



PORTION 3 (DE GANG) OF THE FARM AFDAKS RIVIER 575, DIVISION CALEDON: APPLICATION FOR CONSENT USE, AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: WRAP PROJECT OFFICE ON BEHALF OF AFDAKSRIVIER PROPRIETARY LIMITED

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, for a tourist facility to accommodate the existing wine tasting facility and existing farm stall/shop.
- **Amendment of an approved site development plan** in terms of Section 16(2)(l) of the By-Law, to accommodate the existing structures being used as the wine tasting facility, farm stall/shop and agricultural store.
- **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law, for the unauthorised land uses as mentioned above.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town and Spatial Planning, Paterson Street, Hermanus. Any comments must be in writing in accordance with the provisions of Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) on or before **8 November 2024**, quoting your name, address and contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to the Town Planner, **Mr. H Olivier** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town and Spatial Planning Department where a municipal official will assist them in order to formalize their comment.

GEDEELTE 3 (DE GANG) VAN DIE PLAAS AFDAKS RIVIER 575, AFDELING CALEDON: AANSOEK OM VERGUNNINGSGEBRUIK, WYSIGING VAN 'N GOEDGEKEURDE TERREINONTWIKKELINGSPLAN EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: WRAP PROJECT OFFICE NAMENS AFDAKSRIVIER PROPRIETARY LIMITED

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

- **Vergunningsgebruik** ingevolge Artikel 16(2)(o) van die Verordening, 'n vir toeristefasiliteit om die bestaande wynproefasiliiteit en bestaande plaasstal/winkel te akkommodeer.
- **Wysiging van 'n goedgekeurde terreinontwikkelingsplan** ingevolge Artikel 16(2)(l) van die Verordening om die bestaande strukture wat as die wynproefasiliiteit, plaasstal/winkel en landbou-stoor gebruik word, te akkommodeer.
- **Bepaling van 'n administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening vir die ongemagtigde grondgebruike soos hierbo genoem.

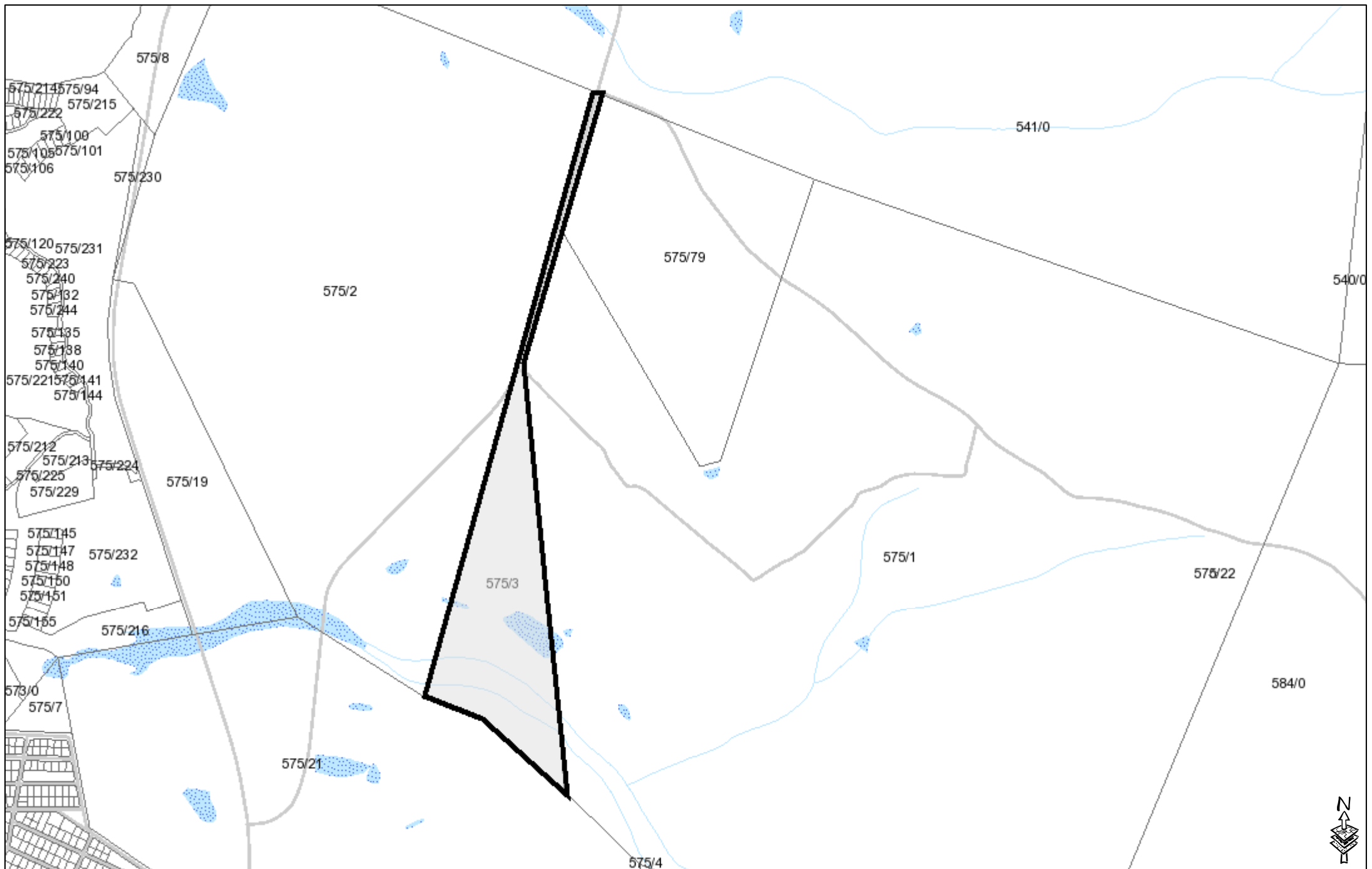
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stads- en Streekbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik wees ingevolge Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) bereik voor of op **8 November 2024**, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, **Mnr. H Olivier** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ICANDELO LESI-3 (DE GANG) LEFAMA i-AFDAKS RIVIER 575, ICANDELO LASECALEDON, UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOKUSETYENZISWA IMVUME, UKULUNGISWA KWESICWANGCISO ESIKHOYO ESIVUNYIWEYO SOPHUHLISO LWESIZA KUNYE UKUMISELWA KWESOHLWAYO SOLAWULO: WRAP PROJECT OFFICE EMAGENI LIKA AFDAKSRIVIER PROPRIETARY LIMITED

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

- **Imvume yokusetyenziswa** ngokweCandelo le-16(2)(o) loMthetho kaMasipala, ukulungiselela indawo yabakhenkethi ukulungiselela indawo ekhoyo yokungcamla iwayini kunye nevenkile/ivenkile esele ikhona yasefama.
- **Ukwenziwa kwezilungiso kwisicwangciso sophuhliso lwesiza** esivunyiweyo ngokweCandelo le-16(2)(l) loMthetho kaMasipala, ukuze kulungiselelwe izakhono ezikhoyo ezisetyenziswa njengendawo yokungcamla iwayini, indawo yokuthengiselela yasefama/ivenkile kunye negumbi lokugcina lezolimo.
- **Ukumiselwa kwesohlwayo solawulo** ngokweCandelo le-16(2)(q) loMthetho kaMasipala, kusetyenziso lomhlaba olungagunyaziswanga njengoko kukhankanyiwe ngasentla.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha eveki phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangciso ngeDolophu, 16 Paterson Street, Hermanus. Naziphina izimvo ezibhaliweyo mazingeniswe ngokungqinelana nezibonelelo zeCandelo lama-51 kunye nelama-52 lalo Mthetho kaMasipala oxeliweyo kwaye zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye phambi kuka- **8 EyeNkanga 2024** ucaphula igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zokuhlomla. Imibuzo ngomnxeba ingenziwa **kuMnu. H Olivier** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvula. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.



