

Portion 91 of the Farm Matjes

Fontein 304

Plettenberg Bay

PRELIMINARY TOWN PLANNING REPORT

(Prepared as part of the Draft Basic Assessment Report)



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1. Introduction

Planning Space Garden Route Pty Ltd has been appointed by Eco Route Environmental Consultants to prepare a Town Planning Report to inform the Basic Assessment (BA) Report to be submitted for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) in respect of listed activities that have been triggered by the planned development on Portions 91 of the Farm Matjes Rivier No. 304.

The purpose of this document is to report on the existing land use rights, opportunities and constraints on the property, and to assess the need and desirability of the project in terms of the planning policies and principles contained in National, Provincial, and Municipal Spatial Development Frameworks applicable to the area.

2. Property Information

2.1 LOCALITY

The property is situated in the Keurboom area which is situated in the Bitou Municipal Area to the northeast of Plettenberg Bay. (See Diagram 1: Locality Plan). The property can be accessed directly from Keurboom Road (Minor Road PO349 Rd) which connects with the N2 via Divisional Road DR1888. The site is approximately 1.8km west of Keurboomstrand.

This study is presently used for a horse riding centre and is directly opposite the Milkwood Glen Residential Complex, which consists of about 50 Group Housing erven and communal open space.

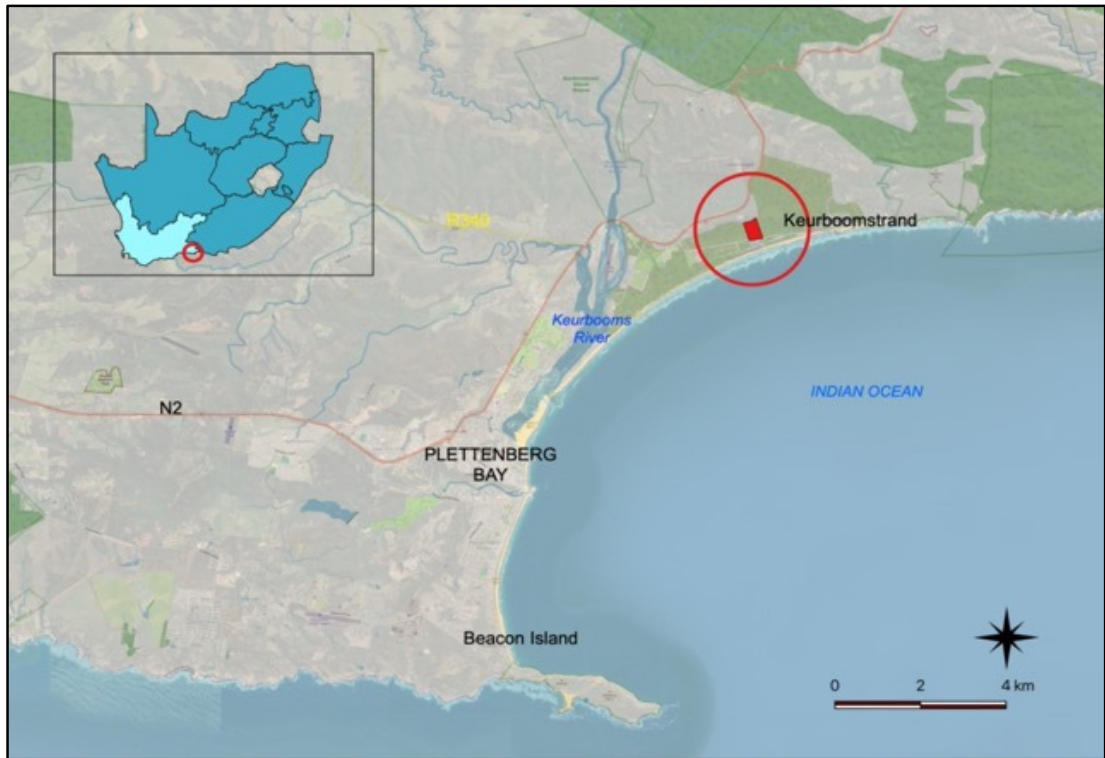


Figure 1: Location of the site (within red circle).

2.2 PROPERTY DESCRIPTION

Title Deed Description:	Portion 91 (a portion of portion 14) of the farm Matjes Fontein 304 in the Bitou Municipality and Administrative District of Knysna, Western Cape Province.
21 Digit code	C03900000000030400091
Title Deed Number:	73549/2000
S.G. Diagram Nr:	S.G 6050/1997
Title Deed Restrictions:	Condition C contains restrictions that required the approval of in terms of Act 21 of 1940 (Provincial Roads Authority)
Servitudes:	None
Property Size:	14.7251ha
Property Owner:	Familie Roux Eiendomme (Pty) Ltd
Bonds:	None
Zoning:	Agriculture 1 in terms of the Section 8 Zoning Scheme
Land Use	Riding School

2.3. BACKGROUND

Portion 91 was created when Portion 14 were subdivided in 1997.

