



PORTION 229 OF THE FARM AFDAKSRIVIER NO. 575, BENGUELA COVE, A DIVISION OF CALEDON: APPLICATION FOR AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN, AMENDMENT OF CONDITIONS IN RESPECT OF AN EXISTING APPROVAL AND EXTENSION OF THE PERIOD OF VALIDITY OF AN APPROVAL: WRAP PROJECT OFFICE ON BEHALF OF BENGUELA COVE INVESTMENTS (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:

- **Amendment of the existing approved site development plan** in terms of Section 16(2)(l) of the By-Law to accommodate proposed new structures such as a wedding venue and picnic pods, as well as the expansion of the existing winery for storage purposes.
- **Amendment of conditions in respect of an existing approval** in terms of Section 16(2)(h) of the By-Law, to allow for the new wedding venue to be used as a place of entertainment.
- **Extension of the period of validity of an approval** in terms of Section 16(2)(i) of the By-Law, to extend the validity period for an additional 5 years to operate a market and utilise portions of the existing structures for places of entertainment.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any comments must be in writing in accordance with the provisions of Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) on or before **26 July 2024**, quoting your name, address and contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to the Town Planner, **Mr. H Olivier** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

GEDEELTE 229 VAN DIE PLAAS AFDAKSRIVIER NR. 575, BENGUELA COVE, 'N AFDELING VAN CALEDON: AANSOEK OM WYSIGING VAN DIE BESTAANDE GOEDGEKEURDE TERREINONTWIKKELINGSPLAN, WYSIGING VAN VOORWAARDES TEN OPSIGTE VAN BESTAANDE GOEDKEURING EN VERLENGING VAN DIE GELDIGHEIDSPERIODE VAN 'N GOEDKEURING: WRAP PROJECT OFFICE NAMENS BENGUELA COVE INVESTMENTS (PTY) LTD

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

- **Wysiging van die bestaande goedgekeurde terreinontwikkingsplan** ingevolge Artikel 16(2)(l) van die Verordening om die voorgestelde nuwe strukture soos 'n troulokaal en nuwe piekniek *pods* te akkommodeer, asook die uitbreiding van die bestaande wynmakery vir stoor doeleindes.
- **Wysiging van voorwaardes ten opsigte van bestaande goedkeuring** ingevolge Artikel 16(2)(h) van die Verordening, om toe te laat dat die nuwe troulokaal as 'n plek van vermaak gebruik kan word.
- **Verlenging van die geldigheidstydperk van 'n goedkeuring** ingevolge Artikel 16(2)(i) van die Verordening, om die geldigheidstydperk met 'n bykomende 5 jaar te verleng om die bestaande mark te bedryf en gedeeltes van die bestaande strukture vir plekke van vermaak te gebruik.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik wees ingevolge Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) bereik voor of op **26 Julie 2024**, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, **Mnr. H Olivier** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

INXALENYE 229 YEFAMA AFDAKSRIVIER NO. 575, BENGUELA COVE, ICANDELO LE-CALEDON: ISICELO SOKULUNGISWA KWESICWANGCISO ESIKHOYO SOPHUHLISO LWESIZA ESIVUNYIWEYO, UKULUNGISWA KWEEMKO NGOKUBHEKISELELE KWIMVUME EKHOYO KUNYE NOKWANDISWA KWEXESHA LOKUNYANISEKA KWEMVUME: MESSRS WRAP PROJECT OFFICE EMAGENI LIKA BENGUELA COVE INVESTMENTS (PTY) LTD

Isaziso sinikwe apha ngokweCandelo lama-48 loMthetho kaMasipala oLungisiweyo waseOverstrand kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) wokuba isicelo sifunyenwe koku kulandelayo:

