



**Western Cape
Government**

Infrastructure
Vanessa Stoffels

Chief Directorate: Road Planning

Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: TPW/CFS/RP/LUD/REZ/SUB-04/262 (Job 30327)

Le Brun Geomatics
PO Box 627
MONTAGU
6720

Attention: Mr SG le Brun

Dear Sir

**PORTIONS 3, 4 AND 16 OF FARM BOSJEMAN'S PAD NO. 173, SWELLENDAM: TRUNK ROAD 32
SECTION 1: APPLICATION FOR SUBDIVISION AND CONSOLIDATION**

1. The application received via email on 3 May 2023 refers.
2. The subject properties are located 10 km east from Bonnievale and take access off Trunk Road 32/1 and Minor Road 6024.
3. This application is for Subdivision and Consolidation as set out on the plan with file number: LG70 dated March 2023.
4. It is noted that no additional accesses are required.
5. In terms of Act 21 of 1940, this Branch approves the subdivision.

Yours Sincerely

SW CARSTENS
For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE
DATE: 13 OCTOBER 2023

ENDORSEMENTS

1. Consultant: Le Brun Geomatics
Attention: Mr SG le Brun (e-mail: stan@lebrun.co.za)
2. District Roads Engineer
Paarl
3. Mr E Smith (e-mail)
4. Mr S Carstens (e-mail)
5. Mr F Fakier (e-mail)

CONSERVATION INTELLIGENCE

postal 16 17th Avenue, Voëlklip, Hermanus, 7200
physical 16 17th Avenue, Voëlklip, Hermanus, 7200
website www.capenature.co.za
enquiries Rhett Smart
telephone 087 087 8017
email rsmart@capenature.co.za
reference LS14/2/6/1/9/1/173-3,4&16_subdiv&cons_Bonnievale
date 2 August 2023

Langeberg Municipality
Private Bag X2
Ashton
6715

Attention: Tracy Brunings
By email: admin@langeberg.gov.za

Dear Tracy

Application for Subdivision and Consolidation for the Re-Alignment of the Boundaries between Portions 3, 4 and 16 of Farm Bosjemans Pad 173, Bonfrutti and Bushmanspad Estate, Bonnievale

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.

The application is to change the boundaries of the properties to add sections of Portions 4 and 16 to Portion 3. All 3 properties contain sections of both agriculture and natural vegetation. A large proportion of Portion 3 and small proportion of Portion 16 falls within the Langeberg West Mountain Catchment Area on the upper slopes and is therefore classified as Protected Area. Most of the remaining natural vegetation is classified as Other Natural apart from Critical Biodiversity Area (CBA) along the Huis River and Ecological Support Area (ESA) along the other watercourses.

The three resultant properties will similarly allow for areas of agriculture, natural vegetation and existing development, although Portion 3 will have proportionally more agriculture than before. The proposal will therefore not result in any direct impact on biodiversity through primary rights. CapeNature therefore does not object to the application, however the landowners must be made aware of the relevant legislation with regards to agricultural expansion and further development.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rhett Smart', with a horizontal line underneath.

Rhett Smart

For: Manager (Landscape Conservation Intelligence)

REFERENCE: 15/3/2/12/BL2

Director: Engineering Services
Langeberg Municipality
Private Bag X2
ASHTON
6715

**REQUEST FOR PROVINCIAL PLANNING COMMENT: PROPOSED SUBDIVISION AND
CONSOLIDATION OF THE FARM AND SERVITUDES ON PORTIONS 3, 4, 9 & 16 OF FARM
BOSJEMAN'S PAD NO. 173, SWELLENDAM DIVISION**

1. Your request for comment, dated 2 June 2023, has reference.
2. The proposed subdivision and consolidation of proposed Portion A and proposed Portion B with Portion 3 of Farm 173 (321.2ha) will consolidate all the wine producing vineyards thus strengthening the viability of the commercial farm, allowing the Remainder Portion 4 (168.7ha) and Remainder Portion 16 (138.5ha) to concentrate on agri-tourism and sheep farming.
3. Whether the size of the respective Remainder portions satisfies the size norms to enable the agricultural unit to be farmed in a sustainable manner over the long term will need to be established by the Western Cape Department of Agriculture.
4. This Directorate, however, has no objection to the proposed subdivision and consolidation application from a provincial planning perspective.
5. The above-mentioned comment is based on the information received. This Directorate reserves the right to submit contradictory and/or amended comment should any additional or new information be submitted.

