



**REMAINDER OF FARM NO. 970, DIVISION CALEDON AND PORTION 1 (GROOTVLEI) OF THE FARM MODDER RIVIER NO. 657, DIVISION CALEDON: APPLICATION FOR SUBDIVISION AND CONSOLIDATION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF ELAMARK (PTY) LTD AND MOIWAY (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), of the following applications applicable to the above-mentioned properties, namely:

- ✚ **subdivision** in terms of Section 16(2)(d) of the By-Law, to subdivide Portion 1 (Grootvlei) of the Farm Modder Rivier No. 657 into two portions namely, Portion A, approximately 25,76ha in extent and a Remainder, approximately 46,45ha in extent; and
- ✚ **consolidation** in terms of Section 16(2)(e) of the By-Law, to consolidate Portion A with Remainder of the Farm No. 970 to create a property of approximately 106,9448ha in extent.

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 and Stanford Library, Queen Victoria Street, Stanford. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **Friday, 15 August 2025**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Town Planner, Mr. S van der Merwe** 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.

**RESTANT VAN DIE PLAAS NR. 970, AFDELING CALEDON EN GEDEELTE 1 (GROOTVLEI) VAN DIE PLAAS MODDER RIVIER NR. 657, AFDELING CALEDON: AANSOEK OM ONDERVERDELING EN KONSOLIDASIE: MNRE WRAP PROJECT OFFICE NAMENS ELAMARK (PTY) LTD EN MOIWAY (PTY) LTD**

Kennis word hiermee gee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), van die volgende aansoeke van toepassing op die bogenoemde eiendomme, naamlik:

- ✚ **onderverdeling** ingevolge Artikel 16(2)(d) van die Verordening, om Gedeelte 1 (Grootvlei) van die Plaas Modder Rivier Nr. 657 in twee gedeeltes te onderverdeel naamlik, Gedeelte A, ongeveer 25,76ha en 'n Restant, ongeveer 46,45m<sup>2</sup> groot; en
- ✚ **konsolidasie** ingevolge Artikel 16(2)(e) van die Verordening, om Gedeelte A met Restant van die Plaas Nr. 970 te konsolideer om 'n eiendom van ongeveer 106,9448ha groot te skep.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en Stanford Biblioteek, Queen Victoriastraat, Stanford. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **Vrydag, 15 Augustus 2025**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr. S van der Merwe** 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.

**NGU-ERF 1021, 8 LONGMARKET STREET AND ERF 2294, 8A LONGMARKET STREET, STANFORD, UMASIPALA KUMMANDLA WASE-OVERSTRAND: ISICELO SOKWAHLULA-HLULA NOYONDELELANISO: NGABAMNUM BAKWAPLAN ACTIVE TOWN & REGIONAL PLANNERS EGAMENI LIKA- GAD TRUST AND WITTHOFT ESTATES (PTY) LTD**

Kukhutshwe isaziso esingemiba emayela neSoloty lama-48 nguMasipala wase-Overstrand Osisihlomelo soMthethwana Ongezicwangciso Zokusetyenziswa koMhlaba kaMasipala ngu2020 (Umthethwana), isicelo esi sisebenziseka kwezi zakhiwo zilandelayo, ezaziwa:

- ✚ **ukwahlulahlula** imiba yeSoloty le-16(2)(d) loMthethwana, ukwahlulahlula Isiza esingu-Erf 1021 ibe zinxalenye ezimbini, Inxalenye A-Portion A, engumlinganiselo ozimitha ezingama-300m<sup>2</sup> neNtsalela, engumlinganiselo 878m<sup>2</sup> ububanzi; kunye ne
- ✚ **yondelelaniso** ngemiba yeSoloty le-16(2)(e) loMthethwana woyondelelaniso kwiNxalenye A uPortion A kunye Isiza engu-Erf 2294 ukudala isiza esingumlinganiselo ongu-1497m<sup>2</sup> ububanzi.