In 1978 approval was granted by the Provincial Administration for the development of a Resort with 100 units on Portion 14. Fifty-one units were approved to the south of the Keurboom Road that bisects the property, and 49 units were approved above the road (See Annexure F). The development was implemented in phases. Phase 1 gained approval in 1978, Phase 2 was approved in 1981 and Phase 3 in 1991. These phases were all implemented below the road and are today known as Milkwood Glen.

In 1997 the remainder of Portion 14 was subdivided to separate the undeveloped portion above the road from the resort. At the time it was recommended that the zoning of Portion 91 reverts to Agriculture 1 and that a new application is submitted for development on the northern portion in the event of the owner deciding to develop it (See Annexure G).

2.4 SITE CHARACTERISTICS

2.4.1 TOPOGRAPHY

The southern portion of the property has a very even gradient and is situated between 3m and 6m above sea level. From here the gradient steeply inclines to about 125m above sea level, forming a steep south-facing ridge. The development is planned on the even southern portion of the site.

A detailed contour plan of the southern section was prepared by VPM Surveys and is attached as Diagram 5.

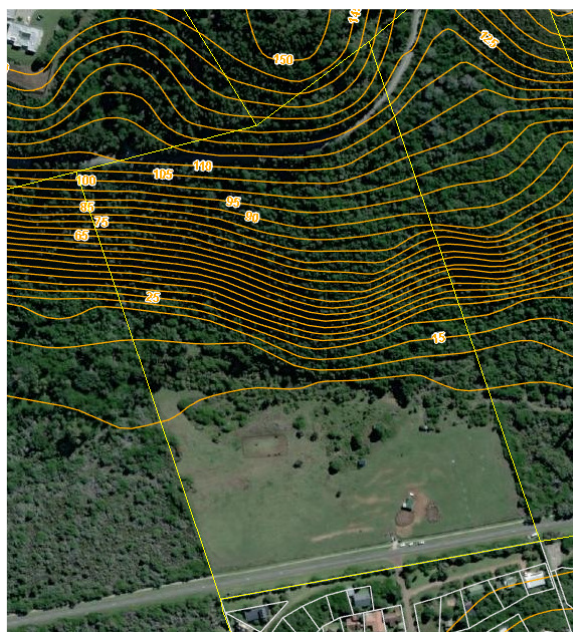


Figure 2: 5m aerial contour of the site

The slope analysis (Diagram 6) indicates that the entire southern section of the site has a gradient of less than 25% and is therefore suitable for development.

2.4.2 ESTUARINE FUNCTIONAL ZONE (EFZ)

The Keurboom Bitou Estuarine Management Plan includes the mapping of an Estuarine Functional Zone. An Estuarine Functional Zone is defined in the NEMA Regulations as “the area in and around an estuary which includes open water areas, estuarine habitats, and the surrounding flood plains.

The mapped Estuarine functional Zone is however identified as any area below the 5m above mean sea-level, which does not accurately identify the Estuarine Functional zone as defined above.

The ground truthing of the site by an Aquatic Specialist (Confluent Aquatic Consulting and Services) confirmed that there are no aquatic features present on the site and no hydromorphic indicators in the soil. Furthermore, according to the Keurboom -Bitou Estuary management Plan the property is located above the 100-year flood line, so there is also no flood risk associated with the property. The Aquatic Assessment Statement is attached as Annexure D.

