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APPENDIX B: TOWN PLANNING REPORT

Remainder of Erf 2074

Plettenberg Bay

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 Report (BAR) 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 residential development on the Remainder Erf 2074 Plettenberg Bay.

The purpose of this document is to report on the existing land use rights, biophysical opportunities, and constraints of 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 Bitou Municipal area, Plettenberg Bay (See Diagram 1: Locality Plan). The property can be accessed directly from Marine Drive which connects with the N2. The site is approximately 330m east of the Marine Drive/N2 intersection and approximately 1km from the Plettenberg Bay Central Business District (CBD).



Figure 1: Extract indicating the locality of the subject property.

2.2 PROPERTY DESCRIPTION

Title Deed Description	Remainder of Erf 2074 Plattenberg Bay
21 Digit code	C03900080000207400000
Title Deed Number	T54527/1981
S.G. Diagram Nr	S.G 1693/1901
Title Deed Restrictions	None, relevant to the application: A Conveyancer Certificate dated 2006 confirms that there are no title deed restrictions in the current title deed that will prohibit a residential development on the property.
Servitudes	None
Property Size	6.2ha
Property Owner	DUINESAND (EIENDOMS) BEPERK
Bonds	None
Zoning	Agriculture 1 in terms of the Bitou Zoning Scheme By-Law
Land Use	Rural Residential

2.3. BACKGROUND

The property is one of the last remaining Agricultural smallholdings set within the urban fabric of Plettenberg Bay. The property has been in the ownership of the current owners since 1981. There is an old farmhouse and outbuilding on the site. Photographic evidence suggests that the property has been under cultivation since 1938. Currently, the land is not being actively farmed. However, remnants of its agricultural past, such as an olive grove and protea orchard, still exist, though they are not maintained.



Figure 2: Old Farmhouse and outbuilding.

In 2006, an application for the rezoning and subdivision of the land into 32 Single Residential Erven, 1 General Residential Erf and Open Spaces and Streets, was submitted to the Plettenberg Bay Municipality. For reasons unknown, the application was never concluded.

In August 2012, an application was made for a second dwelling which allowed a new house to be constructed in the southern portion of the site. The application was approved, and the house construction commenced but was never completed. Remnants of the building footprint and access road still exist.



Figure 3: Remains of additional dwelling.

2.4 SITE CHARACTERISTICS

2.4.1 TOPOGRAPHY

The northern portion of the property has an even gradient sloping in a north direction toward Marine Drive. The middle section of the property is very even with a slight western slope. The southern section of the site slopes in a southwestern direction toward the Piesang Valley and is very steep.

A detailed Contour Plan and Slope Analysis was prepared by Shaun McMillan and is attached as Diagram 5 and Figure 4.

The slope analysis indicates that the entire northern and central section of the site has a gradient of less than 25% and is therefore suitable for development. Development on steep slopes with a gradient $> 1:4$ is in general not supported due to erosion and stability concerns. Only the steep cliffs in the southern portion of the site are not suitable for development. This section (indicated as pink in the adjacent Figure 4) measures about 1ha in extent.

There are no mapped water courses within the boundaries of RE/2074. However, according to the Aquatic statement from Confluent Environmental, there is a non-perennial drainage line flowing south on the neighbouring property to the west, which connects with the Piesang River.