Iinkcukacha ezimayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwintsuku zaphakathi evekini phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Lezicwangciso zeDolophu, Paterson Street, Hermanus ne Stanford Library, Queen Victoria Street, Stanford. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSoloty lama-51 nelama-52 loMthethwana obhalwe ngentla uMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi **uLwesine, 15 EyeThupa 2025**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mcwangcisi weDolophu, Mr. S van der Merwe** kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angandwendwela kwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kumncedi ukuhlomla.

**#overstrand4all**



We belong



We care



We serve

1. Locality Plan  
Remainder of Farm 970, Caledon &  
Portion 1 of Farm Modder Rivier No 657, Caledon



Subject properties

Plan prepared by: Veronica Jansen

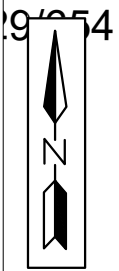
Tel: 028 313 1411

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



**Project Office**  
Town Planning & Project Management



9/954

RE/933

RE/970

1/970

1/657

969

2/970

RE/6/658

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897

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RE/654

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Scale 1 : 20 000



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**1. SUMMARY OF PROPERTY DETAILS**

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*Table 1*

<b>Property description</b>	<b>Remainder of Farm No. 970</b>
<b>Division</b>	Caledon
<b>Registered owner</b>	Moiway (Pty) Ltd
<b>Farm extent</b>	81,1848 Ha
<b>Current land use</b>	Agriculture and Homestead
<b>Current zoning</b>	Agricultural Zone I

*Table 2*

<b>Property description</b>	<b>Portion 1 of the Farm Modder Rivier No. 657</b>
<b>Division</b>	Caledon
<b>Registered owner</b>	Elamark (Pty) Ltd
<b>Farm extent</b>	72.2079 Ha
<b>Current land use</b>	Agriculture and Homestead
<b>Current zoning</b>	Agricultural Zone I

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**2. BACKGROUND**

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The farms are situated along the Papiessvlei Road near Stanford. The owners of the Remainder of Farm No 970, Caledon, initiated the process by approaching the owners of Portion 1 of Farm Modder Rivier No 657, Caledon, with a request to purchase the adjacent land for conservation purposes once the application for subdivision and consolidation is approved. Given that the portion in question is not currently farmed and it being split by Papiessvlei Road from the rest of the farm, the owners have reached an agreement whereby a small portion of Portion 1 of Farm Modder Rivier No 657, Caledon will be sold to the owners of the Remainder of Farm No. 970, Caledon.

The owners of the Remainder of Farm No. 970 Caledon, want to use the subdivided portion for conservation- and grazing purposes in conjunction with their already conserved farm land on the Remainder of Farm No. 970 Caledon together with another farm north of the subject properties, namely Portion 7 of the Farm Klein Rivier Kloof No. 660, Caledon, which is a proclaimed nature reserve.

This agreement facilitates the rationalization of land ownership between the two properties, promoting more efficient and cohesive land use. The portion proposed for subdivision and consolidation is currently not farmed. This strategic consolidation aligns with broader planning- and conservation goals, fostering more cohesive land management in the area.



**3. PROCEDURE TO ACHIEVE THE APPLICANT'S INTENT**

WRAP Project Office was appointed to compile and submit a land use planning application to achieve the vision highlighted in Section 3 of this report. The following is proposed:

**3.1 Subdivision** of Portion 1 of the Farm Modder Rivier 657, Caledon into Portion A ( $\pm 25,76$  ha) and the Remaining extent ( $\pm 46,45$  ha).

Portion 1 of the Farm Modder Rivier 657 Caledon has an extent of 72.2079 Ha. The proposal is to subdivide the property into two portions with the Remaining Extent proposed to be  $\pm 46,45$  Ha and Portion A to be  $\pm 25,76$  Ha in extent, which allows the owner to sell the portion located on the other side of the Papiessvlei Road to the neighbouring property owner. Refer to **Table 3** below and **Plan 4 (Annexure)** which illustrates the proposed subdivision.

