

PORTION 32 OF THE FARM MATJESFONTEIN NO 304
APPLICATION FOR
REZONING AND SUBDIVISION



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SECTION A :**BACKGROUND****1. BACKGROUND**

Portion 32 of the Farm Matjesfontein No 304 (*hereafter referred to as "the application area"*), was originally part of the "Sanbonani Estate", a resort development that was initially approved by the Provincial Government during 1989. A copy of the letter of approval is attached as **ANNEXURE A**. Thereafter, the development was renamed to "Sanderlings" and the application area is known as "Sanderlings Phase 4". Figure 1 below shows, the application area in relation to the entire approved Sanderlings-development.

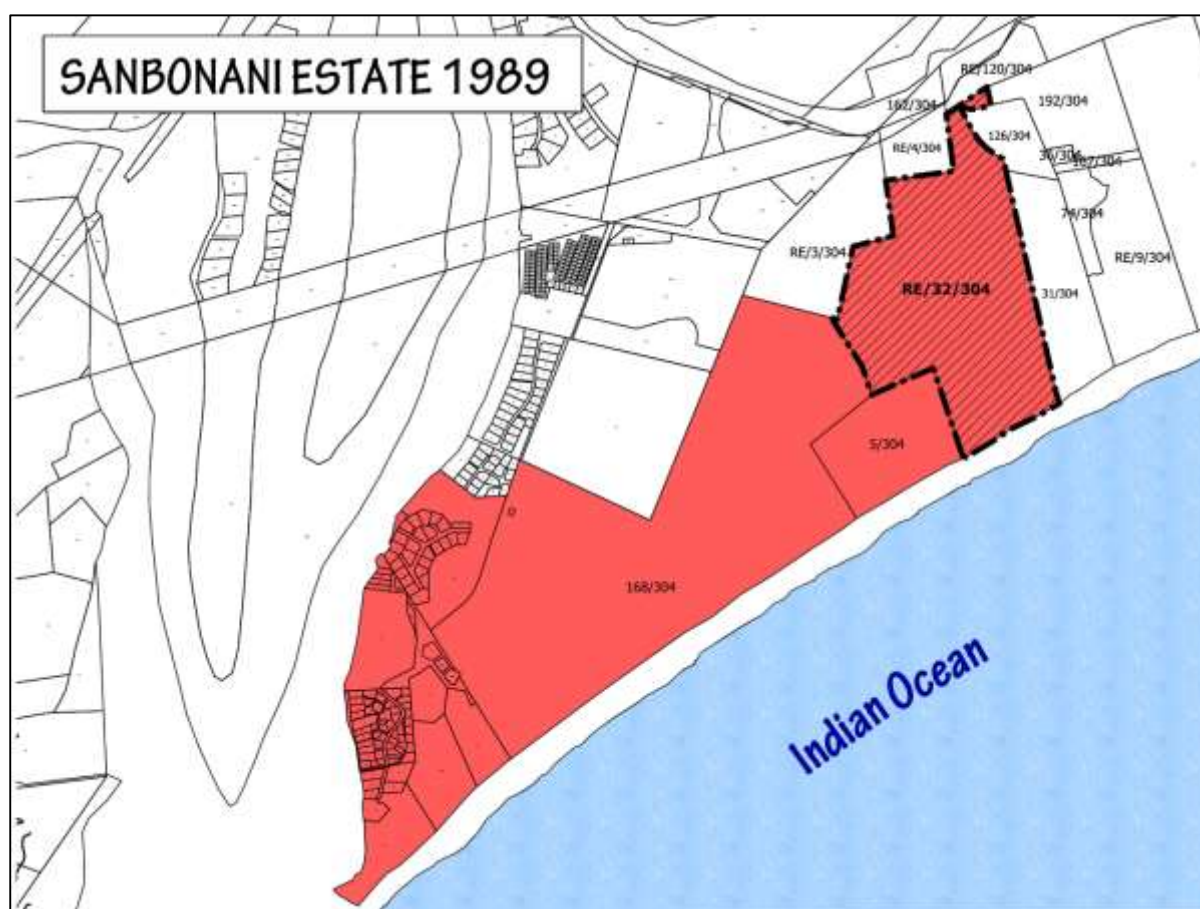


FIGURE 1: SITE IN RELATION TO OVERALL SANDERLINGS DEVELOPMENT

The history relating to development approvals on the Sanderlings Estate and the application area is summarised as follows:

- 1989-12-13 - Provincial Administration Western Cape (PAWC) - approves development on sites. A copy of this approval is attached as **ANNEXURE A** to this report. Notable conditions of approval were:
 - That a *maximum of 820 holiday units and a hotel with 180 rooms be erected provided that an average gross density of 8 units per hectare not be exceeded.*

- The detail of the layout be done to the satisfaction of the local authority and the Department of Nature and Environmental Conservation based on the draft layout plan submitted and with due consideration of the conditions of approval.
- No development takes place below the 1:50 year floodline;
- The tighter grouping of units be considered to retain as much as possible of the natural environment;
- The frontal dune system be protected by fencing including the fencing in of picnic areas and pathways to the beach;
- No lateral development takes place along the due ridges i.e. pedestrian pathways and picnic sites;
- The areas in the south east sector, including "The Ridge" not be developed;
- The aquifer situated below the intended site of the man-made lake must be protected and not contaminated by sea water;

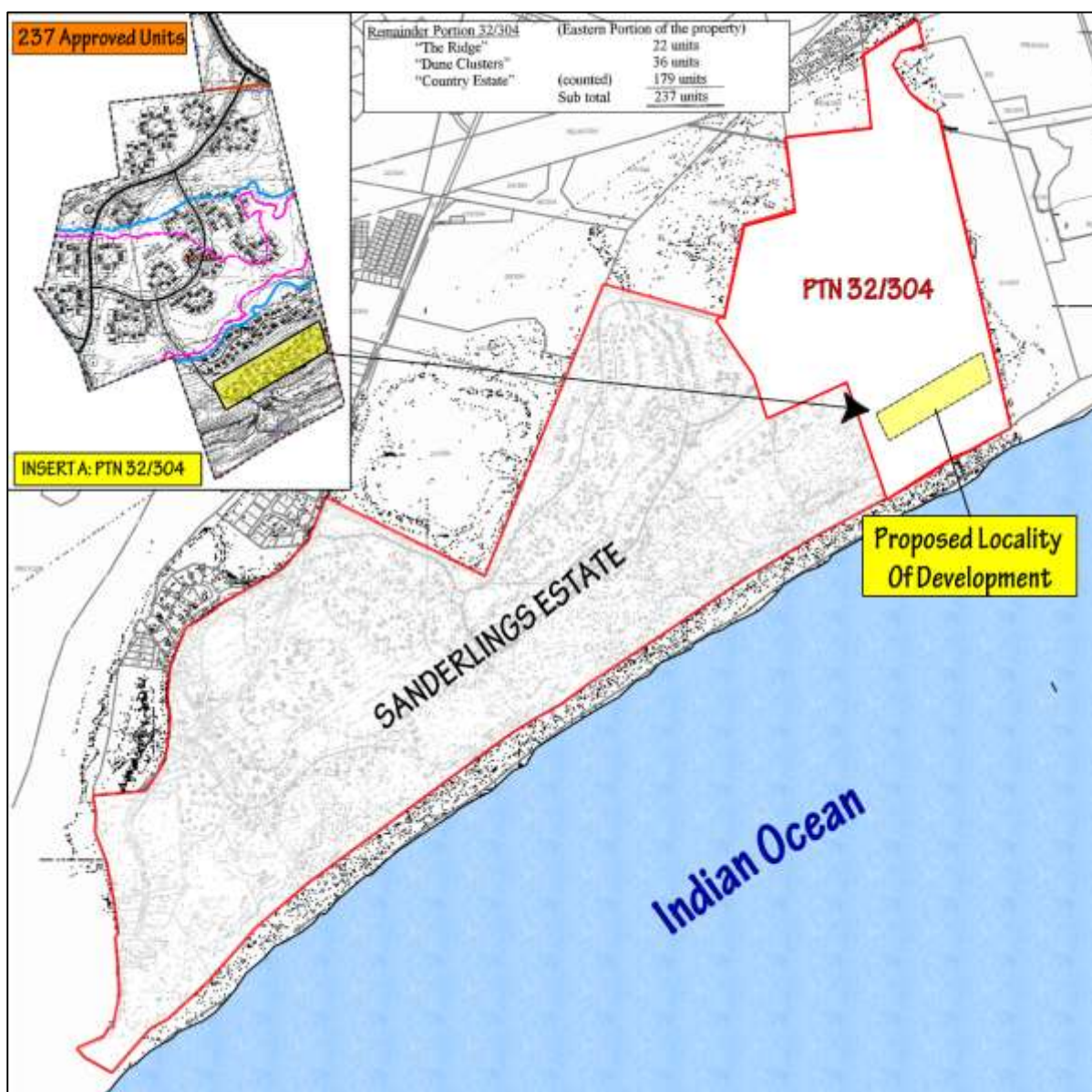


FIGURE 2: SITE IN RELATION TO OVERALL SANDERLINGS LAYOUT

Figure 2 above shows that the current application area has proportional development rights for two hundred and thirty seven (237) resort units.

1991-03-22 - PAWC - Comments on layout:

- This was seen to be compatible with the guide plan, which in fact identified a large part of the property for township development;
- The most important natural features of the site, namely the coastal dunes and the Keurbooms River frontage appeared to be adequately safeguarded by the proposal;
- The establishment of a new wetland feature created an environmental asset;
- the development should be largely self-contained from a recreational point of view, and should offer no access by water onto the already over stressed Keurbooms Lagoon;
- There are many areas of environmental importance on the site, these include rugged, potentially unstable coastal dunes containing conservation-worthy indigenous vegetation;
- Limited controlled access to the beachfront should be provided, and the dune area managed as an environmental reserve
- Architectural design should ...attempt to mass building fronts by staggering siting of units on the lake edge, restricting infilling or excavation on individual plots (by using pylons constructions etc.). All individual vegetation of any quality should be retained where possible;
- Lake edges should be 'natural' where possible and stabilised with suitable plantings of wetland plants. This will serve the dual purpose of assisting the maintenance of acceptable water quality in the 'lake', and protecting banks against erosion.
- The principle of extensive use of rooted aquatic plants (macrophytes) to reduce nutrient-content of the water body is ... of particular importance;
- The necessity of self-contained recreational opportunities within the development is re-endorsed, and the principle of restricting access from the artificial water bodies to the lagoon is reiterated.

2008-05-26 - zoning rights were confirmed, hence the zoning rights cannot lapse. A copy of the letter from Bitou Municipality dated 26 May 2008 is attached to this report as **ANNEXURE B**

2014-11-04 - Bitou Municipality confirms the zoning of the site as "Resort Zone II". A copy of the Zoning Certificate is attached as **ANNEXURE C**

2. THE APPLICATION

Marika Vreken Urban and Environmental Planners has been appointed by Keurbooms Trust, (refer **ANNEXURE D** for Company Resolution & Power of Attorney) to prepare and submit the required application documentation (refer to **ANNEXURE E**: Zoning Certificate: 4 November 2014

Power of Attorney & Company Resolution

Application Form for:

- (i) The subdivision of Portion 32 of the Farm Matjesfontein No 304, Division Knysna into Five (5) Portions, in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).
- (ii) The rezoning of Portion E of Portion 32 of the Farm Matjesfontein No 304, Division Knysna from "Resort Zone II" to "Subdivisional Area" in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
- (iii) The subdivision of Portion E of Portion 32 of the Farm Matjesfontein 304, Division Knysna into 9 portions (8 x Residential Zone II erven; 1 x Open Space Zone II (Private Nature Reserve) in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).
- (iv) A departure from the Section 8 Zoning Scheme Regulations to allow a group housing site larger than 2ha in extent, in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

At this point, it should be noted that the Environmental Regulations (GN R544 – 546 of December 2014, 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:

- The proposed development does not trigger any of the NEMA 2014 listed activities and as such a NEMA Environmental Authorisation is not required
- The site is located within the demarcated area for the Keurbooms Local Area Structure Plan
- Site is located on disturbed area previously used as a camping facility
- Site is part of an existing approved development (commenced during 1990's)
- No new buildings / construction will take place within 100m from the high water mark;
- No new buildings / construction will take place within 32m of the wetland.
- The area to be transformed will be less than 5 ha;

3. PROPERTY DESCRIPTION SIZE AND OWNERSHIP

A copy of the Title Deed which includes all the information outlined below is contained in **ANNEXURE F**. The Surveyor General Diagram (SG 6660/1969) of the subject property is contained in **ANNEXURE G**.