- **Ukulungiswa kwesicwangciso esikhoyo esivunyiweyo sophuhliso lwesiza** ngokweCandelo le-16 (2) (l) loMthetho kaMasipala ukuze kulungiselelwe izakhiwo ezitsha ezicetywayo njengendawo yomtshato neepikniek pods, kwakunye nokwandiswa kwendawo yokuthengisa iwayini esele ikhoyo ukulungiselela iinjongo zokugcina.
- **Ukulungiswa kweemeko zokuvunywa** ngokweCandelo le-16(2)(h) loMthetho kaMasipala, ukuvumela ukuba indawo entsha yomtshato isetyenziswe njengendawo yolonwabo.
- **Ukwandiswa kwexesha lokuba semthethweni kolwamkelo ngokwemigaqo** yeCandelo le-16(2)(i) loMthetho kaMasipala, ukwandisa ixesha elisemthethweni leminyaka emi-5 eyongezelelweyo ukuze kuqhutywe imarike kunye nokusebenzisa iinxalenye zezakhiwo ezikhoyo ngenjongo iidawo yokuzonwabisa

Iinkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kamasipala zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 028-313-2093 / (e) loretta@overstrand.gov.za) ngolu suku okanye ngaphambi komhla **26 EyeKhala 2024**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuzisa into malunga nesi saziso ungafonela Umcwangcisi weDolophu **Mnu H Olivier** kule nombolo yomnxeba 028-313-8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.

1. Locality Plan

Portion 229 of the Farm Afdakrivier 575, Caledon

Plan prepared by: Veronica Jansen

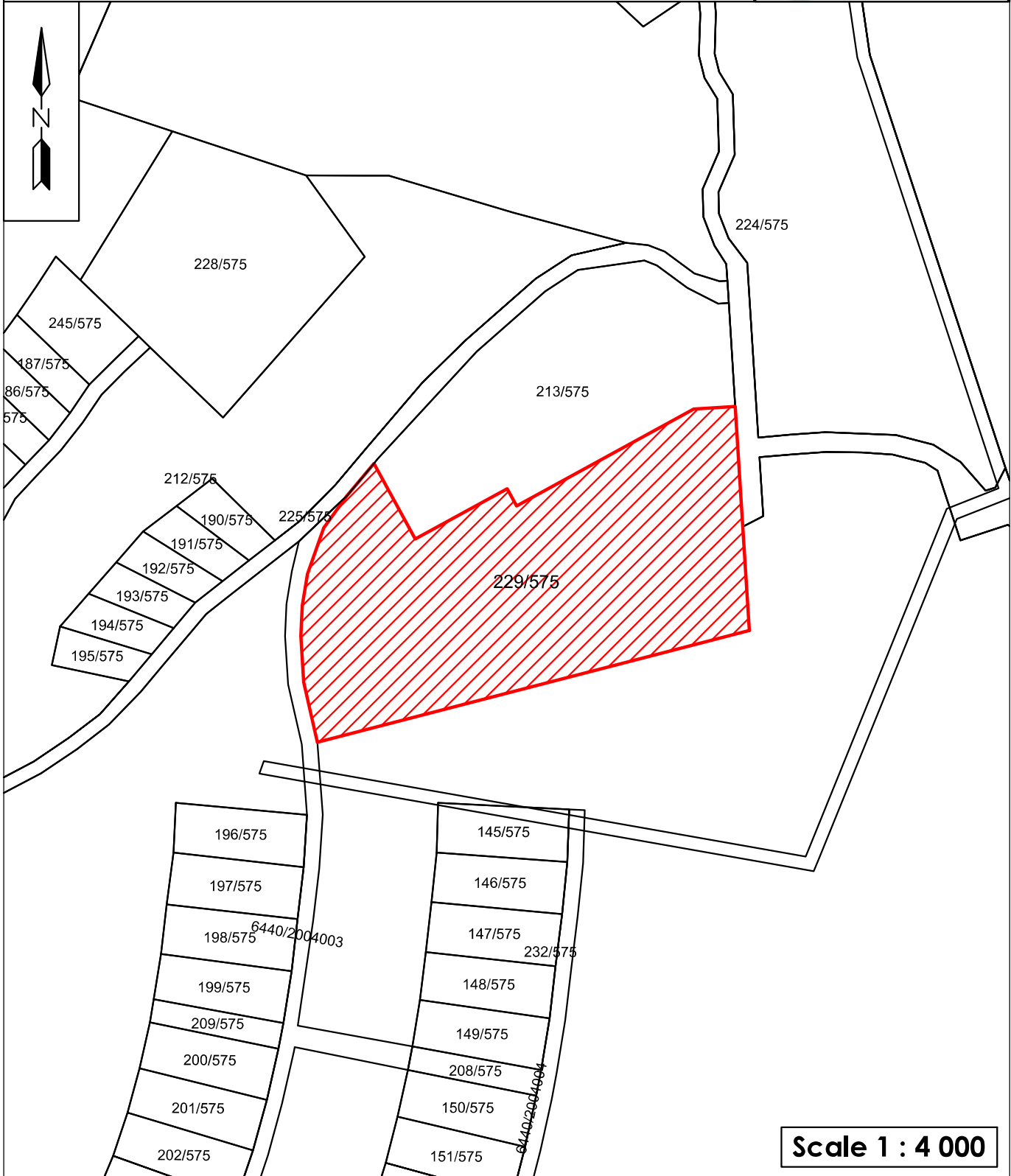
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



