

REMAINDER FARM NO. 975, CALEDON DIVISION, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: TOWN AND COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF SAURWEIN WINES (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 consent use in terms of Section 16(2)(o), in order to allow for a boutique winery and tasting facility on the property.

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 at the 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 **15 July 2022**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **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.

RESTANT PLAAS NR. 975, AFDELING CALEDON, OVERSTRAND MUNISIPALE AREA: AANSOEK OM VERGUNNINGSGEBRUIK: TOWN AND COUNTRY CREATIVE LAND SOLUTIONS NAMENS SAURWEIN WINES (EDMS) BPK

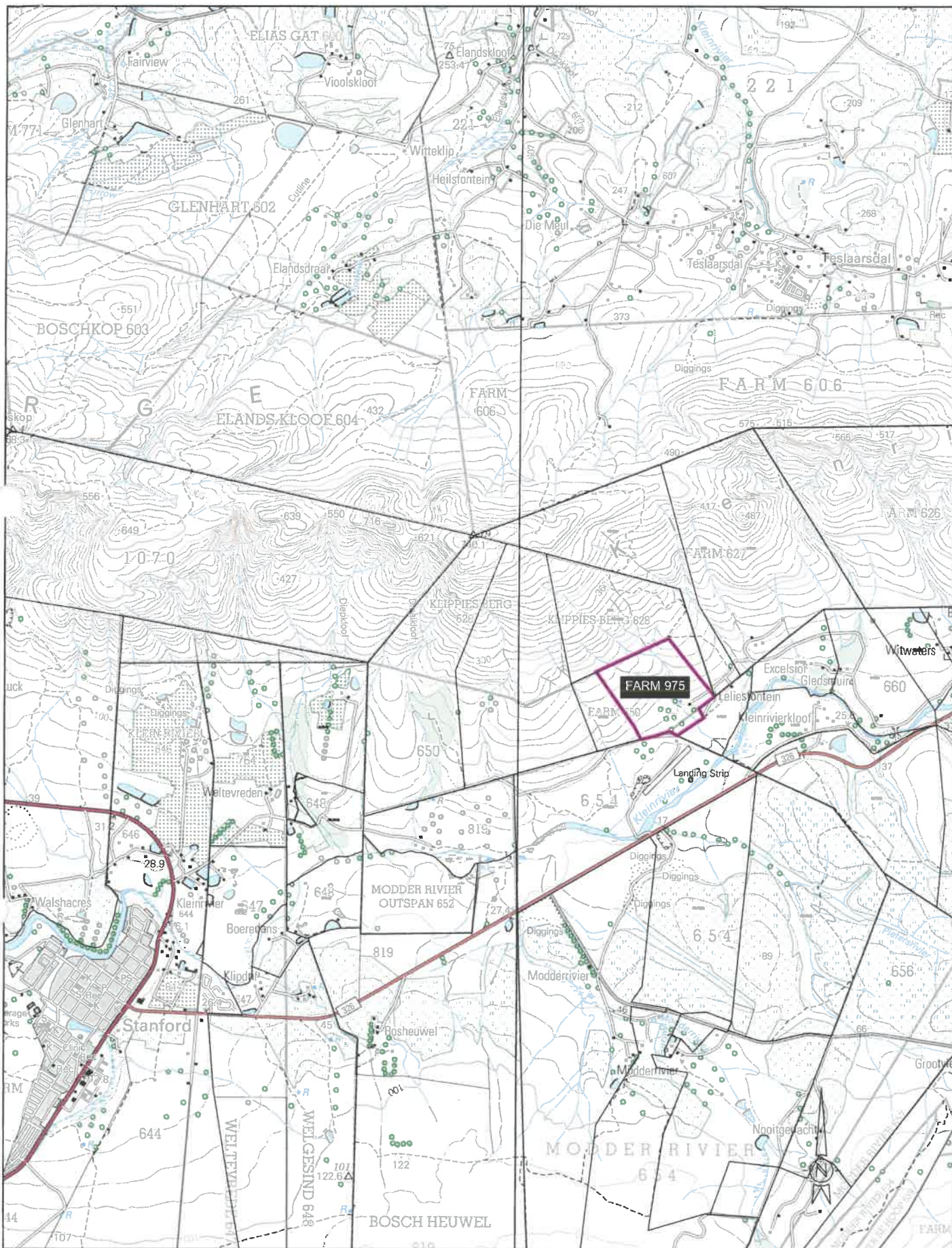
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruiksbeplanning, 2020 (Verordening) dat 'n aansoek ontvang is om vergunningsgebruik ingevolge Artikel 16(2)(o), ten einde 'n boetiekwynmakery en proefasiliiteit op die eiendom toe te laat.