Title Deed Number:	T55555/2008
Title Deed Description:	Portion 32 of the Farm Matjesfontein No 304, in the Bitou Municipality, Division of Knysna, Western Cape Province
Property Owner:	The Trustees of the time being of The Keurbooms Trust

Registration No IT 1579/2008

Title Deed Restrictions: Condition F (1): "... the land is not be subdivided further without the written approval of the controlling authority, as defined in Section 1 of Act 21/1940..."

Condition F(2): "...with the exception of the existing dwellings, no further dwellings, together with such outbuildings as are ordinarily required to be used in connection therewith, shall be erected on the land without the written approval of the controlling authority, as defined in Section 1 of Act 21/1940..."

Condition F(3): "...the land shall be used for residential and agricultural purposes only and with the exception of the existing store, Post Office and Anchor Inn, no further business or structure shall be opened or erected thereon without the written approval of the controlling authority, as defined in Section 1 of Act 21/1940..."

Condition F(4): "...no structure or any other thing whatsoever shall be erected within a distance of 94,46 metres, measured from the centreline of the National Road without the written approval of the controlling authority, as defined in Section 1 of Act 21/1940..."

Any application for subdivision has to be forwarded to the Department of Transport for its written consent before the local authority can approve a subdivision application on this property. Since the site already has confirmed development rights, this is seen as a formality. The District Roads Engineer has already granted approval for previous subdivisions of the site during 2004 and again during 2005.

Further in terms of Conditions B & C, the property is **entitled** to the following condition: "... *the property thereby conveyed is subject to the condition that no hotel, guest house, boarding house, or any form of liquor license shall be conducted on the property thereby transferred which condition is in favour of the remaining extent of the property held hereunder or any subdivision thereof...*"

Bonds:	There is a bond registered over the property. The bond holder's written permission has been applied for and will be provided in due course
Property Size:	32,7065 ha (THIRTY TWO COMMA SEVEN ZERO SIX FIVE) HECTARES
Servitudes:	A 12,59m wide access servitude in favour of the general public is aligned along the western boundary of the application area (refer to ANNEXURE G for S.G. Diagram 6660/1969). A 3m wide pipe line servitude is registered along the northern boundary of the site (refer to ANNEXURE G for S.G. Diagram 3294/1997)

SECTION B :**DEVELOPMENT PROPOSAL****4. DEVELOPMENT SPECIFICATIONS**

(Refer Plan 3: Subdivision Plan: Portion 32 & Plan 4: Subdivision Plan: Portion E of Portion 32)

The development proposal entails the subdivision of the application area into 5 portions. These portions are:

- Portion A: Remainder of the Resort zone II that will be developed for resort purposes at a later stage
- Portion B: Formalisation of Divisional Road MR 394 that bisects the application area;
- Portion C: the Portion of the Resort Zone II remainder that is separated from the main property by Divisional Road MR 394
- Portion D: the portion of the property that is subject to a public access servitude along the western boundary
- Portion E: The focus area of this application, which is the addition of eight (8) new erven and the creation of a private nature reserve on the application area.

Section 22(1)(a) of the Land Use Planning Ordinance states that no application for subdivision involving a change of zoning shall be considered unless and until the land concerned has been zoned in a manner permitting of subdivision. Therefore, in order to obtain approval for the proposed group housing units, the property has to be zoned to a subdivisinal area for group housing purposes.

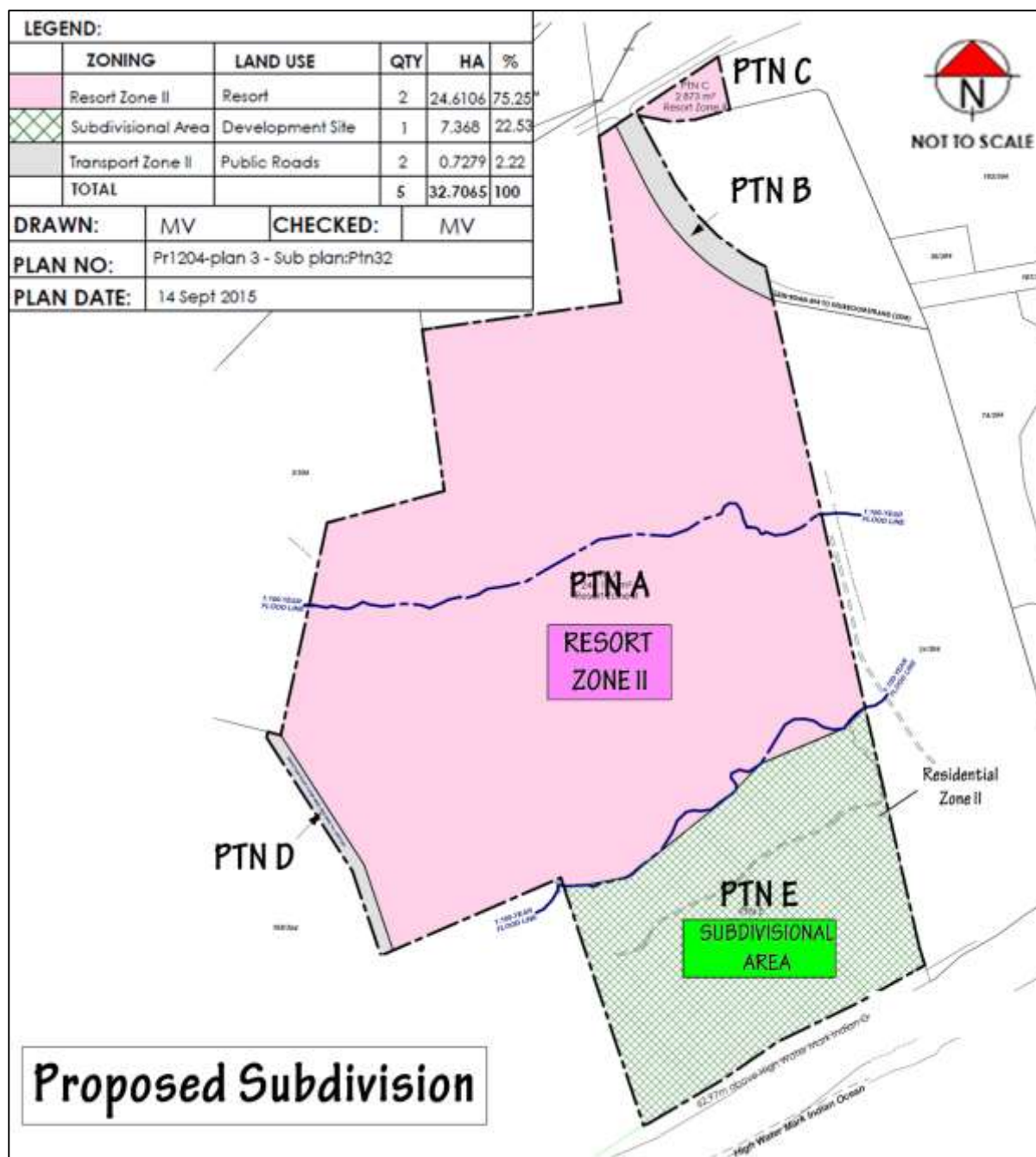


FIGURE 3: PROPOSED SUBDIVISION

4.1. Rezoning and Subdivision

The purpose is to rezone Portion E of the application area to a subdivisional area for 8 Residential Zone II (group housing) erven and 1 x Open Space Zone II (Private open space) erf. The proposed residential erven on the subject property will comply with the development parameters of the Residential Zone II zoning category as set out in the Section 8 Zoning Scheme Regulations (P.N1048/1998). The aesthetical appearance of the proposed new dwellings will be managed by architectural design guidelines that will be specifically designed for this development. A copy of the draft Architectural Design Guidelines is attached as **ANNEXURE H**.

The primary use for the selected zoning category makes provision for Group Housing that is defined as “a group of separate and/or linked dwelling units planned, designed and built as a harmonious architectural entity and arranged around or inside a communal open space in a varied and ordered way, of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided”.

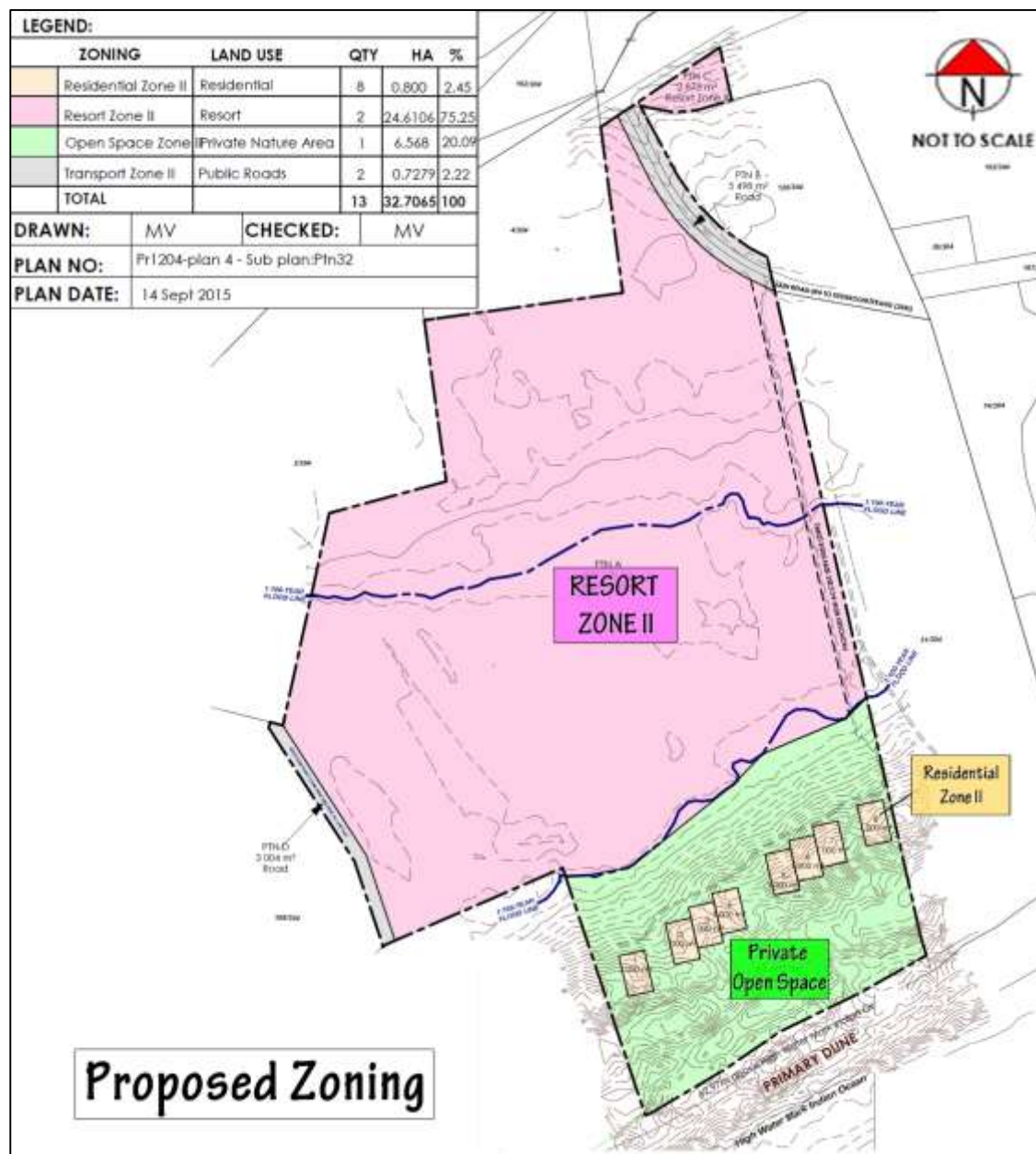


FIGURE 4: ZONING PROPOSAL

It must be further noted that the 8 proposed group housing erven will accommodate 1 dwelling unit each, thus compromising 8 dwelling units in total. It is not the intention to develop each individual group housing erf into a group housing scheme.