OVERSTRAND



MUNICIPALITY

Locality Plan: Portion 3 of Farm 575, Afdaksvier

Date: 2018-07-17



PORTION 3 OF FARM 575, CALEDON
APPLICATION FOR AMENDMENT OF SITE DEVELOPMENT
PLAN, CONSENT USE AND DETERMINATION OF AN
ADMINISTRATIVE PENALTY

Application prepared for:

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Submitted

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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
MSDF	Overstrand Spatial Development Framework, 2020

2. PROPERTY DETAILS

Property Description	Portion 3 of Farm Afdaks Rivier 575 in the Overstrand Municipality, Division Caledon, Western Cape Province
Extent	50,9608 ha
Zoning	Agricultural Zone 1: Agriculture

3. BACKGROUND AND INTENT

The subject property, Portion 3 of Farm Afdaks Rivier 575, Caledon, is situated along the Karwyderskraal Road and is being developed as a prominent tourist destination and wine farm named Escape Wines. **Refer to Plan 1 - Locality Plan** for its precise location. WRAP Project Office was appointed to submit a land use application on the owners' behalf, as detailed in **Annexure A - Power of Attorney**.

Since acquiring the farm, Proteas and vineyards have been planted — these being the bounty that will be grown and carefully cultivated in the area. Notably, the property holds historic approval permitting five additional dwelling units along the eastern boundary.

Furthermore, the vineyards are now mature enough to bear harvest-ready fruit. The farm has been developed to be as productive as possible, providing the highest quality of grapes to produce soon-to-be award-winning wines. The brand-owning shareholders are entrepreneurs, dreamers, sportsmen and adventurers. They have explored every corner of South Africa through the lenses of commerce, creativity, and recreation—and this curiosity is now captured in a new wine brand, Escape, driven by innovation, integrity, and interest.

It takes great courage to purchase a piece of land and daring vision to imagine what could be realized from its potential. While architects and viticulturists were hard at work laying the foundations of the dream, the first key elements of the property were defined.

The vineyard-to-bottle production process is being managed by David Nieuwoudt of Cederberg Wines. A familiar personality in wine circles locally and abroad, David and his team craft wines that precisely match terroir to style, producing wine on their farm in the Cederberg that both delights and intrigues the end customer.



MOTIVATION

In response to the property's ongoing expansion, the owners have been providing the public with the opportunity to visit and experience the farm. However, the necessary land use approval for a farm stall/shop has not yet been obtained.

In summary, the proposed development aims to build upon Escape Wines' success by introducing new amenities and experiences while ensuring compliance with relevant regulations and enhancing the overall visitor experience.

Considering the above, application is hereby made for the following:

- Consent Use to allow a farm stall;
- Consent Use to allow a tourist facility – tasting facility; and
- Amendment of the site development plan.

4. PROCEDURE TO ACHIEVE THE OWNERS' INTENT

WRAP compiled this report to ensure that the owners' requirements are met.

The following is proposed:

4.1 CONSENT USE TO ALLOW BOTH A FARM STALL AND TOURIST FACILITY (TASTING FACILITY);

Escape Wines takes you on a wine tasting journey at their unique tasting room, what the owners like to call "Die Afdak". It is a place where you can unwind and enjoy their award-winning wines, while taking in the beautiful scenery. "Die Afdak" is unlike any other tasting room – it is an experience, a place where stories are shared and moments of unforgettable togetherness are created. At Escape Wines' tasting room you are "free to be"!

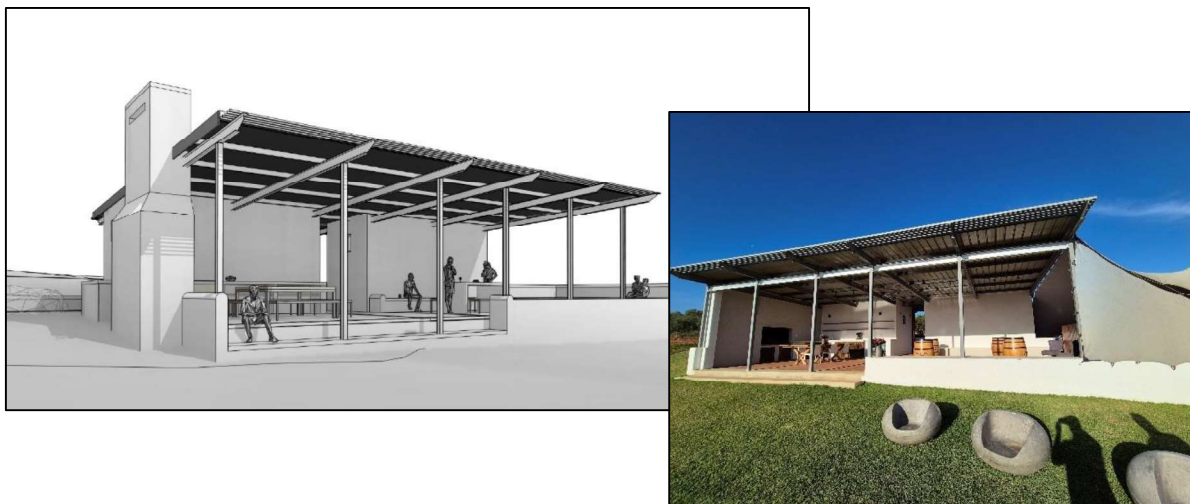


Figure 1: "Die Afdak"



MOTIVATION

The property owners envision utilising "Die Afdak" as both a tasting room and a farm shop where guests can enjoy a wine experience and purchase unique wines grown on site and produced in the Cederberg.

A tasting facility and farm stall provides a direct touchpoint between the brand and its customers. This direct interaction allows visitors to experience the unique qualities of Escape Wines first-hand. The tasting room, "Die Afdak," becomes more than just a place to sample wine. It is an immersive experience where the ambiance, stories, and personal interactions contribute to a deeper connection with the brand. This connection often translates into stronger customer loyalty and word-of-mouth marketing.