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 by die Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige skriftelike kommentaar moet ingevolge die bepalings 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 **15 Julie 2022**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **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.

INTSALELA YEFAMA ENGUNOMBOLO 975, ECALEDON DIVISION, KUMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICELO SEMVUME YOSETYENZISO: TOWN AND COUNTRY CREATIVE LAND SOLUTIONS EGAMENI LE-SAURWEIN WINES (PTY) LTD


Isaziso sinikwe ngokwemiqathango yeCandelo 48, elifundwa kunye neCandelo 16(2)(b) loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) sokokuba isicelo sifunyenwe semvume ngokwemiqathango yeCandelo 16(2)(o), yokusetyenziswa njengendawo yokuthengiswa kwewayini neziko lokungcanyulwa kwayo kwipropati.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus kunye neThala leeNcwadi laseStanford Library, Queen Victoria Street, eStanford. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kamasipala zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngolu suku okanye ngaphambi komhla **15 uJulayi 2022**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungafonela **Mnu. P Roux** 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.



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PROJECT
LOCALITY PLAN: FARM 975 CALEDON RD
OVERSTRAND MUNICIPALITY

 **Town & Country**
Creative Land Solutions
 Land Surveyors • Town Planners

DRAWN	LT	CHECKED	LT
SCALE	1: 50 000	DATE	JAN 2022
DWG No.	Locality	REVISION	
Notes:	All areas and distances are subject to final survey		

MOTIVATIONAL REPORT
PROPOSED CONSENT USE FOR A BOUTIQUE WINERY AND TASTING
FACILITY: FARM NR 975, CALEDON DISTRICT

Ref. CAL/2724

1. INTRODUCTION & BACKGROUND

This office was appointed by Jessica Saurwein, representing Saurwein Wines (Pty) Ltd to prepare the town planning application for a consent use on the Remainder of Farm 975, Caledon. The application is required to allow for a boutique winery and tasting facility on the farm.

Jessica Saurwein is an established boutique wine maker and the company that she represents recently bought Farm 975 for purposes of developing the Farm Waterval with vineyards and a small wine cellar. She will be using her own grapes in future for wine production under the label Saurwein, that is marketed locally and internationally.

We are then now timeously applying for a consent use to allow for a small winery and tasting facility on the farm, to ensure that planning approvals and the required liquor licenses are in place, for when the vineyards are established and in production.

2. APPLICATION

Application is made for:

- A Consent Use to allow an agricultural industry (winery), to include a tasting room and sales on the "Agriculture Zone I" zoned property; The Overberg Municipality Land Use Scheme is applicable.

In terms of the Overberg Municipality Land Use Scheme: "agricultural industry" means an enterprise for the processing of agricultural related products on or close to the land unit where these agricultural products, whether land, or marine-based (such as aquaculture), are grown, harvested and raised where processing in such proximity is necessary due to the nature, perishability and fragility of such agricultural products or promotion of tourism related activities, and includes, inter alia, dairies, wineries, distilleries, olive processing facilities,

breweries and other facilities required for the processing of agricultural products where produce packed is not produced on the land unit but does not include service trades;

“winery” means a place where wine is made and may include a selling point to the general public, tasting facilities and the provision of light meals but does not include a distillery and restaurant’

At this point, it should be noted that the EIA Regulations (Listing notices of 2017), as amended and promulgated in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) are not applicable to the subject property as:

Listing Notice 1

(8) the development of related operation of hatcheries or agri-industrial facilities outside industrial complexes where the development footprint covers an area of 2000 square meters or more.

The area used for the winery will be less than 2000 square meters and inside an existing shed.

(27) The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-

(i) the undertaking of a linear activity; or

(ii) maintenance purposes undertaken in accordance with a maintenance management plan.

No area will be cleared, as the proposal is inside existing farm buildings.

(28) Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:

(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares;
or

(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.