4.1.1. Average size & Density

The application area will accommodate a total 8 group housing erven on 7, 3683 ha, hence the average density for the group housing units calculates to 0.92 units per

hectare. This equates to 1 dwelling unit for every 9210 square meters of land. This is significantly less than the current zoning rights on the property for 237 resort units which equates to 7.24 dwelling units per hectare which is 1 dwelling unit for every 0.138ha.

When compared the proposed development is almost 8 times less dense than the approved resort units on the property.

The 8 group housing erven will measure 8000m² in total. Each of the proposed group housing erven will be 1000m² in extent and will only accommodate 1 dwelling unit per site. The current approved 237 resort units on the site allow for a maximum of 225m² per resort unit which equates to 5.3325 ha of land demarcated for resort development. When compared in terms of size the proposed development will only disturb 2.4% of the total property whilst the resort development will accommodate approximately 16.3% of the total land. In terms of size the proposed development requires almost 8 times less space than the approved resort units.

The proposed units will be located in a linear pattern towards the south side of the property on a portion of the property that is disturbed and that has been used for a resort development in the past. Traces of the old building footprints and foundations are still visible on the site. The intention is to alienate the group housing erven as free hold title erven, all being part of a Home Owners' Association.

4.1.2. Private Open Space

The Section 8 Zoning Scheme Regulations (P.N1048/1998) prescribes that Group housing has to be *arranged around or inside a communal open space in a varied and ordered way*.

The proposed eight (8) group housing sites located in a linear pattern will be surrounded by Open Space Zone II that according to the Section Zoning Scheme is defined as:

"any land which has been set aside in this scheme for utilization primarily as a private site for sports, play, rest or recreational facilities or as an ornamental garden or a pleasure garden and includes public land which is or will be leased on a long-term basis and a cemetery, whether public or private".

An approximate total of 6,5683ha will be zoned as Open Space Zone II and located around the proposed eight (8) group housing erven.

This communal private open space will be managed and maintained by the home owner's association as a private nature reserve.

The private open space will contain a private access road that will provide access to the group housing units. The access road will predominantly follow the existing private road on the application area.

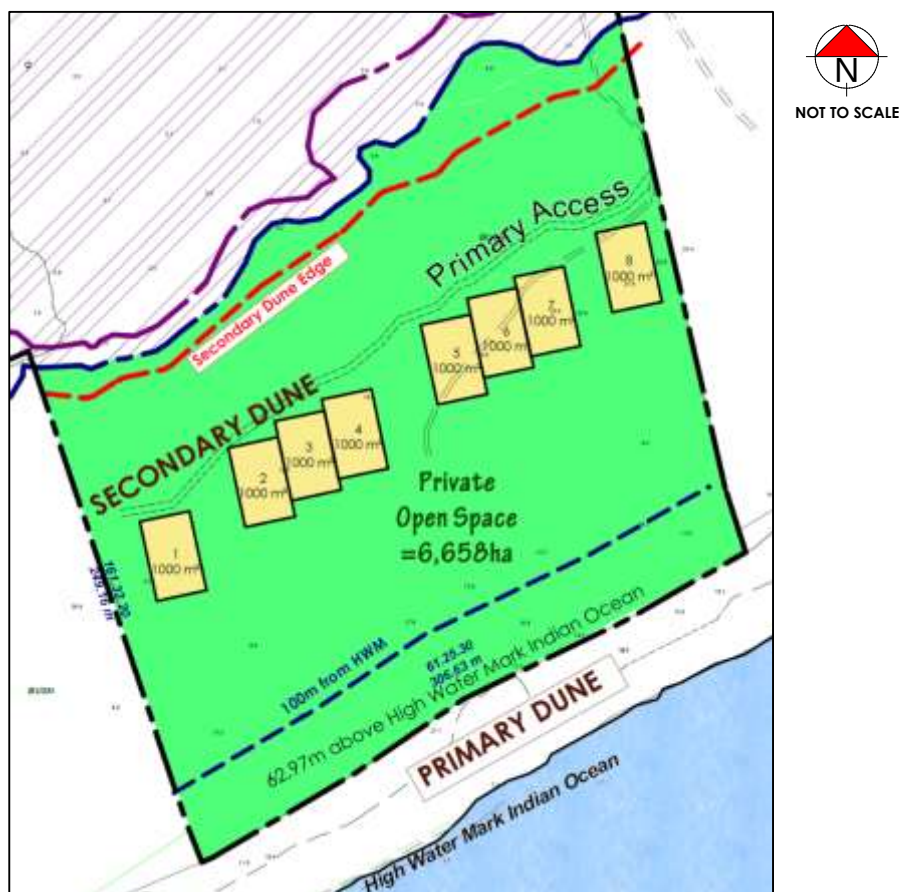


FIGURE 5: PRIVATE OPEN SPACE

4.1.3. Access and Roads

Access to the property is obtained off Main Road 394 which provides access to Keurboomstrand. Primary access to the proposed development is obtained through a private access road located on the north eastern corner of the property, the same access point when the original approved resort development was proposed. Access to the application area will be provided via an existing private access road that will be registered as an access servitude over Portion A (refer Plan 4: Subdivision Plan: Portion E of Portion 32).

There is currently a 40 feet (12,594m) right of way servitude registered in favour of the general public along the western property boundary of Portion 32. This servitude serves as a public access to the sea.

The proposed access road to the eight (8) new group housing erven, follows the existing farm road and its condition is such that it can be easily accessed by ordinary vehicles up until the secondary dune, where the road has become somewhat overgrown. At this point, the road will be redeveloped and managed to provide access to the eight new group housing units.



FIGURE 6: ACCESS AND INTERNAL PRIVATE ROAD



FIGURE 7: ACCESS RELATED PROPERTIES

4.1.4. Architectural Design Guidelines

Draft Architectural Design guidelines were compiled for the proposed development and it is attached as ANNEXURE H to this report. The proposed development will accommodate eight (8) group housing erven in total. The architectural design guidelines are unique to the proposed development and strives to ensure a coordinated aesthetic design where the architecture is in harmony with the

surrounding environment. The design manual will contribute to enhance investment value of the estate by having development controls in place that enhance the development as a whole. The main objective is to mitigate the impact of buildings (*in particular visual impact*) on the environment through sustainable integrated design, protecting building areas from the dangers of haphazard design.

The applicant envisions to construct 8 dwelling units in a linear pattern on the existing disturbed area of the previous caravan park to capitalise on the magnificent views presented by the surrounding natural environment. Each erf size will measure approximately 1000m² in extent. The coverage allowed for each erf will amount to approximately 38.5% (385m²). The total floor area ratio (FAR) for every dwelling unit is 0.61

Each unit will consist of a basement, ground floor, first floor and a roof garden to ensure visual impact is mitigated to surrounding property as well as motorists who travel on MR 394 and the N2 National road.

Figure 9 below shows the typical architectural style that will be encouraged for the proposed dwelling units. Renderings of the proposed Architectural designs are attached as Plan 5: Architecture Designs

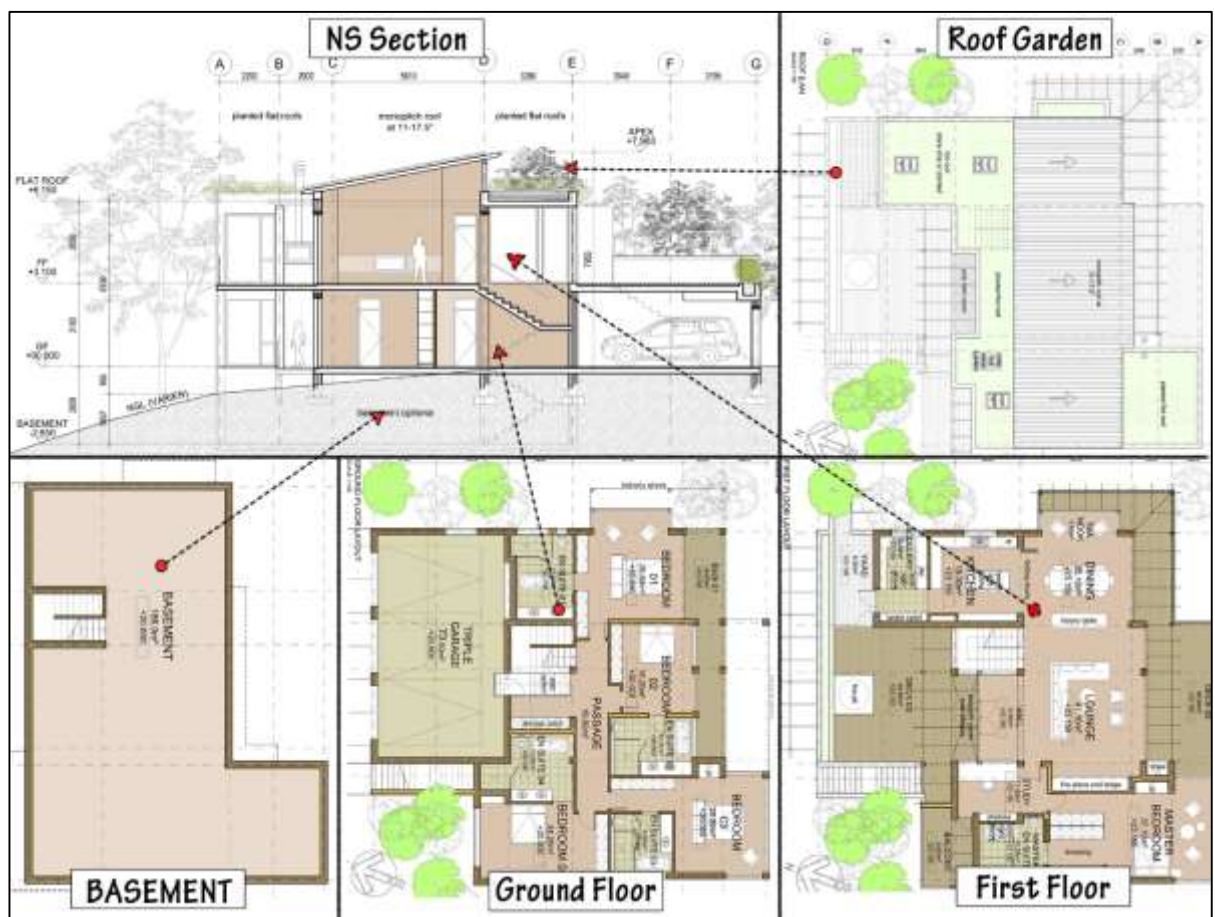


FIGURE 8: TYPICAL UNIT FLOOR LAYOUT PLAN



FIGURE 9: PROPOSED ARCHITECTURAL STYLE ON SITE 2

4.2. Departure for area allocated for group housing

The Section 8 Zoning Scheme Regulations (P.N1048/1998) prescribe that “no group housing site may have an area greater than 2ha”. It is therefore necessary to depart from the Section 8 zoning scheme to allow the proposed zone to accommodate a group housing site larger than 2ha. The size of Portion E (the group housing site) will be 7.3683 ha.

It should be noted that specific location on the site where the group housing sites are proposed, known as the Ridge, has proportional rights for twenty two (22) resort units whilst the remainder of the property has proportional rights for two hundred and fifteen (215) resort units. It is proposed to minimise the disturbance area by providing 8 group housing sites surrounded by private open space that will complement the character of the surrounding area.