Having a farm stall 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 stall can diversify revenue streams beyond just wine sales. By selling related products such as 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 stall will be selling wine and all types of beverages for on-consumption on the farm and food that is sourced from local producers surrounding the property and wine for consumption off the premises from where the liquor is sold.

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

By establishing "Die Afdak" as a unique destination, Escape Wines 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 room and farm shop may also explore other nearby attractions, dine at local restaurants in and around Hermanus, and stay in local accommodation, promoting overall regional tourism development.

A tasting facility allows Escape Wines to highlight the unique terroir of the region and the craftsmanship that goes into every bottle. Visitors can gain a deeper appreciation of how the local soil, climate, and vineyard practices contribute to the wine's distinct flavour profile. This understanding enhances the perceived value of the wine and can justify premium pricing.

Interacting directly with customers in the tasting room and farm shop provides valuable feedback that can be used to improve products and services. Property owners can engage with customers, answer questions, and observe reactions to different wines and



experiences. This feedback loop is invaluable for continuous improvement and innovation.

Incorporating a tasting facility and farm shop into the Escape Wines experience not only enhances customer engagement and satisfaction but also drives sales, diversifies revenue streams, and promotes the local area. It solidifies the brand's presence in the market, offering a unique and memorable experience that turns visitors into loyal customers and ambassadors for Escape Wines. It is important to note only wine made 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.

It is also important to note that an additional agricultural structure was constructed part of which will be used for the storage of wine that will service both the on- and off consumption sales on the farm.

4.2 AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN;

The last SDP (Site Development Plan) was approved in 2021, refer to **Annexure C – Approved SDP**. The proposal is to add certain structures to the property that will enhance the overall experience. The proposal is to include both 'Die Afdak' on the SDP as well as a new agricultural store that was recently constructed. Both have been designed by registered architects that comply with all the relevant building regulations. These additions are intended to increase the functionality of the property while ensuring that Escape Wines continues to evolve as required. Refer **Plan 4 – Amended SDP** which is proposed to replace the existing approved site development.

Furthermore, the previous approval never had a final site development plan approved. This approval was granted to allow the five additional dwelling units, foreman's dwelling unit and the main dwelling units to be located 10m from the boundary. Departing from the 30m building line, as a result the new SDP correctly locate the dwelling units on their correct positions and no additional departures are being requested as it was historically approved. Refer to **Plan 4 – Amended SDP** where the dwelling units are being placed in their originally approved positions.

4.3 DETERMINATION OF AN ADMINISTRATIVE PENALTY;

To ensure compliance with the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, it is important to include an application for the determination of an administrative penalty.

This application serves as a method to rectify the contraventions that occurred on the property. As mentioned, 'Die Afdak' has already been constructed and is currently being used as a tasting facility and farm shop. In addition to 'Die Afdak,' an additional agricultural building has also been constructed without prior approval. It is important to recognize that the omission was not an attempt to bypass regulations and was done unintentionally, as the owners were not aware that municipal approval was required to utilize 'Die Afdak' for its current purpose.



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

The nature, duration, gravity and extent of the contravention

Section 4.1 of this report indicates the nature and gravity of the uses.

<u>Contravening Use and Construction</u> 'Die Afdak'	±134m ²
<u>Contravening Construction</u> Agricultural Building	±50m ²

Duration –

- 'Die Afdak' was constructed in 2021; however, it has only recently begun being used as a tasting facility and farm shop (Refer to **Plan 4.5 – Existing Farm stall plan & Annexure D: Architect Building Plan – 'Die Afdak'**); and
- Agricultural Building was constructed in May 2024 (Refer to **Plan 4.4 – Existing agricultural plan & Annexure E: Building Plan – 'Agricultural Building'**).

The agricultural building will be used for an office, staff quarters (agricultural labourer) and a wine store. The wine store is linked to the farm stall where staff can safely store the wine.

The agricultural buildings are used by the workers employed on the farm. There are several structures used for storage, administration and other uses linked solely to the agricultural enterprise run on the farm.

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

The owners were responsible for ensuring that there are no contraventions in terms of the by-law, but it is important to note that there was no malicious intent with their actions, and they want to rectify the contravention.

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

Due to the small-scale construction no quantity surveyor was involved.

Whether the unlawful conduct was stopped

Due to the nature of the use, the unlawful conduct has not stopped.

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

Not to this knowledge of this office.



5. LAND USE ENVIRONMENT

The subject property is located along the Karwyderskraal Road near the Benguela Cove Lagoon Wine Estate. The surrounding area is predominantly zoned agricultural as illustrated in **Plan 2 (zoning plan)**.

6. TITLE DEED

Title deed T62256/2017 (refer **Annexure B**) was perused and there are no restrictive conditions that prohibits the approval of the applications being made.

7. ZONING

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



MOTIVATION

AGRICULTURE ZONE 1: AGRICULTURE (AGR1)			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Agriculture , Crèche, Dwelling House , Guest Rooms and Home Occupation.	<ul style="list-style-type: none"> • Agriculture • Dwelling House 	Comply
Consent uses that may be applied for	Additional Dwelling Units , Agricultural Industry, Animal Care Centre, Aquaculture, Day Care Centre, Farm Shop/Stall , Fertiliser Plant, Guest House, Hotel, Institution, Intensive Animal Farming, Intensive Horticulture, Lodge, Mining, Place of Assembly, Place of Entertainment, Place of Instruction, Plant Nursery, Riding Stables, Service Trade, Tourist Accommodation, Tourist Facilities , Transmission Apparatus, Utility Services, Wellness Centre And 4x4 Trail.	<u>Approved Consent Uses:</u> <ul style="list-style-type: none"> • Additional dwelling unit. <u>Applied for:</u> <ul style="list-style-type: none"> • Tourist facilities (tasting facility) • Farm Shop/Stall 	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.	Existing Structures <ul style="list-style-type: none"> • Main Dwelling House = ±563m² • Existing Farm Shop / Stall = ±135m² • Agricultural Buildings = ±257m² Total Existing Footprint – ±954m² Proposed Structures Approved Additional Dwelling Units Total Proposed Footprint – to be determined when final building plans are submitted but is not expected to exceed the total floor space allowed.	Comply



MOTIVATION

<p>Building Lines</p>	<p>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</p>	<p>No structures are situated within the building line.</p>	<p>Comply</p>
<p>Height</p>	<p>The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m, provided that agricultural buildings other than dwelling units shall not exceed a height of 12,0 m, measured from the base level to the top of the structure, and where the Municipality is satisfied that a greater height is necessary for the agricultural function of the building, it may permit such greater height.</p>	<p>No structures are higher than the allowable 8,0m.</p>	<p>Comply</p>
<p>Parking</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"> • Main dwelling House = two bays • Additional dwelling units = one bays per unit • Farm stall = 4 bays per 100m² GLA 	<ul style="list-style-type: none"> • Main Dwelling requires 2 parking bays; • Five additional dwelling units requires 5 parking bays; • Farm stall requires 6 parking bays; <p>Total required: 13 parking bays Total provided: 16 parking bays Each additional dwelling unit will provide parking "on-site".</p>	<p>Comply</p>



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

Services to the property include electricity from ESKOM and water is extracted the existing earth dam which is filled by surface runoff. The water on the farm is not consumed by humans and is only used for greywater. All drinking water is brought in from off-site sources.

