

PORTION 7 OF THE FARM BRAKKLOOF NO 443

APPLICATION FOR:

REZONING



CLIENT: THE RAPHAELI WALDORF SCHOOL
PREPARED BY: MARIKE VREKEN URBAN & ENVIRONMENTAL PLANNERS



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CONTENTS

(I) TABLE OF CONTENTS

SECTION A :	BACKGROUND	1
1.	BACKGROUND	1
2.	THE APPLICATION.....	1
3.	PROPERTY DESCRIPTION, SIZE AND OWNERSHIP.....	2
SECTION B :	DEVELOPMENT PROPOSAL	3
4.	DEVELOPMENT SPECIFICATIONS	3
4.1.	Existing Structures	4
4.2.	New Structures	4
4.3.	Sport Facilities	4
4.4.	Conservation Corridor	5
4.5.	Access & Egress	5
4.6.	Parking	7
5.	STATUTORY SPECIFICATIONS	8
5.1.	Rezoning.....	8
5.2.	Section 8 Zoning Scheme Regulations (1988).....	8
6.	SERVICES INFRASTRUCTURE	9
6.1.	Civil Services.....	9
6.2.	Electrical Service.....	10
SECTION C :	CONTEXTUAL INFORMANTS	11
7.	LOCALITY	11
8.	CURRENT LAND USE AND ZONING	11
8.1.	Land Use	11
8.2.	Zoning.....	12
9.	SITE CHARACTERISTICS	13
9.1.	Topography.....	13
9.2.	Vegetation	14
10.	CHARACTER OF THE AREA	14
11.	EXISTING POLICY FRAMEWORKS.....	15
11.1.	National Development Plan (2011).....	15
11.2.	Western Cape Provincial SDF (2014)	16
11.3.	Western Cape Rural Development Guidelines (2018)	19

11.4.	Eden Spatial Development Framework (2017).....	21
11.5.	Bitou Spatial Development Framework (2017)	22
11.6.	Bitou Integrated Development Plan (2017-2022).....	25
SECTION D : MOTIVATION.....		28
12.	ASSESSMENT OF APPLICATIONS	28
12.1.	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).....	28
12.2.	Bitou Municipality By-law on Municipal Land Use Planning (2015) 28	
13.	CONSISTENCY WITH SPATIAL PLANNING POLICIES.....	29
14.	CONSISTENCY WITH THE SURROUNDING AREA	29
15.	NO IMPACT ON EXISTING RIGHTS.....	30
16.	SOCIO-ECONOMIC IMPACT	30
17.	ACCESSIBILITY OF THE AREA.....	30
18.	PROVISION OF A MUCH-NEEDED SERVICE TO THE AREA	31
19.	ENVIRONMENTAL IMPACT ASSESSMENT.....	31
20.	WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014)	32
20.1.	Spatial Justice.....	32
20.2.	Spatial Sustainability	33
20.3.	Spatial Efficiency	34
20.4.	Spatial Resilience.....	35
20.5.	Good Administration	35
21.	CONCLUSION	36

(II) ANNEXURES

- ANNEXURE A.** Guide Plan Amendment approval – November 2009
- ANNEXURE B.** Pre-Application minutes dated 03 August 2017
- ANNEXURE C.** Power of Attorney& Company Resolution
- ANNEXURE D.** Application Form
- ANNEXURE E.** Copy of Title Deed –T42149/2017 & Windeed Search
- ANNEXURE F.** SG Diagram No 546/1910
- ANNEXURE G.** Servitude Diagram No 351-2002
- ANNEXURE H.** Traffic Impact Assessment - Innovative Transport Solutions (ITS)
- ANNEXURE I.** Civil Services Report - Tuiniqua Consulting Engineers dated June 2019

ANNEXURE J. Survey Plan – Beacon Surveys dated June 2018

(III) PLANS

- PLAN 1.** Locality Plan
- PLAN 2.** Land Use Plan
- PLAN 3.** Site Development Plan
- PLAN 4.** Slope Analysis Plan
- PLAN 5.** 2m Contour Plan

(IV) TABLE OF FIGURES

FIGURE 1.	Proposed SDP.....	3
FIGURE 2.	Proposed Conservation Corridor	5
FIGURE 3.	Existing Access-Viewed from the entrance towards the west	6
FIGURE 4.	Internal Road towards the exit	6
FIGURE 5.	Locality	11
FIGURE 6.	Existing Structures on Site	12
FIGURE 7.	Existing Structures on Site_2.....	12
FIGURE 8.	Slope Analysis	13
FIGURE 9.	Character of the Area	14
FIGURE 10.	Surrounding Land uses.....	15
FIGURE 11.	Key Transitions For The PSDF	17
FIGURE 12.	Policies Applicable to the Proposed Development	18
FIGURE 13.	Bitou 2017 SDF Extract.....	23
FIGURE 14.	Smart Growth Principles as per 2018 Draft SDF.....	24
FIGURE 15.	2018 Draft SDF Extract.....	25

EXECUTIVE SUMMARY

Informant	Description	Reference
Property:	Portion 7 of the Farm Brakkloof No. 443 in the Bitou Municipality, Division of Knysna Western Cape Province.	Par.3
Size:	21,0265 ha	Par.3
Locality / Address:	The application area is located approximately 3.5km south-west of the Plettenberg Bay CBD and directly northeast of the Plettenberg Bay Airport The application area currently gains direct access from the Main Road (MR00382) Robberg Road. The coordinates 34° 5'12.68"S and 23°20'26.13"E.	Par.7
Development Proposal:	The Raphaeli Waldorf School	Par.4
Existing Land Use:	The Raphaeli Waldorf School	Par.8.1
Development Application:	The Rezoning of Portion 7 of the Farm Brakkloof No 443 from "Agriculture Zone I" to "Institutional Zone I" in terms of Section 15(2)(a) of the Bitou Municipality By-law on Municipal Land Use Planning (2015);	Par2
Services Availability:	Civil Services Report attached. Adequate electricity supply.	Par.6
Spatial Policy Framework:	<u>National Development Plan:</u> The expansion of learning centres and the provision of high-quality education is a national target that will be furthered by the expansion of the Waldorf Raphaeli School.	Par.11.1
	<u>Western Cape SDF:</u> The proposal complies with strategic objectives as set out by the Western Cape Spatial Development Framework.	Par.11.2
	<u>Western Cape Rural Development Guidelines:</u> Inline and consistent with the objectives for the applicable category (Community Facilities and institutions). The guidelines for implementation have been taken into consideration for this proposal.	Par.11.3
	<u>Eden SDF:</u> Consistent and in line with Spatial Policy Statements & Guidelines.	Par.11.4
	<u>Bitou SDF:</u> Inside urban area suitable for development.	Par.11.5
	<u>Bitou IDP:</u> Located in Ward 2. In line with the strategic objectives contributes to the envisioned outcome. In line with IDP.	Par.11.6
Motivation Criteria:	<u>Consistency with the Surrounding area:</u> Consistent with the character of the area.	Par.14

Informant	Description	Reference
	<u>No Impact on Existing rights:</u> The proposed land use application will not impact any existing land use rights currently enjoyed by neighbouring properties.	Par.15
	<u>Socio-Economic Impact:</u> A total of 15 additional staff members will be employed with the proposal. The property will also fall under higher rates and tax bracket meaning the proposal will contribute to the growth of the municipal revenue base.	Par.16
	<u>Accessibility of the Area:</u> Safe and sufficient access is permitted to the application area, the existing accesses to Portion 7 of Farm 443, Portion 7 of Farm 440 and the Remainder of Farm 440 will be consolidated into one access from Airport road.	Par.17
	<u>Provision of a much-needed service to the area:</u> Currently accommodates 117 children. Need for more schools identified in various spatial policy documents.	Par.18
	<u>Environmental Impact Assessment:</u> In Progress.	Par.19
LUPA Land Use Planning Principles:	<u>Spatial Justice:</u> Consistent.	Par.20.1
	<u>Spatial Sustainability:</u> Consistent.	Par.20.2
	<u>Spatial Efficiency:</u> Consistent.	Par.20.3
	<u>Spatial Resilience:</u> Consistent.	Par.20.4
	<u>Good Administration:</u> Applicable to Bitou Municipality.	Par.20.5
Conclusion:	Meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and The Bitou Municipality By-Law on Municipal Land Use Planning (2015); is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by Bitou Municipality.	Par.21

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

Portion 7 of the Farm Brakkloof No 443 is located south-west of Plettenberg Bay, and northeast of the Plettenberg Bay Airport. The Raphaëli Waldorf School Plettenberg Bay, which is a registered non-profit school, acquired Portion 7 of the Farm Brakkloof No 443 during 2018.

The previous owners of this property applied for development rights for a residential estate during 2007. During November 2009, the Western Cape Government approved the amendment of the former Guide Plan, to earmark the property for "Township" purposes. A copy of this approval is attached as **ANNEXURE A**.

An Environmental Authorisation was issued for a proposed residential development during June 2013 and extension of the validity of the Environmental Authorisation until June 2020 was granted during December 2018. The existing Environmental Authorisation requires an amendment and Eco Route Environmental Consultancy has been appointed to apply for Environmental Authorisation.

The proposal entails the construction of 3 buildings, 2 sheds, 1 tuckshop, 5 food stalls, stables, 2 sports fields and 4 tennis courts. The existing buildings on site will be refurbished converted for the proposal.

In order to allow for the Raphaëli Waldorf School, it is necessary to apply for a Rezoning in terms of Section 15(2)(a) of the Bitou Municipality By-law on Municipal Land Use Planning (2015).