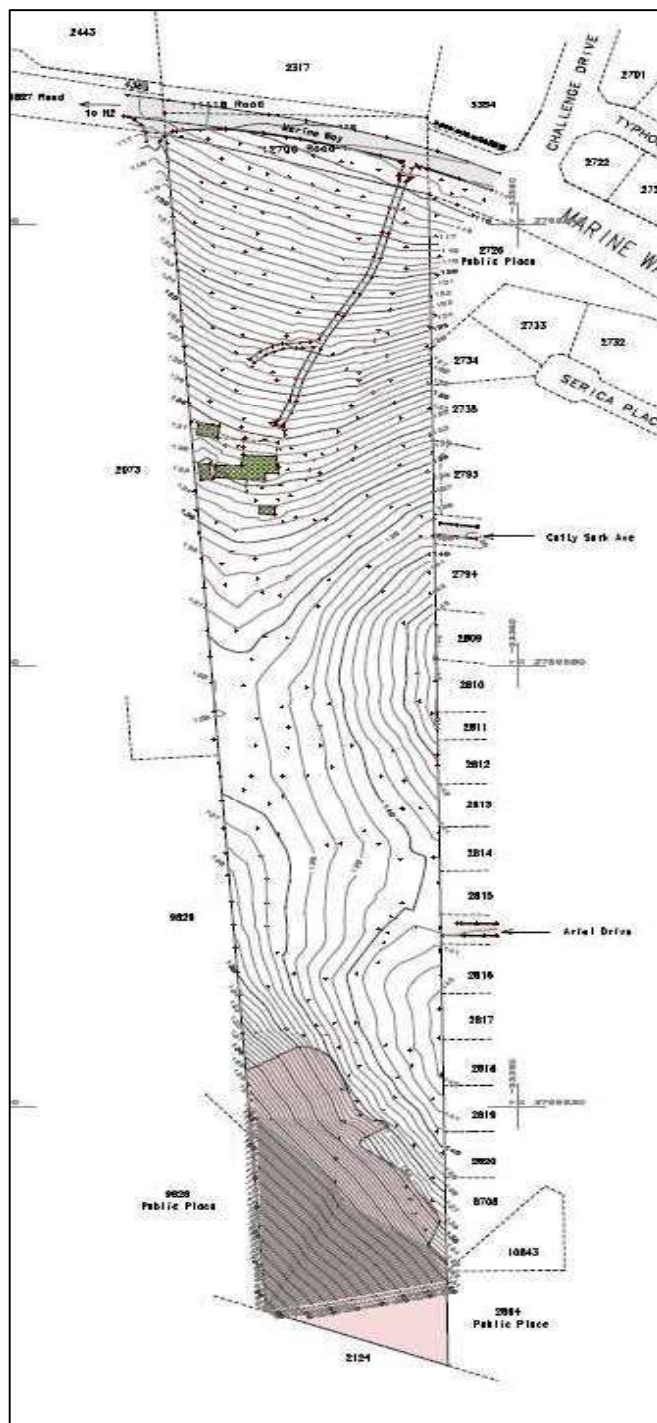


Figure 4: Contour Plan.

2.4.2 VEGETATION

Historically the vegetation on the site has been disturbed since 1938 until the present by various activities, including small-scale agriculture, the introduction of alien vegetation, vegetation clearing as well and the construction of the farmhouses.

The mapped vegetation type at the site is South Outeniqua Sandstone Fynbos which is labelled as “Least Concern”. Confluent Environmental was contracted by Eco Route to undertake a specialist assessment of the botanical and terrestrial sensitivity of the Remainder of Erf 2074. The vegetation Report is attached as an Annexure to the Draft BAR.

The study concluded that the northern section has a low terrestrial biodiversity and that the southern side has a very high terrestrial biodiversity. The red broken line on the attached Vegetation Map (Figure 5) indicates the divide between the southern and the northern areas. Some of the southern areas identified as having high biodiversity have been disturbed by agricultural activity in the past.

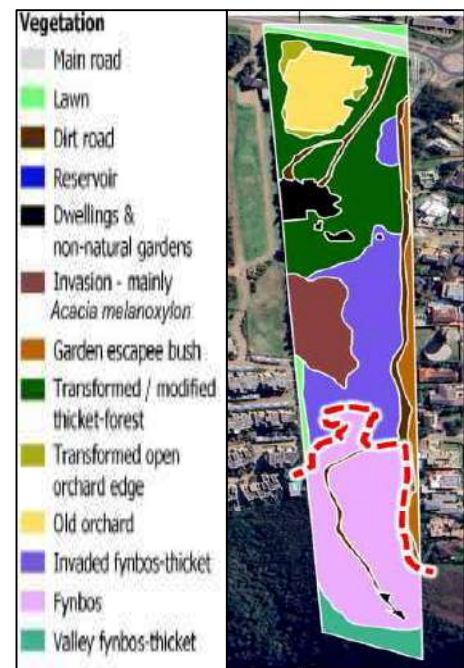


Figure 5: Vegetation Map.