The subject property is connected to closed conservancy tanks that are serviced by a professional contractor.

Solid waste is collected and dumped by the owners at the nearest transfer station.

Access and Egress

Access and egress to the property is gained from the Karwyderskraal Road.

Traffic volumes are not expected to be significantly impacted by the small farm stall, as its size and design inherently limit the number of visitors it can accommodate at any given time. The stall is modest in scale, and it is unlikely to attract large crowds that could negatively impact the existing road infrastructure. According to municipal regulations, 4 parking bays are required for every 100m² of GLA. Given the size of the farm stall, this requirement translates to only 6 parking bays. However, in anticipation of any potential demand and to ensure ample space for visitors, the owners have voluntarily committed to providing 9 parking bays, exceeding the municipal requirements.

This proactive approach demonstrates a commitment to minimizing any potential traffic impact. The additional parking bays ensure that there will be sufficient space for visitors. Furthermore, the stall's rural location and the nature of its business, which likely attracts a steady but manageable stream of customers rather than large surges, further support the conclusion that the operation will not significantly impact on local traffic patterns.

In summary, the small-scale nature of the farm stall, combined with the owners' efforts to exceed the minimum parking requirements, ensures that the impact on traffic will be minimal. This careful planning aligns with both municipal guidelines and the overall goal of maintaining a smooth flow of traffic in the area.



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.

The need for the land use application was a result of addressing all the land use requirements and ensuring the property meets the requirements of the owners. To achieve this, the owners are required to apply for a permanent departure from the building line.

Socio-economic impact	<p>Job Creation:</p> <ul style="list-style-type: none"> • Employment Opportunities: The operation of 'Die Afdak' as a tasting facility and farm shop generates various employment opportunities, including positions in hospitality, retail, and agriculture. This provides stable income for local residents and supports community livelihoods. <p>Tourism Boost:</p> <ul style="list-style-type: none"> • Increased Visitor Traffic: By establishing 'Die Afdak' as a unique destination, Escape Wines attracts tourists to the area. This influx of visitors benefits not only the winery but also nearby businesses such as restaurants, hotels, and shops, contributing to the local economy. <p>Local Economic Growth:</p> <ul style="list-style-type: none"> • Supporting Local Businesses: The farm shop can stock and sell local products, supporting other small businesses and artisans in the region. This creates a network of local commerce that strengthens the overall economic resilience of the area. • Increased Revenue: The tasting facility and farm shop drive direct sales of wine and related products, increasing revenue for Escape Wines and enabling further investment in the business and community. <p>Cultural Enrichment:</p> <ul style="list-style-type: none"> • Community Engagement: 'Die Afdak' serves as a venue for social gatherings, and activities, fostering a sense of community and belonging.
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MOTIVATION

	It becomes a hub for sharing local traditions and stories.
Compatibility with surrounding uses	The proposal is situated in a tourism-rich area that has garnered numerous accolades, indicating strong support from visitors and the broader community. By expanding upon this foundation, the proposal aims to capitalise on the area's existing appeal and further enhance its offerings.
Impact on the external engineering services	Refer Section 8.
Impact on safety, health and wellbeing of the surrounding community	As stated throughout the motivation, the owners take great care to ensure the proposed uses are in line with the surrounding area and it is also not expected to have a negative impact on the safety, health and wellbeing of the surrounding community.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	The owners have taken cognisance of the environmental aspects in the area and have worked with the environment ensuring that it does not have a negative impact on the surrounding environmental area.
Traffic impacts, parking, access and other transport related considerations	The proposal will not have an impact on traffic, parking or access. There is sufficient on-site parking to accommodate all the additions proposed.

Impact on views, sunlight and character of the area

The property is located in an agricultural setting where tourism related facilities are also found which aligns with the proposal for the subject property. The proposals are not expected to have a negative effect on views or sunlight of any other property owner.

Economic impact

The proposal allows the owners to generate additional income from the operation of these additions all of which will create employment opportunities to staff and cleaners etc that will be earning a living.

Opportunity cost

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



10. POLICIES AND REGULATIONS

10.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The property is classified by the "LANDSCAPES HPOZ" of which the purpose is the following:

"Purpose: to protect and conserve the ecological functioning of the Overstrand's main river courses and associated wetlands by:

- Protecting and maintaining healthy river and wetland environments that are capable of natural flood detention, that support ecological processes and promote functioning natural river corridors and wetland systems; and*
- Protecting the natural character, sense of place and aesthetic value of riverine environments;"*

In addition, the proposed application is not expected to have an impact on the provisions of the EMOZ.

10.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The property is classified by the "LANDSCAPES HPOZ" of which the purpose is the following:

"Purpose: To ensure that any land use application resulting in additional rights complies with the existing character and contextual significance:

- To protect and enhance landscapes identified as having high natural, scenic and heritage significance and which contribute to the character and sense of place in the Overstrand and its economic base.*
- To promote the cultural, tourism, environmental and amenity potential of significant Overstrand landscapes."*

In addition, the property is located adjacent the Karwyderskraal Road which is classified as a route of regional significance. Neither of these are expected to be affected by the proposal.

10.3 Spatial Planning Policies

This proposal aligns seamlessly with the provisions outlined in both the Western Cape Provincial Spatial Development Framework, 2014, and the Overstrand Spatial Development Framework, 2020 (OMSDF). The OMSDF underscores the importance of ensuring accessibility, safety, and attractiveness of key tourism destinations which the owners are striving to become which is only attainable through maintenance and development of new facilities. The owners are fully committed to this vision and aim to facilitate continued development by introducing new facilities that enhance the overall experience for visitors and residents alike.



MOTIVATION

In summary, this proposal not only aligns with the strategic objectives outlined in the Western Cape Provincial Spatial Development Framework and the Overstrand Spatial Development Framework but also demonstrates a proactive approach to environmental stewardship by safeguarding the sensitivity of the estuary. Through thoughtful planning and adherence to environmental standards, the owners aim to contribute positively to the sustainable development and preservation of the surrounding landscape.

11. PLANNING PRINCIPLES

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

Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. The proposal to add new additions to the property is not expected to have an effect on past spatial injustices.

Spatial sustainability and efficiency

Spatial sustainability refers to planning proposals that ensure the protection of valuable agricultural land, environmentally sensitive and biodiversity-rich areas, as well as scenic and cultural landscapes while limiting urban sprawl. This proposal will not impact any of the aspects listed above. The owners will also ensure that the area is maintained while maximising the property's intended use.