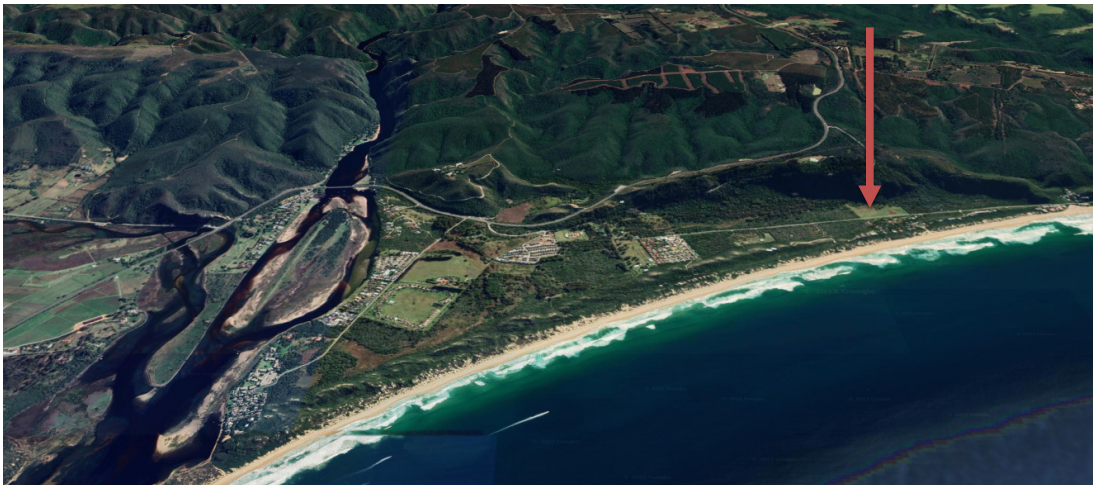


Figure 3: Position of the site in relation to the Estuary and other developments

2.4.4 VEGETATION

According to scientific literature (Driver et al., 2005; Mucina et al., 2006), the entire site is identified as Garden Route Shale Fynbos which is assessed as Endangered. The Western Cape Biodiversity

Spatial Plan (WCBS) shows that the entire northern 60% of the site (except the road) is within a CBA1 area, while the rest of the is in a transformed area.

A qualified Botanist, Dr David Hoare was appointed to conduct a Plants, Animals & Terrestrial Biodiversity Assessment to determine whether vegetation of the listed ecosystem occurs on-site or not. The Study is attached as Annexure E.

Based on a field survey to verify conditions on site, a detailed landcover and habitat mapping exercise were undertaken for the site. This identified three main habitats occurring on site, shown in Figure 3 below. These are mapped as **Forests, Secondary vegetation, and Pastures**. There are also **transformed areas** associated with roads, localised patches of **alien trees**, and residual individual **milkwood trees**.

Pastures occur in the entire southern part of the site in areas that were historically cultivated. The pastures have a low sensitivity rating and can be developed as they will not be able to recover to a natural state.

The steep-sided southern slopes in the northern half of the site contain indigenous forest that has a high sensitivity and may not be developed. Between the forest and the pastures is an irregularly shaped band of vegetation that contains a mixture of shrubs and weeds that indicates that it is in various stages of post-disturbance development. Historical aerial photographs show that this entire area was once cultivated but has gone through various iterations of being cleared and then recovering somewhat. This area has a medium sensitivity.

The proposed development is entirely within areas mapped as secondary vegetation or pasture that has low biodiversity value and sensitivity. The development is therefore supported by the specialist assessment on condition that steps are taken to protect forest habitats on the remaining parts of the site. The report recommends a buffer area between the forest and the development and that steps should be taken to rehabilitate these areas and encourage the growth of forest species. Ongoing alien clearing will also be a requirement.

The proposed layout makes provision for a 10m buffer along the forest margin and also incorporated portions of the secondary vegetation area to form part of the open space system within the development, which will link up with the forest area.

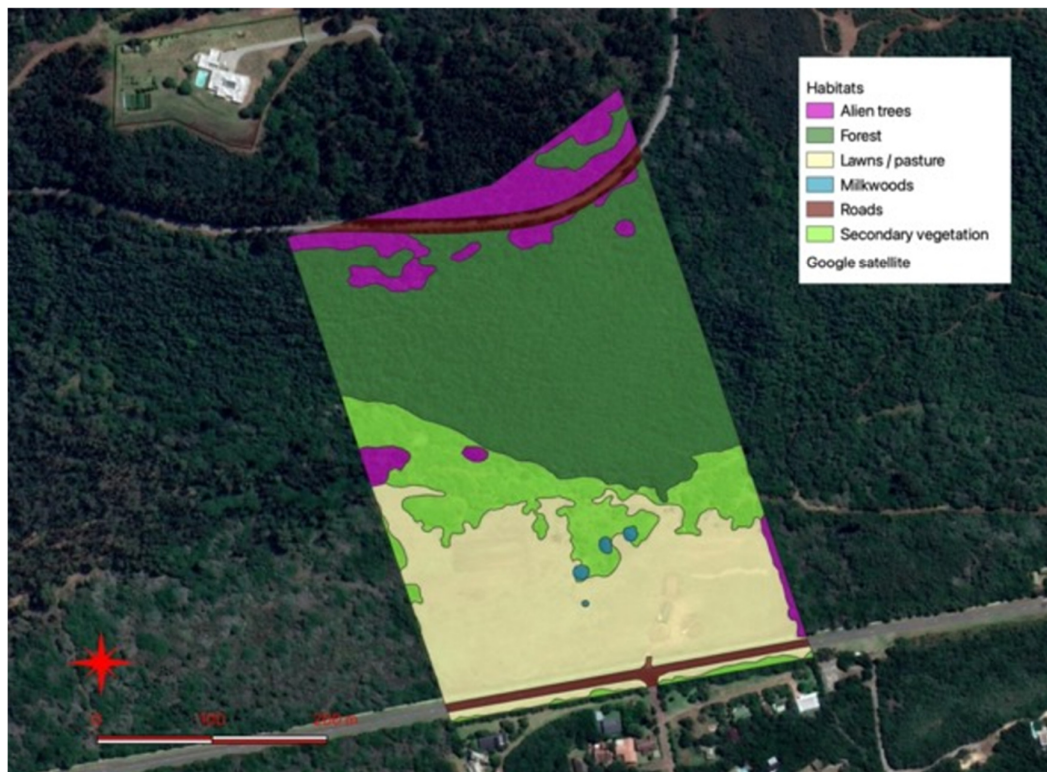


Figure 4: Vegetation Map of the Site

2.4.5 IMPROVEMENTS

The property is presently used as a riding school and some horse paddocks and other informal structures associated with the riding school are present on the site. There are not any permanent buildings on the site.