Project Office
Town Planning & Project Management



Scale 1 : 4 000



PORTION 229 OF THE FARM 575, CALEDON
APPLICATION FOR THE AMENDMENT OF SITE DEVELOPMENT
PLAN, AMENDMENT OF CONDITIONS IN RESPECT OF AN
EXISTING APPROVAL AND EXTENSION OF THE PERIOD OF
VALIDITY OF AN APPROVAL

Application prepared for:
Benguela Investments Pty (Ltd)

Application prepared by:
WRAP Project Office
PostNet Hermanus Suite 170
Private Bag X16
Hermanus 7200
Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Web: www.wrapgroup.co.za

Author
Thian Jansen (A/2858/2019)

Amended
June 2024



TABLE OF CONTENTS

OVERSTRAND MUNICIPALITY APPLICATION FORM

1. ABBREVIATIONS	1
2. PROPERTY DETAILS.....	1
3. BACKGROUND AND INTENT	1
4. PROCEDURE TO ACHIEVE THE OWNERS' INTENT	2
5. LAND USE ENVIRONMENT	5
6. TITLE DEED	5
7. ZONING.....	5
8. SERVICES.....	8
9. NEED AND DESIRABILITY	8
10. POLICIES AND REGULATIONS	10
11. PLANNING PRINCIPLES.....	12
12. EVALUATION.....	14
13. RECOMMENDATION	14

LIST OF PLANS

PLAN 1: LOCALITY PLAN

PLAN 2: ZONING PLAN

PLAN 3: AERIAL PLAN

PLAN 4: AMENDED SITE DEVELOPMENT PLAN

PLAN 5: SURVEYOR GENERAL DIAGRAM

LIST OF ANNEXURES

ANNEXURE A: POWER OF ATTORNEY

ANNEXURE B: COPY OF THE TITLE DEED

ANNEXURE C: APPROVED SITE DEVELOPMENT PLAN

ANNEXURE D: PROPOSED PICNIC POD LAYOUT



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 229 of Farm Afdaks Rivier 575 in the Overstrand Municipality, Division Caledon, Western Cape Province
Extent	5,3815ha
Zoning	Special Zone

3. BACKGROUND AND INTENT

The subject property, Portion 229 of Farm Afdaks Rivier 575, Caledon, is situated along the R43 and serves as a prominent tourist destination, wine farm, and residential development. Refer to **Plan 1 - Locality Plan** for its precise location. WRAP Project Office was appointed to submit a land use application on their behalf, as detailed in **Annexure A - Power of Attorney**.

Over the past few years, the owners have been steadily developing the property, incrementally enhancing provisions across the entire estate, with particular focus on the subject property as a primary investment. Notably, the property holds historic approval permitting the use of the restaurant and wine cellar as venues for entertainment including weddings, functions, and live music performances.

Furthermore, approval has been granted for the establishment of a market on the property, complemented by various attractions such as the splash park and wine cellar, which have contributed to Benguela Cove Lagoon Wine Estate's status as a highly successful and sought after destination. Recognized as one of the top 100 best vineyards in the world of 2023, Benguela Cove Lagoon Wine Estate offers guests an exceptional experience with world-class attractions and exquisite wines.

