and revenue streams for the farm.

Leveraging Comparative Strengths of the Western Cape: The Hemel en Aarde area has been recognized for its comparative strengths in terms of high agricultural output and performance. This proposal seeks to capitalize on these strengths by further enhancing the agricultural sector's productivity and economic contribution. By maximizing the potential of the rural area's agricultural resources and expertise, the proposal aims to bolster the Western Cape's position as a leading agricultural region, attracting investment, and fostering sustainable growth.

Promoting Regional Cooperation and Collaboration: The proposed expansion of intensive horticulture tunnels encourages collaboration and knowledge-sharing among farmers and agricultural stakeholders in the Hemel en Aarde Valley. Through cooperative efforts, such as sharing best practices, accessing resources, and jointly marketing agricultural products, the proposal fosters a supportive and interconnected agricultural community. This cooperation not only enhances the overall productivity and



MOTIVATION

competitiveness of the region but also strengthens social and economic ties within the local farming network.

Strengthening Food Security and Sustainable Agriculture: The expansion of agricultural activities through intensive horticulture tunnels contributes to strengthening food security in the region. By increasing crop yields and diversifying the range of produce, the proposal enhances the availability and accessibility of fresh, locally grown food. Moreover, the sustainable practices employed in intensive horticulture tunnels, such as efficient water usage and reduced chemical inputs, promote environmentally friendly and resource-efficient farming methods, ensuring the long-term sustainability of agricultural production in the Hemel en Aarde Valley.

MSDF

The MSDF plays a crucial role in identifying areas for growth and implementing policies that benefit the residents of the OM. The SDF contains various policy proposals, and the ones relevant to this proposal are outlined below:

Development of Strong Local Economy in Rural Areas: The Hemel en Aarde region already possesses a relatively robust economic base. The approval and implementation of this proposal will further strengthen the economic foundation in the rural area. By promoting agricultural activities and investment, the proposal aligns with the SDF's objective of supporting and enhancing the local economy.

Protection of Agricultural Resources: This proposal not only safeguards the existing agricultural resource base but also aims to increase the agricultural output on the subject farm, in line with the goals set by the SDF. The expansion of intensive horticulture tunnels will contribute to the preservation and sustainable use of agricultural resources, ensuring their long-term viability and productivity.

Spatial Proposal Plan: The subject property is designated as a core agricultural area within the SDF's spatial proposal plan. The proposed implementation of intensive horticulture tunnels aligns harmoniously with this land use designation. It supports the strategic vision of utilizing the area for agricultural purposes and emphasizes the importance of agricultural activities within the designated core agricultural zone.



13. PLANNING PRINCIPLES

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

Spatial justice

The proposal contributes to spatial justice by promoting improved access to and use of land. By implementing additional horticulture tunnels, Haygrove aims to redress past spatial imbalances and provide opportunities for disadvantaged communities and individuals to participate in agricultural activities. The tunnels enable the cultivation of high-value crops, creating employment and economic opportunities for local residents, including those in informal settlements and areas affected by poverty.

Spatial sustainability and efficiency

The proposal prioritizes spatial sustainability by optimizing land use and resource efficiency. The horticulture tunnels allow for the intensive cultivation of crops within a relatively small footprint, maximizing land productivity. This approach minimizes the need for large expanses of land while ensuring a high agricultural output. Additionally, Haygrove considers the protection of prime agricultural land and strive to minimize negative environmental impacts through sustainable farming practices.

Spatial resilience

The proposal embraces efficiency by optimizing existing resources and infrastructure. The horticulture tunnels utilize advanced irrigation systems, precision farming techniques, and climate control technologies to maximize crop yields while minimizing water and energy consumption.

Good administration

The Overstrand Municipality has demonstrated a solid history of effectively incorporating public participation into its administrative processes. Public participation is a crucial aspect of the land use planning process.

This process allows individuals who may be impacted by the proposal to provide feedback and raise any concerns or make suggestions that may lead to a more favourable outcome for all parties involved. All comments received will be carefully reviewed and taken into consideration before being addressed appropriately.



14. EVALUATION

The proposal for the expansion of intensive horticulture tunnels on the property holds significant benefits and justifications for its approval. It should be reiterated, no additional agricultural fields are being proposed, only the existing field are proposed to be enclosed by the intensive horticulture tunnels. The application aligns with various planning principles, including promoting rural development, economic growth, and the protection of agricultural resources. Moreover, it adheres to the guidelines set forth by the Spatial Planning and Land Use Management Act and the Overstrand Municipality's By-Laws. By considering the positive socio-economic impacts, environmental sustainability, and the compatibility of the proposal with the existing agricultural landscape, it becomes evident that allowing the additional horticulture tunnels is a prudent decision.