The area is outside an urban area, no new land will be developed.

(56) The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometer-

(i) where the existing reserve is wider than 13,5 meters; or

(ii) where no reserve exists, where the existing road is wider than 8 metres;

excluding where widening or lengthening occur inside urban areas.

No roads will be widened by more than 6 metres, or lengthened by more than 1 kilometre.

All roads are existing.

Listing Notice 3

(4) The development of a road wider than 4 metres with a reserve less than 13,5 metres. Areas outside urban areas;

(aa) Areas containing indigenous vegetation;

(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;

No new roads area created.

3. PROPERTY DESCRIPTION

The Remainder of Farm 975 Caledon RD is registered under T63252/2021. GPS coordinates of the farm is 34°24'46.43"S and 19°30'.54.57"E.

TOTAL AREA	65,1003ha
REGISTERED OWNER	Saurwein Wines (Pty) Ltd
Boundaries: North	Farm 628
East	Farm 628
South	Farms 660/6 & 654/18
West	Farm 975/2

The subject property is located approximately 5km northeast from Stanford. The farm falls under the jurisdiction of the Overstrand Municipality and is situated amongst other agricultural properties. The northern portion of the farm is mountainous area with fynbos, while the southern portion has been mainly ploughed, along with areas of blue gum. Please see attached locality plan.



Google Earth image, indicating the farm extent.

4. CURRENT ZONING

The subject property is zoned as "Agriculture Zone I" in terms of the Overstrand Integrated Zoning Scheme. No change in zoning is proposed and the primary use remains agriculture.

5. THE DEVELOPMENT PROPOSAL

Due to the farm being small, the Remainder of Farm 975 has limited agricultural potential. The farmyard and agricultural lands are at the foot of a pristine natural fynbos area. Portions of the farm has been cultivated and a soil analysis was done by Vinpro, to determine the viability of these portions of land for future vineyards. It was determined that the soil was suitable for the quantity and type of vineyards envisioned by the Saurwein Wines (Pty) Ltd and they are then now in the process of soil preparation before the planting of vineyards commences.

A maximum of 4ha vineyards is envisioned, with an initial 1,1ha Riesling at the entrance of the farm, a 0,38 portion Pinot noir to follow, with the rest later as soil preparation progresses. The vineyards will be organic on this regenerative agricultural farm. Water registrations are in place for the initial irrigation. It is believed that once the vineyards are established, very little irrigation water will be required.

The application is for a boutique winery, that will represent a niche, exclusive, small wine brand. Everything will as far as possible be done by hand. The winery will be accommodated in the existing barn. A section of the buildings will be used to warehouse the wine.

To make sure that the planning approval and liquor license is ready once the vineyards go into production, application is now already made for a winery, along with a tasting and sales facility. The proposed uses will be accommodated in an existing shed and lapa.

The boutique, maximum 20-ton cellar will be developed over the next few years, where grapes mostly harvested on Farm 975, will be used. Grapes from elsewhere in the district might be bought in for blending purposes. The cellar will have a storage capacity of approximately 13 000 liters. Cultivars that will be initially grown on the farm will include Riesling and Pinot Noir.

The barn, in which the cellar will be located, has a footprint of 125m². All infrastructure is in place and water tanks are located next to the building. Bottling of the wine will be done with a mobile bottling unit and doesn't require any permanent infrastructure.

Water required for the wine production is well within the approved water-use rights of the farm. Water is required for the production of wine and cleaning. All access water will be collected and recycled for re-use in the cellar. Water will be screened to collect all solid material.

Grape skins will be dried and then sprinkled in the winery as compost. Any other solid waste is sold to Brenochem.

The facilities will not have any visual impact since it is located inside and between existing buildings and not visible from neighbouring farms or a public road.

The tasting facility will only be open on appointment and will be accommodated inside an existing lapa. The lapa covers an area of 40m², with a verandah in front. Parking will be provided just north of the building.



Photo 1. Photo of the barn in which the winery is proposed.



Photo 2. Photo of the lapa in which the wine tasting is proposed.

6. ACCESS & ADDITIONAL TRAFFIC

- Access to the farm is existing and taken off public Road OP4033.
- Parking to be provided close to the tasting facility as prescribed by the relevant regulations.
- The proposed winery will not attract high volumes of traffic, with the winery being small and the wine tasting only available upon appointment.
- There is a large open area surrounding the proposed cellar, that will be used for loading and offloading.