Remaining extent of Portion 1 of The Farm Modder Rivier No. 657, Caledon	$\pm 46,45$ Ha
Portion A	$\pm 25,76$ Ha

The farm is divided into two by the Papiessvlei Road, creating a natural separation between the two portions. As a result, the owners have agreed to sell the portion located across the road to the neighbouring landowner (Remainder of Farm 970, Caledon) whose property directly borders that section. This decision allows for more practical and consolidated land management, particularly as the separated portion is more easily accessed and integrated with the conservation initiatives of the adjacent owner.

The proposed application for subdivision has been submitted to the Department of Agriculture in terms of the Subdivision of Agricultural Land Act, 70 of 1970. Once approval is received, a copy thereof will be submitted to the Overstrand Municipality.

**3.2 Consolidation** of Portion A ( $\pm 25,76$  ha) with the Remainder of the Farm 970, Caledon.

The proposed addition of Portion A, the subdivide portion of Portion 1 of the Farm Modder Rivier 657 Caledon, allow the owner of the Remainder of Farm No. 970, Caledon to expand agricultural activities by keeping more cattle on the additional grazing in the future, but also conserve and protect the additional natural veld, with the rest of their farms. With more fynbos available for potential protection and harvesting, this expansion could lead to the creation of new job opportunities, thereby contributing to the local economy and supporting sustainable agricultural practices. Refer to **Table 4** below and **Plan 5 (Annexure)** which illustrates the proposed consolidation.

Remainder of Farm No. 970, Caledon	81,1848 Ha
Portion A	$\pm 25,76$ Ha
Consolidated Farm	<b><math>\pm 106,9448</math> Ha</b>



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#### 4. LAND USE ENVIRONMENT

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The properties surrounding the subject properties are also zoned Agricultural Zone I. The surrounding area's zonings are illustrated in **Plan 2 - Zoning Plan**.

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#### 5. TITLE DEED

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Title deeds T37502/2013 & T61336/2024 do not contain any restrictive conditions which may prohibit the approval of the proposed subdivision and consolidation.

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#### 6. ZONING

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The zoning parameters were assessed in conjunction with the Agricultural Zone I zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law. The proposed subdivision and consolidation are not expected to have an impact on any of the development parameters as contained in the OMLUS as no new development is proposed with this application.

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#### 7. SERVICES

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

##### **Solid waste, Electricity, Water and Sewage**

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

##### **Access and Egress**

Both properties have an existing access from Papiessvlei road, and the proposed subdivision and consolidation will not affect the existing access and egress to the properties.

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#### 8. NEED AND DESIRABILITY

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The need and desirability of the approval and implementation of this proposal can be illustrated as follow:

##### **Need and desirability**

The need for the proposed development arose from the in-principal agreement between the two property owners, and the vision of the owners of the Remainder of Farm No. 970, Caledon has for the additional portion of land.

To achieve their intent, the owners have appointed WRAP Project Office to submit this application, to ensure the proposed subdivision and consolidation is not in contradiction to any policies, legislation or title deed conditions.

##### **Impact on views, sunlight and character of the area**

The proposed subdivision and consolidation will not have an impact on the views, sunlight and character of the surrounding area as no structural changes are proposed.



### **Economic impact**

The agricultural use on the subject properties creates employment opportunities and the subdivision and consolidation will not affect this.

### **Opportunity cost**

An opportunity cost in the context of land use planning refers to a development proposal which leads to the devaluation or foregoing valued land use rights of interested and affected parties when an application is approved.

### **Impact on heritage**

The subject properties are not listed in the Heritage Register. None of the provisions in the National Heritage Resources Act, 1999 are triggered by this proposal. There is therefore no impact on heritage.

### **Environmental impact**

No listed activities in terms of the National Environmental Management Act are triggered by this proposal.