The current site for the proposed development is on the disturbed area of a dilapidated holiday caravan park. There are disintegrated ruins present on site an indication that the site was abandoned and neglected for a number of years. The group housing units were

strategically allocated to the disturbed areas identified through vigorous site visits with environmental consultants to minimise the impact of the disturbed areas and surrounding vegetation. The group housing development will comply with the definition and parameters for "Group housing" in the Section 8 Zoning Scheme Regulations.

It should be noted that the proposed departure is required hence the total area of the property rezoned for group housing totals 7,3683ha. This includes group eight group housing sites measuring 0.8ha surrounded by the private open space measuring 6,568ha. The group housing Units to be constructed on the proposed group housing sites will comply with the parameters as set out for Residential Zone II properties in the Section 8 Zoning Scheme Regulations.

SECTION C :

SERVICES INFRASTRUCTURE

5. CIVIL SERVICES

Tuiniqua Consulting Engineers have been appointed to investigate the bulk external civil engineering services that are subject to units proposed on the property. The full report is attached as **ANNEXURE I**.

5.1. Water

5.1.1. Supply and Storage

The primary point of supply is the water purification works in Flying Cloud Avenue in central Plettenberg Bay. The Municipality has indicated that a phased implementation is required with the existing use available as a first phase.

In order to calculate the additional water demand created by the redevelopment, consumption figures as supplied by the Municipality are used. These figures will also be used to calculate a pro-rata contribution for storage and transportation.

5.1.2. Water Demand

The following tables illustrate the water demand generated by the proposed development:

TABLE1 Recommended Sustained Peak Demand				
Description	Capacity	No/units/(m2)	Sustained Peak Demand * m³/day	Total
Housing: Residential II	Unit Over200m ²	8	3.2	25.6
			Total	25.6

TABLE 1: RECOMMENDED SUSTAINED PEAK FLOW

TABLE2 Recommended Average Peak Demand (Per Annum)				
Description	Capacity	No/units/(m2)	Average Demand * m³/day	Total

Housing: Residential II	Unit Over200m ²	8	630	5040
			Total	5040

TABLE 2: RECOMMENDED AVERAGE PEAK DEMAND

TABLE3 Recommended Average Demand (Peak Month)				
Description	Capacity	No/units// (m ²)	Average Demand over Peak Monthm ³ /day	Total
Housing: Residential II	Unit Over200m ²	8	2.65	21.2
			Total	21.2

TABLE 3: RECOMMENDED AVERAGE DEMAND

Fire risk category:

The site is classified as low risk group 2 fire risk category.

5.1.3. Water Supply

The following Alternative water supply systems were identified:

Keurbooms river- Uplands to water purification works

Referring to 4.3.1 in the services report. The advertised augmentation fees make provision for transportation from the source up to the Water purification works in Flying Cloud Avenue.

5.1.4. Purification works to Matjesfontein Reservoir

Capacity of supply main: To be sized to 1, 5 x Additional Average demand -Peak Month

$$1.5 \times 21.2 \\ = 0.36 \text{ l/s}$$

A practical sized 100 mm Ø Class 9 main is recommended. Existing pipeline to be used.

A secondary connection point at or near the Matjesfontein reservoir is proposed.

5.1.5. Storage requirements- Matjesfontein reservoir

The Matjesfontein reservoir supplies the area under consideration. Method of supply to reservoir -gravity from one water source. Minimum storage capacity = 48 hours of Annual Average Daily Demand and Fire flow requirements.

For normal supply based on a single Hydrant:
Fire flow requirements = 500 l/min for 1 hour
Storage for fire flow = 21 m ³

There is however just one hydrant required to serve the critical area, therefore flow through one hydrant will be considered.(Radius of 120 m)
The minimum flow rate for one hydrant is 500 l/min (8.3l/s)
Required Storage for fire flow = 30 m ³

The reservoir has higher rated fire flow storage for the area it serves and no additional fire storage should be required. The Municipality has indicated that spare capacity may be available in the Matjesfontein reservoir.

5.1.6. Capacity of supply main Matjesfontein reservoir to Development

Trunk mains from reservoir to development to be sized for peak domestic demand and fire flow:

Demand Type	Demand Required
Peak domestic demand	21.2 X10(PF)= 2.45 l/s
Fire flow requirement	8.3 l/s
Capacity of supply main	A 75Ø class 9 main
Pipeline route	The route along the road reserve of Keurboomstrand road MR 394 is recommended

5.1.7. Required contributions to new and existing infrastructure

The following water mains must be contributed to on a pro rata basis:

Type	Contribution Amount
Waterworks to Goose Valley (300mm)	R45 240/l/sec (Original tender price)
Goose Valley to Keurbooms Bridge (250mm):	To be Confirmed
Keurbooms bridge to Matjesfontein reservoir (200mm)	@ R17 770/l/sec
Storage: 330 m ³	R 865/ m ³ (R288 750. 00)
New 75 mm mains from existing 200 mm mains to development	To be Confirmed

Note: These figures are estimates, final figures to be provided by the Municipality on confirmation by GLS and signing of the services agreement.

New pipelines and associated infrastructure may be required and are subject to confirmation by the Municipality and GLS.

5.1.8. Internal reticulation

The internal water reticulation is to be designed according to the "Blue Book" and installed according to SABS 1200. Materials to comply with ISO standards. The development to be supplied with a municipal approved bulk meter off the existing 200 mm diameter mains at the boundary of the development.

Minimum internal reticulation mains pipe diameter to be 75 mm diameter with 50 mm ring to houses. Unit connections crossing roads to be 38 mm i.d. with 2 x 24 mm i.d. HDPE pipes at the erf for two erven and on the near side of the road 32mm i.d. branches to 2 x 24mm HDPE connections. Pipe cover to be 1000mm minimum under roads and 600 mm under sidewalks and open spaces.

5.1.9. Pipeline Routes.

Bulk water supply. The relatively short bulk supply line route from the existing 200 mm mains or reservoir, to the development has been identified due to the minimised impact on the environment of this position compared to any other:

The route is an existing services route/road that has had services installed previously and can be seen as a scar on the aerial photographs.

The route is in close proximity of the N2 and MR 394 road reserve and fence line

The route is not prone to erosion and past trench scars have covered up in short time periods.

5.1.10. Internal network

The internal water reticulation is to follow the proposed road network where possible to reduce the impact to the environment. Consideration will be given to place pipeline routes to flattest grades and in previously disturbed areas. Other services can be installed to share trenches and services can be installed under roads, raised walkways and pathways.

5.1.11. Trenching and pipeline placement.

Trenching to be done in accordance with SABS 1200. All topsoil along the route to be removed to 150 mm deep- maintained and replaced as the final compacted layer. Regular compaction tests to be done to ensure adequate soil compaction in pipeline trenches.

In trenches of slopes over 25% grade - bio textiles and reseeded to be used to rehabilitate and protect the compacted topsoil.

Pipelines to be placed in consultation with and to recommendations of the environmentalist and in accordance with the Environmental Management Plan.

5.1.12. Additional Water Supply

5.1.13. Rainwater harvesting:

Mean Annual Rainfall for the Keurbooms area is typically 750mm per year. If a coverage of 200 m² per erf is assumed and therefore roof area of similar size, the total collectable water is (1600 m² x 750 mm/1000 x 0.8) = 960 m³

This would indicate that the rainwater harvesting is viable and that each house is to be provided with at least 10000 litres storage.

5.1.14. Aquifer

The site is situated on an aquifer that in the past has supplied the nearby hotel, farms and other developments. The water table in the low lying area can be accessed with a spike or tube well. The aquifer can adequately supply in the domestic needs of the proposed eight units. Drinking water needs to be filtered and sanitized with chlorine, UV or ozone. Department of water affairs guidelines and regulations need to be followed

5.1.15. Borehole

An adequately developed, tested and registered borehole could supplement the domestic needs of the units. Water purification as above is required. Department of water affairs guidelines and regulations need to be followed.

5.2. Sewer

5.2.1. Site to Matjesfontein sewage pump station

The site is currently un-serviced. There are however two sewer pumping mains crossing the property. A main sewer pump station is required with one downscale pump stations required due to the topography. A rising main of 90 mm is proposed to the Matjesfontein pump station. The cost of the proposed new on site pump station is estimated at R160000 depending on final requirements.

The rising mains need to be on servitudes registered in favour of the Municipality.

Estimated peak sewage flow:

TABLE5 Recommended sewage Flows						
Description	Capacity	No/units/(m ²)	Total Flow ³ /day	Peak Factor	Total m ³ /day	Total l/s
Housing: Residential II	Unit Over200m ²	8	1.9	3.25	24.7	0.28

TABLE 4: RECOMMENDED SEWAGE FLOWS

5.2.2. Route of rising sewer mains.

It is proposed to construct the new main internal pump station near the south eastern boundary of the property away from the 1:100 year flood line with the new rising mains in the existing servitude.

5.2.3. Sewer Purification works

The sewage works at Old Nick will be the primary delivery point for sewage.

Augmentation payment is required by the Municipality towards the existing sewer purification works. The Municipality has indicated that the existing works has capacity for the proposed redevelopment subject to upgrades of the affected pump stations.

5.2.4. Sewer Augmentation

TABLE6 Augmentation Levies – Sewer – Revised July 2008				
Description	Capacity	No/units//(m2)	Sewer levy/unit – (R)	Total
Housing: Residential II	Unit Over200m ²	8	7838	62704

TABLE 5: AUGMENTATION LEVIES SEWER

5.2.5. Internal sewage reticulation

Due to the topography of the site, a reduced capacity internal sewer pump station is required, this must be placed near the low point of the property but not below the floodline or within the wetland as per guidelines from The Department of Water Affairs and Forestry.

The pump station shall be sized and operating controls so placed to restrict pump starts to a maximum of six times per hour. The pump station shall have a standby pump and be designed to have a minimum emergency storage of four hours to reduce the risk of spillage.

It is further recommended that all sewage pumps be connected to a standby generator. Each unit to be provided with an individual house connection. The internal network to consist of 110 and 160mm diameter Class 34 uPVC pipes with manholes at not more than 80 meters and at flow direction changes. Rodding eyes to be installed at all the top of lines.

Sewer lines are to be placed at a minimum of 1m below final road surface level and 650mm deep in erven and open spaces (minimum). In limited cases, where pipes are installed above ground – pipes are to be strapped to the underside of raised pathways and painted with earthy non-reflective paint or disguised in a sensitive manner to not distract from the natural surroundings.

5.2.6. Upgrade to existing sewer network

The existing Municipal pump stations and mains require upgrades. The confirmation thereof is subject to investigation by GLS Engineers.

5.3. Roads and Storm water

5.3.1. Access.

Main access to the property is possible from the divisional road towards Keurboomstrand at the north eastern corner of the property. This access could be

combined with the access to portion 31. It is recommended that the proposed development on the neighbouring portions be taken into consideration in final site layout design.

5.3.2. Road types and design guidelines.

Layer works, surfacing and geometry of the access road and parking to be in accordance with the "Blue Book".

5.3.3. Storm water management:

Collection conveyance and storage of development's runoff.

Engineers Report on - Civil Engineering Services to Portion 32 of the farm 304 – Matjesfontein. Storm water runoff will be dealt with by surface sheet flow and not impact on the remaining natural environment. Rainwater harvesting from roofs will be implemented. It is proposed that silt traps be employed at the outlets of Storm water pipes to reduce the impact on the lower lying area. The Municipality has indicated that energy saving, water harvesting and water saving practices be implemented.

5.3.4. Further Requirements

Determining of Municipal capacity to supply services to be done by GLS Consultants.

Pipeline servitudes and reservoir site.

The Municipality will allow the use of existing municipal servitudes for pipelines where these are available and where it is physically possible to include additional pipelines.

Where new servitudes are required over private property and in road reserves it is the developer's responsibility to enter into an agreement with the property owner or Agent.