Spatial resilience

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

Good administration

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

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



12. EVALUATION

The establishment of 'Die Afdak' as a tasting facility and farm shop at Escape Wines represents a significant opportunity to enhance both the property's value and its contribution to the local community. This application seeks to rectify past omissions and secure the necessary approvals to continue utilising 'Die Afdak' in its current capacity.

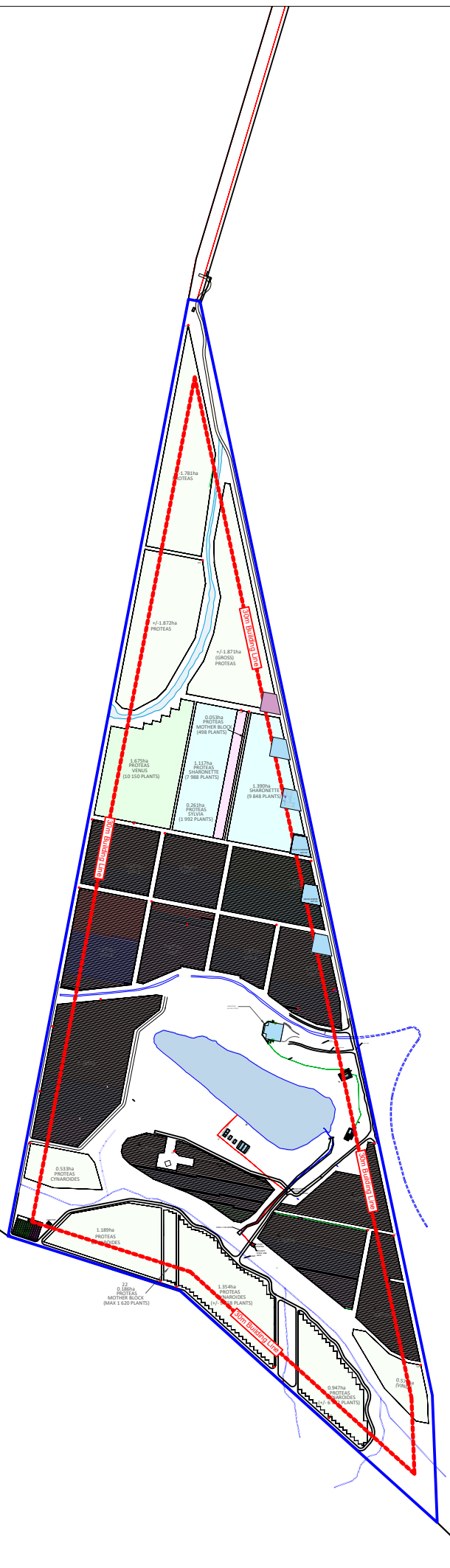
By officially applying for the tasting facility and farm shop, Escape Wines will be able to provide a unique and immersive experience for visitors, fostering stronger connections with the brand and promoting local tourism. The direct sales opportunities and diversified revenue streams generated through the farm shop will support the economic sustainability of the winery and create additional income sources. Moreover, the cultural engagements facilitated by 'Die Afdak' will enrich the visitor experience, promote local heritage, and contribute to the socio-economic development of the region. The employment opportunities and support for local businesses further underline the positive impact on the community.

In conclusion, the approval of this application will enable Escape Wines to continue its mission of producing exceptional wines while contributing to the economic and social well-being of the region. This alignment with community interests and sustainable practices ensures that Escape Wines can thrive as a cornerstone of local commerce and culture.

13. RECOMMENDATION

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

- 13.1 Consent use to allow a farm stall** 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 a tourist facility (tasting facility)** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 13.3 Amendment of an approved site development plan** in terms of section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 13.4 Determination of an administrative penalty** in terms of Section 90(5) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



**4.1 Proposed
Site Development Plan**
PORTION 3 OF THE FARM AFDAKS RIVIER
NO. 575, CALEDON

Existing Structures

- Main Dwelling House = ±563m²
- Existing Farm Shop / Stall = ±134m²
- Agricultural Buildings = ±257m²

Total Existing Footprint = ±954m²

Proposed Structures

- Approved Additional Dwelling Units - 250m² x 5

**Total Proposed Footprint -
±1250m²**

Parking

- Main Dwelling - 2 Parking Bays
- Additional Dwelling Unit = 1 Parking Bay per Unit
- Farm Stall = 6 Parking Bays for 134m² GLA

Total Required = 13 Parking Bays

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

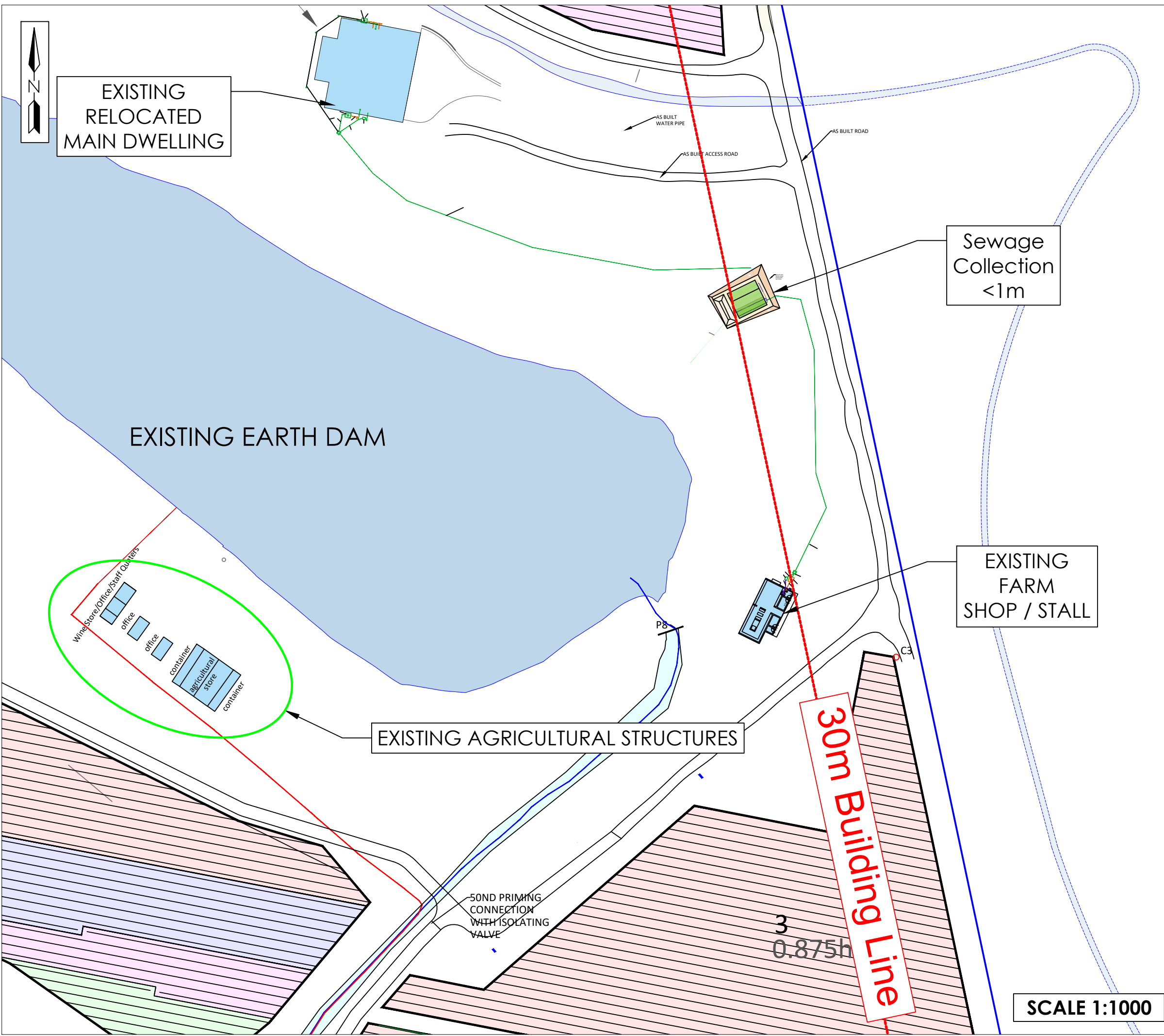
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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