The Biodiversity Spatial Plan for the Western Cape (WC BSP) excludes the majority of the Remainder of Erf 2074 from the conservation planning areas (Figure 6). Only the southernmost section of the site, i.e., the valley and a section of the fynbos habitat on the site, is mapped as a terrestrial critical biodiversity area (CBA1).

The only connectivity to a wider natural area is along the southern boundary of the site where it connects to the valley below. The report therefore recommends that the development should avoid the southern section of the site – which also contains the most pristine vegetation on the site and the steep slopes. The proposed development footprint slightly encroaches over the recommended line proposed by the Terrestrial Biodiversity Report but aligns with the development footprint of the adjacent residential development. The proposal still permits more than 1ha of conservation area along the southern slope of the land that will tie in with the existing green belt along the Piesang Valley.



Figure 6: Critical Biodiversity Area Map.

2.2.3 AQUATIC BIODIVERSITY

The property is situated in a catchment area of the Piesang River and the Aquatic Biodiversity sensitivity for RE/2074 was therefore identified as Very High according to the DFFE Screening Tool. Confluent Environmental

Pty (Ltd) was appointed by Eco Route Environmental Consultancy to conduct an aquatic assessment for a proposed residential. The Report is attached as an Annexure of the Draft BAR.

The Report confirms that the site has no watercourses or wetlands within its boundaries. The property is located on a watershed with approximately half of the property draining to the north and the other half draining to the south. The northern drainage would indirectly drain to the Keurbooms River via stormwater in urban areas, while the southern drainage would drain more directly to the Piesang River via a non-perennial drainage line flowing south on the neighbouring property to the west which connects with the Piesang River.

The Report recommends a **48 m** buffer for the adjacent drainage line. For the most part, this buffer is aligned with the southwestern boundary of RE/2074, but a small area intrudes into the property boundary near the corner of the property (refer to Figure 7).



Figure 7: Drainage Line and buffer on the adjacent property.

Stormwater management has been identified as an important consideration due to the proximity of this drainage line. Although the planned development footprint will include the southern section of the watershed or any potential impacts to the drainage line on the neighbouring property or the Piesang River can be effectively managed to minimise any negative impact.

The Stormwater Management Plan will be based on implementing SUDS-type stormwater management systems to encourage water infiltration, improve runoff quality, and minimise runoff velocities throughout the proposed development. The project Engineers proposed in the Engineering Services report that The City of Cape Town norms for SUDS will be adopted for this project. The attenuation criteria are that stormwater be detained to reduce the post-development runoff rates not to exceed the pre-development rates for the 1 in 10-year and 1 in 50-year return storm intervals. This will include vegetated swales along the eastern boundary and permeable paving.

2.4.4 SOIL

The soil conditions of the site have not been investigated yet. The generally observed geology of the site is mostly sandstone with relatively nutrient-poor sandy soil and poses no risk for development.

2.4.5 IMPROVEMENTS

There is an existing farmhouse that may be older than 60 years and some outbuildings on the site. It is the intention to preserve the original farmhouse and to use it as a communal facility on the planned estate.

The building footprint of the additional dwelling in the southern section of the property will be preserved and can be used as a lookout point or viewing deck for residents.

2.4.6 SERVITUDES AND OTHER RESTRICTIONS

There are municipal services along the eastern boundary of the property. The exact position of the services is unconfirmed, but indications are that they are within the 3m building line. A servitude will be registered to protect these services once the municipality has indicated the correct position.

Marine Drive Road reserve traversed through the northern section of the property and was subdivided off the Remainder of the property in 2013 (Unregistered Erf 12706 measuring $\pm 2963\text{m}^2$).