Pre-application consultation was held with the Bitou Municipality on 03 August 2017 regarding the proposal. (Refer to **ANNEXURE B**). The following points were raised during the meeting for the applicant to bear in mind when compiling the land use application:

2. THE APPLICATION.

Marika Vreken Urban and Environmental Planners has been appointed by **THE RAPHAELI WALDORF SCHOOL** to prepare and submit the required application documentation (refer to **ANNEXURE C: Power of Attorney & Company Resolution for Portion 7 of the Farm Brakkloof No 443 and ANNEXURE D: Application Form**) for:

- (i) The Rezoning of Portion 7 of the Farm Brakkloof No 443 from "Agriculture Zone I" to "Institutional Zone I" in terms of Section 15(2)(a) of the Bitou Municipality By-law on Municipal Land Use Planning (2015)

COMMENT	RESPONSE
The application area is located inside the urban edge and that it is suitable for urban-related development. No objection to the proposed use.	<i>Noted</i>
the application will most likely be decided by the Municipal Planning Tribunal.	<i>Noted.</i>
Bitou Municipality envisions to appoint their own independent planning tribunal in the near future.	<i>Noted.</i>
the following additional information is required for the purposes of the land use application • Electrical services report; • Civil services report; • Detailed site development plan; • A traffic impact assessment as an increase in learners will contribute to increasing traffic activities within the area. Also, safe access to the divisional road needs to be discussed with the provincial roads engineer. We believe that the traffic engineer will address this issue accordingly; • Biodiversity assessment report; • Environmental Authorisation (if Listed activities are triggered).	<i>Electrical services report; Civil services report, a detailed site development plan, Traffic impact assessment report, are attached to this report.</i> <i>Environmental Impact Assessment is in process.</i>

3. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the Title Deed that includes the information outlined below is contained in **ANNEXURE E**. The Surveyor General Diagram (SG 546/1910) for the application area is contained in **ANNEXURE F**.

TITLE DEED NUMBER:	T42149/2017
PROPERTY DESCRIPTION:	Portion 7 of the Farm Brakkloof No. 443 in the Bitou Municipality, Division of Knysna Western Cape Province.
PROPERTY OWNER:	The Raphaëli Waldorf School - Reg No 2011/011815/08
PROPERTY SIZE:	21,0265 Ha (Twenty-One Comma Zero Two Six Five) Hectares
TITLE DEED RESTRICTIONS:	The Title Deed contains no restrictive title deed conditions that prevent the proposed development.
SERVITUDES:	22m wide electrical power line servitude. Refer to ANNEXURE G for Servitude Diagram no 351-2002.
BONDS:	There are no bonds registered over the subject property.

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

(Refer to Plan 3: Site Development Plan)



FIGURE 1: PROPOSED SDP

The development proposal will consist of three phases:

- Phase 1 will focus on the development of facilities for Gr 0-7 learners and one sports field. Provision is made for a total of 121 learners.
- Phase 2 is will be the construction of the primary school making provision for an additional 135 learners, an additional sports field and (4) x tennis courts.
- Phase 3 will be the construction of the high school that caters for Gr 8-12 learners and also includes (2) x hostels, (3) x residential units and horse stables. Phase 3 allows for an additional 130 learners.

The existing school currently has 15 staff members. After the proposed development and expansion of the existing school, there will be 30 staff members. The primary school will have a maximum capacity of 256 learners and the high school a maximum capacity of 130 learners resulting in a total learner capacity of approximately 386 learners.

During the first phase of the development the southern portion of the property will be developed as follows:

4.1. Existing Structures

The existing structures on site will be refurbished and some reconstructed and used for the following uses as indicated on the attached Site Development Plan:

- Administration & Reception building (66m²)
- Playgrounds, After Care, Kinder garden, Courtyard & Staff Room (366m²)
- Classrooms 1-3 (285m²)
- Classrooms 4-5 (222m²)
- Craft Room (44m²)
- Main Hall, Small Hall & Ablutions (529m²)
- Shed (37m²)

4.2. New Structures

The following buildings are proposed as indicated on the attached Site Development Plan:

- Classroom 6 (70m²)
- Classroom 7 (70m²)
- Craft Room (44m²)
- (2) x New Sheds (37m² each)
- Tuck Shop (37 m²)
- (5) x Food stalls (25 m²)
- Stables (545 m²)

4.3. Sport Facilities

The sports area will be interleading with the educational facilities; forming a campus and will also have an Institutional Zoning. The sporting facilities will also be completed at Phase 2 and will consist of the following:

- Phase 1: (1) x Large Multi-Sport Field;
- Phase 2: (4) x Tennis Courts and (1) x Large Multi-Sport Field

A section of the parking area (hard surface) will be used for recreational purposes sports such as netball. No structures are required for the proposed activity, lines will merely be painted on the hard surface. This is currently the only temporary location allowing the kids to practice this sport.

4.4. Conservation Corridor

A large section of the property situated in the northern section of the property is demarcated as a Critical Biodiversity Area. Biodiversity conservation areas, shown in green and developable areas, shown in pink in the figure below, forming ecological corridors, to include steep slopes, watercourses, dams, fynbos vegetation and rock outcrop habitat. No development is proposed in this section of the property and therefore a conservation corridor is proposed. This area could have nature trails leading down to the valley below. On-going alien vegetation removal and fire-management would be required. A firebreak will separate this area from the school facilities.



FIGURE 2: PROPOSED CONSERVATION CORRIDOR

4.5. Access & Egress

Access to the application area is obtained from the Southern portion of the property from Main Road MR00382 (Robberg Road) that runs along the southern boundary of the application area. The existing access will be retained.

A circle is proposed at the current intersection linking Minor Road OP07208, Divisional Road DR01770 and Main Road MR00382. A new tarred internal road is also proposed on

the subject property. The existing dirt road will be tarred and expanded to the north of the property.



FIGURE 3: EXISTING ACCESS-VIEWED FROM THE ENTRANCE TOWARDS THE WEST



FIGURE 4: INTERNAL ROAD TOWARDS THE EXIT

'Innovative Transport Solutions (ITS)' was appointed to conduct a transportation investigation. The study aims to assess the expected transport-related impact of the proposed Raphaëli Waldorf School and existing traffic conditions within the application area's vicinity. This report is attached as **ANNEXURE H**.

The various components of this transportation investigation are summarised below:

Existing Traffic: The study intersection currently operates acceptably, and no road upgrades are proposed for the existing conditions.

- **Background Traffic:** A growth rate of 5% per annum was used for background growth. The study intersection will operate acceptably, and no road upgrades are proposed for the year 2024 background conditions.
- **Development Trips:** 310 weekday a.m. peak hour trips (155 inbound/155 outbound) and 116 weekday p.m. peak hour trips (58 inbound/58 outbound). These trips are for Monday a.m. peak hour and Friday p.m. peak hour when the learners will also be dropped-off/picked-up at the Hostel.
- **Site Access:** It is recommended that the existing accesses to Portion 7 of Farm 443, Portion 7 of Farm 440 and the Remainder of Farm 440 be consolidated into one access. Access to the school is proposed via the new consolidated access off Airport Road (DR1770) via a new northern leg at the OP7208 intersection.
- **Total Traffic:** The study intersection will continue to operate acceptably with the development completed.
- **Pedestrians & Cyclists:** No dedicated pedestrian or cyclist facilities are recommended for the proposed development.
- **Public Transport:** It is recommended that a public transport bay be provided along the northern side of Airport Road (DR1770), downstream of the access. Based on the above investigation, it is evident that the expected transport impacts of the planned development will have a low negative significance. The current road network with the existing intersection geometry and controls can accommodate the proposed development, from a capacity point of view. However, to improve safety, it is recommended that dedicated right-turn lanes be provided at the access intersection. It is recommended that this development be approved, from a transport engineering point of view.

4.6. Parking

The Section 8 zoning scheme regulations, 1988 does not prescribe a specific parking requirement for the proposed zoning category it states, "as required by the council".

A typical parking requirement for schools is 1 bay per classroom and per office plus a drop-off facility on site.

The proposal makes provision for 174 parking bays and 1 drop-off area that can accommodate 6 vehicles at a time. It is the considered opinion that sufficient on-site parking is provided to accommodate the needs of the proposal.

5. STATUTORY SPECIFICATIONS

The following land development applications are lodged in terms of the Bitou Municipality By-law on Municipal Land Use Planning (2015), to achieve the desired outcome.

5.1. Rezoning

According to the Section 8 Zoning Scheme Regulations, 1988 the operation of a school with its ancillary facilities are regarded as 'place of instruction'¹ which is a primary land use for 'Institutional Zone I' properties.

In order to obtain land use rights for the school and its proposed expansion on Portion 7 of the Farm Brakkloof No 443, application must be made for the rezoning Portion 7 of the Farm Brakkloof No 443 from "Agriculture Zone I" to "Institutional Zone I", in terms of Section 15(2)(a) of the Bitou Municipality By-Law on Municipal Land Use Planning (2015) to allow a 'place of Instruction' as a primary land use right on the property.

5.2. Section 8 Zoning Scheme Regulations (1988)

A summary of the prescribed development parameters for "Institutional Zone I", and compliance of the proposed development's parameters are shown in the table below:

PARAMETER		COMPLIANCE
Primary Use:	'place of instruction'	place of instruction COMPLY
Coverage:	50%	1.18% COMPLY
Building Lines:	Street building line: at least 10 m.	10m+ COMPLY
	Side building line: at least 10 m.	10m + COMPLY
Parking:	as required by the council	174 parking bays provided 1 drop-off area provided (caters for 6 vehicles at a time) TO BE DETERMINED BY BITOU MUNICIPALITY

¹ "Place of instruction" means a crèche, pre-primary school, primary school, high school, college, technikon, university, research centre, convent, public library, public art gallery, or museum or some other centre which is utilized for instruction purposes and includes a hostel appertaining thereto, but does not include a building or land unit which is mainly utilized as a certified reformatory or industrial school or as an institution.