Scale 1 : 8 000





4.2 INSET - Proposed Site Development Plan
 PORTION 3 OF THE FARM AFDAKS RIVIER
 NO. 575, CALEDON

Existing Structures

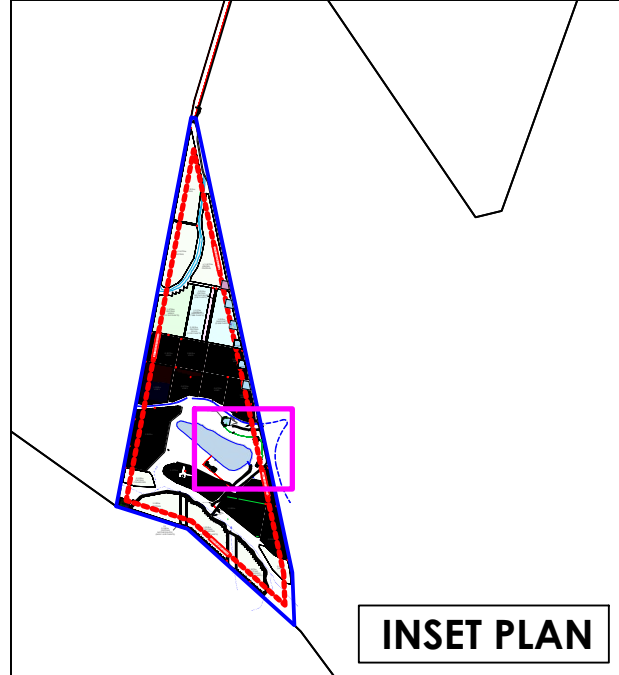
- Main Dwelling House = ±563m²
- Existing Farm Shop / Stall = ±134m²
- Agricultural Buildings = ±257m²

Total Existing Footprint = ±954m²

Proposed Structures

- Approved Additional Dwelling Units - 250m² x 5

Total Proposed Footprint - ±1250m²



Plan prepared by: Thian Jansen

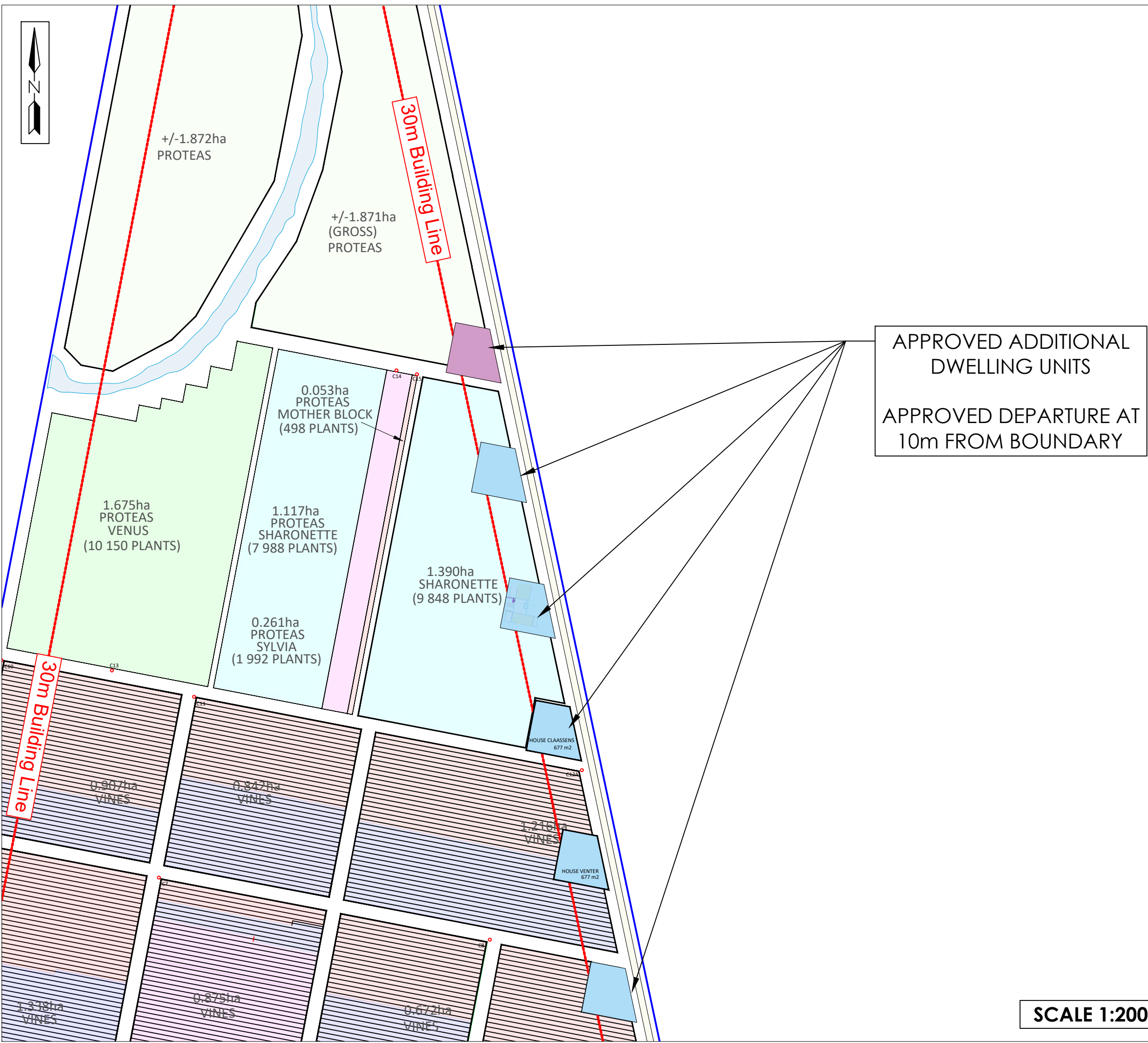
All distances are approximate and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



