



FARM NO. 969, CALEDON DIVISION, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WRAP PROJECT OFFICE ON BEHALF OF VAALVLEI FARM STANFORD (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:

- ❖ **consent use** in terms of Section 16(2)(o) of the By-Law, to accommodate a tourist facility (function venue), two (2) additional dwelling units, tourist accommodation and a farm shop on the property; and
- ❖ **determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law, to legalize the change of use of the labourers' cottages to additional dwellings.

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 must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **Friday, 4 April 2025**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **Town Planner, Mr. P Roux** 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.

PLAAS NR. 969, AFDELING CALEDON, OVERSTRAND MUNISIPALE AREA: AANSOEK OM VERGUNNINGSGEBRUIK EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE WRAP PROJECT OFFICE NAMENS VAALVLEI FARM STANFORD (PTY) LTD

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

- ❖ **vergunningsgebruik** ingevolge Artikel 16(2)(o) van die Verordening, om 'n toeristefasiliteit (funksielokaal), twee (2) addisionele wooneenhede, toeriste-akkommodasie en 'n plaaswinkel op die eiendom te akkommodeer; en
- ❖ **bepaling van 'n administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening, om die gebruiksverandering van die werkershuisies na addisionele wooneenhede te wettig.

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 skriftelike kommentaar moet ingevolge die bepalinge van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) bereik voor of op **Vrydag, 4 April 2025**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **Stadsbeplanner, Mnr. P Roux** 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.

IFAMA NO. 969, ICANDELO LASECALEDON, UMMANDLA KAMASIPALA WASEOVERSTRAND: ISICELO SOKUSETYENZISWA KWEMVUME KUNYE NOKUMISELWA KWESOHLWAYO SOLAWULO: MESSRS WRAP PROJECT OFFICE EGAMENI LIKA VAALVLEI FARM STANFORD (PTY) LTD

Isaziso sinikwe apha ngokweCandelo lama-48 loMthetho kaMasipala oLungisiweyo we-Overstrand kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, wowama-2020 (uMthetho kaMasipala), sokuba isicelo sifunyenwe koku kulandelayo:

- ❖ **ukusetyenziswa kwemvume** ngokweCandelo le-16 (2)(o) loMthetho kaMasipala, ukulungiselela indawo yabakhenkethi (indawo yenkomfa), iyunithi zokuhlala ezongezelelweyo ezimbini (2), indawo yokuhlala yabakhenkethi kunye nevenkile yasefama kwipropati; kwaye
- ❖ **ukumiselwa kwesohlwayo solawulo** ngokweCandelo le-16 (2)(q) loMthetho kaMasipala, ukwenza ngokusemthethweni utshintsho lokusetyenziswa kwezindlu zabasebenzi basezifama kwiindawo zokuhlala ezongezelelweyo.

Iinkcukacha ezipheleleyo malunga nesindululo ziyafumaneka ukuze zihlolwe phakathi evekini phakathi kwentsimbi ye-08:00 kunye ne-16:30 kwiSebe: UCwangciso lweDolophu, iSitalato iPaterson, iHermanus neThala leeNcwadi laseStanford, iQueen Victoria Street, eStanford. Nawaphi na amagqabantshintshi abhaliweyo kufuneka angeniswe ngokungqinelana nezibonelelo zeCandelo 51 nelama-52 loMthetho kaMasipala oxeliweyo kwaye afikelele kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngoLwesihlanu okanye ngaphambi koLwesihlanu, **4 Utshazimpunzi 2025**, ucaphula igama lakho, idilesi kunye neenkukacha zqhagamshelwano, umdla kwisicelo kunye nezizathu zokuphawula. Imibuzo ngefowuni inokwenziwa kuCwangcisi weDolophu, uMnu. P Roux ngo-028-313 8900. UMasipala usenokwala ukwamkela izimvo azifumeneyo emva komhla wokuvala. Nawuphi na umntu ongakwaziyo ukufunda nokubhala angatyelala iSebe loCwangciso lweDolophu apho igosa likamasipala liya kubancedisa ukuze benze izimvo zabo zibe sesikweni.



1. LOCALITY PLAN FARM 969, CALEDON

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



Project Office
Town Planning & Project Management



NTS



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

Consultant	WRAP Project Office
Farm Property	Farm 969, Caledon
Extent	50.3078 Ha
Zoning	Agricultural Zone 1: Agriculture

3. BACKGROUND AND INTENT

Farm 969, Caledon, referred to as the subject property, is located along a divisional road leading from the R326 between Stanford and Papiessvlei, as illustrated in **Plan 1 - Locality**. The property was recently transferred to the current owners who has tasked WRAP Project Office with preparing this land use application on their behalf, as outlined in **Annexure A – Power of Attorney**.

The owners have a vision to use the existing farmhouse for tourist accommodation and as a venue for small parties and functions while also using the existing two additional dwelling units on the farm for tourist accommodation. Furthermore, the owners envision a proposed farm shop for farm produce sales, wine sales and tastings.

The following was approved by Overstrand Municipality on 8 November 2011:

"That the application for the rezoning of a portion of Farm No. 969, Caledon Division (approximately 260m² in extent), from Agricultural Zone I to Agricultural Zone II in order to conduct a micro winery from the existing outbuilding on the property, be approved in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985); and

that the application for consent use (tourist facility) in order to convert and utilize a portion of an existing dwelling on the property for wine tasting facilities for tourists, be approved in terms of the provisions of the relevant Zoning Scheme Regulations promulgated in terms of the provisions of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)"

It is important to note that the owners do not wish to make their own wine on the farm, as it has proven to be more financially viable to sell their grapes to a winery and buy the wine back from the winery to sell in the proposed farm shop. Therefore, the wine tasting facilities for tourists that was located in a portion of an existing dwelling on the property, as approved in 2011, is proposed to be relocated to the proposed farm shop.