In response to the property's ongoing expansion, the owners have identified opportunities and necessities to further enhance the overall visitor experience. Consequently, plans include the introduction of a new wedding venue to enrich guests' experiences. Additionally, there is a proposal to extend and expand the wine cellar area, necessitating an amendment to the site development plan. Finally, approval for the extensions of the validity period for several historic approvals, which were granted nearly five years ago, are also sought.



In summary, the proposed developments aim to build upon Benguela Cove Lagoon Wine Estate's 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:

- Amendment of conditions in respect of an existing approval to allow the new wedding venue to be used for a place of entertainment;
- Extension of the period of validity of an approval; 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 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 includes the addition of a wedding venue, and winery addition for storage purposes as well as new picnic pods that can be used by the guests. These additions are intended to increase the functionality of the property while ensuring that Benguela Cove Lagoon Wine Estate continues to evolve as required. Refer **Plan 4 – Amended SDP** which is proposed to replace the existing approved site development.

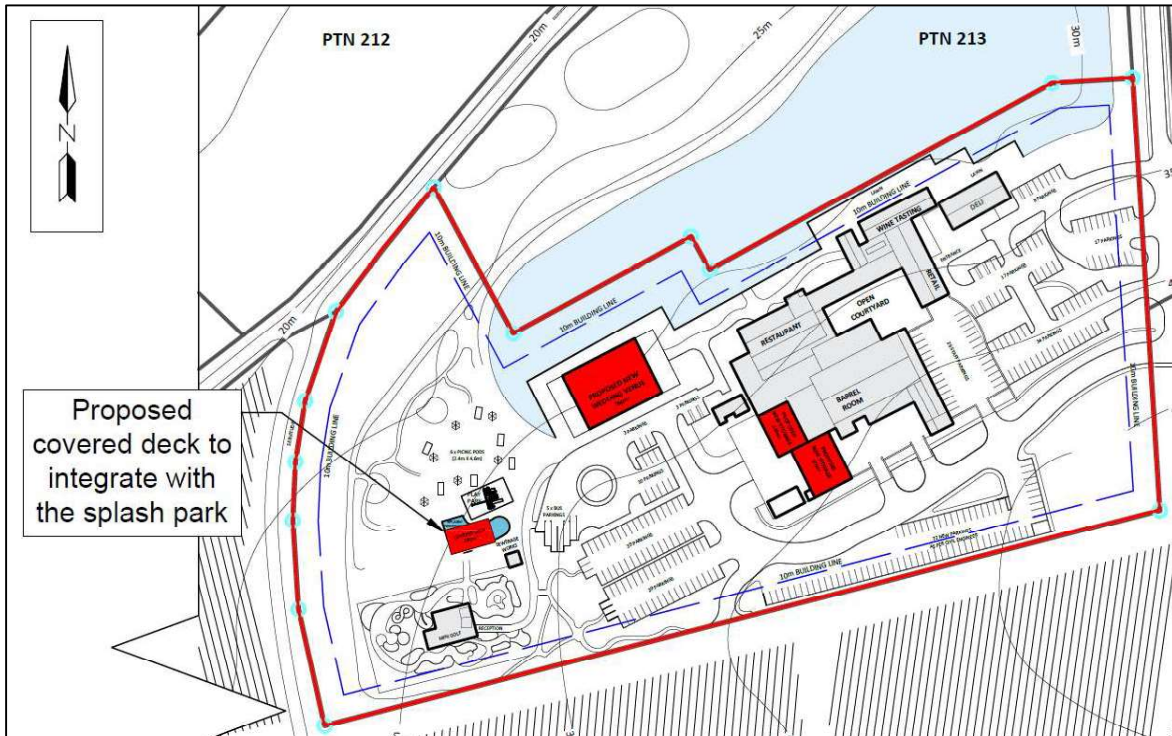


Figure 1: Extract of the Proposed Amended SDP

The owners as part of their ongoing development and in response to identified opportunities, proposed the introduction of picnic pods. These pods will serve as additional structures designed to offer guests a unique and enhanced recreational experience on the property, protecting them from the elements.