Presently there is an ongoing dispute that involves access to the Thulana Hills development situated on the adjacent Erf 2073, directly to the west of the Remainder of Erf 2074. Temporary access to Thulana Hills was approved directly from the N2 but the municipality unlawfully set a condition that requires that Phase II of the Thulana Hills development must derive access to and egress from the development over the Remainder of Erf 2074, to connect to the traffic circle to the east of the Remainder of Erf 2074, without the owners of the Remainder of Erf 2074 consenting to such arrangements. There is also a further condition to the approval of the Thulana Hill development [Condition 2 (j)] of the rezoning approval dated 25 January, which requires that “the cost of incurring for the construction of the circle be proportionally reimbursed by the owner of the Remainder of Erf 2074 as and when this property is developed” (bearing in mind that the developer of Erf 2073 will in return be responsible for the land and the construction cost to provide a road via the Remainder of Erf 2074).

To date, the matter has not been resolved, but with the planned development on the Remainder of Erf 2074, there is an opportunity to finally resolve the issue. Presently the communication with the owner of Erf 2073 is ongoing and an agreement will be reached. The layout makes provision for a 6m access road over Erf 2074, parallel to Marine Drive. The access design will be done by a qualified Traffic Engineer and will eventually be protected by way of a access servitude.

3. Proposal

3.1 DEVELOPMENT CONCEPT

The aim is to develop a medium/high-density residential development that caters for an identified need for affordable residential units for the middle-income bracket. The preferred Concept Proposal includes about 228 2 and 3-bedroom apartments in 3-storey buildings. Each unit will be between 100m² and 130m² in size.

The intention is to have 3 or 4 phases that can be developed as the market demands. A certain level of flexibility in design is required to allow the development to respond to a changing market. It is proposed that individual Site Development Plans be submitted to the Local Authority for each phase. The proposal currently on the table presents the maximum number of units that can be achieved taking into account the site characteristics, position of the existing structures and infrastructure development parameters of the Zoning Scheme, as well as parking and access requirements.

3.2. THE DEVELOPMENT FOOTPRINT

The biophysical site characteristics described in Section 2.4 determined the development footprint. The site poses very limited constraints. In summary, the following site constraints were identified and excluded from the development footprint:

- Steep slopes in the southern area.
- Sensitive vegetation in the southern area
- Services along the eastern boundary line.
- Access consideration to Erf 2073.
- Access from the constructed traffic circle on Marine Drive.
- Existing farmhouse (heritage implications).

The developed footprint measures ±5ha as indicated in Diagram 7 attached.

3.3 ACCESS

The site access will be from the traffic circle on Marine Drive that was originally constructed to accommodate the access requirements of the development of Erven 2073 and the Remainder of Erf 2074. The layout also makes provision for Erf 2073 to gain access over the Remainder of Erf 2074.

Access via the circle is possible over an access servitude that was registered over Erf 1726 (Public Place) See Diagram 6325/2008 attached as Annexure C.

Secondary connections to the existing road network from Cutty Shark and Ariel Street are proposed, especially as an emergency exit for the development or the residents of Cutty Sark. The Traffic Impact on the existing residential road network will be assessed in the Traffic Impact Assessment.



Figure 8: Access Servitude to access the circle.

EAS Consulting Engineers will be appointed to assess the extent and nature of the traffic generated by the proposed development, the impact of this traffic on the operation of the associated road network, and devise solutions for any problems identified.

The internal road network will be privately owned and will consist of landscaped lanes and parking.

3.4 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 building costs need to be limited and to do so, a certain economy of scale needs to be attained. The most relevant design aspect to achieve this is development density.

The property is ± 6.2 in size and the draft SDP2 proposes 228 units of approximately 100m^2 - 130m^2 each, which calculates to a gross density of ± 36.7 units per ha. The nett density is calculated excluding the undevelopable steep slopes and natural vegetation to the south of the site. The identified development area measures approximately 5ha and 228 units will calculate to a nett density of ± 46.5 units per ha.