Figure 5: Horse paddock

2.4.6 SERVITUDES AND OTHER RESTRICTIONS

The property is not encumbered by any servitudes, but 2 public roads traverse the property that will be accommodated in the layout as per requirement from the Provincial Roads Authority.

3. Proposal

3.1 DEVELOPMENT CONCEPT

The Plettenberg Bay area historically has very little housing opportunities for middle-income earners. The recent influx of higher-income families moving to the area has led to a sharp increase in housing prices which has further exacerbated the lack of affordable housing. Many residents are displaced as property values rise to the point of unaffordability. This displacement of the middle class and lack of affordable houses has a tremendous effect on the economy of the town, as the middle-class workforce actively contributing to these economies can no longer afford to live here.

The vision of this development is to create an affordable and sustainable housing product specifically targeting the middle-income group. The aim is to create a pleasant yet affordable residential neighbourhood where the average person can own a home and live with dignity. The architecture will be based on green principles which will include smaller but well-designed houses, which are more cost-efficient, energy-efficient and healthy.

The development concept includes ± 73 group housing stands with average erf sizes of $\pm 375\text{m}^2$. The houses will vary in size but will be built in a similar style that will create a harmonious development. Ample open spaces and landscaped streets are incorporated into the design to enhance the quality of the neighbourhood.

3.2 DEVELOPMENT DENSITY

The property is 14.7ha in size and the gross density will calculate at 5 units per ha. The nett density is calculated excluding the undevelopable steep slopes to the north of the site. The identified

development area measures approximately 6ha and 73 units will calculate to a net density of 12 units per ha.

3.3 LAYOUT DESIGN CONSIDERATIONS

The Concept Layout is attached as Diagram 11. The design considerations that informed the layout include:

3.3.1 FINANCIALLY VIABLE DENSITY

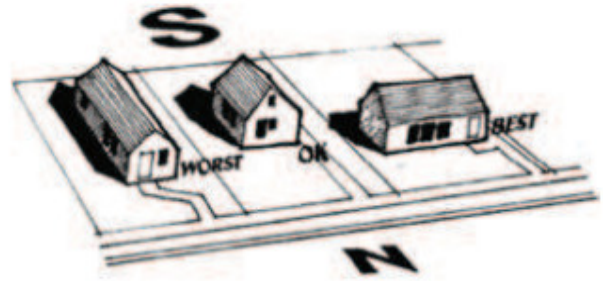
The developer wants to provide a high-quality yet affordable housing product. To make this project financially viable and responsive to the target market, the cost of land, services and build cost need to be limited and in order to do so, a certain economy of scale needs to be attained. The most relevant design aspect to achieve this is through development density. The planned nett residential density is approximately 12 units per ha, which is still regarded as low density. Medium-density housing, defined in terms of dwelling units per hectare (du/ha), is approximately 40–100 du/ha (gross). And would be more cost-effective. However, being situated at the outer edge of town, and not in the centre, too high density will also not be appropriate as it may impact on the character of the area.

The proposed density is high enough to be financially viable, yet low enough to fit into the surrounding area.

3.3.2 ENERGY EFFICIENT ORIENTATION AND DESIGN

The houses will be equipped with solar systems which require maximum exposure to the sun. In the Southern Hemisphere, houses should be orientated to face north. The layout design has as far as possible orientated even, especially the smaller ones, in such a way that houses can be places with their longer frontages to the north.

House designs will be elaborated on in the Architectural Design Guidelines. Energy efficient guidelines will include elements such as having appropriate areas of glazing, correct orientation, suitable levels of shading, insulation and thermal mass. The use of local building materials and renewable energy applications such as solar water heaters, rainwater harvesting etc. will be encouraged



Orientation of houses

Figure 6: House Orientation

3.3.3 SAFE STREETS

The road network will consist of landscaped lanes. A great neighbourhood has safe and friendly streets where people can walk without fear of crime or being threatened by traffic. The streets in this neighbourhood will be private with low volume and speed and will function more like open spaces than traffic ways. The main road reserves are 12m wide which will allow for enough space to accommodate a road surface, services, sidewalks, and landscaping. All secondary Streets measure 10m in width.