6. ELECTRICAL SERVICES

Clinkscales Maughan Brown has been appointed to investigate the electrical supply for the proposed development. A copy of the electrical services report from Clinkscales Maughan Brown is attached as ANNEXURE J. The local authority's electrical Engineering Department was approached to ascertain the available electrical supply for the proposed development. This following information were presented to the Bitou Municipality regarding the development:

6.1. Electricity Demand

The kVA demand of Area a (Phase 1) has been estimated as follows:

TABLE 7 Electricity Demand			
DESCRIPTION	QUANTITY	DEVIRSITY FACTOR	CAPACITY REQUIRED
Residential Zone II erven	8	0.7	84 kVA

Pump station 3kw	1	4KVA * 0.5	2KVA
Area lighting and sundry loads	1	-	4KVA
TOTAL ESTIMATED LOAD			90 kVA

TABLE 6: ELECTRICITY DEMAND

It has been assumed that energy efficient and load control technologies will be applied to the electrical installation in the houses to reduce the peak kVA demand and energy consumption to at least 25% below the standard demand for such installations.

6.2. Point of Connection

It is proposed that the Point of Connection be at the existing municipal 22 kV overhead line in the location as shown on the Drawing.

6.3. External Network

The External Network is considered to be the network between the Point of Connection and the Point of Supply as later defined hereafter, which is to be taken-over by the Municipality on completion for their ownership and operation.

It is proposed that this External Network consist of

a 200 kVA pole mounted transformer substation to be erected at the Point of Connection together with a LV Meter Kiosk where the Bulk Supply to the Development will be metered in terms of kVA demand and kWh consumption as for the Municipality's standard LV Bulk Supply Tariff.

The 200 kVA transformer will be supported with a galvanised steel cradle fixed to wooden poles erected next to a pole forming part of the existing 22 kV overhead line. The transformer will be connected via 22 kV pole mounted expulsion fuses to the existing 22 kV overhead line conductors with arrestors for lightning protection. It is proposed that the fuses be of the type where if one or more fuses rupture, all three phases will automatically open.

From the transformer a LV cable fixed to one of the poles will be taken to the LV mains circuit breaker and meter inside the Meter Kiosk.

6.4. Point of Supply

The load terminals of the meter in the kiosk will become the Point of Supply for the Development. The network downstream from this Point of Supply is considered to be the Internal Network and will on completion become the responsibility of the Developer / Home Owners Association for their ownership and operation.

6.5. Internal Network

The proposed Internal Network to supply the residential erven in Area A is depicted on the drawing. This will consist of:

A 200 kVA, LV to 3, 3 kV step-up transformer mounted on a connection plinth, located immediately adjacent to the LV Meter Kiosk. The LV bushings of the transformer will be connected to the LV Meter Kiosk with a short length of LV underground cable.

A 3,3 kV, Interdac underground cable from the step-up transformer to a 200 kVA, 3,3kV to LV step-down transformer mounted on a concrete plinth and located near the middle of the 8 erven.

The reason for the step-up and step-down transformer scheme is to reduce volt drop compared with a normal LV feeder and since it will be less expensive compared with a scheme where for example a 22 kV overhead line or underground cable feeder is to be used with a single step-down transformer at the 8 erven.

LV underground service connection cables from a LV Distribution Kiosk to the 8 erven and the pump station. There are also likely to be area / street lights fed from the kiosk with underground cables. The Internal Network protection scheme shall be such that no internal faults will cause nuisance tripping of the Municipality's protection scheme in the External Network.

6.6. Taking-Over of Installation

As stated before, the Municipality should take-over the External Network on completion and the Developer or Home Owner's Association the Internal Network, and respectively be responsible for the operation and maintenance thereof. It is important that the External Network complies in all respect with the Municipality's requirements and their supply conditions.

Drawings and a specification for the work will be submitted to the Municipality for approval before construction work commences. On completion a full set of as-built drawings (electronic and hard copy) together with test certificates and manuals of equipment will be handed to the Municipality. The Consulting Engineer responsible for the project will also certify that all work has been completed in accordance with the drawings and specification approved by the Municipality.

It should not be a requirement for the Municipality to approve the Internal Network, but the drawings and specification for same will be submitted to the Municipality for their records and information during approval of the External Network.

6.7. Environmental Requirements

All work on site will comply in all respects with the Environmental Management Plan to form part of the specification for the work.

6.8. Availability of Capacity

In a letter dated 19 July 2012, Eskom indicated that they will put measures in place to create some 1 400 kVA additional capacity on their Robberg Farmers 1, 22 kV overhead line, which serves the Keurbooms Bulk Supply Terminal.

Taking this into account and that the load requirements of the Development is so small, it is believed that the Eskom network as well as the municipal 22 kV network has sufficient capacity to meet the electrical requirements of Phase 1 of this Development.

6.9. Conclusion

We trust this information is sufficient for the rezoning application and can serve as a basis to compile the Services Agreement.

SECTION D :

CONTEXTUAL INFORMANTS

7. LOCALITY

(Plan 1: Locality Plan)

The application area is located approximately 3,8km west of the central village of Keurboomstrand, and approximately 6km north east of the town of Plettenberg Bay. The current access of the site is approximately 1km from the N2 National Road. The site is located in a well-established tourism node. Access to the site is obtained off Main Road 394 on the north east corner of the property.



FIGURE 10: LOCALITY

8. CURRENT LAND USE AND ZONING

8.1. Land Use

(Plan 2: Land Use & Character of the Area Plan)

The site is currently vacant. There are several derelict structures and foundations located on the property, an indication that the property has not been properly maintained or used for a number of years. It should be noted that the south of the property has been used as a caravan park - this is evident by the existing ruins surrounded by disturbed open areas located on the secondary dune of the property.

It should be noted that the entire Keurboomstrand area was used for intensive agricultural purposes in the past. Figure 11 below is a transposed extract from early (1936) aerial photography, indicating the site and surrounding areas being used for agricultural purposes and that structures were located on the south portion of the property.



FIGURE 11: LOCATION OF SITE TRANSPOSED ONTO EXTRACT FROM EARLY (1936) IMAGERY FOR THE SITE
(Source: Aerial survey 114 of 1936, Flight strip 14, Image 19254, CDSM)

8.2. Zoning

The application area is currently zoned as "Resort Zone II" in terms of the Section 8 Zoning Scheme Regulations applicable to this area. A copy of a Zoning Certificate issued by Bitou Municipality is attached as **ANNEXURE C**.

9. SITE CHARACTERISTICS

(Refer Plan 6: Site Characteristics)

9.1. Topography and Hydrology

The northern part of the property is characterised by a flat topography and this area is mostly transformed and infested with alien vegetation. The central part of the site is located between the 1:100 year flood lines and is generally characterised as a low lying which is prone to flooding. The southern part of the property abuts the Indian Ocean and is also characterised by a sensitive parabolic dune system. This part of the site is also covered with sensitive dune thicket vegetation which will be elaborated upon in detail in section 9.3.

There are several derelict structures and foundations located in the north western and southern sections of the property.



FIGURE 12: TOPOGRAPHY AND HYDROLOGY



FIGURE 13: NORTH SECTION OF PROPERTY



FIGURE 14: SOUTH SECTION OF PROPERTY

9.2. Access

Access to the property is currently obtained from Main Road, the main road to Keurboomstrand. Private access to the property will be located from the north eastern corner of the property via the existing tracks on the property



FIGURE 15: ACCESS AND ROUTES ON PROPERTY

9.3. Biodiversity

Hilland Environmental Consultants CC was appointed to investigate the possible impacts of the proposed development on the Biodiversity of the application area. A copy of the Biodiversity Specialist report is attached as **ANNEXURE K** to this motivation report. The findings of the report can be summarised as follows:

- (i) The site and the proposed 8 footprints do not trigger any of the NEMA 2014 listed activities and as such a NEMA Environmental Authorisation is not required. No activities are proposed within 100m of the high water mark of the sea and the Ecosystem Status of the site is not gazetted as either Endangered or Critically Endangered in terms of NSBA.
- (ii) As the site supports Western Cape Milkwood Forest, site visits and consultations with the Department of Forestry will be required in order to finalise the placement of the proposed footprints.
- (iii) The proposed footprints are to be located in areas previously utilized for the caravan and camping sites which have over time become overrun with alien vegetation (specifically *Acacia cyclops* and *Eucalyptus* sp). Original structures have been demolished and only foundations, underground tanks, swimming pool and overhead electrical lines are still on site.
- (iv) An OSCAE permit to clear the alien vegetation from the previously developed and subsequently invaded areas has been issued and this clearing is nearing completion within the area proposed for the footprints. The final placement of the footprint is to be located on site within these disturbed areas and agreed to by DAFF. Continuation of the alien clearing on the balance of the property is still required as well as follow up control of the alien seedlings.
- (v) As illustrated in figure 16, the site forms part of a CBA area running along the coastline. These mapping units have not been ground truthed and are derived from aerial photo interpretation



FIGURE 16: CRITICAL BIODIVERSITY AREAS

- (vi) As further loss of threatened ecosystems, the transformation of identified sensitive areas or untransformed natural areas and incompatible land uses for biodiversity conservation objectives are not supported, it is essential to retain the 8 proposed footprints within the area totally degraded and to restore the areas between the footprints to retain the connectivity within the dune cordon.
- (vii) Most of the property is within a designated Critical Biodiversity Area (see Fig. 17). The proposal is to amend the existing rights of the property and by so doing allow the property to better serve the proposed objectives of the CBA and ESA.



FIGURE 17: NBA 2011: THREATENED ECOSYSTEMS

- (viii) The figure above illustrates the remaining extent of threatened ecosystems and the vegetation classification below refers to the original extent of the NBA. Vegetation. The vegetation classification according to the National Biodiversity Assessment 2011 classifies the vegetation of the site as Garden Route Shale Fynbos. The assessment of this vegetation type is defined in detail on pg. 11& 12 of the biodiversity report.
- (ix) Note: No evidence of this vegetation type was recorded on site. It would be accurate to add to the "remarks" that this unit has been incorrectly placed on the dune sands of the Plettenberg Bay area too.
- (x) Figure 18 below indicates the extent of the larger Estuarine wetland system linked to the Keurbooms and Bitou Rivers as designated in terms of FEPA.



FIGURE 18: NEPA WETLANDS

- (xi) This system, which runs through the north of the property is currently in a bad state of degradation mainly due to infestation of alien vegetation on the previous agriculturally utilized property. The system as such does not pose any limitations to the area proposed for development on the property, only the existing access road crosses this system in order to get to the proposed 8 units on the dunes.
- (xii) The study of the Tshokwane wetlands (Snaddon 2013), confirms that the site is not part of that system directly, however the drainage into that system is acknowledged as part of the larger estuarine system and as such the area within the 1:100 year flood line is recommended to remain undeveloped and to be restored through alien eradication. This will allow the continuation of the hydrological processes in that zone.
- (xiii) The southern section of the property borders onto the Admiralty Reserve and falls within the seashore and Coastal Public Property zone as well as within the Coastal Protection Zone. No development is proposed within the Coastal Protection Zone or within the Admiralty Zone and all the objectives of the coastal protection zone can be achieved.
- (xiv) Figure 19 below indicates the broad categories occurring on site. The Primary dune is indicated in orange and the Secondary in green dashed lines respectively. The light blue dashed line indicates the dune slack between the primary and secondary dune ridges. The orange polygons represent the areas currently disturbed through alien vegetation on the dune cordon (mostly Rooikrans and Eucalyptus) falling within the areas that were previously cleared for camping and facilities. Alien clearing is in progress in these areas.

The 1:50 and 1:100 year flood lines are indicated. The area under the 1:100 year flood level is to be rehabilitated (currently alien invaded with mostly Rooikraans and Eucalyptus) and should be included in the rezoning to Private Nature Area.



FIGURE 19: BIOPHYSICAL SITE CHARACTERISTICS

- (xv) Impacts associated with the proposed construction of 8 footprint homes and driveways within the area are linked to loss of vegetation and the potential encroachment into the surrounding vegetation during construction.
- (xvi) The access road, individual driveways and footprints of the 8 dwellings need to be physically located on site once the alien clearing is complete and the survey done to ensure that they do not extend beyond the cleared area
- (xvii) Limiting the disturbance to 8 footprints within areas already disturbed and restoring the surrounding Forest vegetation on the secondary dune, the primary dune, dune slack and the restoration of the floodplain areas north of the dune cordon, will all lead to the establishment of an area where habitat continuity and connectivity are enhanced
- (xviii) Alien clearing and management within the Forest area and the inclusion of fire as a tool for the floodplain area together with alien clearing and removal of any remaining obstructions from historic farming activities will assist in restoring the overall landscape connectivity and habitat

Most of the bird species present on the property will not be negatively impacted upon as a result of the proposed development. This is because the majority of the species occurring on the property are fairly common and adaptable to habitat changes that might occur.