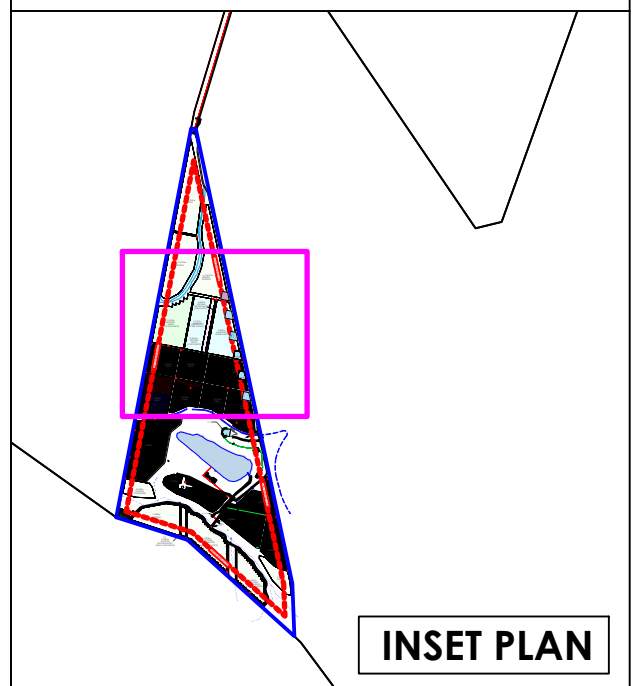


4.3 INSET - Proposed Site Development Plan
PORTION 3 OF THE FARM AFDAKS RIVIER
NO. 575, CALEDON

- Existing Structures
- Main Dwelling House = ±563m²
 - Existing Farm Shop / Stall = ±134m²
 - Agricultural Buildings = ±257m²
- Total Existing Footprint = ±954m²**

Proposed Structures

Approved Additional Dwelling Units



Plan prepared by: Thian Jansen

All distances are approximate and subject to a survey

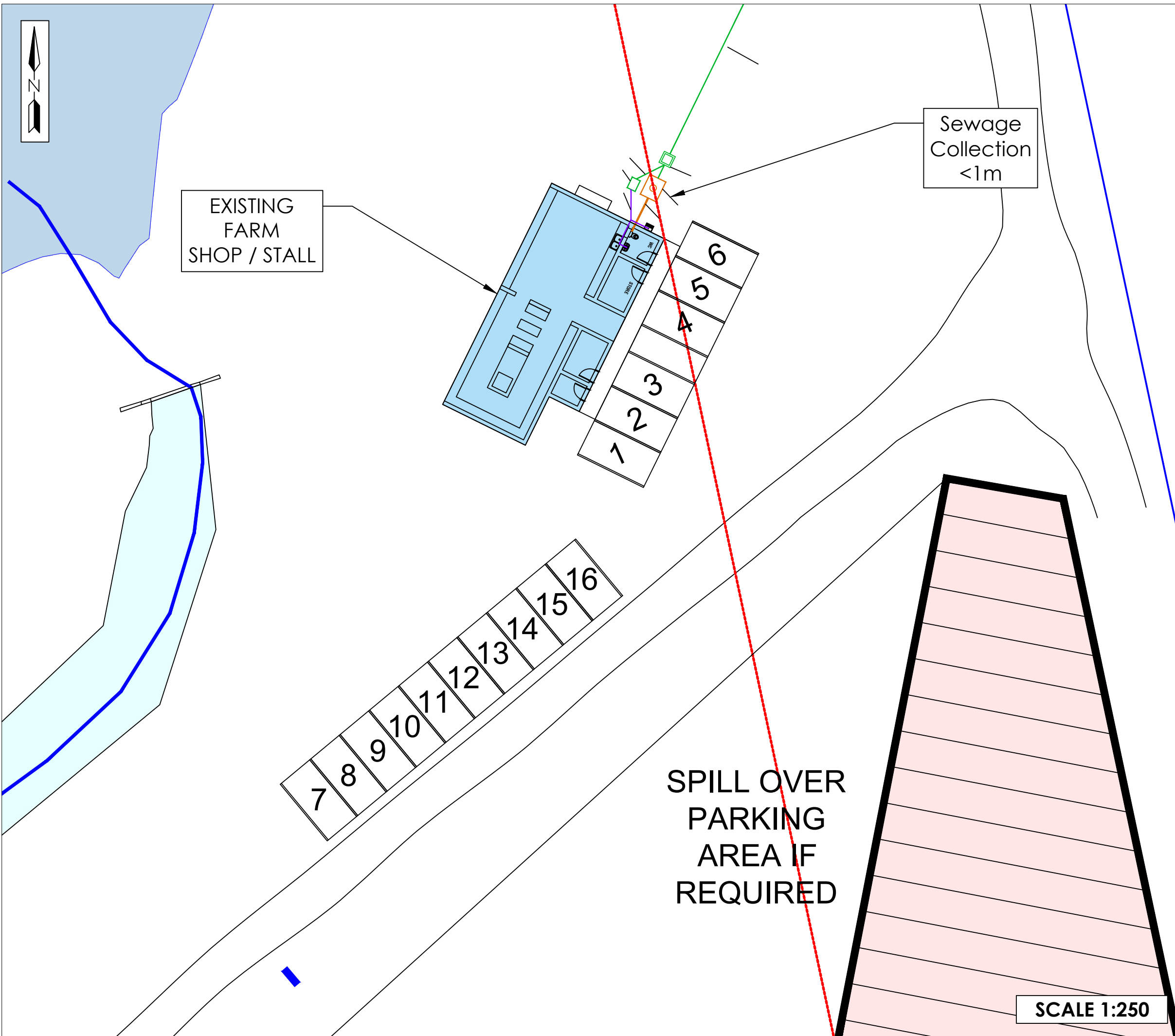
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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

SCALE 1:2000

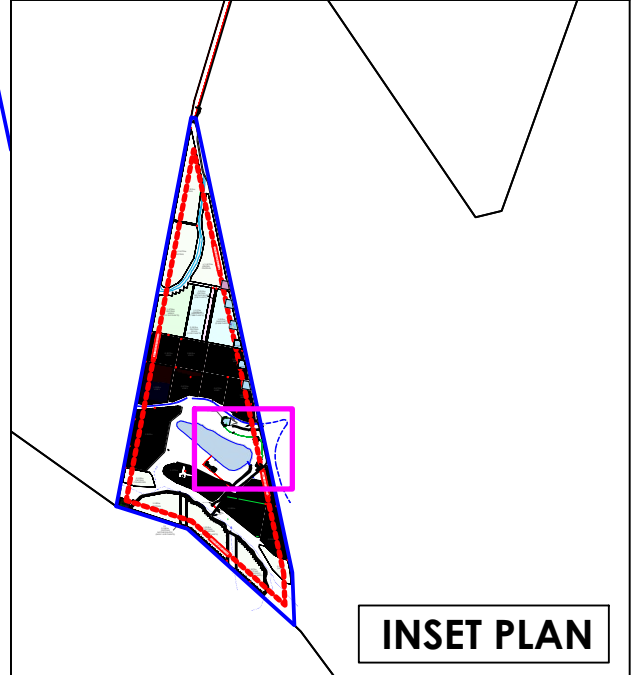




4.4 INSET - Proposed Site Development Plan
 PORTION 3 OF THE FARM AFDAKS RIVIER
 NO. 575, CALEDON

- Existing Structures**
- Main Dwelling House = ±563m²
 - Existing Farm Shop / Stall = ±134m²
 - Agricultural Buildings = ±257m²
- Total Existing Footprint = ±954m²**