Kobus Munro

KOBUS MUNRO

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

Digitally signed by Kobus Munro
Date: 2023.07.03 15:42:45 +02'00'



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNXEBA:
FAKS/FAX/IFEKSI:
E-POS/E-MAIL/IE-MAIL:
U VERW/YOUR REF/IREF YAKHO:
ONS VERW/OUR REF/IREF YETHU:

Johanice Joseph
023 626 8307
0236265109
Johanice.Joseph@capewinelands.gov.za
15/4/14/2
83/3/4/16

40 Van Rensen Street
51
ROBERTSON
6705

2024-01-31

The Municipal Manager
Langeberg Municipality
Private Bag X 2
Ashton
6715

For attention: DP Lubbe
Municipal Manager

PROPOSED SUBDIVISION AND CONSOLIDATION OF PORTIONS 3,4 AND 16 OF THE FARM BOSJEMAN'S PAD NO. 173, SWELLENDAM.

Your correspondence dated 23 January 2024 refers:

Service Delivery:

No domestic services (drinking water, sanitation, electrical and refuse removal services) are supplied by CWDM.

Sanitation:

No sewerage systems may be placed below any flood line or nearer than 100 meters from any river, stream or other water system.

Waste Management:

Domestic refuse/waste and refuse related to the proposed Bushmandpad Estate and Bonfrutti Farm and Farm Stall must be collected, stored in an approved collection area and removed in such a manner so as not to form any environmental health risk /nuisances.

Provision of Drinking Water:

All premises (including the guest accommodation) must be provided with drinking water which complies to the provisions of SANS 241. Water needs to be regularly tested and records kept for scrutiny.

Certificate of Acceptability:

The provision of meals and the sale of foodstuffs will require a Certificate of Acceptability with adherence to Regulation 5 & 6 of GNR 638/22 June 2018 (Regulation governing general hygiene requirements for food premises, the transportation of food, and related matters promulgated in term of the Foodstuffs, Cosmetics & Disinfectants Act 54 of 1972 as amended).

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/

All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala
Telefoon/Telephone/Umnxeba: 0861 265 263 • E-pos/E-mail/IE-mail: admin@capewinelands.gov.za • Faks/Fax/IFEksi: 023 342 8442

Smoking:

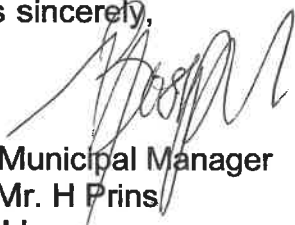
The owner must have a smoking policy onsite and enforce the policy with reference to the Tobacco Control Act . Act 83 of 1993.

Health nuisance/Risk:

The premises must comply with the Cape Winelands District Municipality Health By-laws Gazette 16 February 2010 and make sure any activity taking place does not create any form of health nuisance.

This office serves the right to call for any additional requirements if deemed necessary at any later stage.

Yours sincerely,



For: Municipal Manager
Mr. H Prins
JJ



Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/

All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala
Telefoon/Telephone/Umnxeba: 0861 265 263 • E-pos/E-mail/IE-mail: admin@capewinelands.gov.za • Faks/Fax/iFeksi: 023 342 8442



agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA



Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land and Soil Management
Tel: 012-319-7451 Fax: 012-329-5938 Email: KhuthalaD@Dalrrd.gov.za/ MulaloMo@Dalrrd.gov.za;
Website: www.dalrrd.gov.za
Enquiries: Helpdesk Ref: 2023_05_0022

Le Brun Geomatics Professional Land Surveyor
P.O. Box 627
MONTAGU
6720

Email: stan@lebrun.co.za

Attention: S G Le Brun

APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, ACT 70 OF 1970: PORTION 16 AND PORTION 4 OF THE FARM BOSJEMANS PAD NO. 173, WESTERN CAPE PROVINCE

Your letter of reference LG 70 dated 17 April 2023 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No.**57431** issued in terms of section 4 of the Act is enclosed.