6. SERVICES INFRASTRUCTURE

6.1. Civil Services

Tuiniqua Consulting Engineers has been appointed to investigate the civil engineering services that are subject to the proposed development on the proper Portion 7 of the Farm Brakkloof No 443. The various components of this Civil Services Report are summarised below. The full report is attached as **ANNEXURE I**.

6.1.1. Water Supply and Storage

The property falls within the Kranshoek supply zone and the existing development can be fed from the existing 125 mm water mains.

It is proposed that the developer use the spare capacity in the existing Municipal network for supply up to the Brakkloof reservoir and to Kranshoek. Note: The Municipality has recently completed a new water pipeline to Kranshoek, that is not included in the GLS Report, and have budgeted for the required Brakkloof pumps for their next financial year. The existing water mains to Kranshoek may be used to augment the existing supply to the development and as such reduce the fire flow shortfall.

The internal water reticulation is to be designed according to the "Red Book" and installed according to SANS1200. Materials to comply with ISO standards.

The development to be supplied with a municipal approved bulk meter off the 125mm diameter mains at the boundary of the development. Minimum domestic internal reticulation pipe diameter to be 40 mm in diameter. Minimum fire reticulation to be 75 mm in diameter. Pipe cover to be 1000mm minimum under roads and 600 mm under sidewalks and open spaces.

6.1.2. Sewer

GLS included the sewer flow PDDWF (peak daily /dry weather flow) from the site in their Master plan at 83 kl/day. For the proposed development the sewer flow was recalculated at a much lower 6,6 kl/day.

There are an existing 200 mm sewer mains that run along the main road past the entrance to the property. The existing Municipal system has capacity at a point 700 m downstream where a connection into the existing system can be made.

Internal gravity sewage reticulation will be designed according to "Blue Book" standards and installed in accordance with SABS 1200 and the National Building Regulations. Each building will be provided with an individual connection and gravitate to a proposed new private internal pump station in the development. The internal pump station needs to be designed with four-hour emergency storage and a standby generator. The proposed pumping mains of 90 mm class 9 uPVC is to be installed along with discharge into the municipal system as described above. The existing septic tanks need to be cleaned up and abandoned.

Sewage reticulation will be designed according to "Blue Book" standards and installed in accordance with SABS 1200 and the National Building Regulations. Each plot will be provided with an individual house connection and gravitate to a proposed new internal pumpstation in the development. The pumping mains of 90 mm class 9 uPVC will discharge into the municipal system as described above.

Sewage augmentation levies are payable to the council at the current rates at the time. There are no advertised augmentation fees as discussed above and direction is awaited from Bitou Municipality in this regard.

6.1.3. Roads and Storm water

It is also recommended that a public transport bay be constructed along the northern side of DR 1770. An obvious safety improvement is the combining of private access ways before the Airport Road is reached. It is proposed that the rainwater collected on roofs and hardened surfaces be channelled and piped into rainwater tanks on each site and overflow channelled to the existing dam. The dam will be used to reduce the peak discharge and overflow to be discharged to the natural watercourse. Energy dissipation measures to be implemented prior to discharging towards the large open remaining undeveloped property.

6.1.4. Refuse Removal

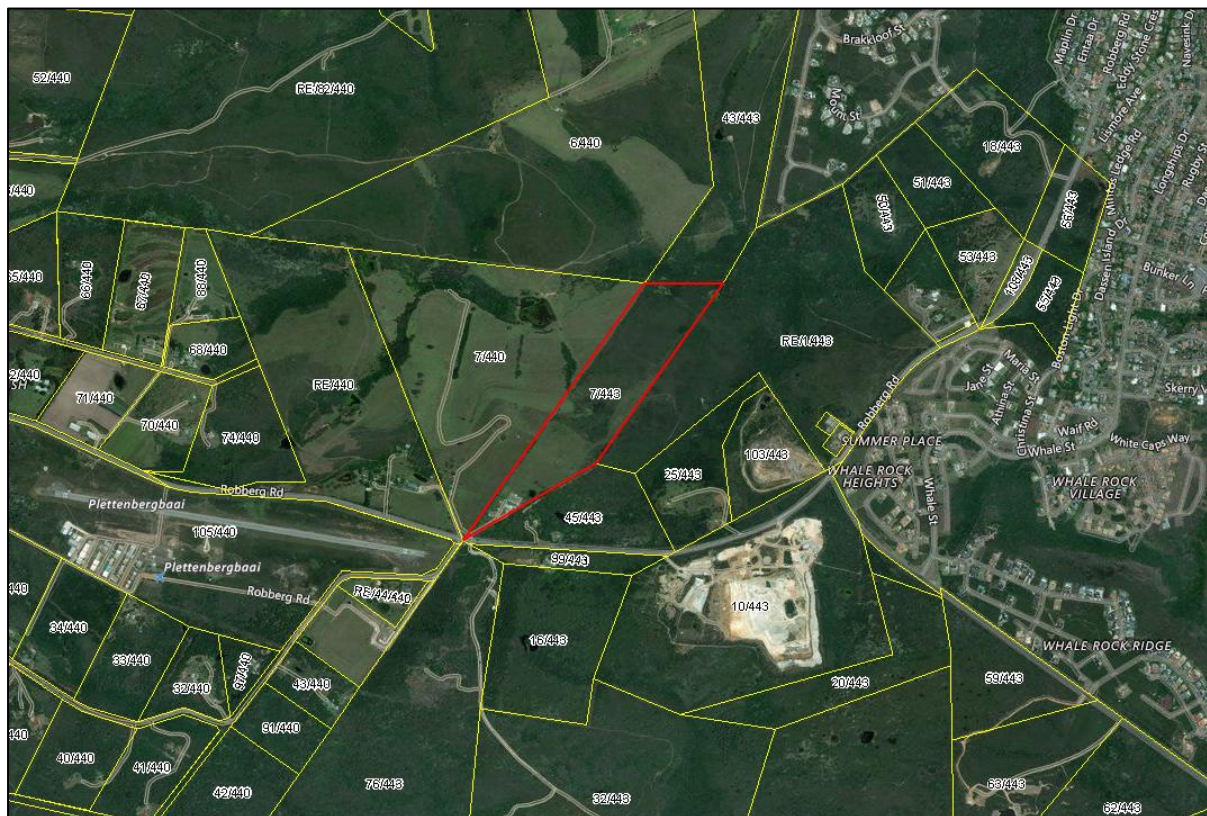
It is proposed that the municipality extend their bulk service to the development and that an approved collection and storage area be constructed at the entrance to the development.

6.2. Electrical Service

Electrical supply is currently 3 Phase and is supplied directly from Eskom. The school management has confirmed that Eskom has indicated that they can meet the demand for the proposed development. A Specialist Electrical Engineer report was requested in the pre-application meeting. It is not necessary as the current supply is sufficient.

SECTION C :**CONTEXTUAL INFORMANTS****7. LOCALITY***(Plan 1: Locality Plan)*

The application area is located approximately 3.5km south-west of the Plettenberg Bay CBD and directly northeast of the Plettenberg Bay Airport. The application area currently gains direct access from the Main Road (MR00382) Robberg Road. The coordinates of the centre point of the property are located at 34° 5'12.68"S and 23°20'26.13"E.

**FIGURE 5: LOCALITY****8. CURRENT LAND USE AND ZONING****8.1. Land Use***(Refer to ANNEXURE J: Survey Plan – Beacon Surveys dated June 2018)*

The Raphaeli Waldorf School will be situated on Portion 7 of the Farm Brakkloof No. 443. The subject property has 3 buildings, 3 Sheds, and a large concrete slab currently on site as depicted on the attached Survey Plan conducted during June 2018. It must be noted that the two smaller sheds located west of the proposed classes 1-3 building next to the electric box have since been demolished. All the existing buildings on site will be refurbished and converted into the various uses as depicted on the proposed SDP.



FIGURE 6: EXISTING STRUCTURES ON SITE



FIGURE 7: EXISTING STRUCTURES ON SITE_2

8.2. Zoning

Portion 7 of the Farm Brakkloof No 443 is currently deemed to be zoned as "Agriculture Zone I" in terms of the Section 8 Zoning Scheme Regulations (1988).

9. SITE CHARACTERISTICS

9.1. Topography

(Refer to Plan 4:Slope Analysis Plan)