These pods will provide several benefits as Picnic Pods:

Picnic pods will enhance the visitor experience at Benguela Cove Lagoon Wine Estate. Firstly, they will offer a private, comfortable, and aesthetically pleasing setting, ideal for small gatherings, family outings, or romantic picnics. This intimate environment allows guests to enjoy the scenic beauty of Benguela Cove Lagoon Wine Estate in a dedicated space away from the more bustling areas of the estate, creating an exclusive ambiance. Refer to **Annexure D: Proposed Picnic Pod designs**.



Figure 2: Proposed picnic pod structures

Moreover, the picnic pods diversify Benguela Cove Lagoon Wine Estate's attractions. Adding this unique offering helps differentiate the estate from other wine farms and tourist destinations, attracting more visitors seeking varied experiences. The inviting space encourages guests to spend more time at the estate, potentially increasing their overall satisfaction and willingness to return.

From a business perspective, the picnic pods present new revenue opportunities. They can be rented out to guests for specific time slots, creating a new income stream for the



MOTIVATION

estate. This can be especially lucrative during peak visiting times and special events. Additionally, guests using the picnic pods are likely to purchase additional items such as picnic baskets, wine, and other refreshments, further boosting on-site sales.

The picnic pods also complement Benguela Cove Lagoon Wine Estate's existing attractions, such as the splash park, market, and wine cellar. By adding an additional layer of enjoyment, these pods enhance the overall appeal of the estate. Furthermore, they can be integrated into events like weddings, live performances, and functions, providing unique spaces for guests to relax and socialize, thereby enriching the overall event experience.

Sustainable and aesthetic design considerations are also a key advantage. The picnic pods can be constructed using eco-friendly materials, aligning with sustainable practices and appealing to environmentally conscious visitors. Their strategic placement within the landscape ensures they blend seamlessly with the natural surroundings, preserving the estate's scenic charm.

4.2 AMENDMENT OF CONDITIONS IN RESPECT OF AN EXISTING APPROVAL to allow the new wedding venue to be used for a place of entertainment:

As previously mentioned, the owners obtained approval in March 2019 to repurpose the restaurant and wine cellar as a place of entertainment. This approval encompassed the authorisation of functions, including the establishment of a wedding venue within these designated areas.

However, the current proposal seeks to amend the existing approval to allow the owners to construct a new proposed freestanding wedding venue to also serve as a venue that will be able to provide live music to the guests being entertained for additional forms of entertainment, notably live music performances. It is essential to note that the owners remain committed to upholding all other conditions stipulated by the municipality in their approval granted in 2019.

This amendment reflects the evolving needs and desires of the community and visitors to Benguela Cove Lagoon Wine Estate, aiming to enhance the overall experience by offering a diverse range of entertainment options. By expanding the scope of permissible activities within the wedding venue, the owners seek to further contribute to the vibrancy and attractiveness of Benguela Cove Lagoon Wine Estate as a premier destination for gatherings, celebrations, and entertainment.

4.3 EXTENSION OF THE PERIOD OF VALIDITY OF AN APPROVAL:

The land use approval dated March 2019 allows the owners to operate a market and utilise portions of the existing structures for places of entertainment. Condition 1 (m) states:

“that the approval is only valid (5) years, but application can be made within the time period for and extension of time;”



MOTIVATION

The owners had numerous events and major success as a result of the land uses that were approved in 2019 and as a result application is made to extend the validity period for an additional 5 years that will see the approval be extended to 2029.

The approval granted has proven to be instrumental in fostering a vibrant and thriving community within the estate. By permitting the operation of a market and the utilization of existing structures for a place of entertainment, the approval has not only enriched the offerings within Benguela Cove Lagoon Wine Estate but has also contributed to its economic growth and vitality.

Since its inception, the approved land uses have facilitated numerous events, attracting visitors from near and far and significantly enhancing the overall experience for residents and guests alike. These events have not only served as platforms for community engagement and social interaction but have also been key drivers of local commerce, supporting small businesses and artisans while stimulating economic activity within the surrounding areas.

Moreover, the success achieved through the approved land uses underscores their importance in the ongoing development and sustainability of Benguela Cove Lagoon Wine Estate as a premier destination. By extending the validity period of the approval for an additional five years, the owners aim to build upon this success and continue fostering a dynamic and inclusive environment that appeals to residents, visitors, and stakeholders alike.