7. SERVICES

Water

Rainwater harvesting tanks are already in place, but water is also obtained from a borehole and spring water that is kept in tanks. Please refer to the attached Water Registration certificates.

Sewerage

A closed system conservancy tank is used and will be emptied by the Municipality as required.

Electricity

Electricity will be generated by solar panels.

Rubbish removal

All rubbish that cannot be recycled, will be removed to a licensed municipal dumping site.

Cellar Effluent

It is estimated that approximately 130m³ effluent will be generated annually from the cellar. Effluent will however be screened and recycled.

8. ENVIRONMENTAL APPLICATION

A basic assessment in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) will not be required, since none of the regulations are triggered.

9. EXISTING POLICY FRAMEWORKS

9.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK

From the document the following:

'Overstrand Municipality works towards creating a An Environmentally Sustainable and Resilient Overstrand

Environmental management towards achieving sustainability is a vital component of sound urban and regional planning. It can be explained as a combination of spatial planning and land-use management of urban and rural areas, focused at meeting the needs of the current population without unduly compromising the natural environment or the ability of future generations of meeting their needs. A key component of environmental sustainability is environmental resilience, referring to the ability of ecosystems to recover from the impacts of natural hazards in the short to medium term and to adapt to future scenarios such as climate change in the long term. Some landscape features are more likely to support biodiversity resilience to climate change than others.

The key contributors to achieving an environmentally sustainable and resilient area are spatial planning and design that considers environmental attributes and physical constraints, judicious rural land-use management and the safeguarding of biodiversity features that provide key ecosystem services. Areas important for climate change resilience need to be managed and conserved through a range of mechanisms including land-use planning, environmental impact assessments, protected area expansion, and collaboration with industry sectors to minimise their spatial footprint and other impacts.

One of the important aims will be to Protect Biodiversity and agricultural resources. This can be achieved through:

- i. The existing pattern of development should be maintained and the establishment of new nodes or settlements should not be encouraged. If, however, the Municipality deem a new node or settlement to be desirable, the proposed development thereof should take place in a manner consistent with the overarching long term vision and spatial directives of this MSDF.*
- ii. Ensure that development is confined within urban edges and growth is managed based on sustainable densification principles.*
- iii. Prevent unsustainable change in land use of biodiversity rich rural areas, existing agricultural activity and soil with agricultural potential to other uses.*
- iv. Ensure that existing agricultural activity and soils with high production potential is retained.*
- v. Minimise the fragmentation of rural land by managing rural development based on the Overstrand SDF Rural Land Use Policy.*

- vi. *Subdivision of agricultural land should be strongly resisted except where it is consistent with the requirements as stipulated by Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) and the related policy of the responsible department (SDF Policy P.1, 2006).*
- vii. *The desirability of designating mining areas should take into account the worth of the material to be extracted against the long term costs to the visual quality of the area, the potential loss in agricultural production, as well as the impacts on existing rights of neighbouring property owners*

9.2 PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)

The PSDF is prepared at a provincial level and therefore sets out important principles that inform decision making at a local level. The document contains a complex set of policies that are applicable to the whole province. The most applicable challenges and opportunities set forth in this case are:

- Undeveloped potential in tourism markets, especially in some rural areas where new product opportunities for cultural, adventure and ecotourism exist. This potential should be utilised, but in an environmentally responsible manner;
- Environmental damage due to inadequate environmental management. Uncontrolled growth and development will start affecting the 'landscape' resource. A symbiotic relationship needs to be developed where features are protected as assets for tourism, while tourism generates the motivation and finances to protect environmental resources;
- Linking of tourism resources by theme, promotion, product differentiation, transportation can create a better offer, thereby drawing a larger market;
- Increase variety of tourist attractions and activities in focus areas to induce tourists to stay longer, and encourage returns;

9.3 Section 42 of the Spatial Planning and Land Use Management Act (SPLUMA) and Chapter 6 of the Land Use Planning ACT (LUPA)

The Spatial Planning and Land Use Management Act (SPLUMA) and Land Use Planning Act (LUPA) are applicable. One of the main objectives of these acts is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances.