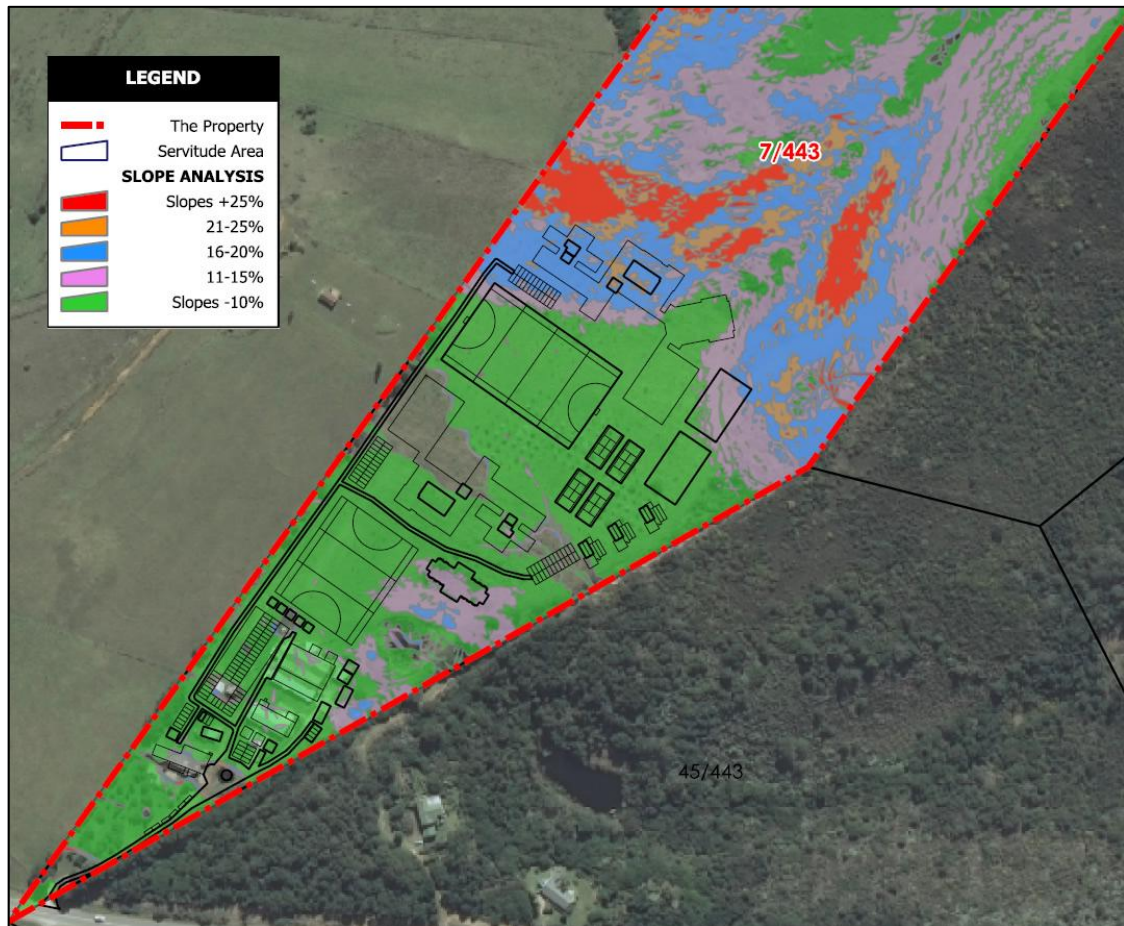


FIGURE 8: SLOPE ANALYSIS

The height of the application area is at an average height of between 130m to 120m above MSL. The average slope percentage between 10-5%, the northern portion of the property has relatively steep slopes of up to 33% and the southern portion relatively even slopes of less than 3 %.

Slope gradients have important implications for building development in terms of earthworks and construction costs. Steep slopes are unsuitable for development.

The relatively even slopes are in the southern portion of the site which is suitable for development. The existing buildings are situated there, and the new buildings are proposed to be situated in that area. No development will occur in the northern sections of the site where steep slopes and uneven ground are present.

9.2. Vegetation

According to Cape Farm Mapper, a small portion in the southern corner of the subject property is covered in South Outeniqua Sandstone Fynbos that falls under the Fynbos Biome and Eastern Fynbos-Renosterveld Bioregion and is grouped under the Sandstone Fynbos. The majority and remainder of the subject property are covered in Garden Route Shale Fynbos that falls under the Fynbos Biome and Eastern Fynbos-Renosterveld Bioregion and is grouped under the Shale Fynbos.

10. CHARACTER OF THE AREA

(Plan 2: Land Use Plan)

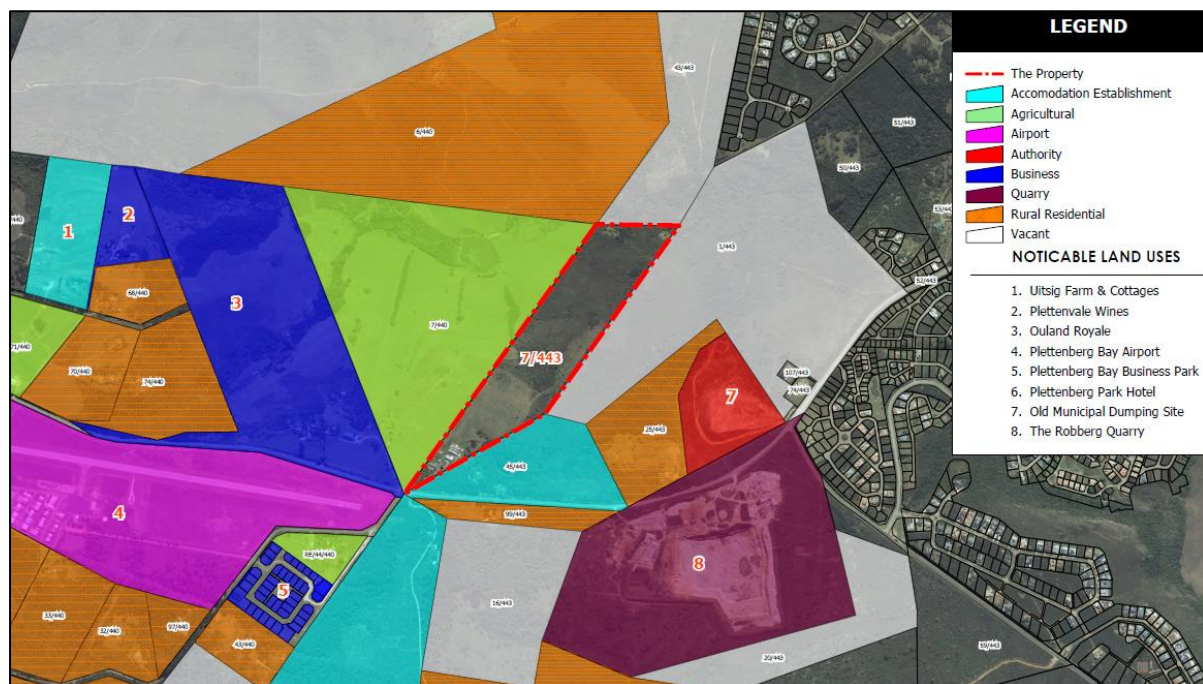


FIGURE 9: CHARACTER OF THE AREA

The figure above illustrates the surrounding land uses in close proximity to the application area. The surrounding land uses are predominantly rural in character, with a mixture of tourist facilities, tourist accommodation, rural residential, agricultural, vacant sites and residential estates to the east. The scenic Robberg Road/Plettenberg Bay Airport Road provides access to numerous uses in the area. The most recognizable landmark in the area is the Plettenberg Bay Airport which is located south-west of the application area.

The properties in the immediate surrounding area were intended to be used for agricultural purposes, but with time the agricultural use in the area decreased. Some agricultural properties are evident, and these mostly used for rural residential purposes with minimal agriculture activities.

Noticeable land uses as indicated in the figure above in the immediate surrounding area being tourist facilities, tourist accommodation establishments, authority uses, and other noticeable uses include:

1. Uitsig Farm & Cottages (440/67);
2. Plettenvale Wines (440/8);
3. Ouland Royale restaurant/nursery (RE/440);
4. Plettenberg Bay Airport (Portion 105/ of the Farm 440);
5. Plettenberg Bay Airport Business Park;
6. Plettenberg Park Hotel (443/76);
7. Old Municipal Dumping Site (443/103);
8. The Robberg Quarry (443/10);



FIGURE 10: SURROUNDING LAND USES

The area has retained its mainly rural character despite its diversified land uses and the distance from the CBD of Plettenberg Bay. The surrounding area is characterised by various land uses due to its unique location

11. EXISTING POLICY FRAMEWORKS

11.1. National Development Plan (2011)

The National Development Plan recognises that education, training and innovation are central to South Africa's long-term development. These are core elements in eliminating poverty and reducing inequality and the foundations of an equal society. Education empowers people to define their identity, take control of their lives, raise healthy families,

take part confidently in developing a just society, and play an effective role in the politics and governance of their communities.

The NDP continues to state that a diverse set of private, workplace and community-based providers should be supported to offer targeted work-based training, as well as community and youth development programmes; and highlights that *quality education encourages technology shifts and innovation that are necessary to solve present-day challenges*.

The NDP proposes five *cross-cutting, interdependent and implementable themes* for improving the education system in South Africa:

- (i) Lay a solid foundation for a long and healthy life and higher educational and scientific achievement;
- (ii) Build a properly qualified, professional, competent and committed teaching, academic, research and public service core;
- (iii) Build a strong and coherent set of institutions for delivering quality education, science and technology innovation, training and skills development;
- (iv) Expand the production of highly skilled professionals and enhance the innovative capacity of the nation;
- (v) Create an educational and national science system that serves the needs of society.

The NDP sets several quantifiable targets for school-level education:

- Achieve 80% of schools and learners achieving 50% and above in literacy, mathematics and science in grades 3, 6, and 9
- Increase the number of students eligible to study maths and science at university to 450,000 per year
- Improve South Africa's position in international education rankings
- Achieve 80% completion rate for a full 12 years of schooling

Planning Implication:

The expansion of learning centres and the provision of high-quality education is, therefore, a national target that will be furthered by the expansion of the Raphaëli Waldorf School in Plettenberg Bay.

11.2. Western Cape Provincial SDF (2014)

The Western Cape Provincial SDF was approved in 2014 by the Western Cape Parliament and serves as a strategic spatial planning tool that "communicates" the province's 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. However, it is important to note some of the key policies laid down by the PSDF have a bearing on the application.

The PSDF sets out a policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. Each of the three spatial themes contributes to the achievement of the Western Capes strategic objectives. These policies are categorised into three themes, namely:

- **Resources:** Sustainable use of spatial assets and resources
- **Space Economy:** Opening up opportunities in the Space Economy
- **Settlement:** Developing Integrated and sustainable settlements.