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The proposal for the subject property has the potential to deliver various economic and social benefits to the area. By expanding tourist accommodation options as well as a small function venue together with a farm shop, the property owners aim to promote growth and prosperity in the region.

The proposed development will also entail new amenities and experiences while ensuring compliance with relevant regulations and enhancing the overall visitor experience.

To ensure compliance with the OMLUS, approval of the following applications is required:

- Consent use for a tourist facility (function venue);
- Consent use for two additional dwelling units;
- Consent use for tourist accommodation;
- Consent Use to allow a farm shop; and
- Determination of an administrative penalty.

4. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

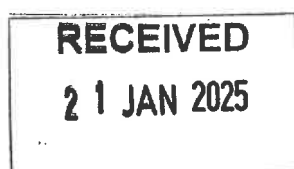
4.1 Consent Use for a tourist facility (function venue)

As part of the owners' improvements to the property and in response to identified opportunities, the introduction of a small function venue (maximum 30 guests) at the existing farmhouse is proposed. The existing farmhouse will therefore double up as tourist accommodation and a function venue. It is the owners' intent to only allow small intimate functions at the farmhouse. The addition will not only enhance the property's appeal but also offer a unique experience for people seeking a memorable location for special occasions. The function venue (tourist facility) will significantly boost local tourism. Function venues are known to attract guests from various regions, increasing the influx of visitors to the area. These visitors will likely spend money on local accommodation, dining, and other services, thereby contributing to the local economy. The venue will generate additional revenue streams for local businesses such as chefs, florists, photographers, and transportation services, fostering economic growth within the community.

The operation of the venue, along with the accompanying tourist accommodation and a farm shop, will create employment opportunities for the local workforce. Roles may include event coordinators, catering staff and maintenance personnel. This not only provides stable jobs but also contributes to skills development and capacity building within the hospitality and event management sectors.

The venue aligns with the principles of sustainable tourism by utilizing the natural landscape and existing farmhouse without extensive construction. By using the existing farmhouse as a venue as well, it minimizes environmental impact and promotes an appreciation for the natural surroundings by not building another structure for a venue. This approach supports the municipality's vision of responsible tourism, ensuring the long-term preservation of the surrounding natural and cultural assets for future generations.

The function venue will represent a strategic enhancement to the subject property, leveraging its natural beauty and existing amenities to create a unique and attractive destination. The owner's vision to improve the property aligns with the municipality's goals





of responsible tourism and economic development, making this proposal a valuable addition to the area.

4.2 Consent Use for two additional dwelling units

4.3 Consent Use for tourist accommodation

Application is being made for two additional dwellings of approximately 54m² and 36m² in extent. These two dwellings are existing structures that are situated apart from each other as depicted in **Plan 4 – Site Development Plan**. These two additional dwelling units together with the entire farmhouse will be used as tourist accommodation to be rented out to transient guests.

The farmhouse can accommodate 8 transient guests under one booking, while the other two dwellings can accommodate 2 transient guests under one booking, each. The transient guests making use of the tourist accommodation will either be individuals or be guests of the function venue. These guests will be able to experience the picturesque natural environment available on the property.

The current zoning (AGR1) of the property allows the letting of rooms as a primary right or individual unit(s) if consent is obtained from the Overstrand Municipality. The individual units will be rented out in its entirety as one booking per unit. Tourist accommodation is defined by OMLUS as:

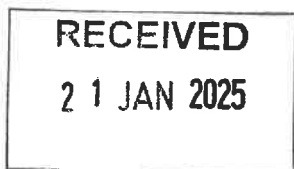
'The letting of rooms or individual unit(s) (including a dwelling house/unit) on a temporary basis to transient guests where a daily or weekly tariff is applicable and includes a guest house, backpackers' establishment, camp sites, and associated amenities, provided that the use complies with the requirements of any other relevant legislation'.

Additional accommodation for tourists on a farm is positive for several reasons. Firstly, it provides a unique and authentic experience for visitors, allowing them to experience the natural fynbos firsthand. This can be a refreshing break from city life, offering a chance to unwind and reconnect with nature.

These units can also offer an opportunity for visitors to learn about the natural fynbos and the importance of environmentally responsible behaviour. Another advantage of the additional dwelling units' accommodation is that they often provide a more personalized and intimate experience compared to larger, more commercialized hotels. Visitors can interact with the owners and staff of the farm, learn about the local culture and traditions, and receive personalised recommendations for local attractions and activities.

Overall, additional accommodation for tourists on a farm can provide a unique and authentic vacation experience as this is a working farm, offering a chance to reconnect with nature, learn about sustainable farming practices, and enjoy personalized, intimate hospitality.

Furthermore, the property owners aim to generate an income from the farm, which may lead to additional efforts on their part to ensure the area remains free of invasive flora, that incurs considerable expenses.