Furthermore, the collaborative efforts between the owners and other stakeholders within the estate demonstrate a commitment to responsible and responsive management. By actively addressing queries, questions, and concerns in a swift and efficient manner, they uphold the highest standards of community engagement and ensure that the needs and interests of all parties are duly considered and accommodated.

5. LAND USE ENVIRONMENT

The subject property is part of the Benguela Cove Lagoon Wine Estate Lagoon Wine Estate, located on the banks of the Bot-Kleinmond Estuarine System. The Benguela Cove Lagoon Wine Estate Lagoon Wine Estate is a unique estate that is home to an Agri-residential development where residential properties are mixed with a very successfully operated wine farm. There are several different land uses surrounding the subject property. The surrounding area's zonings are illustrated in **Plan 2 (zoning plan)**.

6. TITLE DEED

Title deed T32226/2006 (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

SPECIAL ZONE		Parameters	Uses on property	Comply/ deviate										
Primary use	Tourism business, house of worship	<ul style="list-style-type: none"> • Conference (wedding venue) • Splash Park • Wine Cellar • Restaurant • Deli 	Comply											
Consent use	None	N/A	N/A											
Departures	-	<p>Approved</p> <ul style="list-style-type: none"> • Place of entertainment • Market 	-											
Development parameters														
Floor factor	0,75	0,11		Comply										
Coverage	50%	11%		Comply										
Height	At most 8m or 2 storeys, provided that in the case of the winery, the maximum height shall be 14m.			Comply										
Street building line	10m	N/A		N/A										
Side building line	A minimum of 10m provided that council may lay down building lines in the interest of public health and safety or to enforce any law or right.	10m		Comply										
Parking	At least 1 parking bay per 25m ² of the total floor space provided that in the case of a "Place of Worship" 1 parking bay per 5 seats.	<table border="1"> <thead> <tr> <th colspan="2">AREA SCHEDULE (EXISTING)</th> </tr> <tr> <th>Name</th> <th>Area</th> </tr> </thead> <tbody> <tr> <td>EXISTING MINI GOLF</td> <td>230 m²</td> </tr> <tr> <td>EXISTING DELI</td> <td>300 m²</td> </tr> <tr> <td>EXISTING WINERY, RESTAURANT, STORE</td> <td>3912 m²</td> </tr> </tbody> </table>	AREA SCHEDULE (EXISTING)		Name	Area	EXISTING MINI GOLF	230 m ²	EXISTING DELI	300 m ²	EXISTING WINERY, RESTAURANT, STORE	3912 m ²		Comply
AREA SCHEDULE (EXISTING)														
Name	Area													
EXISTING MINI GOLF	230 m ²													
EXISTING DELI	300 m ²													
EXISTING WINERY, RESTAURANT, STORE	3912 m ²													



MOTIVATION

AREA SCHEDULE (PROPOSED)	
Name Area	Extent
NEW COVERED DECK	180 m ²
NEW STORE ADDITION TO WINERY	575 m ²
NEW WEDDING VENUE	768 m ²
PICNIC PODS	138 m ²

Parking Requirement
 Floor Area Extent = 6103m²
 1 Parking Bay per 25 m²
 6103m² / 25 m² = 244 Parking Bays Required

244 Parking Bays Provided



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 municipal water from the Fisherhaven Reservoir. The proposal of this application is not expected to have significant impacts on the existing services, as the proposed uses will not demand additional services capacity.

The subject property is connected to the existing sewer network and system of the estate.

Solid waste is collected and moved to designated points and collected by the OM.

Access and Egress

Access and egress to the property is gained from the R43.

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>The proposal is expected to have several positive socio-economic impacts on the surrounding community and the broader region. Here are some potential positive effects:</p> <ul style="list-style-type: none"> • Job Creation: The implementation of the proposal, which includes the addition of a permanent wedding venue, and winery storage, is likely to generate additional employment opportunities. These opportunities span various sectors, including construction, hospitality, event management, and winery operations. The creation of jobs can contribute to reducing unemployment rates and improving the economic well-being of individuals and families within the community.
-----------------------	--