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## **9. POLICIES AND REGULATIONS**

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### **9.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)**

The subject properties are both located within the Overstrand Municipality Environmental Protection Overlay Zone, with only the northern portion of both subject properties falling within the Mountain Catchment EMOZ. The proposal is solely an administrative exercise, and it is not expected to have any significant impact on this sensitive area. The proposal does not involve any physical development or alterations that would impact on the mountain catchment areas, ensuring the continued protection of these zones in line with their environmental objectives. The proposal therefore aligns with the intention of preserving and enhancing the environmental and scenic value of the property.

### **9.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)**

#### **Scenic Route**

The subject properties are located along a divisional road leading from the R326 between Stanford and Papiessvlei, which is identified as a 'Route of Local Scenic Significance'. The proposal however involves only a cadastral amendment with no new development planned. As a result, the scenic qualities of the area will remain unaffected. The amendment does not introduce any physical changes on the property that could alter the visual character of the area.

### **9.3 Spatial Planning Policies**

The compliance of this proposal with the applicable spatial development policies was assessed. These policies are instrumental in guiding spatial development and providing prescripts of what constitutes sound town planning development patterns. The compliance of this proposal in conjunction with provincial and local policies which are key development informants will be illustrated.

### **Western Cape Land Use Planning Guidelines Rural Areas - WCLUPGRA**

The proposed subdivision and consolidation are not expected to contradict the Western Cape Land Use Planning Guidelines for Rural Areas. The proposed subdivided portion was previously partially used for grazing and the rest containing only natural, undisturbed vegetation. By reallocating this underutilised portion of land, the proposal aligns with the



broader planning goals of preserving natural landscapes, ensuring a balanced approach to rural land use.

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

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### **10. PLANNING PRINCIPLES**

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

#### **Spatial justice**

Spatial justice refers to planning proposals which do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal for the subdivision and consolidation does not perpetuate apartheid spatial development imbalances.

#### **Spatial sustainability & Efficiency**

Spatial sustainability refers to planning proposals which result in communities that are viable. This proposal to subdivide and consolidate intends to ensure that the unutilised portion of the subject property is utilised to its maximum capabilities and allows the applicants to create additional agricultural areas.

#### **Spatial resilience**

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

#### **Good administration**

The OM has a credible track record of good administration regarding the method of public participation which invites and accepts comments from the public to make an informed decision as well as complying with the prescribed time frames pertaining to the processing of applications.



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### 11. CONCLUSION

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Considering the abovementioned motivation, there is sufficient land to ensure both properties remain as viable agricultural enterprises, and the proposed subdivision and consolidation is not expected to have an impact on the agriculture or the surrounding area.

This proposal is in harmony with all relevant spatial planning policies which illustrates that the applicant did not arbitrarily invent this application but had due consideration for relevant spatial planning policies.