Section 42 of SPLUMA and Chapter 6 of LUPA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- development principles set out in Chapter 2 of SPLUMA
- protect and promote the sustainable use of agricultural land
- national and provincial government policies
- the municipal spatial development framework; and take into account—
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
 - (vi) any factors that may be prescribed, including timeframes for making decisions.

SPLUMA and LUPA sets out the following 5 main development principles applicable to spatial planning, land use management and land development:

1. Spatial justice
2. Spatial sustainability
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

Compliance with SPLUMA & LUPA Principles:

As discussed in paragraphs 9.1 and 9.2 of this report, this development proposal is consistent with the approved statutory spatial policy framework for the area, as well as the Provincial Spatial Development Framework. The table below indicates how the proposed development will be consistent with the SPLUMA principles.

SPLUMA & LUPA Principle	Compliance
Spatial Justice	The cellar and tasting facility will contribute towards making the farm economically more

	<p>sustainable.</p> <p>It strengthens existing tourist facilities in the area, by providing visitors with an alternative experience, thereby giving them reason to visit the area for longer and more often.</p>
Spatial Sustainability	<p>The proposal is in line with existing overhead planning documents.</p> <p>The development proposal is sensitive to the natural environment and developed agricultural land by accommodating the proposal inside existing buildings.</p> <p>It's got a small infrastructure and services footprint that already exists.</p>
Spatial Efficiency	<p>The proposed uses make use of existing resources.</p> <p>The development add value to the existing farm activities.</p>
Spatial Resilience	<p>The proposed uses will help to develop to develop the small farm as an economical sustainable entity.</p>
Good Administration	<p>This principle has no direct bearing on the application; however, the Overstrand Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.</p>

10. DESIRABILITY

10.1 Title Deed

- There are no restrictions in terms of the Title deed, that could have an influence on this application and that have to be removed in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967).

10.2 Physical Characteristics of the Property

- The proposed uses will not impact negatively on the physical characteristics of the property, since no additional permanent structures are proposed outside the existing built-up area.

10.3 Overhead Planning

The project complies with the overhead planning for the area:

- The proposal is in line with the Spatial Development Framework for this area by making use of existing infrastructure, having an environmentally friendly approach and by developing agricultural land.

10.4 Compliance with SPLUMA & LUPA

The proposal is in compliance with the principles of SPLUMA & LUPA.

10.5 Agricultural Activities

The consent use will diversify the use of the farm, without impacting on the agricultural potential of the farm.

10.6 Character of the Area

The area surrounding the farm is characterised by agricultural uses and tourist facilities. With no significant additional structures proposed, the facilities will fit in with the character of the area, without having a negative impact.

10.7 Visual Impact

The proposed uses will be entirely inside existing buildings and will not have any visual impact. It is also not visible from a public road or surrounding properties.

10.8 Potential of the Site

By making use of existing infrastructure, inside existing buildings, optimal use is made of available resources. The use will not have any impact on existing farming activities or on any sensitive environmental area.

The farm has, as mentioned earlier, limited agricultural potential. The winery, along with the vineyards, will contribute towards developing the farm as an economical sustainable unit.

10.9 No impact on Existing Rights

Given the fact that the proposal is consistent with spatial planning policy, and the fact that these facilities are located inside existing buildings, it is the considered opinion that the proposed application will not have an undue impact on any of the existing land use rights.

10.10 Economic Benefit

- Unemployment is a significant challenge in the area. The winery and function venue supplies in a significant number of permanent and temporary job opportunities