*The Knysna Warbler (*Bradypterus sylvaticus*) that frequents the remaining pockets of coastal Forest and thicket will be positively impacted on through removal of the alien vegetation and restoration of its original habitat. To avoid a further decline in*

population size, care must be taken to restrict vegetation clearing and ensure that no vegetation clearing takes place during its breeding period of September – November.

The site forms part of a larger, continuous, unrestricted portion of the ecological corridor along the coastal dunes and inland wetland systems. The initiative to protect the dune cordon and wetland areas with the neighbouring property owners must be kept at the forefront of the management on site at all times

The existing access road requires formalising and surfacing to ensure that it does not result in erosion. Widening of the road is not recommended, passing sections will ensure that it can remain as a glorified "driveway" which only serves as access for 8 homes.

Surface water should not be concentrated off the road, but should be encouraged to infiltrate back into the dune sand and natural vegetation. A surface material that promotes infiltration is preferable. SUDS principles should be included on all surfaces that will carry storm water.

The driveways should (to each individual unit), where possible, follow the natural ground level. Where cut or fill material is required this should be achieved through the use of retaining structures. Fill slopes must be retained on the lower side and cut slopes must be retained on the upper side.

The management implications as elaborated upon in detail on Pg 32 of the biodiversity report needs to be taken into account from the Vegetation perspective.

DAFF and OSCAE permits will be required for any and all vegetation clearing on the property and earthworks for construction.

The current OSCAE permit for the site relates only to clearance of alien invasive vegetation.

Detail relating to the proposed earthworks required for the driveways and the home construction of each site will be required to inform the OSCAE permits and detailed method statements relating to excavation and retaining structures and the protection of the surrounding vegetation must be submitted with each OSCAE permit application at building plan approval stage.

9.3.1. CONCLUSION

The biodiversity report concluded that:

1. The proposed rezoning to allow for the construction of 8 footprints in the dune cordon, limited to the secondary dune in the areas already cleared of alien vegetation is supported.
2. Inclusion of the floodplain area in the proposed Private Nature Area is recommended.

3. DAFF approval of the final sites of the units is required after the alien clearing is complete and the units have been pegged on site for verification prior to building plan approval.
4. The Environmental Management recommendations contained in this report need to be implemented.

10. CHARACTER OF THE AREA

The immediate area surrounding the property is characterised by high income residential development Tourist facilities and holiday accommodation. The coastal landscape and east and west of the provide an ideal location for large, modern, luxury beachfront residences occupy single residential properties as can be seen in the figure below.



FIGURE 20: CHARACTER OF SURROUNDING AREA

Established developments in the surrounding area which operate as group housing, guest houses or holiday accommodation, include:

- | | |
|-----------------------|------------------------------|
| • San Marino Resort | • Silver Streams Resort |
| • Silver Ranch Resort | • Oceansong Beach house |
| • The Dunes Resort | • Southern Cross Beach house |
| • Sea breeze inn | • Keurbooms River Resort |



FIGURE 22: THE DUNES RESORT ON REMAINDER OF PORTION 9 OF THE FARM 304 MATIEFSFONTEIN

These high income, luxury developments exist mainly because of the excellent locational and environmental factors afforded by the area. Properties on the beach and on the ridge behind have spectacular views of the Keurboomstrand beaches, the Indian Ocean and Robberg Peninsula. The properties are in an excellent environmental setting with indigenous vegetation. These factors have combined to create a highly sought-after tourist and local residential areas dominated by extensive high income developments with contemporary architectural styles that mitigate the impact of urban development on a sensitive natural environment.



FIGURE 24: LUXURY BEACH HOUSES TO THE SOUTH OF THE APPLICATION AREA

Located north of the property is the Tsokwane residential estate that is a sectional title scheme comprising of 130 residential units; assisted living suites, frail care centre and a community centre.



FIGURE 25: GROUP HOUSING DEVELOPMENT PORTIONS 192 & 10 OF THE FARM MATJESFONTEIN No 304

The figure above illustrates the site development plan which was submitted to the Bitou municipality in 2014 regarding a Group Housing development on Portions 192 & 10 of the farm Matjesfontein no 304. This farm portion is located north east of the proposed development. The application proposes the following:

- 98 Residential Zone I erven

- 8 Residential zone II erven
- 1 Split Zone erf consisting of Residential Zone I
- Open Space III
- 1 Business Zone I erf
- 1 Business Zone IV
- 10 Open Space Zone II erf
- 1 open Space Zone II erf
- 1 Transport Zone

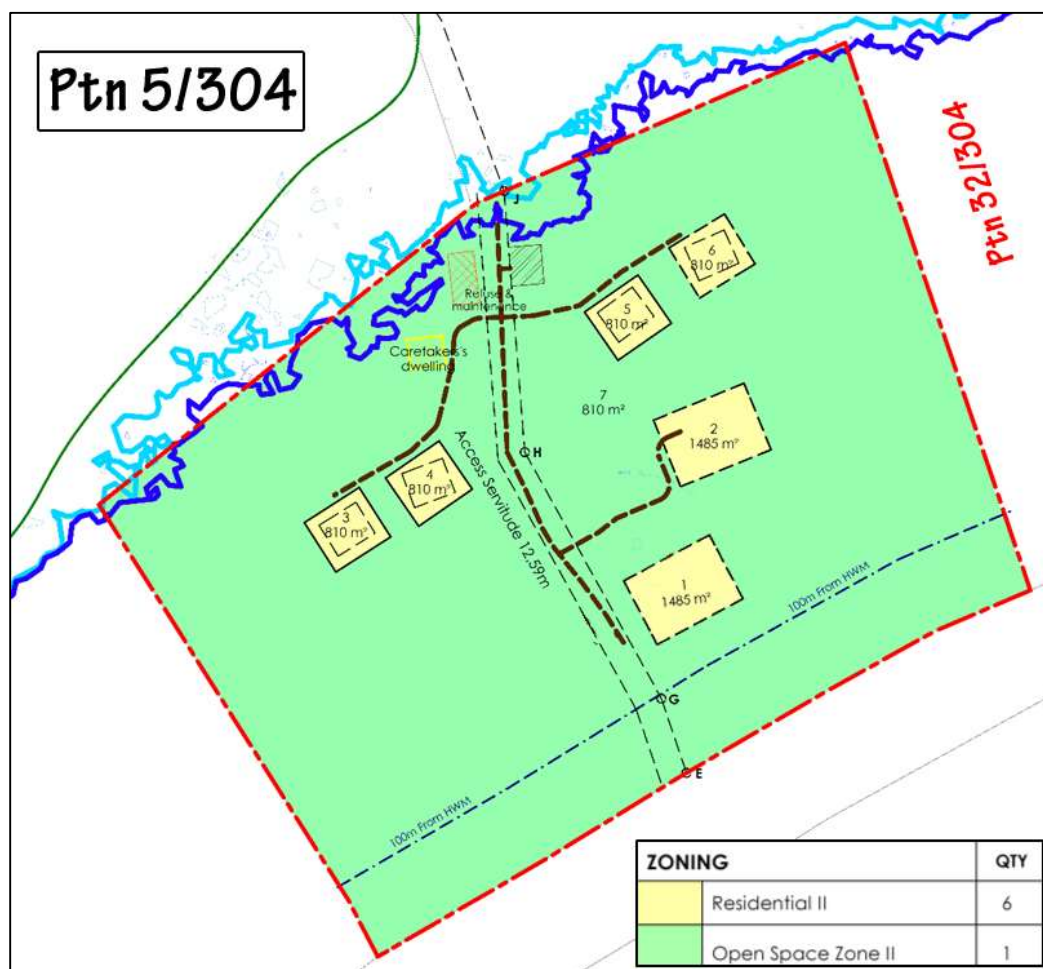


FIGURE 26: GROUP HOUSING DEVELOPMENT ON PTN 5 OF THE FARM MATJESFONTEIN NO.304

The figure above illustrates the site development plan which was submitted to the Bitou municipality in 2014 for a proposed Group Housing development on Portion 5 of the Farm Matjesfontein No 304. This farm portion abuts the proposed development to the west. The application is consistent with the proposed development as it contains residential zone II units surrounded by private open space. This will create a development corridor that is consistent in terms of size and density with an environmental corridor which will be privately maintained and managed by the separate home owners associations. The proposed development will complement the sense of scale from the surrounding developments as most structures do not exceed to storeys in height.

The proposal of 8 Residential Zone II erven is significantly less than the current rights in place for the Ridge section of the property which is 22 resort units. The proposed development can be regarded as consistent as and less detrimental than the surrounding resort developments within the study area.

11. EXISTING POLICY FRAMEWORKS

11.1. Western Cape Provincial SDF (2014)

The Western Cape Provincial SDF was approved in 2014 by the Western Cape parliament and serves as strategic spatial planning tool that “communicates the provinces spatial planning agenda”.

The recent shift in legislative and policy frameworks have clearly outlined the roles and responsibility of provincial and municipal spatial planning and should be integrated towards the overall spatial structuring plan for the province to create and preserve the resources of the province more effectively through sustainable urban environments for future generations. This shift in spatial planning meant that provincial inputs are in general limited to provincial scale planning.

The proposed development compliments the SDF spatial goals that aim to take the Western Cape on a path towards:

- Greater productivity, competitiveness and opportunities within the spatial economy;

- More inclusive development in the urban areas;

- Strengthening resilience and sustainable development.

However it is important to note some of the key policies laid down by the PSDF have a bearing on the application.