This is the rationale for the PSDF embracing a transition to a Green Economy. The so-called 'decoupling' of economic growth strived for, requires reductions/substitutions and/or replacements in the use of limited resources, while avoiding negative environmental impacts. The table below contains a summary of the key transitions promoted in the PSDF:

PSDF THEME	FROM	TO
RESOURCES	Mainly curative interventions	More preventative interventions
	Resource consumptive living	Sustainable living technologies
	Reactive protection of natural, scenic and agricultural resources	Proactive management of resources as social, economic and environmental assets
SPACE-ECONOMY	Fragmented planning and management of economic infrastructure	Spatially aligned infrastructure planning, prioritisation and investment
	Limited economic opportunities	Variety of livelihood and income opportunities
	Unbalanced rural and urban space economies	Balanced urban and rural space economies built around green and information technologies
SETTLEMENT	Suburban approaches to settlement	Urban approaches to settlement
	Emphasis on 'greenfields' development and low density sprawl	Emphasis on 'brownfields' development
	Low density sprawl	Increased densities in appropriate locations aligned with resources and space-economy
	Segregated land use activities	Integration of complementary land uses
	Car dependent neighbourhoods and private mobility focus	Public transport orientation and walkable neighbourhoods
	Poor quality public spaces	High quality public spaces
	Fragmented, isolated and inefficient community facilities	Integrated, clustered and well located community facilities
	Focus on private property rights and developer led growth	Balancing private and public property rights and increased public direction on growth
	Exclusionary land markets and top-down delivery	Inclusionary land markets and partnerships with beneficiaries in delivery
	Limited tenure options and standardised housing types	Diverse tenure options and wider range of housing typologies
	Delivering finished houses through large contracts and public finance and with standard levels of service	Progressive housing improvements and incremental development through public, private and community finance with differentiated levels of service

FIGURE 11: KEY TRANSITIONS FOR THE PSDF

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

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

- (ii) More inclusive development in the urban areas;
- (iii) Strengthening resilience and sustainable development.

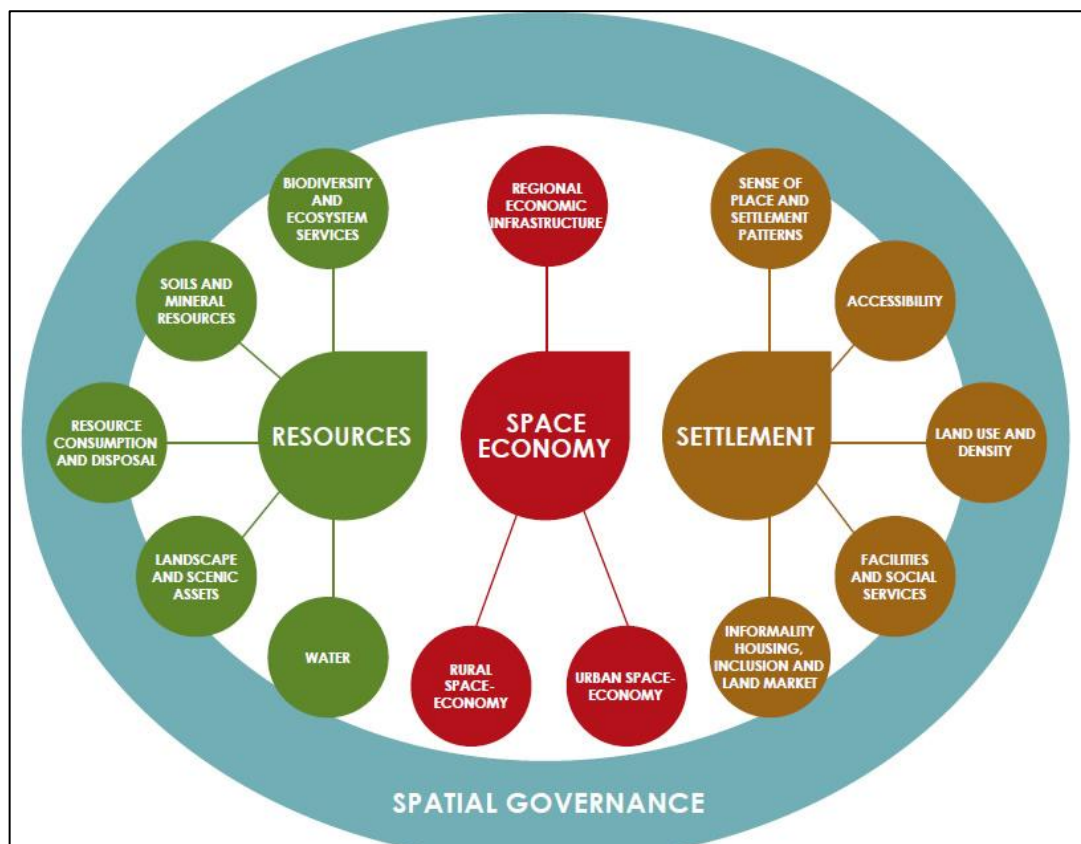


FIGURE 12: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

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

POLICY R1: PROTECT BIODIVERSITY AND ECOSYSTEM SERVICES

POLICY STATEMENT	DEVELOPMENT'S RESPONSE
2. Using the latest available CBA mapping as a primary informant, regional, district and municipal SDFs need to delineate Spatial Planning Categories (SPCs) that reflect suitable land use activities in the different CBA classifications. To inform the delineation of SPCs and the interpretation of the nature, scale and form of land use that are suitable in each SPC, the 2009 PSDF's draft Western Cape Rural Land Use Planning and Management Guidelines to be updated to incorporate new CBA and climate change corridor information.	<i>Taken into consideration. EIA process underway.</i>

POLICY S4: BALANCE AND COORDINATE THE DELIVERY OF FACILITIES AND SOCIAL SERVICES

POLICY STATEMENT	DEVELOPMENT'S RESPONSE
1. Balance sustainable service delivery and equitable access to education and health services.	<i>The identified area by Bitou Municipality's IDP as an area that requires more educational facilities.</i>

Planning Implication:

The subject property is situated inside the urban edge of Bitou Municipality and therefore recommended for urban development. All the existing buildings on site will be refurbished and reused for the proposal and a compact development is proposed limiting urban sprawl. The proposal is in line with the provisions of this spatial document and will not detract from the existing spatial pattern of the area.

The proposal complies with the land use rights and parameters of the proposed zoning category as outlined in the report and does not in any way deviate from these parameters.

The development proposal is consistent with the strategic objectives and policies as set out by the Western Cape Spatial Development Framework. As stated above it is directly in line with Policies R1, E2 and S4.

11.3. Western Cape Rural Development Guidelines (2018)

The Western Cape Rural Development Guidelines form part of the roll-out of the PSDF; the objectives in introducing Rural Land Use Planning and Management Guidelines are.

- To promote sustainable development in appropriate rural locations throughout the Western Cape and ensure that the poor share in the growth of the rural economy.
- To safeguard the functionality of the Province's life-supporting ecosystem services (i.e. environmental goods and services).
- To maintain the integrity, authenticity, and accessibility of the Western Cape's significant farming, ecological, cultural and scenic rural landscapes, and natural resources.
- To assist Western Cape municipalities to plan and manage their rural areas more effectively.
- To provide clarity to the provincial government's social partners on what kind of development is appropriate beyond the urban edge, suitable locations where it could take place, and the desirable form and scale of such development

Guidelines for Managing Rural Land Use Change:

Development in a rural area should not:

- have a significant negative impact on biodiversity;
- lead to the loss or alienation of agricultural land or has a cumulative impact thereupon;
- compromise existing or potential farming activities;

- compromise the current and future possible use of mineral resources;
- be inconsistent with the cultural and scenic landscape within which it is situated;
- involve extensions to the municipality's reticulation networks;
- impose real costs or risks to the municipality delivering on their mandate; and
- infringe on the authenticity of the rural landscape

The provincial approach to managing development pressures for the rural land uses placed under the following categories:

- | | |
|-------------------------------------|---|
| ▪ Conservation | ▪ Industry in rural areas |
| ▪ Agriculture | ▪ Community facilities and institutions |
| ▪ Rural Accommodation | ▪ Urban development |
| ▪ Tourist and recreation facilities | ▪ Infrastructure installations |
| ▪ Rural business | |

The proposed land uses would be categorised as Community Facilities and institutions, and are summarised as follow:

Community Facilities and Institutions: The approach is that community facilities serving rural communities should be located within existing settlements except when travel distances are too far, or rural population concentrations justifies the location of community facilities in rural areas. The following guidelines should be adhered to when educational facilities are proposed in rural areas:

- To provide for institutions serving agricultural production (e.g. agricultural schools and research facilities);
- Facilities to be located on disturbed areas and areas of low agricultural potential;
- Education facilities should be established in accordance with departmental specifications, including crèches and sports fields;
- A site development plan must be submitted to the municipality for consideration. The site must be surveyed and the exact delineation of the construction footprint must be shown on the site development plan, it should illustrate the placement of the facility in relation to existing buildings on the farm, and provide details on infrastructure provision, engineering services, access and parking arrangements and the position and nature of all proposed signage.

Planning Implication:

The Rural Development Guidelines are guidelines to maintain the unique character of rural areas and to guide spatial planning and land use management in rural areas. Even though the subject property is situated inside the urban edge of Bitou Municipal area the property is still zoned "Agricultural Zone I" in terms of the Section 8 Zoning Scheme, 1988 and is considered to be in an area that is in transition between urban and rural uses. The

proposed school on this property will be consistent with the guidelines for implementation of the development of an Institution in the rural area.

The existing buildings on site will be refurbished and reused for the proposed development and the new buildings will be incorporated with the existing buildings. One of the objectives of the Rapheali Waldorf School is to research and implement ways to make Waldorf education accessible to rural communities in South Africa and Africa and to increase environmental awareness and the preservation of all-natural resources. The proposed development is consistent with the objectives and the guidelines for implementation has been taken into consideration for this proposal. The Engineering Services and finer details will be addressed with the land use application.