4.4 Consent use for a farm shop

The owners envision an authentic experience through the proposed farm shop that will sell farm produce produced by the working farm together with wine sales from wine that are made from the grapes produced on the farm. The farm shop will double up as a tasting room as well. A tasting facility coupled with a farm shop provides a direct touchpoint between the brand and its customers. The direct interaction allows visitors to experience the unique qualities of the farm first-hand. The tasting facility will become more than just a place to sample wine. It will be an immersive experience where the ambiance, stories, and personal interactions could contribute to a deeper connection with the brand. This connection is known to translate into stronger customer loyalty and word-of-mouth marketing.

Having a farm shop on-site presents an immediate opportunity to convert tasting experiences into sales. Visitors who enjoy the wine are likely to purchase bottles to take home, gifts for friends and family, or even join a wine club or mailing list. The convenience of purchasing directly after a positive tasting experience can significantly boost sales volumes. Additionally, the farm shop can offer exclusive products, such as limited editions or special vintages, available only to on-site visitors, creating a sense of exclusivity and urgency.

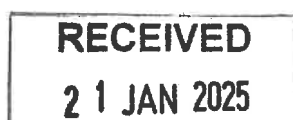
A farm shop can diversify revenue streams beyond just wine sales. By selling related products such as fresh farm produce, branded merchandise, local delicacies, and other artisanal goods, the property owners can create additional income sources. This diversification can be especially beneficial during periods when wine sales may fluctuate due to seasonal or market changes. The farm shop will be selling wine and all types of beverages for on-consumption on the farm and food that is sourced from the farm itself and wine for consumption off the premises from where the liquor is sold.

The tasting room and farm shop provide an excellent platform for educational activities. Guided tours of the vineyard and tasting sessions can educate visitors about the intricacies of wine production. Educated consumers are more likely to appreciate and purchase higher-quality wines, and they often become brand advocates.

The establishment of the farm shop together with the tourist accommodation and function venue options highlights the farm as a unique destination which can attract more tourists to the area. This increased foot traffic benefits not only the property owners but also the local economy. Visitors drawn to the tasting facility and farm shop may also explore the tourist accommodation options while also dining at local restaurants in and around Stanford.

Interacting directly with customers in the farm shop provides valuable feedback that can be used to improve products and services. The owners can engage with customers, answer questions, and observe reactions to different wines and farm produce. This feedback loop is invaluable for continuous improvement and innovation.

To conclude, the incorporation of a tasting facility together with a farm shop on the subject property not only enhances customer engagement and satisfaction but also drives sales, diversifies revenue streams, and promotes the local area. Overall, the farm will offer a unique and memorable experience that turns visitors into loyal customers that will return to the farm. As previously mentioned, it is important to note that wine made





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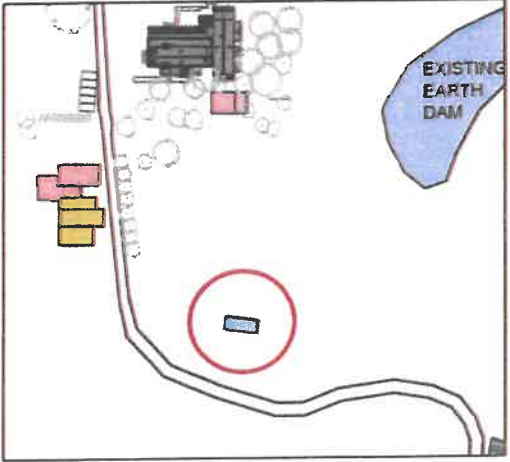
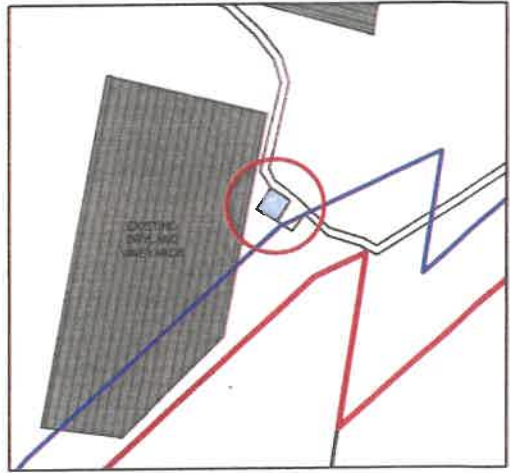
from grapes grown on the farm will be tasted and sold on the property. An application for an on- and off consumption liquor licence will be submitted in terms of the Western Cape Liquor Act.

4.5. Determination of an administrative penalty

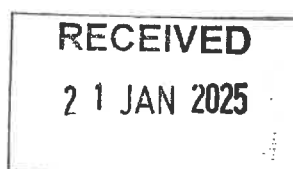
Over the last year, the owners have improved the farms' productivity. While some of these improvements have not yet received formal approval from the municipality, it is essential to prioritize compliance with the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. In line with this objective, it is crucial to include the determination of an administrative penalty within this application. By addressing this matter proactively, the owners aim to rectify any potential non-compliance issues and ensure adherence to the applicable regulations and by-laws governing land use planning. The approval of the additional dwelling units has not been obtained as the **labourers' cottages were existing** and when the current owners took ownership of the farm, the cottages became (additional) dwellings. The owners were not aware that the use change required approval.

The two additional dwelling units motivated throughout this report, was previously used as **labourers' cottages**. The plans approved in 2007 indicate both **structures as labourers' cottages**. It is evident from this approved plan that **only one of the two labourers' cottages** have approved plans on record at the Overstrand Municipality, refer to *Table 1* below.