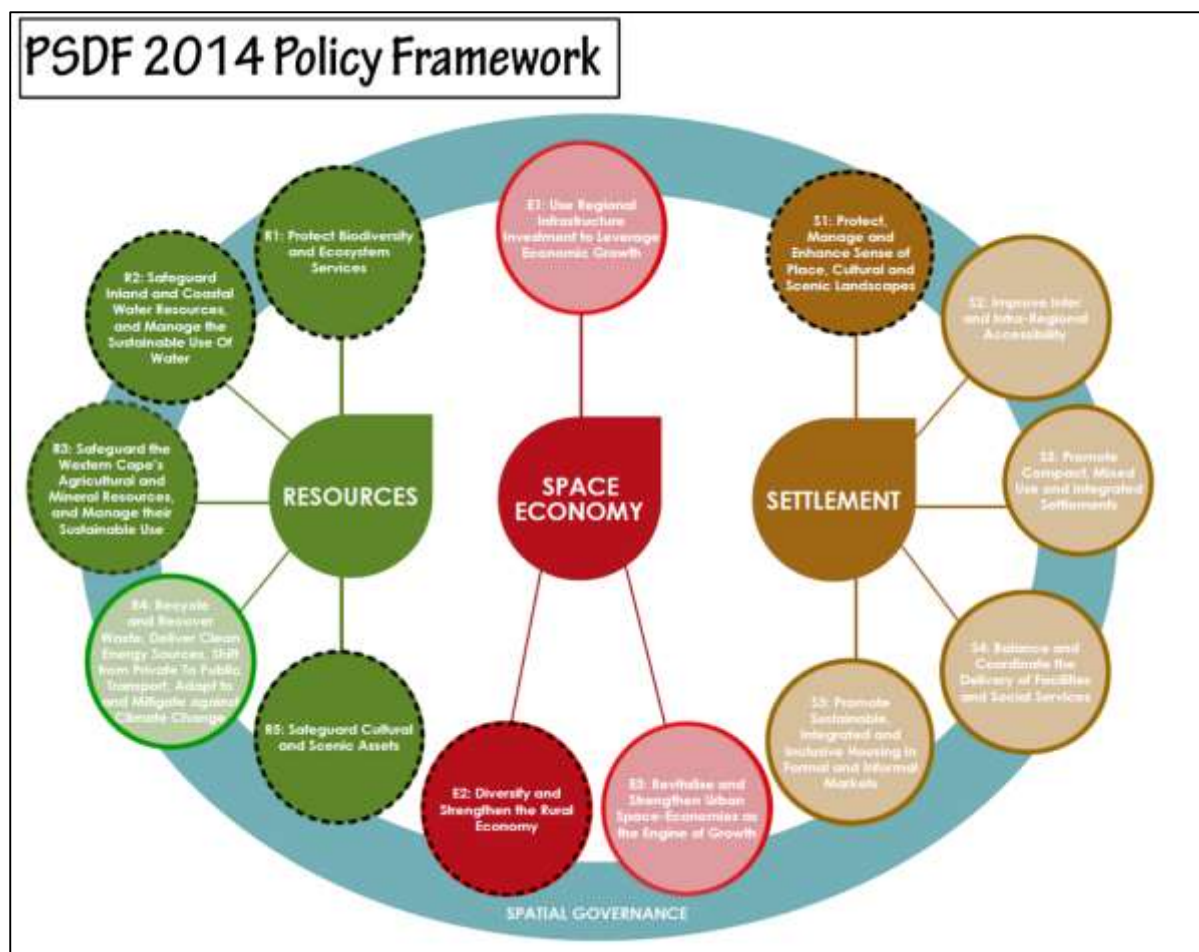


FIGURE 27: POLICIES APPLICABLE TO PROPOSED DEVELOPMENT

Policy R1: Protect Biodiversity & Ecosystem Services

The Western Cape's CBA mapping, together with the draft priority climate change adaption corridors delineates the spatial extent of the Western Cape's biodiversity network that must inform spatial planning and land use management decisions throughout the province.

Policy R2: Manage, Repair & Optimise Provincial Water Resources

Development along the coast, lakes and dams should be encouraged adjacent to existing settlements, in a highly contained manner with a limited footprint that ensures the maintenance of ecological integrity, tourism potential and landscape character. Public access to the coast must be ensured at all time

The necessary buffers and setbacks must be adhered to in all development along the coast and river systems.

Policy R3: Manage, Protect & Sustainably Use Provincial Agricultural & Mineral Resources

Reconcile conflicting land development pressures through proactive spatial planning and a land use management system that opens up opportunities for improved livelihoods and jobs.

Policy R5: Protect & Manage All Provincial Landscape & Scenic Assets

Scenic & Landscape character considerations must have explicit input on Land Use Management and infrastructure development in the Western Cape.

The **protection and enhancement of regional landscapes and scenic assets** rely on appropriate responses to the heritage, biodiversity, agricultural and scenic assets of the province. It is essential to the future sustainability of the Western Cape that agricultural resource areas, ecosystem services, **heritage and scenic assets are not undermined through inappropriate development and land use change**

Priority focus areas proposed for conservation or protection include:

- ii. Undeveloped coastal landscapes under major development pressure.

Policy E2: Diversify & Strengthen the Rural Economy.

Compatible and sustainable rural activities (i.e. activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate) and of an appropriate scale and form can be accommodated outside the urban edge.

The following criteria should be applied in assessing consistency with this policy:

- i. Does not alienate unique or high value agricultural land, or compromise existing farming activities;
 - ii. Does not compromise the current or future possible use of mineral resources;
 - iii. Is consistent with the **cultural and scenic landscapes** within which it is situated;
 - iv. Does not involve extensions to the municipality's reticulation networks (i.e. served by **off-grid** technologies);
 - v. Does not impose real **costs or risks to the municipality** delivering on their mandate;
 - vi. Does not infringe on the authenticity of rural landscapes.
5. Land use incentives should be used to facilitate rural land use transitions that the state cannot afford to fund on its own (e.g. securing priority biodiversity areas or climate adaptation corridors; rural development; agrarian transformation).

Policy S1: Protect, Manage and Enhance the Province's Sense of Place, Heritage and Cultural Landscape

- 1. Prevent settlement encroachment into agricultural areas, scenic landscapes and biodiversity priority areas, especially between settlements, along coastal edges and river corridors.
- 3. Respond to and enhance an economically, socially and spatially meaningful settlement hierarchy that takes into account the role, character and location of settlements in relation to one another while preserving the structural hierarchy of towns, villages, hamlets and farmsteads in relation to historical settlement patterns.

5. Conservation strategies, detailed place-specific guidelines and explicit development parameters must supplement urban edges to ensure the effective management of settlement and landscape quality and form.

Planning Implication

Planning Implication:

The current zoning right for the subject area allow for the construction of 237 resort units in total and specifically 22 resort units on the ridge, the location for the proposed development. The proposed development aims to facilitate 8 group housing sites which will contain 1 dwelling unit each this significantly delineates the impact on the environmental and surrounding developments.

The proposed development is more eco sensitive and environmentally sustainable than the current zoning rights on the property. Therefor the proposed development is more aligned with the development policies of the Western Cape Spatial Development Framework.

11.2. Bitou SDF (2013)

The Bitou municipality spatial development framework was adopted by the council in 2013 and serves as regulatory framework for spatial development within the local municipality. The figure below shows an extract from the Bitou Spatial Development Framework

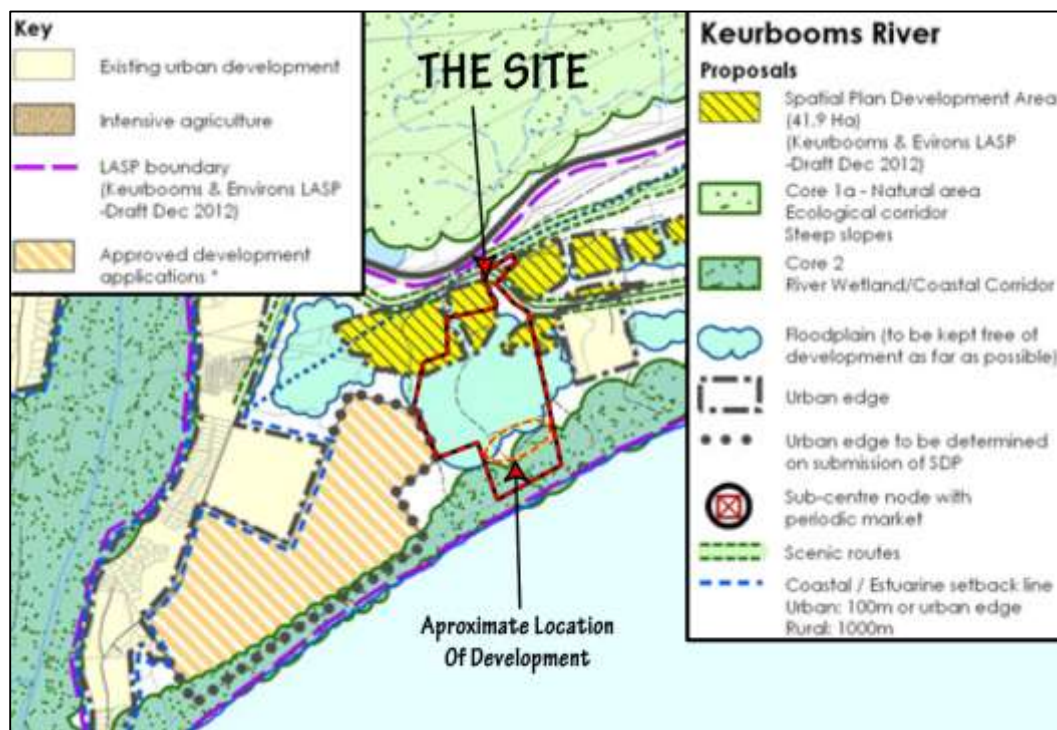


FIGURE 28: EXTRACT FROM THE BITOU SDF (2013)

The application area is located outside the urban edge and the identified existing urban area of Plettenberg Bay. The following urban design guidelines are proposed to guide all future development in the Municipality:

Core Landscape areas  	➤ The interior flood plain should be kept free of further development and should be conserved as Buffer 1 SPC conservancy or private nature reserve. ➤ The fringes of the river and coast should be protected as Core 2 SPCs. ➤ The road leading to Keurboomstrand and the section of road leading to Keurbooms beach should be declared as scenic routes to protect views and scenic qualities is protected from urban development.
Urban Development 	➤ In general the flood plain should be kept free of further urban development which should be encouraged to be located along the fringes ➤ A balance has to be found between utilising the most attractive sites and complying with the coastal setback line. ➤ Two areas of potential development areas are identified ➤ Limited opportunities behind fore dunes for sensitive developments which is able to sneak views to the coast ➤ Larger opportunities along the northern fringe should be encouraged where the flood plain meets the hillside. ➤ All developments in this area would have to be subject to strict urban design and land use management guidelines ➤ High income housing market should be promoted in this area ➤ Developments should take into consideration coastal setback lines, 1:4 slopes and environmentally sensitive areas into consideration

Planning Implication:

The proposed development complies with the core considerations for the landscape areas as no development footprints are proposed within the flood plain areas, buffer 1 SPC zone or Core 2 SPC zone. In terms of urban development considerations the proposed development is limited in size and is thus suitable for development south of the flood plain fringe. The development proposal will comply with the parameters as

set in the architectural and land use development guidelines as discussed in section 4.1.4. The steepest sections on the proposed site 1:5 and therefor complies with the Bitou SDF. The development is also suited for higher income groups who want a eco sensitive lifestyle along the coastal corridors.

The development proposal can be considered as being highly consistent with the Bitou SDF.

11.3. The Keurbooms Local Areas Structure Plan (2013)

Given the increased urban development pressure in the vicinity of the Keurboomstrand area. The Bitou Municipality has identified the need to draft a Local Area Spatial Plan (LASP) for Keurboomstrand and its surrounding natural environment, which will aid the Municipality in ensuring that the area is suitably managed and maintained in a sustainable manner.

The area is predominated by a strong holiday/resort character. The main objective of this LASP is to provide the Municipality with a policy at an appropriate Local Area scale that will on the one hand protect and enhance conservation worthy areas and on the other hand identify and define appropriate opportunities supporting local economic development.

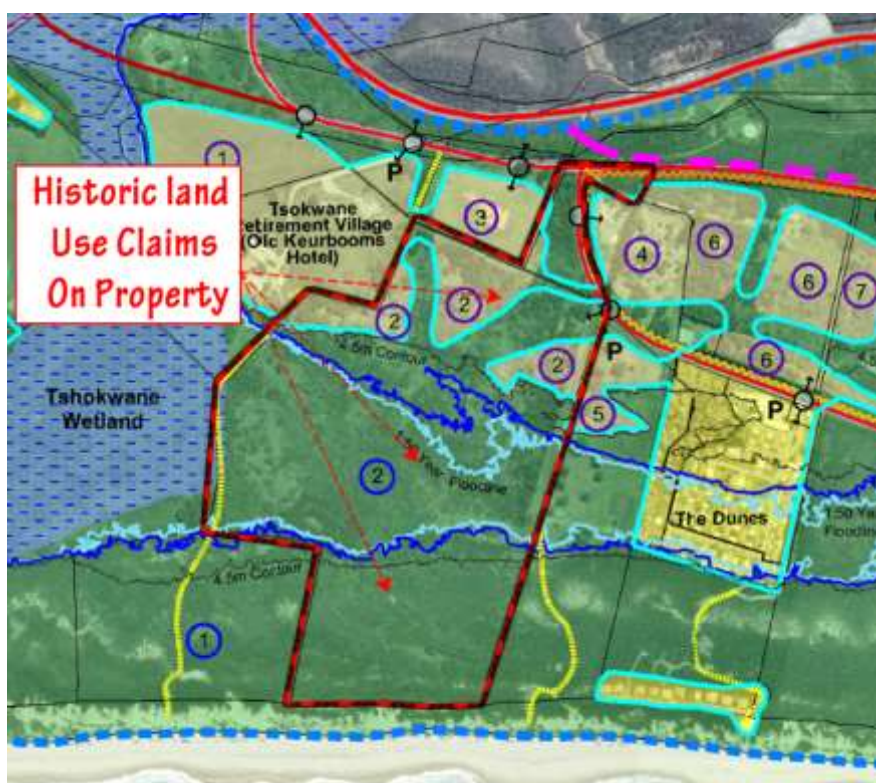


FIGURE 29: KEURBOOMS LOCAL AREAS STRUCTURING APPROACH

According to the Keurbooms local areas structure plan the property is located in a critical biodiversity area cover by Dune thicket Mosaic which is considered as a highly sensitive environment that constraints potential development within the area.