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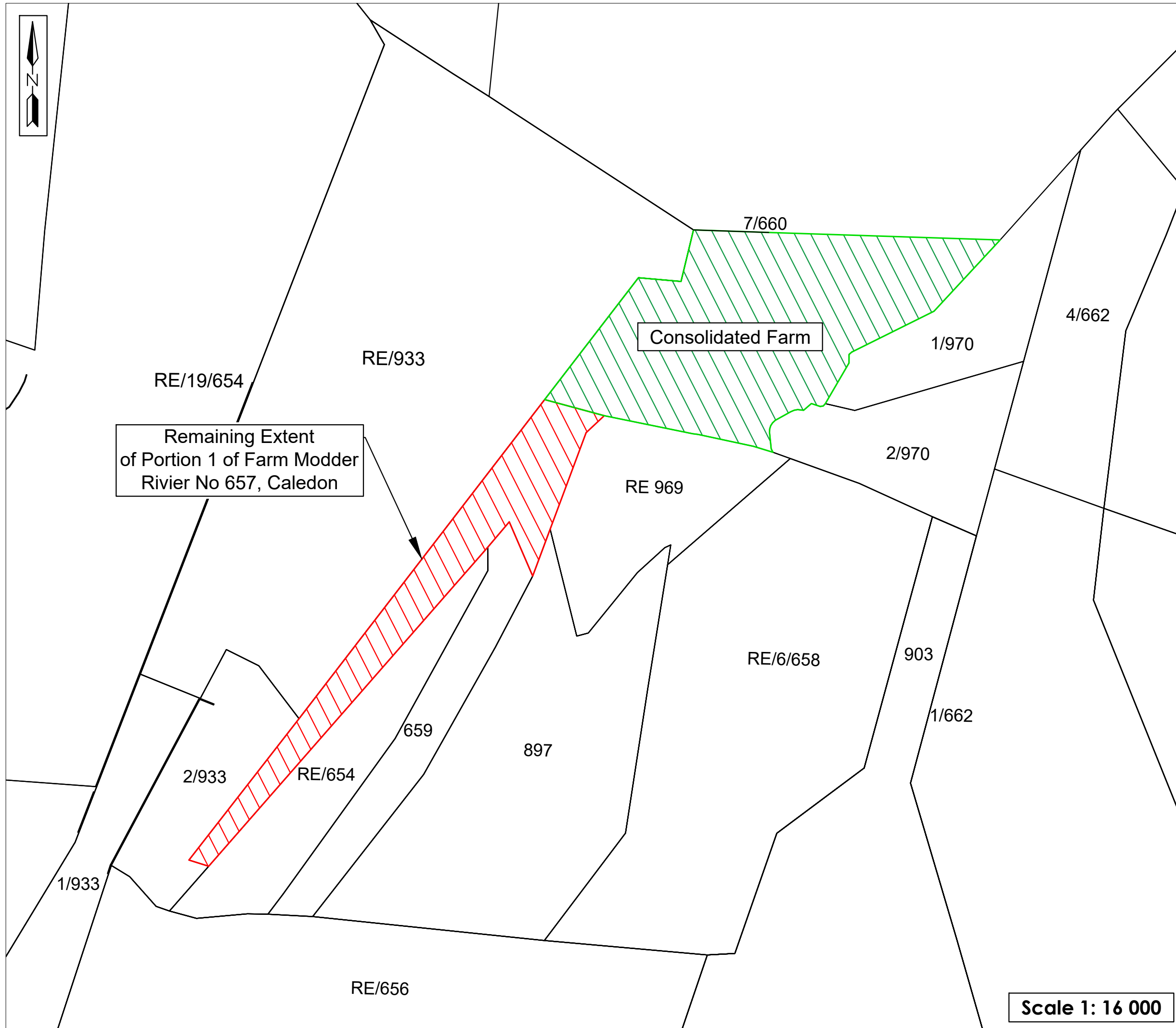
### 12. RECOMMENDATION

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

- 12.1 Subdivision** of Portion 1 of the Farm Modder Rivier No. 657, Caledon into Portion A ( $\pm 25,76$  Ha) and the Remaining extent ( $\pm 46,45$  Ha) in terms of Section 15(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- 12.2 Consolidation** of Portion A ( $\pm 25,76$  Ha) and the Remainder of the Farm No. 970, Caledon, consolidated farm with new extent of  $\pm 106,9448$  Ha, be approved in terms of Section 15(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.





**Consolidation Plan**  
Remainder of Farm 970, Caledon  
&  
Portion 1 of Farm Modder Rivier  
No 657, Caledon

**Consolidated Farm**  
± 106,9448 Ha

**Remaining extent of Portion 1  
of Farm Modder Rivier No 657,  
Caledon**  
± 46,45 Ha

Plan prepared by: Veronica Jansen on 05-05-2025

Plan Number - 24/194 (001)

All distances are approximate  
and subject to a survey

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**Scale 1: 16 000**