Table 1: Historic summary of the proposed additional dwelling units

EXISTING LABOURERS' COTTAGE 1	EXISTING LABOURERS' COTTAGE 2
No building plans on record.	Approved building plans dated 2007.
Converted to an additional dwelling	Converted to an additional dwelling
	

From *Table 1* above, it is evident that the only contravention applicable to the current owners is the conversion of the **labourers' cottages** to additional dwelling units.





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

The nature, duration, gravity and extent of the contravention

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, the existing structures are historic and the owners only being responsible for the change in use of the existing historic structures, 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 use change from labourers' cottages to additional dwellings without prior approval	
Labourers' Cottage 1: <ul style="list-style-type: none"> No building plan record Unapproved use change 	±36m ²
Labourers' Cottage 2: <ul style="list-style-type: none"> Unapproved use change 	±54m ²

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

The current owners' intention always were to operate in accordance with the By-Law and not to contravene any regulations. The change in use of the labourers' cottages to additional dwellings on the property was driven by the need to enhance the viability of the agricultural enterprise among other benefits previously discussed. It is important to note that the owners' decision to use the labourers' cottages as additional dwellings was never driven by any malicious intent.

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

Due to the nature of the structure and the structures being historic, a quantity surveyor was not involved in this process.

Whether the unlawful conduct was stopped

The conversion from the existing labourers' cottages into additional dwelling units took place and is still being used as such.

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.

5. LAND USE ENVIRONMENT

The subject property is situated outside of Stanford, in an agricultural area where neighbouring properties are used for agricultural and tourism-related purposes. This makes the proposed development on the subject property well-aligned with the existing land uses in the area. It needs to be reiterated that the property has been used for tourism-related purposes for over a decade as noted in the previous approval.

The surrounding properties and their zonings are depicted in **Plan 2**. Furthermore, the subject property's location within the agricultural zone presents an opportunity to

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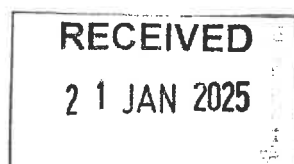
showcase the natural beauty of the area and promote agricultural tourism. By developing the property as a tourist destination, visitors can learn about the environment while also being exposed to the local culture, which can enhance their overall experience.

6. TITLE DEED

Title deed T9812/2024 (refer to **Annexure B – Title Deed**) was perused and there are no restrictive conditions that prohibit the proposed development of the property.

7. 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:





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AGRICULTURE ZONE 1: AGRICULTURE (AGRI)			
Land Use Restrictions			
Parameters	Proposed	Comply/ deviate	
Primary use	Agriculture, Crèche, Dwelling House , Guest Rooms and Home Occupation.	Comply	
Consent uses that may be applied for	<p>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.</p>	Applied for and motivated.	
Floor Space	The total floor space of all buildings on the land unit may not exceed 5000m ² , 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.	Comply	Total proposed footprint: ±848m ²
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 = 30,0 m Common boundary building lines = 30,0 m	Comply	
Height	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	Comply	No structures are higher than the allowable 8,0m.



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<p>Parking</p>	<p>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> <p>Parking and access shall be provided on the land unit in accordance with Chapter 17.1.</p> <ul style="list-style-type: none"> • Dwelling House = 2 bays per dwelling unit • Second dwelling = 1 bay per unit • Place of assembly = 1 bay per 4 seats (function venue) • Farm shop = 4 bays per 100m² GLA 	<ul style="list-style-type: none"> • Dwelling House (Farmhouse) requires 2 parking bays; • Two additional dwelling units & 1 manager's dwelling require 3 parking bays; • Function venue (30 max. guests) requires 7.5 parking bays; and • Farm shop (±36m²) requires 4 parking bays. <p>Total required: 16,5 parking bays Total provided: 30 parking bays</p>	<p>Comply</p>
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8. SERVICES

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

Electricity, Water, Sewage and Solid Waste

The subject property is connected to the Eskom network for electricity.

Water is obtained from a spring on the farm. Please refer to the water use registration record attached as **Annexure D**. Solid waste is collected and kept on-site and taken to the waste transfer station in the surrounding area.

Access and Egress

Access and egress to the subject property is gained from the divisional road connecting to the R326 and no changes are proposed.

9. 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.

Socio-economic impact	<p>The proposed development on the subject property is expected to have a significant socio-economic impact on the local community. By providing different accommodation options for tourists, offering a small function venue together with a new farm shop, the proposal can increase tourism activity, which may have a positive impact on the local economy. Increasing tourism activity may create new job opportunities, stimulate local businesses, and provide revenue streams for small businesses.</p> <p>Furthermore, by showcasing the natural beauty of the surrounding area, the proposal may help preserve the local environment and promote a more sustainable future for the community. This can have a positive impact on the community's well-being and future prospects, both economically and socially.</p>
Compatibility with surrounding uses	<p>The proposed development on the subject property is compatible with the surrounding area as it aligns with the area's existing land uses and promotes sustainable development. The surrounding properties are used for agricultural and tourism-related uses, and the proposed development is consistent with this. By improving the subject property with a farm shop, tourist facility</p>

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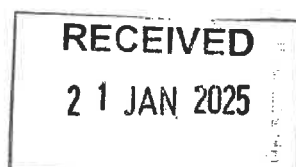
	<p>and tourist accommodation in an agricultural area, it can help promote the area's existing land uses.</p> <p>Additionally, the proposal aims to showcase the natural beauty of the surrounding area. This is compatible with the area's land uses and may help preserve the local environment. Moreover, the proposal aims to promote socio-economic growth in the area, which can have a positive impact on the local community's well-being and future prospects.</p>
Impact on the external engineering services	Refer to <i>Section 8</i> of this report.
Impact on safety, health and wellbeing of the surrounding community	It is not predicted that the proposal will have an impact on safety, health and wellbeing of the surrounding community. In fact, the proposed project has the potential to provide a number of benefits to the surrounding area as motivated throughout this report.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	Based on the information available, it is not expected that the proposal will have any adverse impacts on the biophysical environment. This is because the area where the proposed developments are planned are either in existing buildings or have a history of being disturbed.
Traffic impacts, parking, access and other transport related considerations	Refer to <i>Section 8</i> of this report.