MOTIVATION

	<ul style="list-style-type: none"> • Increased Tourism: The addition of new facilities such as a permanent wedding venue enhances the attractiveness of Benguela Cove Lagoon Wine Estate as a tourist destination. This increase in tourist appeal can lead to a rise in visitor numbers, benefiting local businesses such as restaurants, accommodation providers, and retail establishments. Additionally, a boost in tourism can stimulate economic growth through increased spending on goods and services in the area. • Enhanced Infrastructure: The proposal may necessitate improvements or expansions to existing infrastructure, such as roads and utilities, to support the new facilities. These enhancements not only benefit the property but also improve infrastructure for the broader community. Upgraded infrastructure can lead to increased property values, improved accessibility, and a better quality of life for residents. • Revenue Generation: The addition of commercial facilities like a wedding venue and winery storage can generate revenue for the owners and local authorities through lease agreements, permit fees, and taxes. This revenue can be reinvested in community development projects, public services, and infrastructure upgrades, further enhancing socio-economic conditions in the area. • Cultural and Social Enrichment: The proposed facilities, particularly the wedding venue, can serve as platforms for cultural and social events, fostering community cohesion and promoting cultural exchange. Events hosted at these venues can contribute to the preservation and celebration of local traditions, while also providing opportunities for social interaction and community engagement.
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,



MOTIVATION

	the proposal aims to capitalize 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 will take great care to ensure the proposed uses are 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 proposed the additional structures in a way that 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 that is coupled with a residential development. The area has been zoned and is being operated for tourism related facilities which is also being sought through the current proposal. The proposed additions 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 crew member, 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 not located within 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:

File 23/139
Portion 229 of Farm Afdaks Rivier 575, Caledon
Amended June 2024



MOTIVATION

"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."*

To ensure compliance 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.

Heritage Research

No additional heritage research was done.

Photographs, Including Contextual Photograph

Aerial maps were included into the application, refer to **Plan 3 – Aerial Plan**.

Results of Public Consultation

Regarding this application, an extensive public participation process will be followed. If any comments are received regarding the heritage aspect it will be addressed accordingly.



Impact Assessments

No impact assessments were conducted.

Comment From Affected and Interested Bodies

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

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 such as Benguela Cove Lagoon Wine Estate and Arabella through the 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.

Furthermore, the OMSDF emphasises the importance of preserving the sensitivity of the estuary. This proposal has been carefully crafted to ensure that it has no adverse effects on the estuary. The owners are acutely aware of the ecological significance of the estuarine ecosystem and are committed to ensuring that all operations remain compliant with environmental regulations and best practices.

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



MOTIVATION

not impact any of the aspects listed above. The owners will also ensure that the area is maintained while maximizing 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

This application aims to balance the functional necessity of these essential facilities - that include a wedding venue, and extension of the winery all being focused on tourism related activities or activities that attract more people to the Overstrand area. This while ensuring compliance with the required conditions outlined in the OMLUS. This includes the dimensions and other specifications of the structure.