- Proposed Structures**
- Approved Additional Dwelling Units - 250m² x 5
- Total Proposed Footprint - ±1250m²**



Plan prepared by: Thian Jansen

All distances are approximate and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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

SCALE 1:250



4.4 OVERLAY -
Proposed Site Development Plan
PORTION 3 OF THE FARM AFDAKS RIVIER
NO. 575, CALEDON

Dwelling Units moved to reflect approved positions.

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

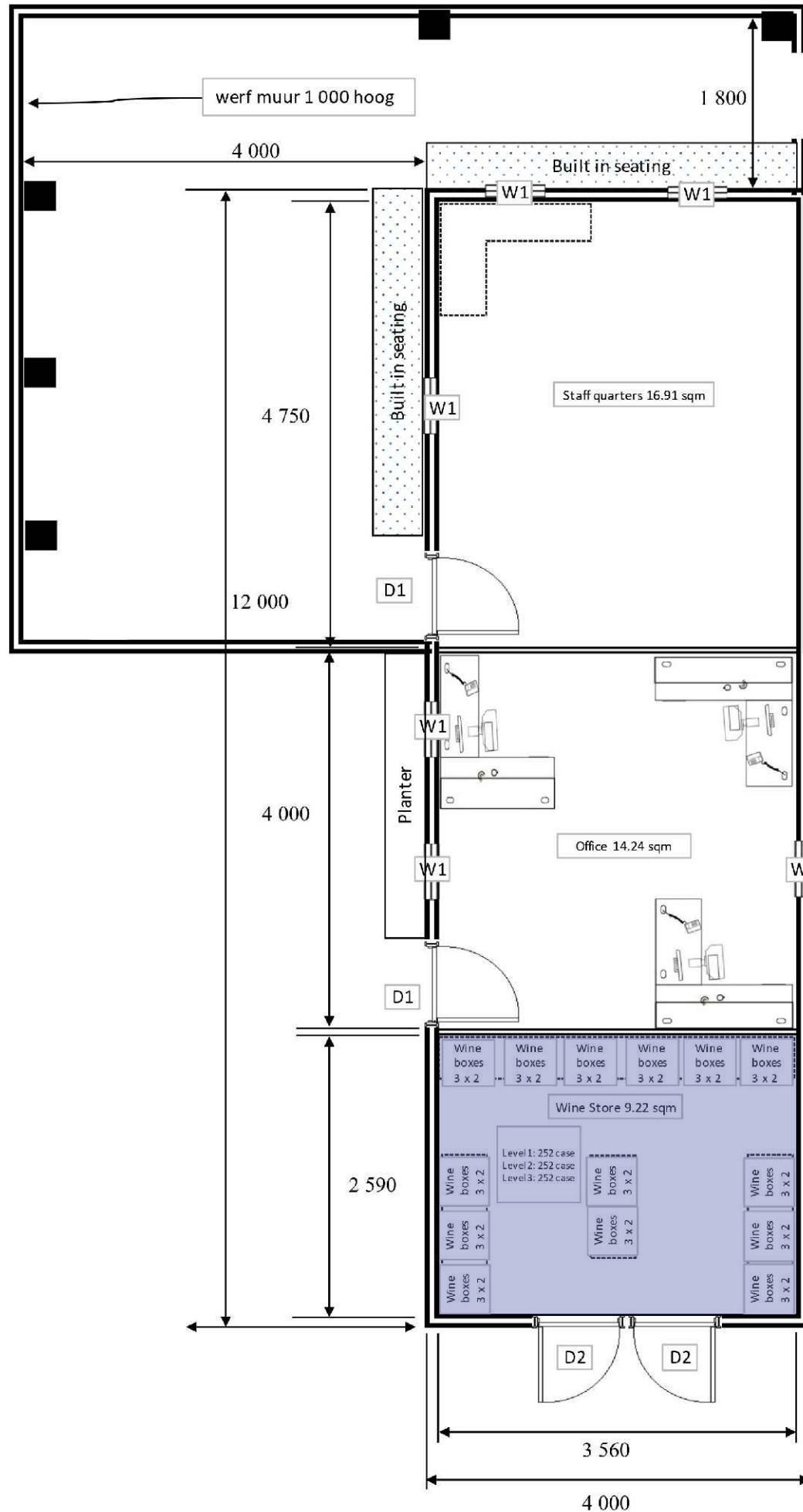
Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200

LEGEND

SCALE 1:2000



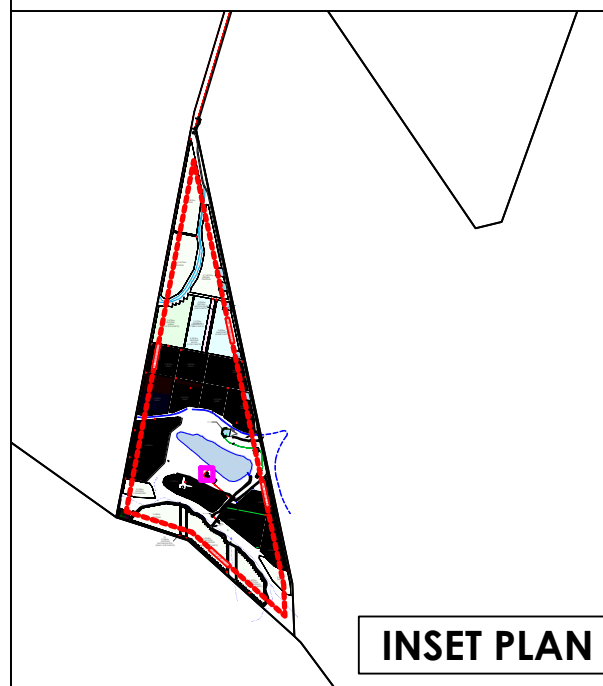
Project Office
Town Planning & Project Management



WINE STORE FOR FARM SHOP / STALL

NOT TO SCALE

4.5 EXISTING AGRICULTURAL STRUCTURE - OFFICE, STAFF QUARTERS AND WINE STORE



Plan prepared by: Thian Jansen

All distances are approximate and subject to a survey

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Street Hermanus, 7200