The property owner has tasked WRAP Project Office with submitting this application to ensure the proposal aligns with policies, legislation, and title deed conditions, in pursuit of their vision.

Impact on views, sunlight and character of the area

The two additional dwelling units and existing farmhouse together with the proposed new farm shop on the subject property, are all situated in unique locations on the subject property. Based on current assessments, it is not expected that the proposal will cause any negative impact on neighbouring property owners. It is however important to ensure that the development is designed and constructed in a way that minimizes any potential negative impacts on the environment and neighbouring properties.

To achieve this, the development plans will consider factors such as the placement, size, and design of the proposed structures to minimize any negative impacts on the surrounding landscape and to ensure that neighbouring properties are not negatively impacted. Overall, if the development is carefully planned and constructed with consideration for the surrounding environment and neighbouring properties, it has the potential to positively contribute to the local tourism industry while preserving the natural beauty of the area.





Economic impact

The proposed development has the potential to generate a positive economic impact for the local community. The accommodation options, farm shop and function venue, could increase tourism activity in the area, providing more opportunities for visitors to stay in the region and contribute to the local economy. This could lead to an increase in demand for local goods and services, such as restaurants, shops, and activities.

Overall, the proposed development has the potential to generate a positive economic impact for the local community by increasing tourism activity, creating job opportunities, and providing revenue streams for small businesses.

Environmental impact

The Site Plan attached as **Plan 4** reflects a strategic approach to land use, with careful consideration given to maximizing the functionality of existing structures and minimizing the footprint of new developments. By concentrating construction within already disturbed areas and existing building footprints, the proposal minimizes habitat disruption and preserves natural ecosystems.

The proposed consent uses aim to mitigate noise pollution from nearby roads through strategic building placement and the integration of noise-reducing features. Additionally, the inclusion of green spaces and vegetation helps to improve air quality by capturing pollutants and reducing atmospheric carbon dioxide levels. This contributes to a healthier and more pleasant environment for both residents and wildlife.

Additionally, it also offers numerous environmental benefits, ranging from habitat preservation to biodiversity enhancement. By embracing sustainable design principles and fostering a culture of environmental responsibility, the farm can serve as a beacon of sustainability.

10. POLICIES AND REGULATIONS

10.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within the Overstrand Municipality Environmental Protection Overlay Zone.

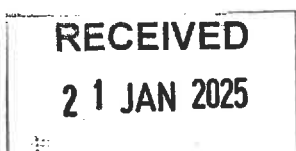
10.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

Scenic Route

The subject property is located along a divisional road leading from the R326 between Stanford and Papiessvlei, which is identified as a 'Route of Local Scenic Significance'. The property owner acknowledges the significance of the route and would not want to impact on the scenic nature thereof.

To ensure compliance, the HPOZ has guidelines in place to ensure new developments do not impact the scenic route as indicated in Section 8.2.6 of the OM Heritage Protection Overlay Zone Regulations, 2020:

Protection of scenic corridors	Compliance
8.2.6.1 - New buildings must not block views from scenic routes, particularly views towards the mountains and the coastline	This is noted and all future plans submitted to the OM will consider this.





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and towards places/sites identified as having visual or heritage significance, where possible.	
8.2.6.2 - Comment must be obtained from the Overstrand Heritage and Aesthetics Committee, Stanford Heritage Committee and/or a registered conservation body on potential visual impacts before the Municipality approves any applications within this HPOZ.	The Overstrand and the public will be afforded the opportunity to comment on the application during the public- and authority commenting period.
8.2.6.3 - Development on ridge lines and on steep slopes greater than 1:4 must be avoided in this zone.	This is noted and avoided with the proposal.
8.2.6.4 - New interventions must be modest and restrained in scale, limited in height, recessive in character and appropriate to the natural and cultural landscape.	This is noted and adhered to.
8.2.6.5 - New developments must be associated and linked with existing settlements, rather than being built on isolated sites on undeveloped land.	This is noted and adhered to.
8.2.6.6 - Buildings must be aligned parallel to the contours. Hard and soft landscaping must be used to tie the buildings into the landscape.	This is noted and adhered to.
8.2.6.7 - Building platforms on sloping sites must be kept to a minimum. Buildings on high stilts in excess of 2,4 m, as measured from the base level and as defined in the land use scheme, must be avoided. New levels must be designed to fit into the surrounding landform. Mitigation measures must be identified to limit visual impacts.	This is noted.
8.2.6.8 - Outdoor spaces must be designed so that the landscape appears to flow throughout the site. Extensions on coverage will be discouraged.	This is noted and adhered to.
8.2.6.9 - The layout and design of new buildings must respect local traditions and settlement patterns in terms of the placement and alignment of buildings on sites.	This is noted.
8.2.6.10 - Access roads and pathways must be designed to avoid excessive cutting and filling and to ensure harmonious adaptation to the existing topography.	This is noted and all access roads will be constructed to engineering standards and will meet the requirements of the OM.