Firstly, approving the expansion of intensive horticulture tunnels will enhance the economic viability of the farm and contribute to rural development. The increased investment in agricultural activities will lead to improved productivity, income generation, and employment opportunities within the Hemel en Aarde Valley and Hermanus area. This aligns with the overarching goal of promoting inclusive economic growth and ensuring a strong local economic base. Furthermore, the expansion of horticulture tunnels on the property capitalizes on the comparative strengths of the Western Cape, particularly the high agricultural output of the Hemel en Aarde Valley. By maximizing the agricultural potential of the region, this proposal reinforces the significance of the area as a valuable agricultural hub, contributing to the overall prosperity and food security of the region.

From an environmental standpoint, the proposal demonstrates a commitment to sustainable practices. Intensive horticulture tunnels are known for their water-saving capabilities, efficient resource utilisation, and reduced pesticide application. These factors contribute to the conservation of water resources, minimized environmental impact, and overall ecological sustainability.

Lastly, the proposal aligns with the principles of spatial planning and land use management, as outlined in SPLUMA. It adheres to the principle of spatial justice by addressing past imbalances, promoting inclusion, and redressing access to land. The application also adheres to the principle of spatial sustainability, ensuring that land development is within fiscal means, protects prime agricultural land, and considers environmental and social costs.

In conclusion, the expansion of intensive horticulture tunnels on the property offers numerous benefits and aligns with various planning principles. By promoting rural development, economic growth, and environmental sustainability, this proposal will strengthen the agricultural enterprise, contribute to food security, and enhance the overall well-being of the community. Granting approval for the expansion of horticulture tunnels on the property is a decision that will yield positive outcomes for both the farm owners and the surrounding region.



15. RECOMMENDATION

Based on the abovementioned motivation, it is recommended that the following be approved:

- 15.1** Amendment of condition of approval 1(c) dated 13 July 2012 to allow the proposed expansions of the agricultural industry in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning Act, 2020.
- 15.2** Permanent Departure from the eastern 30m building line to 12,04m to allow the proposed extension of the pack shed in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 15.3** Permanent Departure from the eastern 30m building line to 6,44m to allow the existing pergola in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 15.4** Amendment of condition of approval 3(a) contained in letter of approval dated 9 February 2016 to allow the proposed expansions of the tunnels in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning Act, 2020;
- 15.5** Permanent Departure from the northern 30m building line to 9m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.6** Permanent Departure from the western 30m building line to 9m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.7** Permanent Departure from the northern 30m building line to 11m, 12m & 20m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.8** Permanent Departure from the western 30m building line to 12m, 13,5m, 14m, 14,5m & 15,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.9** Permanent Departure from the southern 30m building line to 23,7m & 23,8m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of



RECOMMENDATION

the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

- 15.10** Permanent Departure from the southern 30m building line to 5m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.11** Permanent Departure from the western 30m building line to 10m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.12** Permanent Departure from the southeastern 30m building line to 19m & 24,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.13** Permanent Departure from the southern 30m building line to 7,3m & 8m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.14** Permanent Departure from the eastern 30m building line to 3,3m & 5,5m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.15** Permanent Departure from the eastern 30m building line to 3m to allow the existing intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.16** Permanent Departure from the eastern 30m building line to 3m to allow the proposed intensive horticulture tunnels in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.17** Permanent Departure from the allowable floor space in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 15.18** Amendment of an approved site development plan in terms of Section 16(2)(L) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and



RECOMMENDATION

- 15.19** Determination of an administrative penalty in terms of Section 90(5) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



4.1 Proposed
Site Development Plan

Portion 94 of the Farm
Hemel-en-Aarde 587, Caledon

- Portion 94 of the Farm Hemel en Aarde 587 Caledon (155,0487 ha)
- 30m Building lines
- Existing Berry Fields
- Dams
- Roads
- Existing and approved tunnels (5,8727ha)
- Existing and not approved tunnels (±8,337ha)
- Proposed tunnels (±7,746ha)
- Agricultural Buildings (±275m²)
- Labourers Cottages (±377m²)
- Pack Shed (±1018m²)
- Offices (±587m²)
- Farm Store (±617m²)

Proposed Total Floor Space - ±22,2431 ha



Agricultural Industry

Plan prepared by: Thion Jansen

Plan 23.81 (002) - 02/11/2023

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 Dikie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management