11. CONCLUSION

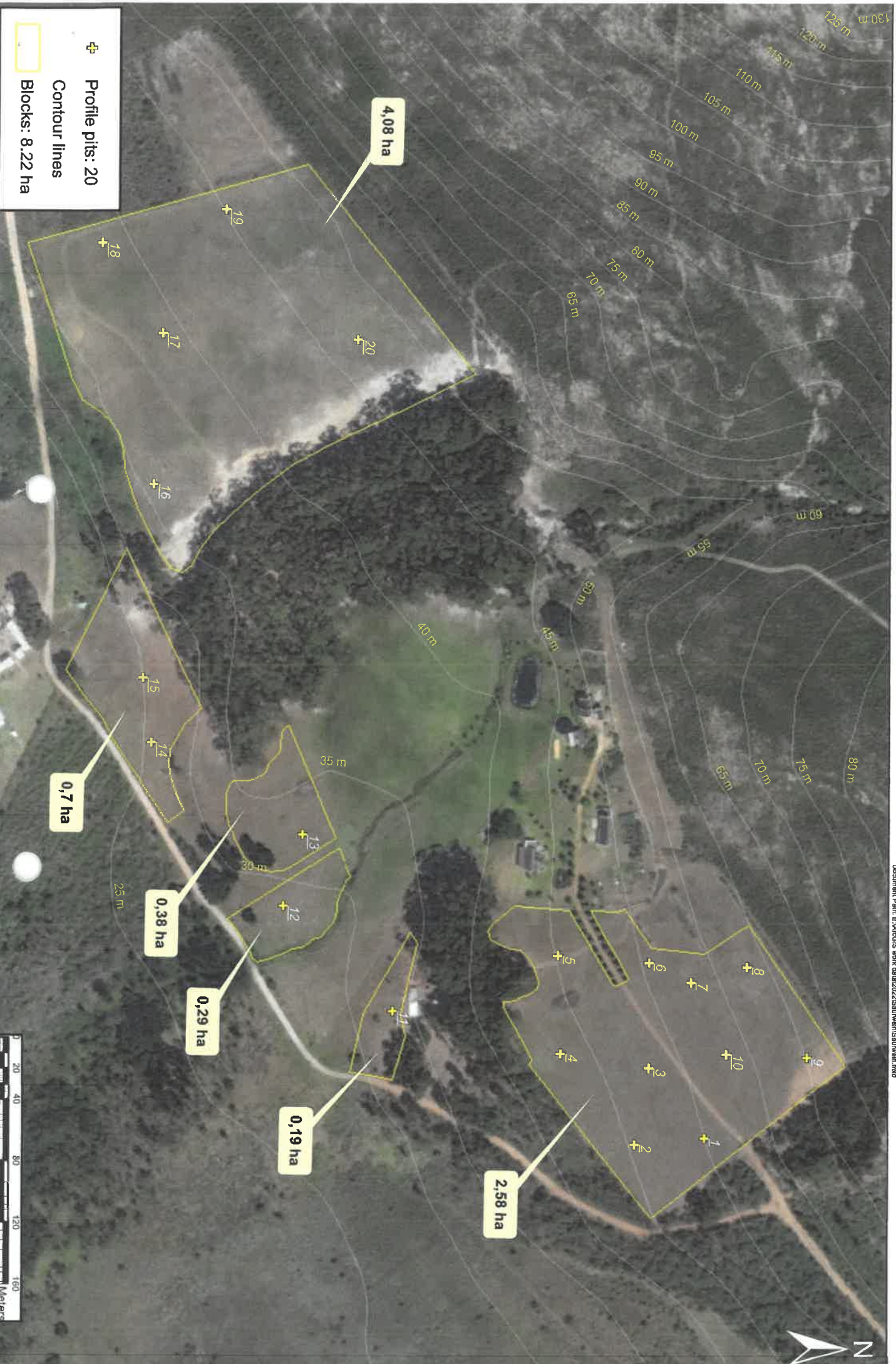
The proposed consent use will result in a low impact development, making use of infrastructure and resources that is already available and in place. The proposal will not have an undue negative impact on surrounding neighbours. The consent use will not impact negatively on the character of the farm. The proposal is in line with national and provincial legislation, as well as policy documents and is acceptable in terms of desirability. A use of this nature contributes towards strengthening the entire tourism market.

Farm map: Waterval: 8.22 ha

Coordinate System: L019 WGS84
Projection: Transverse Mercator

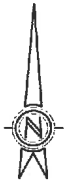
Kaart saamgestel deur Johan de Jager
072 139 9661
johan@vinpro.co.za
Date: 2022/01/21

Document Path: E:\ArcGIS\work\data\2022\saamgestel\saamgestel.mxd



⊕ Profile pits: 20
Contour lines
Blocks: 8.22 ha





RE/628

RE/627

RE/975

2/975

FARMYARD

EXIST. BLUEGUM FOREST

EXIST. BLUEGUM FOREST

6/660

18/654

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PROJECT

SITE PLAN: FARM 975 CALEDON RD
OVERSTRAND MUNICIPALITY



Land Surveyors • Town Planners

DRAWN

LT

SCALE

1: 10 000

DWG No.