11.4. Eden Spatial Development Framework (2017)

The Eden District Spatial Development Framework was approved in 2017 and aims to establish a strong strategic direction and vision, towards increasing levels of detail in the spatial recommendations that are directive rather than prescriptive and providing guidance to local municipalities in the District regarding future spatial planning, strategic decision-making and regional integration.

This vision and strategic direction identify the four key drivers of spatial change within the District. These drivers are defined in terms of spatial legacies, current challenges, future risks and prospects. The four drivers of change around which this SDF are framed are"

Strategy 1: The economy is the environment; a strategy founded on the principle that a sustainable economy in Eden District is an economy that is positioned for growth.

Strategy 2: Regional accessibility for inclusive growth; a strategy that is based on the notion that improved regional accessibility is essential to achieving inclusive growth

Strategy 3: Coordinated growth management for financial sustainability; a strategy informed by the realities of global fiscal austerity and the need for responsible growth management that does more with less to secure future social and economic resilience.

Strategy 4: Planning, budgeting and managing as one government, this strategy highlights that real intergovernmental cooperation is essential to achieving the spatial transformation goals of SPLUMA and the three spatial strategies above.

These strategies lie at the heart of this SDF and the problem statement, spatial concept, spatial proposals and implementation are organised around these directives.

According to the Eden SDF, Plettenberg Bay role within the Eden District is **"Specialised Coastal Centres"**². Plettenberg Bay more specifically is described as 'Exclusive tourism

²**"Specialised Coastal Centres"** Urban centres with a special function (often tourism related), as well as a role in terms of servicing the surrounding areas and containing a mix of economic activities and services. They should be complete

destination'. The general guideline for appropriate development is the creation of the walkable, integrated and compact urban environment. Services and Facilities (the proposal) within these "Specialised Coastal Centres" should Promote and cluster facilities to service the region.

The following Spatial Policy Statements & Guidelines are applicable to the proposed land development planning application:

STRATEGY: GROWTH MANAGEMENT	
Policy 3.3. Optimise existing infrastructure capacity and economic opportunity by directing mixed-use, higher density development to areas of opportunity	
Guideline 3.3.7. Promote compact development	COMPLIANCE WITH A LAND DEVELOPMENT APPLICATION
- Density should occur within 800-1600 m or 10- 20 minutes from transport hubs and areas with mixed-use activity. - The promotion of a more compact city form requires an increase in average gross density. However, an increase in density should maintain the character and form of certain heritage areas and natural environments so as to not damage or negatively impact the surroundings. - Appropriate urban density is key to achieving the Eden SDFs policy objectives	- The footprints of the buildings on site will be 1770m², the property is 21,0265 ha. The development will occur in areas suitable for development. Environmentally sensitive areas will not be developed. A large portion of land will be demarcated for conservation purposes. - From the above-mentioned, it is evident that more compact development is proposed that is environmentally friendly. The density will be increased and still be consistent with the character of the area.

Planning Implication:

The Spatial document emphasises sustainable development and protecting the environment which is the economy of the unique Eden area. The proposal will diversify and strengthen the rural economy. The size and scale of the proposed development are relatively small compared to the property size and the density will therefore not detract the rural characterisation of the area, whilst a compact development is proposed on the areas suitable for urban development. The proposal has no direct link with all the strategies and the guidelines of the Eden SDF but is consistent with the overall vision of this spatial document. The proposal is also consistent with the categorisation of Plettenberg Bay as per the Eden SDF namely a 'Specialised Centres -Coast' which is Urban centres with a special function (often tourism-related), as well as a role in terms of servicing the surrounding areas and containing a mix of economic activities and services.

11.5. Bitou Spatial Development Framework (2017)

The latest Bitou Spatial Development Framework (SDF) was approved by the Bitou Municipal Council during 2017. During January 2018 the Bitou Local Municipality commissioned the Review of the Bitou Municipal Spatial Development Framework 2013 in

settlements. Complete settlements aim to improve standards of living and social inclusion. Investment in these areas should prioritise achieving a balanced mix of uses, economic activities, socioeconomic groups and services.

order to bring it in line with the content and process requirements of Spatial Planning and Land Use Management Act, Act 16 of 2013 (SPLUMA). The Draft Bitou SDF is currently out for public comments and does not have a status yet, however, the compliance of the existing proposal therewith is briefly assessed and compared current SDF.

The SDF is the primary spatial tool for guiding development within the municipal area. The SDF echoes the principles laid down by the provincial SDF including densification, the importance of compact settlements and walkability and the promotion of a mixture of uses in close proximity to one another.

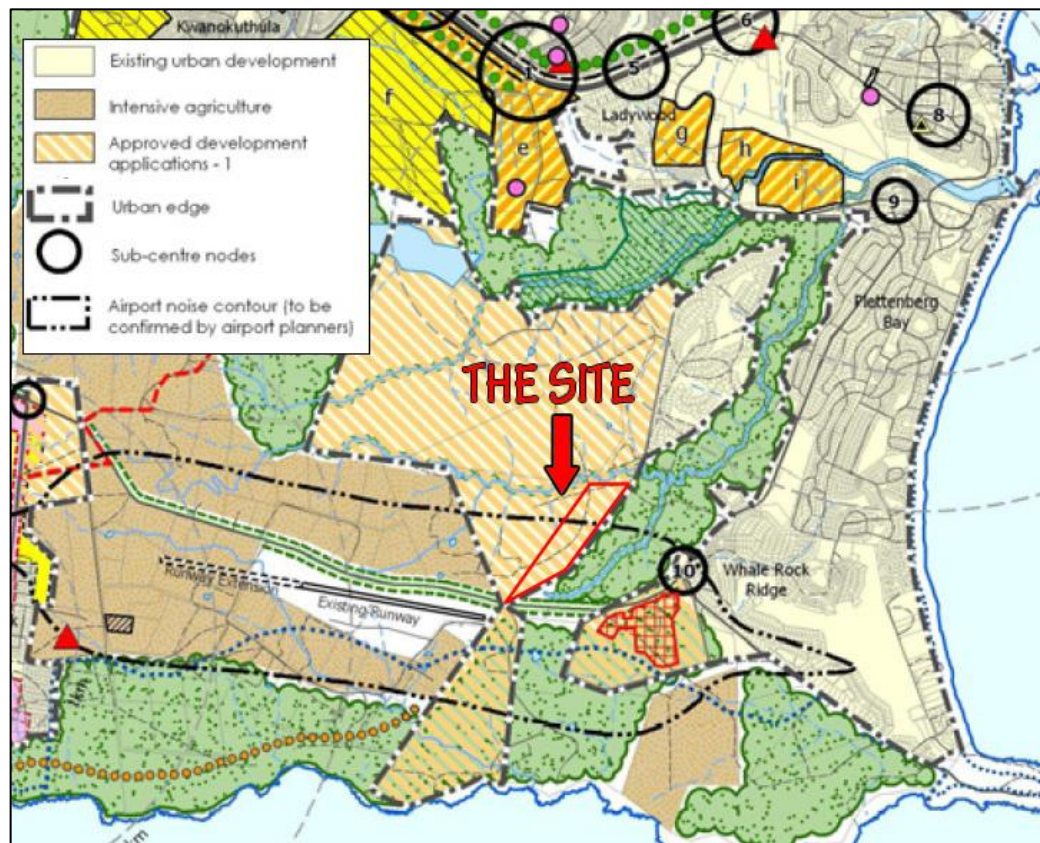


FIGURE 13: BITOU 2017 SDF EXTRACT

Portion 7 of the Farm Brakkloof No 443 is located inside the urban edge of the Bitou Municipal area. The application area is demarcated as 'Approved development applications' and is suitable for urban development.

A large portion of the application area is inside the 'airport noise contour'. The Bitou SDF does not set out any guidelines or strategies in terms of development for this area. It should also be noted that the Plettenberg Bay Airport is an identified Specialised Airport and a recommendation is made that the airport should focus on providing upmarket services to an elite clientele. The use of larger planes and more air traffic is unlikely due to the close proximity to existing urban areas and past events and will therefore not have any negative impacts on the proposal.

Draft SDF (2018):

The subject property is inside the urban edge and demarcated for 'Strategic Development Areas' as per the draft SDF. It is important that these areas be functionally incorporated into the existing urban fabric in line with the Smart Growth Principles as indicated in the figure below.

SMART GROWTH PRINCIPLES	
■	Provide for a mix of different kinds of land uses, e.g. residential, retail, business, and recreational opportunities.
■	Create well-designed, compact neighbourhoods where the different activities are in close proximity to each other.
■	Provide a variety of transportation choices, including private, public and non-motorised transport opportunities that are safe.
■	Create a variety of housing opportunities, i.e. in terms of function, form and affordability.
■	Encourage growth in existing communities through infrastructure upgrade, urban renewal, new amenities and densification.
■	Preserve open spaces, natural beauty, and environmentally sensitive areas.
■	Protect and enhance agricultural lands and secure these as a productive land base for food security, employment, etc.
■	Utilise smarter and cheaper infrastructure and green buildings and promote renewable and sustainable technologies.
■	Foster a unique neighbourhood identity building on the unique and diverse characteristics of each community.
■	Nature engaged citizens through residential, work, and play areas.
■	Engaged citizens to participate in community life and decision-making.

FIGURE 14: SMART GROWTH PRINCIPLES AS PER 2018 DRAFT SDF

The proposal is in line with the demarcation as per the draft SDF and the subject property is also included in the urban edge of the Bitou Municipal area. It can be concluded that future urban development is encouraged.