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To ensure the application may be considered, and it complies with the HPOZ, it is of importance that certain aspects need to be provided and addressed in terms of Overstrand Municipality Heritage Protection Overlay Zone Regulations, 2020:

Section 20 – 22 states the following -

“20

The Overstrand Municipality By-Law on Municipal Planning, 2020, will apply in respect of all applications, processes and decisions contemplated in these regulations.

21

In considering an application for written consent in order to undertake an activity in terms of the Heritage Protection Overlay Zone, the Municipality may require from an applicant whatever information it deems necessary in order for an informed decision to be made regarding the application.

22 *This could include, inter alia:*

22.1 *statements of significance;*

22.2 *heritage research;*

22.3 *photographs, including contextual photographs;*

22.4 *results of public consultation;*

22.5 *impact assessments; and*

22.6 *comment from affected and interested bodies.”*

Statements of Significance

The heritage significance of the subject property is not large. The reason for inclusion is as a result of the scenic route running along the property.

Heritage Research

Due to the small-scale nature of the application, no specific heritage research was done.

Photographs, Including Contextual Photograph

An aerial map is included in the application, refer to **Plan 3 – Aerial Plan**.

Results of Public Consultation

An extensive public participation process will be held for this application. If any comments are received with regard to the heritage aspect it will be addressed accordingly.

Impact Assessments

No assessments were conducted.

Comment From Affected and Interested Bodies

The application will be circulated to interested and affected parties and bodies for comment.

10.3 Spatial Planning Policies

WCLUPGRA

Policy preface

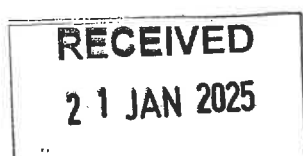
The policy document aims to create alignment between the changed legislative planning landscape since the promulgation of SPLUMA and LUPA and intends to

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implement the provincial agenda in rural areas. The policy acknowledges that the Western Cape rural areas are faced with escalating development pressures and provides clarity to local municipalities to manage development in rural areas more effectively. The Western Cape rural areas are cited as a unique rural asset base which requires concrete efforts to ensure a sustainable spatial trajectory.

Broad policy objectives

The objectives of the policy include the promotion of sustainable development in rural locations while safeguarding the ecological infrastructure. The policy also highlights that rural communities should have greater economic and social opportunities which enable successful job creation and contribute towards an inclusive rural economy. The compliance of this proposal with the policy proposals in the WCLUPGRA which are pertinent to this proposal are recorded below:

The policy provides the importance of non-agricultural land uses and state the economic viability thereof. These land uses include two additional dwelling units, tourist accommodation, tourist facilities and a farm shop, all of which are included in the application. The policy cites that rural tourism and recreational facilities and activities should not compromise farm production which is not the case with this proposal.

The policy document is considered a guideline document, and the additional dwelling units, tourist- accommodation and facilities as well as the farm shop are aligned with several of the aspects contained within the document. The policy document continues to indicate that a clustered approach needs to be followed. The proposal follows this approach as all the structures for the proposal will be located within close proximity of each other. However, the one additional dwelling unit which is $\pm 54\text{m}^2$ in extent and situated away from the other buildings on the southern side of the farm. The remainder of the property will remain untouched and undeveloped.

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

Throughout the PSDF, economic development is a widespread term used and focussed on. Economic development is an aspect that is important to ensure that the Provincial economy contributes to the National economy. The continual growth of the Provincial economy means that economic activity should be stimulated in lower spheres of the government. This application, to add additional economic activities into an area where there are not many options available, will have a positive impact on the Overstand Municipality as more employment options are created. The application then relates to the development of economic activity which is in line with the PSDF.

MSDF

The SDF's purpose is to ensure compliance with national, provincial and district legislation policies and principles. The SDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the

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public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

Consistency with the MSDF

To ensure compliance with the principles and objectives set out by the PSDF and the National Development Plan, the MSDF was synthesised through the influence of these policies and frameworks.

Ensuring that economic development take place in the OM, would ensure sustainable growth of the municipal area. As previously mentioned, the subject property is located in an area where economic activity is low. The property owner is proposing utilising the subject property's unique location to develop another source of income that in turn allows them to ensure employment opportunities are available on the farm. These uses, although a small economic link in the Overstrand Municipality, still has a role to play, which allows the proposed- and existing uses to stay aligned with the MSDF.

11. 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

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal to add additional uses to the subject property is not considered to have a negative impact on past spatial injustices.

Spatial sustainability and Efficiency

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal is to continue utilising the property for more than what is currently approved and continue the efforts to create new space and allow the property owner to stay on top of the requirements and movements of the demand while still preserving the agricultural land.

Spatial resilience

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

Good administration

The 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 on 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.





EVALUATION & RECOMMENDATION

12. EVALUATION

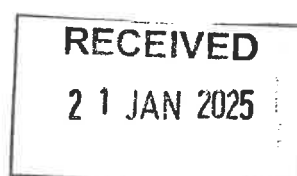
The owners have a vision to use the existing farmhouse for tourist accommodation and as a venue for small parties and functions while also having two additional dwelling units on the farm used for tourist accommodation. Furthermore, the owners envision a proposed farm shop for farm produce sales, wine sales and tastings. The proposed expansion of the subject property's development rights would add significant value to the property. The property's existing potential for tourism-related activities would also be enhanced by the proposed developments. The property has been operating as a working farm together with producing wine for over a decade by the previous owner and the current owner envisions the same use without producing wine on the farm, but with some additional uses to compliment the property.