Scale 1 : 8 000



4.2 Inset Plan -
Proposed Site Development Plan

Portion 94 of the Farm
Hemel-en-Aarde 587, Caledon

- Existing Berry Fields
- Dams
- Roads
- Existing and approved tunnels (5,8727ha)
- Existing and not approved tunnels (±8,337ha)
- Proposed tunnels (±7,746ha)
- Agricultural Buildings (±275m²)
- Labourers Cottages (±377m²)
- Pack Shed (±1018m²)
- Offices (±587m²)
- Farm Store (±617m²)

Proposed Total Floor Space - ±22,2431 ha

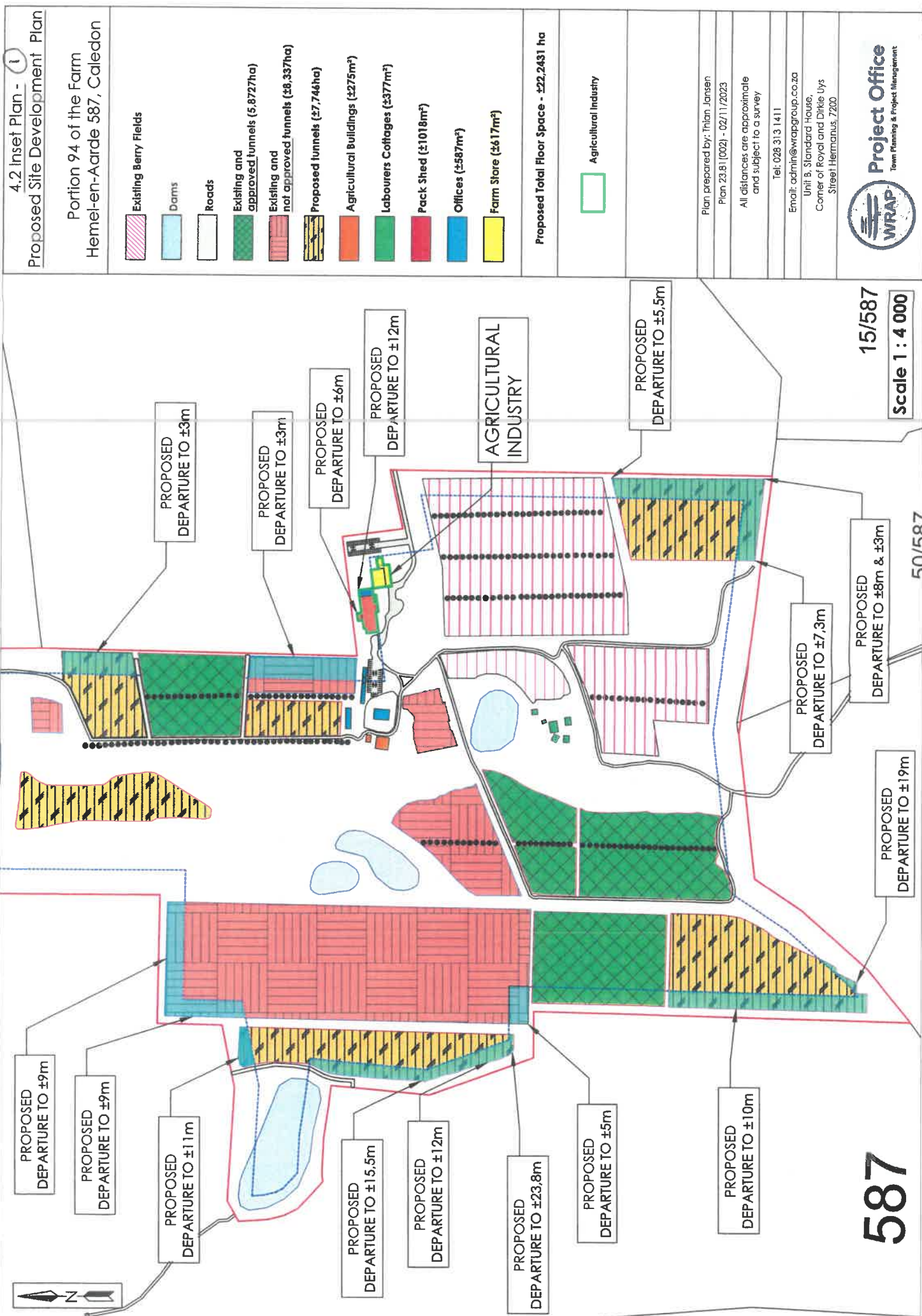
Agricultural Industry

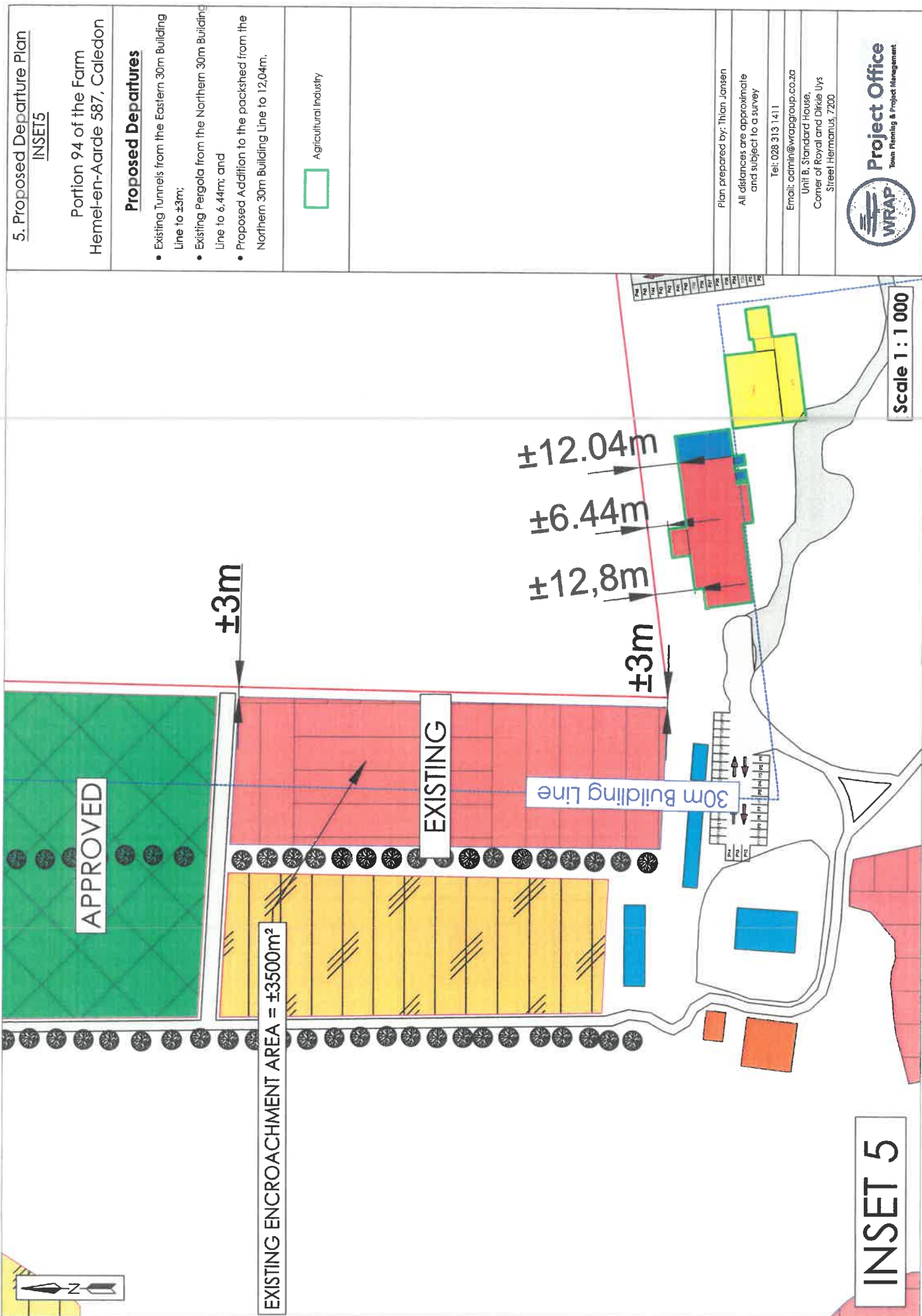
Plan prepared by: Thion Jansen
Plan 23.81(002) - 02/11/2023
All distances are approximate
and subject to a survey
Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Unit B, Standard House,
Corner of Royal and Dikie Uys
Street Hermanus, 7200



15/587
Scale 1 : 4 000

50/587





5. Proposed Departure Plan
INSET5

Portion 94 of the Farm
Hemel-en-Aarde 587, Caledon

Proposed Departures

- Existing Tunnels from the Eastern 30m Building Line to ±3m;
- Existing Pergola from the Northern 30m Building Line to 6,44m; and
- Proposed Addition to the packedshed from the Northern 30m Building Line to 12,04m.



Agricultural Industry

Plan prepared by: Thian Jansen

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 Dikie Lys
Street Hermanus, 7200



Project Office
Town Planning & Project Management