3.3.4 A CONNECTION WITH NATURE

The proposed open space system corresponds to the position of indigenous vegetation. These areas will be part of the landscaping plan of the development and will provide an opportunity for recreational areas such as walking trails, lookout points etc. These facilities will be formally laid out to avoid unnecessary informal path formation in the sensitive forest habitat. A play park and picnic area are planned under the Milkwood trees and the small dam can be equipped with a bird hide or benches where the resident can enjoy the greenery. A great neighbourhood has places for people to meet, talk and be neighbourly.

3.3.5 SECURITY

Crime is a South African reality and must be a consideration in any new development. The development will be a gated security complex. The development will be fenced but special attention will be given to unobtrusive fencing and animal movement. There will only be one gatehouse that will control access.

3.3.6 CLIMATE CHANGE

Although the site has not been subject to any past flooding, low-lying areas below 3m have been avoided and form part of the open system to accommodate possible future flooding scenarios. This will enhance the resilience of the development to climate change in the future. A detailed stormwater plan will be submitted.

3.3.7 VISUAL SENSITIVITY

The Keurboom Road is a scenic route and as such, the visual quality along the way is a relevant consideration. There is a 10m wide open space system proposed along this road. This strip of land will be densely vegetated to obscure the development. This vegetation buffer will allow for a visual barrier between the development and the Road, which will reduce the visual impact of the development, and reduce noise levels emanating from the Road.

3.4 PROPOSED ZONING AND SUBDIVISION

At the time of writing this report, the Section 8 Zoning Scheme Regulations are still applicable to the area. The new Bitou Zoning Scheme Bylaw has been approved by Council but has not yet been promulgated.

The proposal includes rezoning the property to a "Subdivisional Area". The consolidated stand will then be subdivided into :

- 73 Residential II (Group Housing) erven;
- 1 Open Space II erf (communal open space that will include private streets and services and landscaped gardens);

- 1 Open Space III erf (conservation area which will include the sensitive forest area);
- 2 Transport II erf (Public road to accommodate the existing divisional road that traverses the southern boundary of the property and the old National road that traverses the northern section of the property)

3.5 ENGINEERING SERVICES

The development will aim to be as self-sufficient as possible. There are municipal water sewer and electrical networks available in the area as can be seen on the attached Engineering Services (Diagram 11). An Engineering Report confirming the capacity of bulk services will be required.

3.6 HOME OWNERS ASSOCIATION

The development will be managed by a Homeowners Association that will be responsible for the maintenance of the communal open space and services.

3.7 PLANNING PERMISSIONS REQUIRED

3.7.1 APPLICATIONS TO THE BITOU MUNICIPALITY IN TERMS OF THE BITOU MUNICIPALITY: STANDARD MUNICIPAL LAND-USE PLANNING BY-LAW (2016)

- (i) **Rezoning in terms of Section 15 (2)a of the said Bylaw:** The property is currently zoned “Agricultural I” in terms of the Section 8 Zoning Scheme applicable to the area. To facilitate the development of the land the property will have to be rezoned to a “Sub-divisional Area”.
- (ii) **Subdivision in terms of Section 15 (2)d of the said Bylaw:** The current subdivision plan indicates the subdivision of the property into 73 individual Group Housing erven with average erf sizes of $\pm 375\text{m}^2$ as well as roads and private open spaces.

3.7.2 NATIONAL HERITAGE RECOURSES ACT 25 OF 1999

The rezoning of more than a hectare of land will require approval in terms of Section 38 of the Heritage Resources Act. A Notice of Intent to Develop (NID) must be submitted to Western Cape Heritage.

3.7.3 SUBDIVISION OF AGRICULTURAL LAND ACT 70 OF 1970

The property was originally earmarked in the Knysna Wilderness Plettenberg Bay Guide plan for “Recreational” purposes. This means that although the property has farm portion numbers and is zoned for agricultural purposes, it is exempt from the provisions of the Subdivision of Agricultural Land Act (Act 70 of 70). An exemption certificate from the Department of Environmental Affairs and Development Planning will be requested.



Figure 7: Extract from the KWP Guide Plan

3.7.4 APPLICATION TO SANRAL IN TERMS OF THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT, ACT 7 OF 1998

The property is not situated within a building restriction area as defined in Act 7 of 1998. A building restriction area means the area consisting of land (but excluding land in an urban area) situated alongside a national road within a distance of 60 metres from the boundary of the national road or situated within a distance of 500 metres from any point of intersection with the road.

An application to SANRAL is not required.

3.7.5 ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT 21 OF 1940

A Surveyor-General may not approve a General Plan or the diagrams of erven situated wholly or partly outside an urban area if any part of any such erf, lot, or holding falls within a distance of 95m of the centre line of a building restriction road or of a main road, or within 500m of an intersection with a similar or national road, without written approval from the controlling authority concerned.



The property borders two Provincial Roads, the PO394 and DR1888 and will therefore require approval from the Provincial Roads Authority.