Furthermore, the proposal is consistent with the surrounding area and are not expected to create nuisance land uses that could negatively impact neighbouring properties. In fact, the proposals are in harmony with all relevant spatial planning policies, indicating that the property owner has considered the necessary considerations and regulations required for such developments. The proposed structures are not arbitrary and have been designed with due consideration for relevant spatial planning policies and the environment to ensure that they follow zoning regulations and environmental guidelines. As such, the proposals are expected to complement and enhance the existing character of the area while providing additional economic benefits to the local community.

13. RECOMMENDATION

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

- 13.1 **Consent use to allow additional dwellings** in terms of section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 13.2 **Consent use to allow tourist accommodation** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 13.3 **Consent use to allow a tourist facility (function venue)** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- 13.4 **Consent use to allow a farm shop** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 13.5 **Determination of an administrative penalty** in terms of Section 90(5) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



4.4 Site Development Plan
FARM 969, CALEDON

Proposed Uses

Entire existing main dwelling to be used for overnight accommodation



A portion of the existing main dwelling to be occasionally used as a function venue



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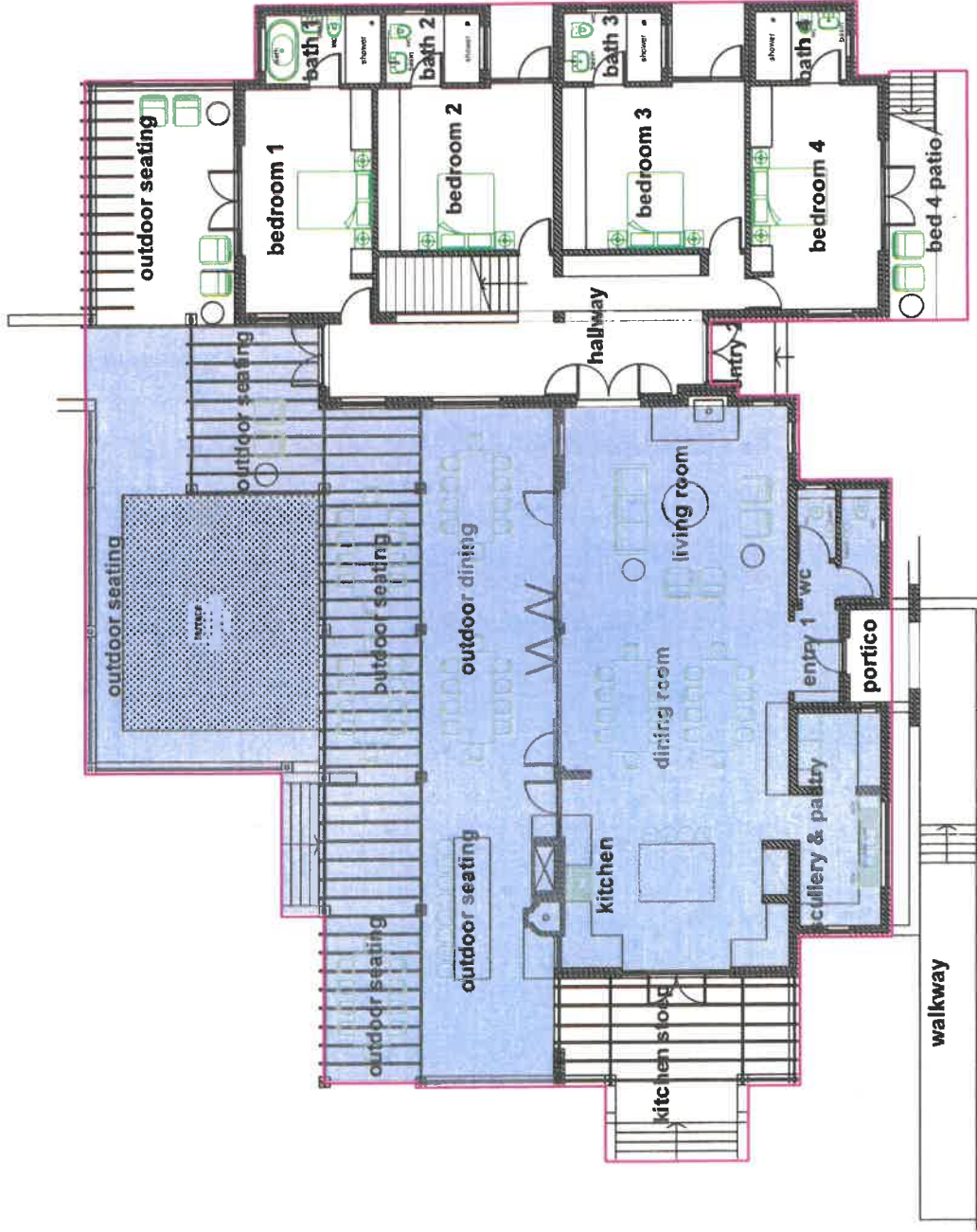
All distances are approximate and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za
Unit 8, Standard House,
Corner of Royal and Dikie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