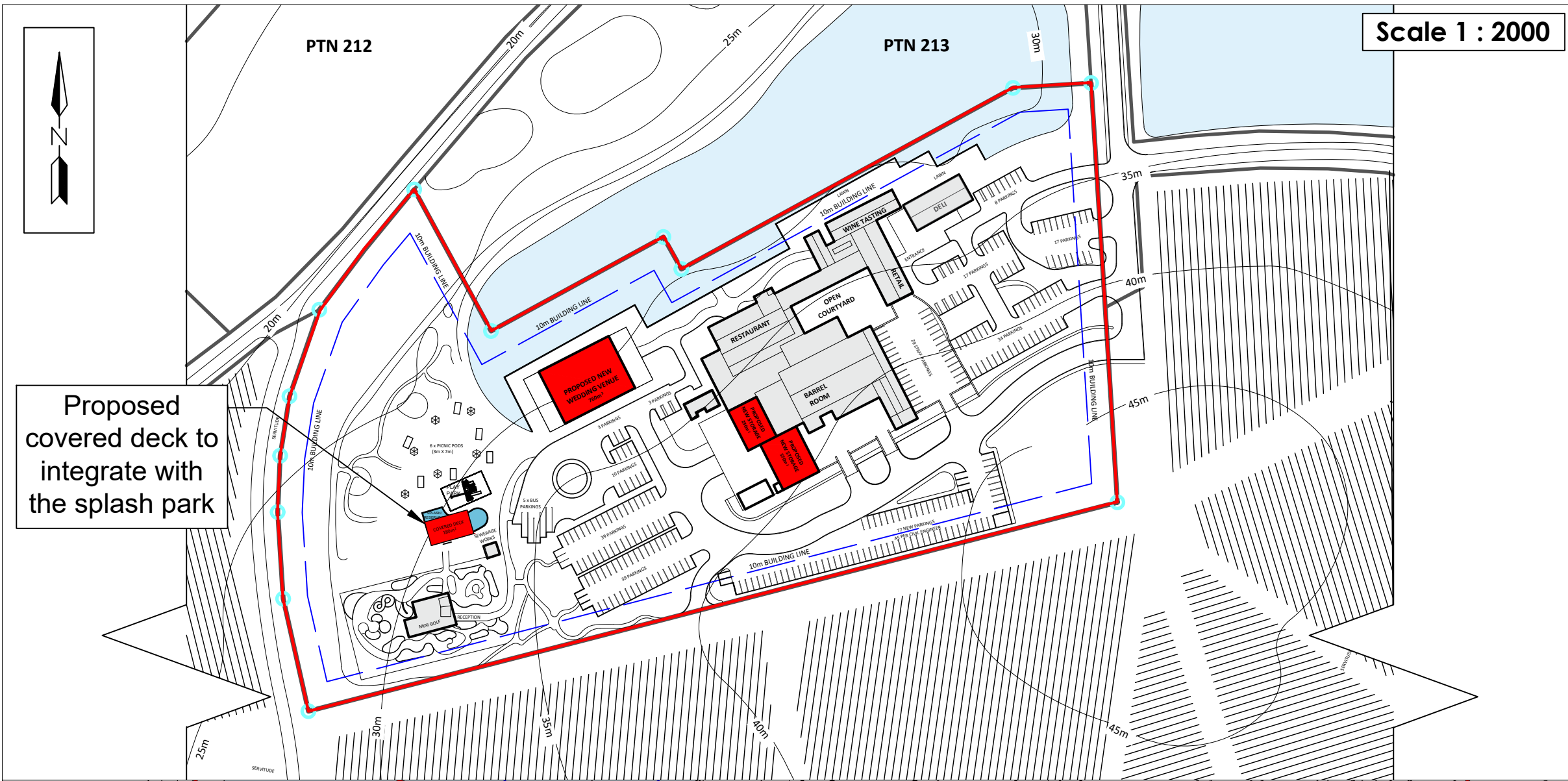
In conclusion, the application has indicated that the owners are seeking to enhance the Benguela Cove Lagoon Wine Estate area. Through collaborative efforts and adherence to established frameworks such as the Western Cape Provincial Spatial Development Framework and the Overstrand Spatial Development Framework, the proposed development aims to strike a balance between economic growth and environmental sustainability.

The approval of the application is imperative to allow the vision of creating a vibrant and inclusive community. By endorsing this proposal, not only would local economic development and job creation but also reinforces its commitment to sustainable tourism practices and environmental conservation be. The application as motivated above and throughout this report is regarded as a desirable enterprise that will add value to the area while creating economic activity and providing employment opportunities.

13. RECOMMENDATION

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

- 13.1 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;
- 13.2 Amendment of conditions in respect of an existing approval** to allow the new wedding venue to be used for a place of entertainment in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- 13.3 Extension of the period of validity of an approval** in terms of section 16(2)(i) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



4. Amended Site Development Plan
Portion 229 of the Farm 575, Caledon

Portion 229 of the Farm 575, Caledon
Extent = 53810m²

Existing Area Schedule:

Mini Golf - 230m²
Deli - 300m²
Winery, Restaurant, Store - 3912m²

4442m²

Proposed Area Schedule:

New Covered Deck - 180m²
New Storage - 575m²
New Wedding Venue - 768m²
Picnic Pods - 138m²

1661m²

Combined total extent - 6103m²

Plan Number: 23.139(V2)
Plan prepared by: Thian Jansen on 27/05/2024
Based on plans by Quintessential Design - Brent Rahme
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