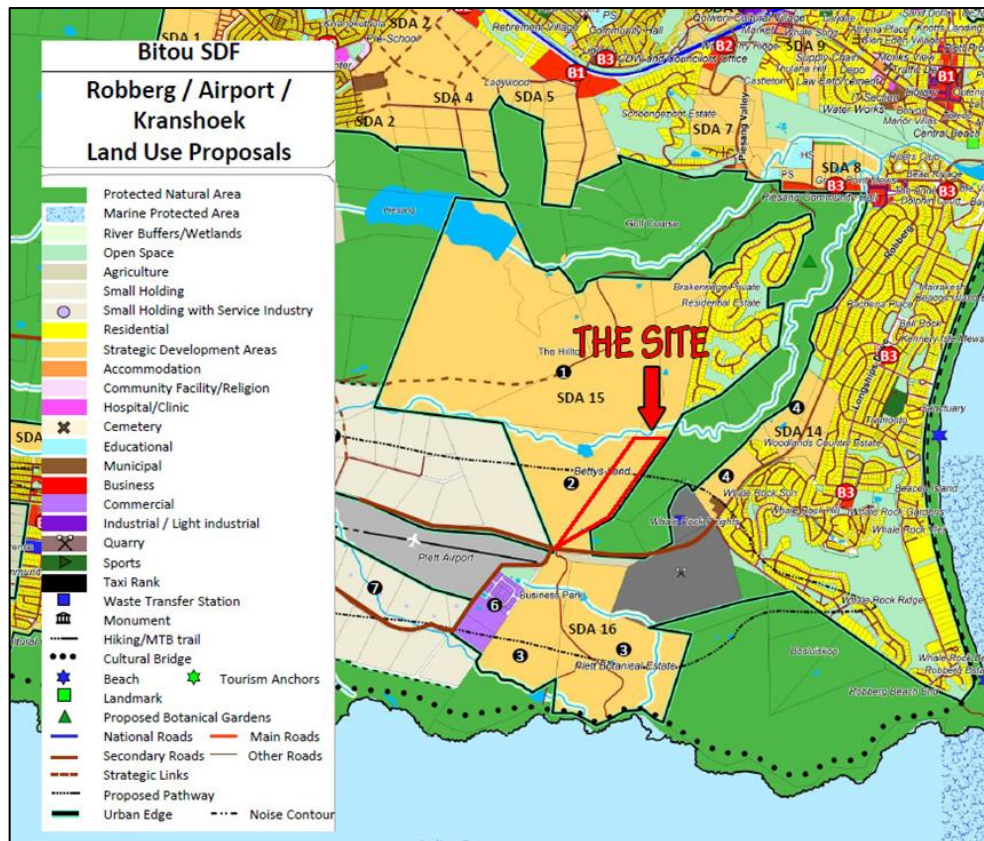


FIGURE 15: 2018 DRAFT SDF EXTRACT

Planning Implication:

The subject property is inside the urban edge of the Bitou Municipal area and is suitable for urban development. The current Bitou SDF earmarks the property as having approved development rights, which is based on an Environmental Authorisation that was granted for residential development on this property. The owners would like to fully commence with the proposal which is in line with the Bitou SDF envisioned outcome for this area and is doing so without detracting from the current rural character of the area as limited extensions are proposed on the areas suitable for urban development and all the existing buildings are being refurbished.

The proposed land use will contribute to the upliftment of the community, providing a much-needed community service. The spatial positioning is ideal for the proposed development. The proposed Institutional facilities are not in conflict with the relevant designations in the Spatial Development Framework. The proposed development is consistent with the spatial pattern of the Bitou Municipal area and the vision of the draft SDF. It can, therefore, be concluded that the proposed development is in line with the Bitou SDF.

11.6. Bitou Integrated Development Plan (2017-2022)

The IDP is a municipal planning instrument that drives the process to address the socio-economic challenges as well as the service delivery and infrastructure backlogs experienced by communities in the municipality's area of jurisdiction.

Bitou Municipality approved the 4th generation IDP during June 2017 Council Resolution Number: C/6/23/05/17. According to this IDP, the municipality's vision is to encourage all members of society to participate in and support the municipal governance structure and to create opportunities for dialogue.

"To address the disjuncture in services delivery, inequality, unemployment and economic participation caused by the apartheid system which benefited a certain racial group at the neglect or exploitation of others"

Bitou Municipality has adopted seven strategic objectives to deliver on its vision and to help realize the objectives of the district economic development, provincial strategic goals and national development plan which eventually will contribute to the global sustainable development goals. The aim of these strategic objectives is to streamline municipal planning and resource use for effective and efficient service delivery. These objectives are accompanied by several programmes and projects that the council will implement to affect job creation, economic transformation, institutional capabilities and reduce inequality. These objectives are:

- Objective 1.1 Spatially integrate areas separated by apartheid, promote access for poor to work, recreational and commercial opportunities
- Objective 2.1 Grow the local economy, create jobs, empower previously disadvantaged, transform ownership patterns 2. Economic development of the local economy
- Objective 3.1 Eradicate poverty and uplift previously disadvantaged communities, promote social cohesion
- Objective 4.1 Universal access to a decent quality of services
- Objective 5.1 Build a capable, corruption-free administration that is able to deliver on the developmental mandate
- Objective 6.1 Manage expenditure prudently, grow revenue base and build long-term financial sustainability so as to invest in the social and economic development
- Objective 7.1 An active and engaged citizenry, able to engage with and shape the municipality's programme

The application area is located in Ward 2 of the Bitou Municipality. The proposal has is directly applicable to ward-based issues and priorities as stated in Table 44: Ward 2 of the Bitou IDP namely:

- Education: Development of schools/university

Planning Implication:

The IDP is a municipal planning tool to integrate municipal planning and allocate municipal funding to achieve strategic objectives that will contribute to the overall municipal vision. The proposed land development will not only directly contribute to the Ward based issue/priority for the development of schools and universities meaning there is a need as identified. The development will also create additional temporary and permanent jobs to members of the community. A total of 15 additional staff members will be employed with the proposal that equals to a 100 % increase in permanent staff which is directly aligned with Objective 2.1: Grow the local economy, create jobs, empower previously disadvantaged, transform ownership patterns & economic development of the local economy. The property will also fall under higher rates and tax bracket meaning the proposal will contribute to the growth of the municipal revenue base. The most important factor is providing the youth with the opportunity to develop their young bodies and minds at this unique facility.

It can be concluded that the proposed development is consistent with all the ward-based issues & priorities, the seven strategic objectives and the envisioned outcome for the Bitou Municipal area of the Bitou IDP

SECTION D :**MOTIVATION****12. ASSESSMENT OF APPLICATIONS****12.1. Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

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

- (1). Development principles set out in Chapter 2 of SPLUMA
- (2). Protect and promote the sustainable use of agricultural land
- (3). 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.

12.2. Bitou Municipality By-law on Municipal Land Use Planning (2015)

The Bitou Municipality By-law on Municipal Land Use Planning (2015) as promulgated by G.N 7467 dated 12 August 2015 states in Section 65 the general criteria necessary for considering an application by the municipality

It must be noted that the application has not undergone the notice phase of the application process and that the information below is the necessary information required by the municipality to process the application. The following criteria must be considered when evaluating the desirability of this land development application:

CRITERIA	REFERENCE IN REPORT
The impact of the proposed land development on municipal engineering services .	Par.6
The integrated development plan , including the municipal spatial development framework.	Par.11.6
The applicable local spatial development frameworks	Par.11.5

CRITERIA	REFERENCE IN REPORT
adopted by the Municipality.	
The applicable structure plans .	<i>n/a</i>
The applicable policies of the Municipality that guide decision-making .	Par.12.2
The provincial spatial development framework .	Par.11.2
where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act or provincial regional spatial development framework.	Par.11.4
The policies, principles and the planning and development norms and criteria set by the national and provincial government;	Par.12.1
The matters referred to in Section 42 of the Spatial Planning and Land Use Management Act; Principles referred to in Chapter VI (6) of the Western Cape Land Use Planning Act ; and	Par.20
applicable provisions of the zoning scheme	Par.5.2

13. CONSISTENCY WITH SPATIAL PLANNING POLICIES

As described in **Par.11** of this report, the proposal is consistent with the relevant spatial planning policies. The proposal is consistent with the relevant spatial planning policies for the following reasons:

- (i) Complies with the strategic objectives as set out in the Western Cape Spatial Development Framework;
- (ii) Consistent with the Spatial Policy Statements & Guidelines of the Eden Spatial Development Framework;
- (iii) Portion 7 of the Farm Brakkloof no 443 is located inside the urban edge of the Bitou Municipal area. The application area is demarcated as 'Approved development applications' and is suitable for urban development;
- (iv) The proposal is directly aligned with various strategic objectives of the IDP of Bitou Municipality and also one of the Ward based issues namely *Education: Development of schools/university*.

14. CONSISTENCY WITH THE SURROUNDING AREA

Given the proposals unique locational requirements and the variety of land uses in the immediate surrounding area, it is the considered opinion that the proposed development is consistent with the character of the area.

The area has retained its mainly rural character and feel, even though the area has evolved into a variety of diversified land uses. The proposed uses would be in line with this diversified rural character. The Raphaeli Waldorf School's vision is to work out of Anthroposophy³ meaning that the near-natural surrounds compliments the vision.

Given the application area's unique locality, the development is ideal to be situated where it is and is already well established in the area, therefore, be concluded that the proposed development will be consistent with the surrounding area. The proposed rezoning will not change the character of the area.

15. NO IMPACT ON EXISTING RIGHTS

The land use applications will not impact negatively on the rights of the surrounding property owners and will not disturb or negatively influence the character of the area. The proposed upgrade of the existing structures and the construction of additional buildings will in no way negatively impact the character of the area or impact on any surrounding landowners' rights. The proposal will uplift and enhance the area.

Based on the traffic impact investigation done by "Innovative Transport Solutions (ITS)", it is evident that the expected transport impacts from the planned development will have a low to negative significance. The current road network with the existing intersection geometry and controls can accommodate the proposed development, from a capacity point of view.