To facilitate registration, the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Yours faithfully


MS T.S. CHIPETA
CHIEF DIRECTOR: NATURAL RESOURCES AND
DISASTER MANAGEMENT
DELEGATE OF THE MINISTER
DATE: 20/06/2023

CC: The Surveyor-General Private Bag X 2 CAPE TOWN 8000
CC: Land Use and Soil Management Private Bag X 2 SANLAMHOF 7592
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSenburg 7607





agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2023_05_0022

CONSENT IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970

57131

By virtue of the powers delegated to me by the Minister of Agriculture, Land Reform & Rural Development consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

- 1.1 PORTION 16 OF THE FARM BOSJEMANS PAD NO. 173 IN EXTENT 214,3726 HECTARES AND
- 1.2 PORTION 4 IN EXTENT 221,8418 HECTARES OF THE FARM BOSJEMANS PAD NO. 173, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

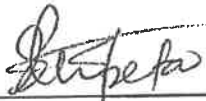
- 2.1 The subdivision of the above-mentioned agricultural land into two portions measuring approximately 75,9 hectares and 138,5 hectares represented by the figures marked Ptn A and Remainder as shown on the sketch plan attached.
- 2.2 The subdivision of the above-mentioned agricultural land into two portions measuring approximately 53,1 hectares and 168,7 hectares represented by the figures marked Ptn B and Remainder as shown on the sketch plan attached.
- 2.3 The registration of a servitude for the purpose of water pipe over portions of the agricultural mentioned in paragraph 1 measuring approximately 4 meter wide, as indicated on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer, a portion measuring approximately 75,9 hectares (Ptn A) must be consolidated with:
 - (i) Portion B, in extent 53,1 hectares and
 - (ii) Portion 3, in extent 192,2429 hectares all of the Farm Bosjesmans Pan No. 173
- 3.2 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.3 This consent does not exempt any person from any provision of any other law and does not purport to interfere with the rights of any person who may have an interest in agricultural land.

- 3.4 This consent is valid for 5 years from date of this grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

20/06/2023
DATE


MS T.S CHIPETA
CHIEF DIRECTOR: NATURAL RESOURCES
AND DISASTER MANAGEMENT
DELEGATE OF THE MINISTER



BREED-OLIFANTS

CATCHMENT MANAGEMENT AGENCY

Cnr Mountain Mill & East Lake Roads, Worcester 6850, Private Bag X 3055, Worcester, 6850

Enquiries: E.Rossouw

Tel. 023-3468000

Fax: 023-3472012

E-mail: erossouw@bocma.co.za

Your Ref:

Our Ref: 4/10/1/H50B Bosjeman 173/3,4&16, Swellendam

Date: 24/07/2023

Langeberg Municipality
3 Piet Retief
MONTAGU
6720

admin@breeland.gov.za/tbrunings@langeberg.gov.za

Attention: Tracy Brunings

COMMENTS: APPLICATION FOR SUBDIVISION AND CONSOLIDATION OF PORTIONS 3, 4 AND 16 OF BOSJESMANS PAD 173, SWELLENDAM

The Breede-Olifants Catchment Management Agency (BOCMA) has received the application as indicated above on 02 June 2023.

BOCMA noted that the application for the subdivision and consolidation of the aforementioned portions has been submitted for approval to Langberg Municipality. It is noted that the water use registration is for irrigation of the crop and is registered with BOCMA. It is also acknowledged that the "beurtwater" allocation for portion 4 and 16 will be reallocated to the consolidated farm portion 3. Therefore, BOCMA is in support of this application.

Water registered for the properties in terms of registration number 22008337 has been subject to validation and verification and the water rights for each property has been allocated accordingly. This subdivision and consolidation will impact on the aforementioned registration and the applicant should contact the BOCMA immediately on the confirmation of subdivision and consolidation to update the register with the new property descriptions and the movement of water accordingly.