There are also Conditions in the Title Deed That prevent the subdivision of the property without the consent of the controlling authority in terms of Act 21 of 1940.

3.7.6 OUTENIQUA SENSITIVE COASTAL AREA REGULATION

Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area.

4. Need & Desirability

In terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) (“PAJA”) all administrative action must be based on the “relevant considerations”. NEMA and the EIA Regulations highlight specific considerations which include specifically having to consider **“the need for and desirability of the activity”**

4.1 NEED

4.1.1 THE NEED FOR AFFORDABLE HOUSING

The first question that needs to be asked when any development is considered is whether there is a need for the contemplated land use. This is normally a question that the potential investor would answer before he embarks on a long and expensive application process. Development, like any other business, is about supply and demand.

The Garden Route is becoming increasingly popular among people who want to seek a quieter lifestyle and move out of the cities. According to the Bitou Lm Growth Projections and Land Use Budget, the actual population growth in Bitou LM for the period 2001 –2016 has been about 1999 people per annum and this growth rate has dramatically increased in the last 2 years. Statistics show that historically most people moving to the Bitou area are from the Eastern Cape. Most of these people are poor, low-skilled individuals who are searching for employment opportunities. Although most of the population growth and subsequent housing needs are in the poorer communities, there is also a known need for middle-income properties in Plettenberg Bay.

There is currently a “semigration” trend, with many people from Gauteng and KwaZulu/Natal moving to smaller towns in the Western Cape. It seems that Covid-19 has caused a lot of people to introspect and re-evaluate their priorities, which has led to the current influx of affluent city dwellers to the Garden Route. Recent unrest and increased crime and violence in Gauteng and Natal will be likely to create an even higher demand for housing in safer areas. This leads to a situation where demand, and therefore property prices, are well above national averages even though affordability is relatively low.

The Plettenberg Bay area historically has very little housing opportunities for middle-income earners. The mentioned influx of higher-income families moving to the area has led to a sharp increase in housing prices which has further exacerbated the lack of affordable housing. Many residents are displaced as property values rise to the point of unaffordability. This displacement of the middle class and lack of affordable houses has a tremendous effect on the economy of the town, as the middle-class workforce actively contributing to these economies can no longer afford to live here.

This development aims to address the housing need of the middle-income earners who lives and work in the area.

4.1.2 SOCIO-ECONOMIC NEED OF THE LARGER COMMUNITY

South Africa has an ever-increasing challenge of high unemployment and skills shortages. With the destructive impact of Covid 19 on the world economy this problem has worsened. At the end of 2018, the unemployment rate was reported to be 27,2%⁵. One of the main goals that South Africa has set itself in the National Development Plan, is to cut the unemployment rate to 6% by 2030.

The planned residential estate will create construction jobs for local contractors and labourers. The employment opportunities associated with the construction phase are frequently regarded as temporary employment. However, while these jobs may be classified as “temporary” it is worth noting that the people employed in the construction industry by its very nature rely on “temporary” jobs for their survival. In this regard “permanent” employment in the construction sector is linked to the ability of construction companies to secure a series of temporary projects over a period of time. Each development, such as the proposed development, therefore, contributes to creating “permanent” employment in the construction sector.

The construction industry is an important player in job creation, not only in the construction sector but in other sectors of the economy as well. The construction industry uses a wide range of inputs such as manufacturing of construction materials and equipment, mining of raw materials, forestry, transportation, real estate, finance, and professional services which all contribute indirectly to more jobs that are created across several sectors.

Plettenberg bay has a very similar demographic profile to the rest of the country. Socio-economic studies indicate high levels of poverty and unemployment. The social needs of the larger community form part of the “surrounding environment” and should receive due consideration when new

developments are investigated. The “ripple effect” that a development of this scale has on the local economy and social well-being of the community cannot be ignored.

4.2 DESIRABILITY OF THE SITE TO ACCOMMODATE THIS DEVELOPMENT

Desirability factors relate to place. Is the land physically suitable to accommodate the proposed development? Does the proposed development fit in with the surrounding land uses? Is the proposal compatible with credible spatial plans? Is there perhaps a better land-use alternative for the land parcel?

4.2.1 PHYSICAL SITE CONSTRAINTS AND OPPORTUNITIES

Diagram 7 provides a summary of the site constraints that were considered when the development footprint was identified.

The table below provides a summary of the physical site constraints and opportunities identified to date:

OPPORTUNITIES

Municipal Infrastructure:

Bulk municipal services are available, and access is available through an existing road network. Municipal sewer and water lines are situated along this road, making a cost-efficient connection to this network possible.

Agricultural Value:

The property has no agricultural value due to, its small size, and limited irrigation potential.

CONSTRAINTS

There is 2 public road that traverses over the properties, taking away valuable development land.

The capacity of the existing infrastructure needs to be further investigated.