The local Keurbooms Local Area Structure Plan identifies and acknowledges that subject property has a historic land use rights and conforms to the old Sanderlings approval, but does not state the number of units approved due to a lack of information present at the time of the compilation of the plan.

It was established that the remainder of Portion 32 of the Farm Matjesfontein No 304 has a historic land use claim for 237 Resort units. A historic land use claim is an approved development right by the competent local authority cannot be over ruled by the proposed Local Areas Structure Plan's proposals whatsoever.

The KLASP identifies this Farm Portion could be potentially developed within the coastal corridor at a gross density of density of 12 units per hectare of the extent of the transformed areas identified. This resulted in 52 Units which could be developed on the property given the fact that the disturbed area was calculated at 4.33ha.

If the proposed 8 units are to developed on the 4.33ha of disturbed areas this would calculate to a density of 1.84 du per hectare which is six times less than the proposed density of 12du/ha.

The proposed development could be regarded as being highly consistent with the Keurbooms Local Areas Structure Plan

SECTION E :

MOTIVATION

The Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) states in Section 36 that the reasons for refusing an application may only be considered on the basis of the "lack of desirability" of the proposed land use. The following points must be taken into account when evaluating the desirability of this application:

- Consistency with spatial planning policies
- Character of the area
- Locality and accessibility
- Impact on Existing Rights
- Availability of Services

12. CONSISTENCY WITH SPATIAL PLANNING POLICIES

The development proposal is consistent with the existing policy frameworks for the following reasons:

- (i) The development proposal complies with the resource, economy and settlement policies subject to the Western Cape Spatial Development Framework.
- (ii) The site is located outside urban edge of Plettenberg Bay – hence it constitutes to maintain the authenticity of the scenic coastal landscape

- (iii) The proposed development was carefully designed not to impact on the existing thicket and fynbos vegetation on the site – hence conservation of the biodiversity are promoted in the Western Cape PSDF as well as the Bitou SDF.
- (iv) The proposed development will strive to be as eco-sensitive as possible with sustainability as the main drive. Hence the proposal complies with the sustainability urban design guidelines as promoted in the Bitou SDF.
- (v) According to the Bitou SDF it is suitable for small urban developments south of the fringe
- (vi) Area is dignated for high income and luxurious developments
- (vii) The Subject property is consistent with the Kuerbooms Local Areas structure plan as it has a historical land use rights for "Resort Zone II" allowing the construction of 237 resort units. It is howerer proposed to minimise the development to 8 group housing sites diminishing the disturbance area quite significantly.

13. CONSISTENCY OF THE DEVELOPMENT WITH THE CHARACTER OF THE SURROUNDING AREA

The proposed development is environmentally sensitive, low-density and will conform to the surrounding developments in terms of size. The proposed density will be significantly less than any other resorts developments within the study area. Properties located west of the proposed site are characterised as group housing development with 3.27 dwelling units per hectare. The proposed density of the lifestyle estate the north of the application area is 12.48 dwelling units per hectare, while resort development north East has an average density of 12.48 units per hectare. The density for proposed density of the development is 0.24ha, if calculated for the entire farm portion, which is significantly lower than other proposed densities in the surrounding areas

The Keurbooms Local Areas Structure Plan proposes a density of 12 units per hectare on disturbed areas along the coastal development corridor. Thus, the proposed density of the development, if calculated according to the KLASP disturbed areas, equates to 1.84 du/ha which is also significantly less than prescribed density of 12 dwelling units per hectare.

According to the KLASP the proposed density for development in the rural hinterland is 0.33 units per hectare. This density is applicable to large extensive farms in the study area. The proposed development has a gross density of 0.24 du/ ha which is also lower than the prescribed density for rural hinterland developments.

In conclusion the proposed development is significantly less than other group housing and resort developments in the surrounding area. The proposed will also be in line with the proposed densities as indicated in the Keurbooms Local Areas Structure Plan which manages and guides future development proposals to conform to the land use management parameters to achieve the desired spatial form as envisioned form for the Keurbooms area.

The proposed developments on the property will make use of unique architectural style which will integrate the environment with contemporary architecture to create housing designs which

will reflect environmental sustainability through design. Therefore the proposed development will also be in line with the qualitative design evident throughout the surrounding area. The proposed development is of a high quality and will be in line with the low-impact nature orientated design principles that have been employed in the surrounding area.

The proposed development will therefore be consistent with the character of the surrounding area.

14. LOCATION AND ACCESSIBILITY OF THE AREA

Access to the property is obtained off Main Road 394 which provides access to Keurbooms Strand. Primary access to the proposed development is obtained through a private access road located on the north east corner of the property, the same access point when the original resort development was proposed. Access to the subject development will be controlled through private access.

15. LAYOUT DESIGN SENSITIVE TO THE PHYSICAL CHARACTERISTICS OF THE SITE

The proposed layout was sensitively planned taking into account sensitive natural areas, steep slopes and the continuity open space corridors. The image below shows the cumulative impact of the proposed development footprint versus the existing rights on the property. The proposed coverage of the eight group housing dwellings will cover 1.2% of the property. The proposed site boundaries for the group housing zones will cover 2.44% of the total property.

The existing rights on the property allow for 237 resort units each covering 225m² in extent. This allows for a development footprint of 5.335ha which is 16.31%

When compared to the existing rights on the property. The actual coverage of the 8 proposed units (0.4ha) will be 13 times less detrimental impact on the environment than the proposed units.



FIGURE 30: DEVELOPMENT COMPARISONS

The on-site informants underpinned the design of the proposed development, with the primary goal to ensure that the unique character of the application area is retained.

16. IMPACTS ON EXISTING LAND USE RIGHTS

Views of the surrounding property owners will not be influenced by the proposed development as the proposed development is specifically located on the disturbed areas and is designed to conform to the natural environment. The proposed architectural design guidelines will mitigate the visual impact of the proposed development to ensure that the visual impact to surrounding areas are been kept to a minimum.

The proposed zoning on the property will conform to the zoning parameters of neighbouring property portion 5 of the Farm Matjesfontein No 304. This will establish a private open space corridor along the coast line off Keurboomstrand area. The proposed group housing zone will also conform to the proposed zoning of the neighbouring property. The proposed density is significantly lower than other resort developments within the study therefore the impact of the proposed development is dramatically reduced.

The scale of the proposed units on the property will conform to the surrounding resort developments to ensure that that the character of the area is maintained.

Hence there will be no impact on the existing rights of the surrounding property owners as a result of the application.

17. NO NEGATIVE ENVIRONMENTAL IMPACT

The biodiversity specialist report concluded that if the proposed development on the application area adheres to the following directives, it will have no negative impact on the biodiversity of the application area.

- Keep the wetland totally undeveloped and to remove all alien vegetation and allow the natural processes to continue unhindered.
- The remaining areas of the Milkwood Forest are to be protected and through alien eradication the forest can be restored and expanded.
- The access road, individual driveways and footprints of the 8 dwellings need to be physically located on site once the alien clearing is complete and the survey done to ensure that they do not extend beyond the cleared area;
- Limiting the disturbance to 8 footprints within areas already disturbed and restoring the surrounding Forest vegetation on the secondary dune,
- Alien clearing and management within the Forest area and the inclusion of fire as a tool for the floodplain area together with alien clearing and removal of any remaining obstructions from historic farming activities will assist in restoring the overall landscape connectivity and habitat;
- To avoid a further decline in population size of the The Knysna Warbler, care must be taken to restrict vegetation clearing and ensure that no vegetation clearing takes place during its breeding period of September – November.
- The initiative to protect the dune cordon and wetland areas with the neighbouring property owners must be kept at the forefront of the management on site at all times;
- Widening of the road is not recommended, passing sections will ensure that it can remain as a glorified "driveway" which only serves as access for 8 homes.
- Surface water should not be concentrated off the road, but should be encouraged to infiltrate back into the dune sand and natural vegetation.
- The driveways should (*to each individual unit*), where possible, follow the natural ground level. Where cut or fill material is required this should be achieved through the use of retaining structures.
- Fill slopes must be retained on the lower side and cut slopes must be retained on the upper side.
- DAFF and OSCAE permits will be required for any and all vegetation clearing on the property and earthworks for construction.
- The current OSCAE permit (attached as **ANNEXURE L**) for the site relates only to clearance of alien invasive vegetation.

- Detail relating to the proposed earthworks required for the driveways and the home construction of each site will be required to inform the OSCAE permits and detailed method statements relating to excavation and retaining structures and the protection of the surrounding vegetation must be submitted with each OSCAE permit application at building plan approval stage.
- Environmental Construction and operational management protocols should be compiled and followed.

18. NO VISUAL & AESTHETIC IMPACT

A detailed Architectural Design Manual has been drafted to regulate the location, design and specifications of the proposed eight units on the property. The architectural design manual will ensure that structures on the property are as unobtrusive and in harmony with the natural environment as possible through environmental sustainable design. The proposed building designs and scale of the development will conform to the existing character of the surrounding built environment and the unique sense of place created by numerous tourist accommodation facilities in the Keurbooms area.

The structures on the property will therefore comply with the notion of “touch the earth lightly” architecture which will minimise the visual and aesthetic impact of the development.

19. NO HERITAGE IMPACT

There will be no impact on heritage resources as a result of the application. None of the structures on the property are older than 60 years and there are no sites of historical significance on the property. The application will not affect the historic scenic character of the area and it will not impact on the value of any surrounding sites.

A Notice of Intent to Develop application is in the process of being completed for the proposed development for submission to Heritage Western Cape in line with the National Heritage Resources Act, 1999 (Act 25 of 1999). It is necessary for application to be made to Heritage Western Cape since the land use application entails the rezoning of a property larger than 10 000m² (1ha) and therefore triggers section 38(1)(d) of the Act.

20. ASSESSMENT OF APPLICATIONS

According to Section 36 of the Land Use Planning Ordinance, 1985 (LUPO), an application can solely be refused on the basis of:

- A lack of desirability;
- Consistency with spatial planning policy;
- Effect on existing rights concerned.

The desirability criteria that have to be considered include:

- (i) Character of the Area;

- (ii) Locality and accessibility;
- (iii) Impact on Services;
- (iv) Safety and Welfare of the members of the community concerned.
- (v) Preservation of the natural environment;
- (vi) Preservation of the developed environment;
- (vii) Effect on existing rights concerned, with the exception of any alleged right to protection against trade competition

The application will not impact on the character of the area, has existing approved access and is ideally located for the intended use.

The application will preserve the natural environment through the protection of the conservation area and will retain the rural character of the area thus preserving the developed environment. Finally the development will not impact on the rights of any surrounding property owners. Thus, the application can be viewed as desirable and it is the considered opinion that there is no valid reason in terms of LUPO to refuse the application.

21. CONCLUSION

In light of this motivation, and the information contained within the foregoing report, it is clear that the application for:

- (i) The subdivision of Portion 32 of the Farm Matjesfontein No 304, Division Knysna into Five (5) Portions, in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).
- (ii) The rezoning of Portion E of Portion 32 of the Farm Matjesfontein No 304, Division Knysna from "Resort Zone II" to "Subdivisional Area" in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
- (iii) The subdivision of Portion E of Portion 32 of the Farm Matjesfontein304, Division Knysna into 9 portions (8 x Residential Zone II erven; 1 x Open Space Zone II (Private Nature Reserve) in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).
- (iv) A departure from the Section8 Zoning Scheme Regulations to allow a group housing site larger than 2ha in extent, in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by Council.

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