General

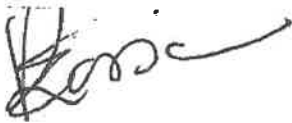
- No water must be taken from a water resource for any purpose without authorisation from the National Water Act, 1998 (Act 36 of 1998).
- No waste or water containing waste may be disposed without authorisation from the National Water Act, 1998 (Act 36 of 1998) and National Environmental Management: Waste Act, 2008 (Act 59 of 2008).

- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- No pollution of surface water or groundwater resources may occur.
- Stormwater management must be addressed both in terms of flooding, erosion and pollution potential.
- No stormwater runoff from any premises containing waste, or water containing waste emanating from industrial activities may be discharged into a water resource. Polluted stormwater must be contained.

Please be advised that no activities may commence without the appropriate approvals/authorizations where needed from the responsible authority. The onus remains with the registered property owner to confirm adherence to any relevant legislation that such activities might trigger and/or need authorisation for.

This office reserves the right to amend and revise its comments as well as to request any further information.

Please do not hesitate to contact this office if you have any further queries. Please ensure to quote the above reference in doing so.



JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)

Langeberg Municipality* (LLUPB, 2015)

Date: 24/07/2023

tbrunins@langeberg.gov.za

Enquiries:

WayleavesWesternOU@eskom.co.za

WAYLEAVE APPLICATION: *Land Use Application by private land owner - Eskom comment required by Langeberg Municipality. Bosjesman's Pad 173/3,4,16⁺

YOUR REF: 15/4/14/2 Bosjesman's Pad 173/3,4,16Swe

ESKOM REF: 10944-23

THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to the proposed work indicated on your drawing in principle. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

1. Eskom services are affected by your proposed works and the following must be noted:

- a) Eskom has no objection to the proposed work and include a drawing indicating Eskom 11kV/LV underground services in close proximity.
- b) Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
- c) There may be LV overhead services / connections not indicated on this drawing.
- d) The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Montagu

Jacob Van Den Berg / Vuyo Mcunukelwa

023 614 8403 / 021 983 4190

BergJb@eskom.co.za / McUnukV@eskom.co.za

Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Customer Services on 08600 37566 or customerservices@eskom.co.za

2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Nancy Piliso from the Land Development Office to be contacted at PilisoN@eskom.co.za , to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of 300mm with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.
- k) **No work can take place within the servitude of a 66kV Cable or 132kV Cable if indicated.** Should you need to undertake any work within the proximity of our 66kV or 132kV Cables please contact Nancy Piliso at PilisoN@eskom.co.za to arrange a site visit.

3. O.H. Line Services:

- a) The following building and tree restriction on either side of centre line of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11 / 22kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- b) No construction work may be executed closer than **6 (SIX) metres** from any Eskom structure or structure-supporting mechanism.
- c) No work or no machinery nearer than the following distances from the conductors:

Voltage	Not closer than:
11 / 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) That a minimum ground clearance of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11 / 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- k) Eskom shall at all times have unobstructed access to and egress from its services.
- l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
- m) Lungile Motsisi MotsisiL@eskom.co.za. Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV OVERHEAD POWERLINES. NO WORK WITHIN THIS SERVITUDE OR UNDERNEATH POWERLINES IS ALLOWED until comment from Eskom Transmission has been obtained.

4. **NOTE**

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)



- LEGEND
- EXISTING HV 66KV OVERHEAD LINE WITH SERVITUDE
 - CADASTRAL BOUNDARY
 - AREA OF INTEREST
 - ESKOM MV 11KV OVERHEAD LINE

REV	REVISION DESCRIPTION	BY	CHKD	APPD	DATE
01	ISSUED FOR TENDERS				11/01/2023
02	REVISED TO SHOW LAND DEVELOPMENT SECTION				11/01/2023

ESKOM
MONTAGU CMC
BETWEEN ASHTON AND SWELLENDAM
BOSJESMAN'S PAD ERVEN 1730, 4, 16
LAND USE APPLICATION BY PRIVATE LAND OWNER
LANGEBERG MUNICIPALITY

WAYLEAVE 10944:23

02	00	00
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SCALE 1:1000
LAND DEVELOPMENT SECTION
11/01/2023