<p>For this reason, the property has not been identified for Agricultural purposes in the SDF.</p>	
<p>Low conservation value:</p> <p>The southern side of the property has a low conservation value due to historical agricultural practices.</p>	<p>The northern part of the property is covered with sensitive forest and cannot be developed.</p>
<p>Topography: The site has an even gradient which will allow for cost-effective services and design.</p>	<p>A large part of the property is too steep to develop</p> <p>The low-lying nature of the land (below 5m MSL) results in the property being identified as part of the EFZ</p>
	<p>High visibility:</p> <p>The development area is situated adjacent to Keurboom Road. A Landscape Plan and an architectural design guideline will be a requirement to mitigate the potential visual impact.</p>

It can be concluded that the site has limited constraints and that the unique site characteristics will be preserved within the planned development. The site characteristic described above makes this site highly desirable for development.

4.2.2 COMPATIBILITY WITH THE SURROUNDING AREA

The Keurboom village is a seasonal holiday town with a homogeneous single residential holiday character. The property is about 1.8 km west of the town along a stretch of road that contains several gated residential developments. The Zoning Plan attached hereto indicate that the study area mainly consists of Single residential and Group housing zoned residential estate of varying densities. The proposal is compatible with the existing land uses.

DEVELOPMENT NAME		NR OF UNITS
Dolphin Waves	12/304	64 Group Housing stands
Keurbaai	13/304	11 Group Housing Residential
Milkwood Glen	14/304	51 Group Housing Stands

Driftwood	15/304	5 Single Residential Stands
Whales Haven	16/304	17 Group Housing Stands

4.2.3 COMPATIBILITY WITH APPLICABLE FORWARD PLANNING DOCUMENTS

Another test of the desirability of a project is by considering the broader communities' needs and interests as reflected in credible Spatial Development Frameworks on Local, Municipal, District, Regional, Provincial and National levels.

4.2.3.1 National Development Plan (NDP 2030)

The NDP aims to eliminate poverty and reduce inequality by 2030. According to the plan, South Africa can realise these goals by drawing on the energies of its people, growing an inclusive economy, building capabilities, enhancing the capacity of the state, and promoting leadership and partnerships throughout society. Growth and jobs, education and skills, and a capable and developmental state are the main aims of this document.

South Africa is mandated by this Act to be a developmental state. In this light, it will be difficult for any decision-making body to deny any form of economic activity unless there are substantial negative environmental impacts that cannot be mitigated.

4.2.3.2 Western Cape Provincial Spatial Development Framework 2014

The PSDF 2014 has been approved by the Executive Authority, Minister Anton Bredell, Minister of Local Government, Environmental Affairs and Development Planning, and endorsed by the Provincial Cabinet. The Western Cape PSDF sets out to put in place a coherent framework for the Province's urban and rural areas.

The Provincial SDF indicates George as the regional center for the eastern part of the province, with Knysna and Plettenberg Bay being smaller centres along the Regional Connector Route (N2). It earmarks the area along the Garden Route as a tourism route with leisure activities of provincial significance.

The sustainable use of provincial assets is one of the main aims of the policy. The protection of the non-renewable natural and agricultural resources is achieved through clear settlement edges for towns by defining limits to settlements and through establishing buffers/transitions between urban and rural areas. The urban fringe must ensure that urban expansion is structured and directed away from environmentally sensitive land and farming land; agricultural resources are reserved; environmental resources are protected; appropriate levels of services are feasible to support urban fringe land uses, and land use allocations within the urban fringe are compatible and sustainable.

4.2.3.3 Western Cape Biodiversity Spatial Plan 2017

The Western Cape Biodiversity Spatial Plan (WCBSP) was developed by CapeNature, in collaboration with the Department of Environmental Affairs and Development Planning as a spatial tool that comprises the Biodiversity Spatial Plan Map (BSP Map) of biodiversity priority areas, accompanied by contextual information and land-use guidelines.

The Biodiversity Sector Plan simply provides information on biodiversity (i.e., provides only one information layer of the many layers required in land-use planning), and must be used in conjunction with other land-use or town and regional planning application procedures.

In terms of these maps, the northern section of the property is a Critical Biodiversity area, while the southern section is a completely transformed area. Development is not permitted in the CBA area but is generally permitted in transformed areas.

4.2.3.4 Bitou Spatial Development Framework 2021

The Bitou Spatial Development Framework 2021 was approved by Council in March 2022. The main objective of this development framework is to achieve a balance between development and the environment to ensure that growth is spatially just, financially viable and environmentally sustainable by working towards compact, vibrant, livable, and efficient settlements serving all communities.

The protection of natural environmental resources of the area is fundamental to future economic development in the area as the two key economic sectors of the municipality (tourism and agriculture)

are both resource-based. To protect these valuable resources, the Bitou SDF has defined an urban edge aimed at containing lateral urban sprawl within the municipality.