The development will have no impact on traffic and the generation of noise levels will be consistent with what it usually was seeing that the application areas are already used for the proposed use. It can, therefore, south-west that the proposal will have no impact on any landowners existing land use rights currently enjoyed.

16. SOCIO-ECONOMIC IMPACT

The development will create additional temporary and permanent jobs to members of the community. A total of 15 additional staff members will be employed with the proposal that equals to a 100 % increase in permanent staff which is directly aligned with Objective 2.1 of the Bitou Municipality IDP: *Grow the local economy, create jobs, empower previously disadvantaged, transform ownership patterns & economic development of the local economy*. The property will also fall under higher rates and tax bracket meaning the proposal will contribute to the growth of the municipal revenue base. The most important factor is providing the youth with the opportunity to develop their young minds & bodies at this unique facility.

17. ACCESSIBILITY OF THE AREA

Access to the application area is obtained from the Southern portion of the property from Main Road MR00382 (Robberg Road) that runs along the southern boundary of the application area.

³**Anthroposophy** a formal educational, therapeutic, and creative system established by Rudolf Steiner, seeking to use mainly natural means to optimize physical and mental health and well-being.

The existing access will continue to be used. A circle is proposed at the current intersection linking Minor Road OP07208, Divisional Road DR01770 and Main Road MR00382. A new Tarred internal road is also proposed on the subject property. The existing dirt road will be tarred and expanded to the north of the property.

As per traffic impact study done by "Innovative Transport Solutions", The study intersection currently operates acceptably and no road upgrades are proposed for the existing conditions, the study intersection will continue to operate acceptably with the development completed

Safe and sufficient access is permitted to the application area the existing accesses to Portion 7 of Farm 443, Portion 7 of Farm 440 and the Remainder of Farm 440 will be consolidated into one access. Access to the school is proposed via the new consolidated access off Airport Road (DR1770) via a new northern leg at the OP7208 intersection. ***The locality of the site along the Airport Road classifies the subject property as having very good accessibility.***

18. PROVISION OF A MUCH-NEEDED SERVICE TO THE AREA

The Raphaeli Waldorf School has been operational since 2009. Raphaeli is the only Waldorf/Steiner school on the Garden Route with its 117 children, 10 teachers and 7 other staff members. Internationally there are 1000 schools and 15 in South Africa.

The Raphaeli Waldorf School provide a culturally rich, broadly based curriculum – the progression of subjects throughout primary school echo the historical development of civilisation, the children are led on a learning adventure that travels through time from early myths and ancient civilisations to modern-day science.

The proposed Institutional Facilities will accommodate students and learners from the surrounding residential community and the surrounding areas and as stated above currently accommodates 117 learners. Should the application be refused, and the owners are forced to cease operations this would mean 117x children need to find a new school to attend. There is a big need for a unique facility to continue operations and allow the children to receive their much-needed education and care. The shortages of schools are identified in the various spatial planning documents.

19. ENVIRONMENTAL IMPACT ASSESSMENT

The previous owners of this property applied for development rights for a residential estate during 2007. During November 2009, the Western Cape Government approved the amendment of the former Guide Plan, to earmark the property for "Township" purposes. An Environmental Authorisation was issued for the proposed residential development during June 2013. During December 2018, the Western Cape Department of Environmental Affairs and Development Planning granted authorisation to expand the validity of the Environmental Authorisation until June 2020.

The proposed expansion and procurement of land use rights for the Raphaeli Waldorf School on Portion 7 of the Farm Brakkloof No 443 requires a substantial amendment of the Environmental Authorisation that was granted during 2013, in terms of the National Environmental Management

Act, 1998 (Act 107 of 1998). **Eco Route Environmental Consultancy** has been appointed to apply for Environmental Authorisation.

20. WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014)

The purpose of this Provincial legislation is to consolidate legislation in the Province pertaining to provincial planning, regional planning and development, urban and rural development, regulation, support and monitoring of municipal planning and regulation of public places and municipal roads arising from subdivisions; to make provision for provincial spatial development frameworks; to provide for minimum standards for, and the efficient coordination of, spatial development frameworks; to provide for minimum norms and standards for effective municipal development management; to regulate provincial development management; to regulate the effect of land development on agriculture; to provide for land use planning principles; to repeal certain old-order laws; and to provide for matters incidental thereto.

Section 59 of this Act prescribe the Land Use Planning Principles that are applicable to all land development in the Province. These are summarised in the tables below. The tables below aim to summarise how the proposed development on Portion 7 of the Farm Brakkloof No 443 complies with these principles.

20.1. Spatial Justice

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Past spatial and other development imbalances must be redressed through improved access to and use of land.	N/A	<i>This policy is not applicable to the application area.</i>
Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation.	N/A	<i>This policy is not applicable to the application area.</i> <i>Not a Spatial Development Framework or Policy.</i>
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	N/A	<i>This policy is not applicable to the application area.</i>
Land use management systems should include all areas of a municipality and specifically	N/A	<i>This policy is not applicable to the application area.</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
include provisions that are flexible and appropriate for the management of disadvantaged areas and informal settlements.		
Land development procedures must include provisions that accommodate access to, and facilitation of, the security of tenure and the incremental upgrading of informal areas.	N/A	<i>The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Bitou Municipality, 2015.</i>
A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application.	N/A	<i>The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Bitou Municipality, 2015.</i>
The right of owners to develop land in accordance with current use rights should be recognised.	COMPLY	The landowner is applying for a change in land use with new use rights and will develop land in accordance with new use rights.

20.2. Spatial Sustainability

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Promote land development that is spatially compact, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority.	COMPLY	Majority of the uses of the proposed development will occur in the existing buildings, which is situated in the southern portion of the property, making the proposed development spatially compact and resource frugal.
Ensure that special consideration is given to the protection of prime, unique and high potential agricultural land.	COMPLY	No unique and high potential productive agricultural land will be lost as a result of this proposal.
Uphold consistency of land use measures in accordance with environmental management instruments.	COMPLY	- Currently busy with an environmental authorisation process. - The site-specific environmental informants have been taken into consideration during the design of the Site Development Plan.
Promote and stimulate the effective and equitable functioning of land markets.	COMPLY	The properties in the surrounding area which consist of a diverse group of land use. Development is occurring in the area

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
		<i>and change of land use is not an irregular occurrence. The proposal to rezone will not influence the functioning of the land markets in the evolving area.</i>
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	COMPLY	▪ <i>Engineering services reports attached to this report. See Par.6.</i>
Promote land development in locations that are sustainable and limit urban sprawl.	COMPLY	▪ <i>All the existing buildings and structures on site will be refurbished and used for the proposed development. 5 new buildings are proposed on-site.</i> ▪ <i>The proposal will be a compact development only on a certain portion of the land that is suitable for additional development, therefore, limiting urban sprawl. The subject site is located inside the urban edge.</i>
Result in communities that are viable.	COMPLY	▪ <i>The proposed extended facility will create additional temporary and permanent employment opportunities for the area.</i>
Strive to ensure that the basic needs of all citizens are met in an affordable way.	N/A	▪ <i>This principle is not applicable to the applicant or this development.</i>
The sustained protection of the environment should be ensured.	COMPLY	▪ <i>Currently busy with an environmental authorisation process.</i> ▪ <i>The Site Development Plan was carefully designed to allow considering the environmentally sensitive areas and existing watercourses on site.</i>

20.3. Spatial Efficiency

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Land development optimises the use of existing resources and infrastructure.	COMPLY	▪ <i>The proposal will fully optimize the existing buildings and service connections will be reused and upgraded for the proposal;</i> ▪ <i>Any additional costs will be at the cost of the applicant or as determined by the Municipality</i>
Integrated cities and towns should be developed.	N/A	▪ <i>This policy is applicable to township developments, new urban developments and development within the urban area.</i>
Policy, administrative practice and	N/A	▪ <i>The municipality should process this</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
legislation should promote speedy land development.		<i>application within the prescribed time frames of the Land Use Planning By-Law for Bitou Municipality, 2015.</i>

20.4. Spatial Resilience

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks	COMPLY	▪ <i>The proposal is in line with all the various spatial plans, zoning scheme and policies, as motivated by the report.</i> ▪ <i>Currently busy with the Environmental authorisation process.</i> ▪ <i>The proposed application complies with the requirements of the Land Use Planning By-Law for Bitou Municipality, 2015.</i>

20.5. Good Administration

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
All spheres of government should ensure an integrated approach to land use planning.	Applicable to Bitou Municipality	<i>This principle has no direct bearing on the application; however, the Bitou Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.</i> <i>What is however important is that all decision making is aligned with sound policies based on nation, provincial and local development policies.</i>
All government departments must provide their sector inputs and comply with any other statutory requirements during the preparation or amendment of spatial development frameworks.		
The requirements of any law relating to land development and land use must be met timeously.		
The preparation and amendment of spatial plans, policy, zoning schemes and procedures for land development and land use applications, should include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.		
The legislation, procedures and administrative practice relating to land development should be clear, promote predictability, trust and acceptance in order to inform and		

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
empower members of the public.		
A spatial development framework, zoning scheme or policy should be developed in phases and each phase in the development thereof should include consultation with the public and relevant organs of state and should be endorsed by the relevant competent authority.		
Decision-making procedures should be designed to minimise negative financial, social, economic or environmental impacts.		
Development application procedures should be efficient and streamlined and timeframes should be adhered to by all parties.		
Decision-making in all spheres of government should be guided by and give effect to statutory land use planning systems.		

21. CONCLUSION

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

- (i) The Rezoning of Portion 7 of the Farm Brakkloof No 443 from "Agriculture Zone I" to "Institutional Zone I" in terms of Section 15(2)(a) of the Bitou Municipality By-law on Municipal Land Use Planning (2015);

Meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and the Bitou Land Use Planning Bylaw; is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by Bitou Municipality.

Marika Vreken Urban and Environmental Planners
October 2019