CAL2724.1

Notes:

All areas and distances
are subject to final survey

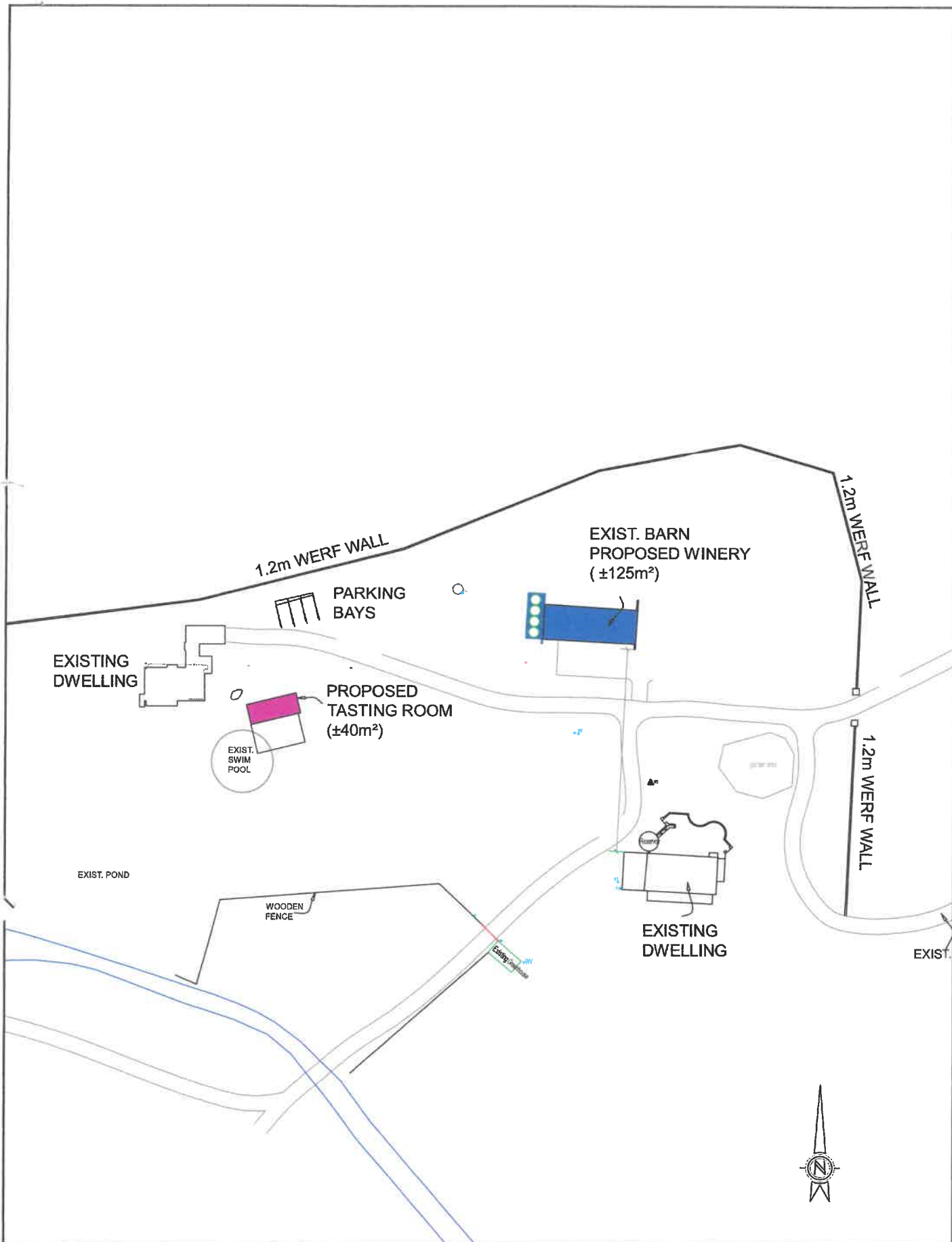
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DATE

JAN 2022

REVISION



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PROJECT
FARMYARD SITE PLAN: FARM 975 CALEDON RD
OVERSTRAND MUNICIPALITY



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SCALE 1: 1 000	DATE JAN 2022
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