As can be seen from the extract of the SDF map below, a portion of the property has been identified as a strategic development area within the urban edge. This proposal aligns with the proposed development nodes as identified in the Keurboom local Area Structure Plan, which provides more detail and recommendations (see par4.2.3.5 below). The urban edge has been defined by the steep sloped to the north and the 5m contour line which defines the Estuarine Functional Zone to the south. The proposed development area extends beyond the identified urban edge as the Aquatic Assessment confirmed that the area contains no estuarine habitats and is below the 1:100-year flood line of the estuary.

The SDF states that the urban edge is to be viewed as a conceptual, indicative measure (growth management tool) aimed at illustrating a concept, rather than being in exact line with statutory status. The SDF also explains that the urban edge is a proposed limit for expansion of any urban node beyond which development should not occur unless the land is already provided with or can connect directly to existing municipal services infrastructure. In this case available municipal water and sewer pipelines traverse the south boundary of the property so the development can connect directly to the network (chapter 4.3 action 2.2)



Figure 8: Extract from the Bitou SDF 2021

Furthermore, the SDF confirms that all land development applications for the use of land abutting an urban edge should be considered consistent with the SDF if the land has at any time in the past been used or designated for any urban development, which includes all development of land where the primary use of the land is for the erection of structures. In this case, the land was previously approved for a resort with 50 units, this has also been acknowledged in the Keurboom Local Environs Spatial plan (see table D3).

4.2.3.5 Keurboom and Environs Local Area Spatial Plan

A detailed Local Area Spatial Plan was compiled for the Keurbooms area in 2013 (See Diagram 10 attached).

The area has a fairly homogenous holiday/resort character. The document states that altering its character by permitting commercial and other non-residential development could detract from the area's attraction. The theme should thus be a low-density residential one. The proposal complies with this theme.

The property is situated in the Coastal Corridor which is defined by a number of smaller properties located within an approximate 1km offset from the high watermark extending from the Bitou River in the direction of the Keurboomstrand settlement. The Spatial Plan has identified development nodes for this area. For these nodes, a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).

The extent of the proposed development nodes as conceptually indicated on the plan is based on the measured footprint of the identified transformed area. The proposed development nodes are strictly located within areas that have been identified as being transformed with no natural remnants remaining.

The entire southern portion of the site, where the development is planned, is identified as a transformed area, according to the Environmental Sensitivity Map Nr 6 and Biodiversity Map Nr 7 attached to the Keurboom and Environs Local Area Spatial Plan Report. The proposed density of the development is 12 units per ha of the identified transformed footprint, as proposed in the document

The document also determined "no go" development areas based on the various bio-physical constraints which determine that no development should be considered:

- below the 1:50 and 100: year flood lines;
- on any slopes with a gradient steeper than 1:4;
- below the 4,5m coastal setback line;
- within the 100m high water mark setback; and
- within the Tshokwane Wetland system.

The proposed development footprint complies with all the parameters as set out above, except for the 4,5m coastal setback line. Taking the 4.5m contour line into account, only about 1.6ha of the 6ha transformed area has been identified as being suitable for development. This calculates to a maximum of 19 units.

This 4.5m coastal setback recommendation was taken from the 4.5m swash contour and 4.5 m estuary/river flood contour that was a recommendation by the 2010 Eden District Municipality Sea level rise and flood risk model of 2010, commissioned by The Provincial Department of Environmental Affairs and Development Planning. The purpose of this model was to identify areas that are vulnerable to migrating shorelines and tidal reaches, storm associated extreme sea levels and estuary/river flooding. It is submitted that this property is not within 100m of the coastline and is not in the 100-year flood line of the estuary flood plain as defined in the Keurbooms Bitou Estuarine Management Plan 2018 and the reference to the 4.5m inland contour line are therefore less relevant to properties inland of these vulnerable areas.

5. Summary

Portion 91 of the Farm Matjes Rivier No. 304 measures 14.7ha and is zoned for Agricultural purposes. The southern section of the property consists of pastures and has a very even gradient, while the north section has a steep gradient covered in indigenous forest vegetation. It is the vision of the landowner to create an affordable and sustainable housing product specifically targeting the middle-income group.

The development is planned on the southern portion while the northern section will be protected as a nature conservation area. At this stage, the layout proposes 73 group housing erven with a communal open space that will include roads, infrastructure, and parks.

The site is physically suitable for development and can cost-effectively connect to the existing municipal services networks that are located along the south boundary of the property.

Previous development rights allowed for the development of ± 50 units on the property but these rights were not implemented and have lapsed. Both the Bitou Spatial Development Framework and the Keurbooms Environ Local Area Structure Plan earmarked a portion of the property for development. The proposal extends beyond the identified development area, based on the aquatic specialist study that confirms that the that has been excluded does not contain any estuarine habitats and is below the demarcated estuarine floodplain.