Scale 1 : 125

4.1 Site Development Plan
FARM 969, CALEDON

- Existing Structures
- Existing Main Dwelling - 276m²
 - Existing Manager's Dwelling - 140m²
 - Existing Additional Dwelling - 36m²
 - Existing Additional Dwelling - 54m²
 - Existing Shed - 255m²
 - Existing Garages - 51m²
 - Proposed Farm Shop - 36m²
- Total Footprint - 848m²**

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Corner of Royal and Dirkie Lys
Street Heeremus, 7200



Scale 1 :8000

4.2 Site Development Plan
FARM 969, CALEDON

- Existing Structures
- Existing Main Dwelling - 276m²
 - Existing Manager's Dwelling - 140m²
 - Existing Additional Dwelling - 36m²
 - Existing Additional Dwelling - 54m²
 - Existing Shed - 255m²
 - Existing Garages - 51m²
 - Proposed Farm Shop - 36m²

Total Footprint - 848m²

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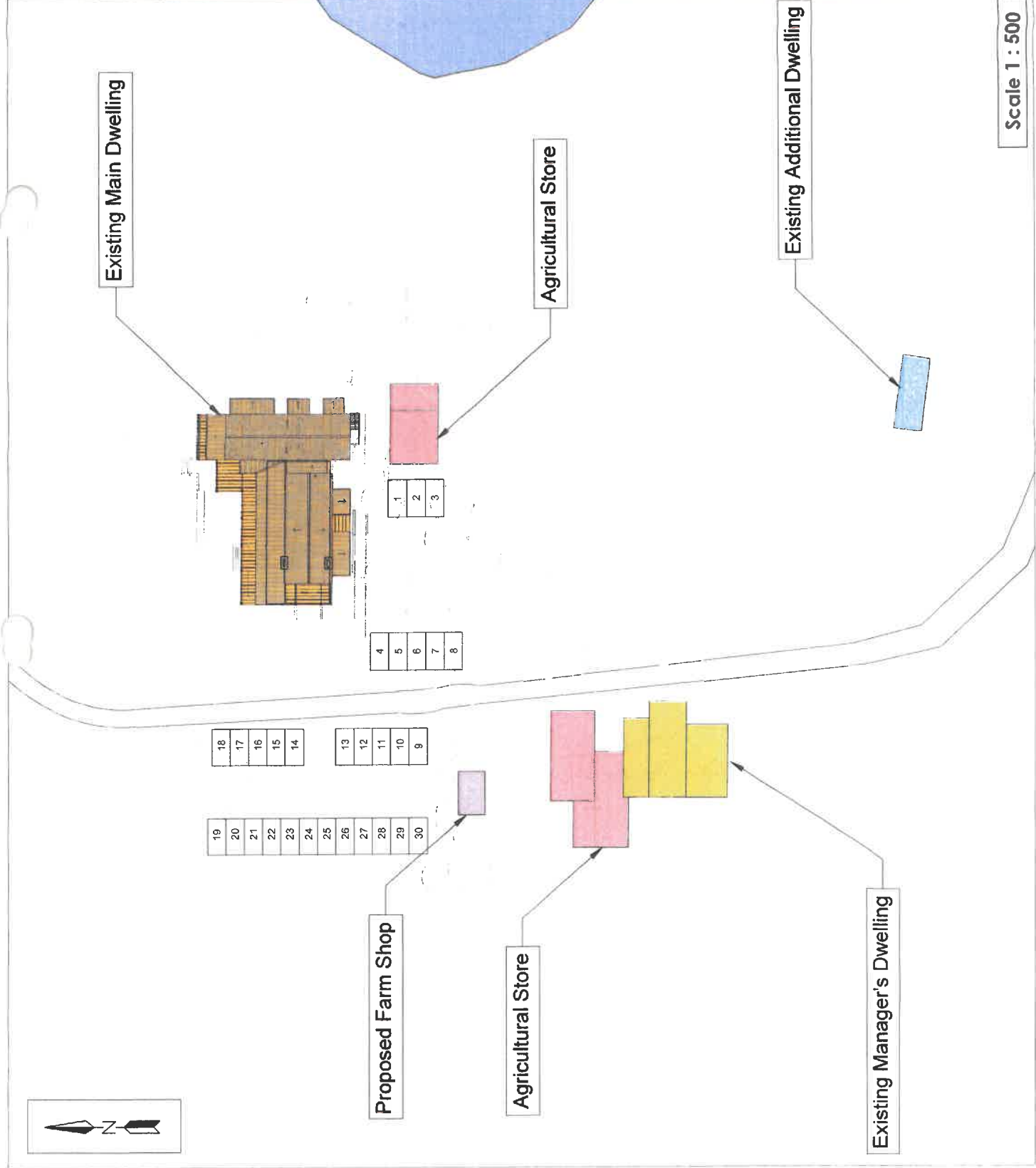


Existing Main Dwelling

Agricultural Store

Existing Additional Dwelling

Scale 1 : 500



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4.3 Site Development Plan

FARM 969, CALEDON

Existing Structures

- Existing Main Dwelling - 276m²
- Existing Manager's Dwelling - 140m²
- Existing Additional Dwelling - 36m²
- Existing Additional Dwelling - 54m²
- Existing Shed - 255m²
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- Proposed Farm Shop - 36m²

Total Footprint - 848m²

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Street Hermanus, 7200



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Existing Additional Dwelling

Scale 1 : 500



EXISTING
DRYLAND
VINEYARDS