The density is in line with the SDF which earmark areas medium-density housing (3-4 storeys).

3.5 PROPOSED REZONING AND SUBDIVISION

3.5.1 ZONING

It is proposed to rezone the property to “General Residential II” which permits flats, group housing and townhouses as primary rights.

Land use description: “Flats” means a building containing three or more dwelling units of which at least one does not have a ground floor, together with such outbuildings, open space and private roads as are ordinarily associated with flats.

Development parameters:

(a) Coverage

The maximum coverage is 60%.

(b) Floor factor

The floor factor may not exceed 1,5.

(c) Height

(i) The highest point of a building may not exceed 10,67 metres

(ii) The general provisions regarding earth banks and retaining structures in this By-law apply.

(d) Building lines

(i) The street building line is at least 5 metres.

(ii) Side and rear building lines are at least 4,5 metres,

(iii) The general building line encroachments in this By-law apply.

(e) Parking and access

1.5 bays per unit in PTA1 areas

The proposed concept site plan complies with the development parameters stipulated above.

3.5.2 SUBDIVISION

The intention is to phase the development. To implement the phasing it is proposed to subdivide the development into 3 or 4 phases.

3.6 ENGINEERING SERVICES

Poise Structural and Civil Engineering Design Consultants have been appointed to investigate the supply and demand of the services for the proposed development. The Report is attached to the Draft BAR. The report confirms that the property is situated within an urban area where services are available, and the development can easily connect to these services.

An electrical bulk service report is outstanding at this stage but will be requested.

A GLA Report will be requested to report on the bulk capacity of the municipality. In general, it is known that the Bitou Municipal Infrastructure networks require upgrades and capacity. However, the Bitou Spatial Development Plan states that engineering services are critical towards the establishment of sustainable human settlements and facilitating economic development and job creation. Hence, infrastructure investment within the Bitou Local municipality should primarily be focussed on:

- Maintaining existing infrastructure and associated equipment, and
- Expanding infrastructure to serve the identified Strategic Development
- Areas (and Potential Development Areas) within the municipal area

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 Bitou Zoning Scheme By-Law applicable to the area. To facilitate the development of the land the property will have to be rezoned to a “General Residential II”.
- (ii) **Subdivision in terms of Section 15 (2) (d) of the said Bylaw:** It is the intention to sell the units as sectional title. The development will however be phased and a Subdivision Plan indicating the different phases, private roads and communal open space will be submitted.
- (iii) **Approval of Site development Plan:** Once the property has been successfully rezoned and subdivided, each Phase of the development will be subject to the approval of a detailed Site Development Plan that will have to comply with any conditions of approval and development parameters as set out in the Bitou Zoning Scheme By-Law.

3.7.2 NATIONAL HERITAGE RECOURSES ACT 25 OF 1999

The rezoning of more than a hectare of land requires 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. In 2006 a Heritage approval was obtained for the previous development proposal without the need for further heritage assessments such as archaeological assessment, palaeontology assessment or visual impact assessments.

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 “Township” purposes and does not have a farm number and therefore does not form part of the agriculture register. This means that although the property is zoned for agricultural purposes, it is not subject to the provisions of the Subdivision of Agricultural Land Act (Act 70 of 70).

Agriculture will be requested to comment on the rezoning application.



Figure 9: Extract from Knysna Wilderness Plett 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 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. The proposed access to the development is approximately 420m from the Intersection with the N2 but within an urban area. A formal approval from SANRAL may not be required, but the application will be forwarded to them for comment.

3.7.5 ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT 21 OF 1940

The 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 a Main Road (Marine Drive), and it is our understanding that the road falls under the jurisdiction of 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.

An application to the Western Cape Road Authority will be required.

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 has not been listed as 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.

It is a well-documented fact that 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 2021 Socio-Economic Profile of the Bitou Municipality prepared by the Western Cape Provincial Government, the population of Bitou is 69 321 people in 2021, making it the most populated municipal area in the Garden Route District (GRD). This total is expected to grow to 77 243 by 2025, equating

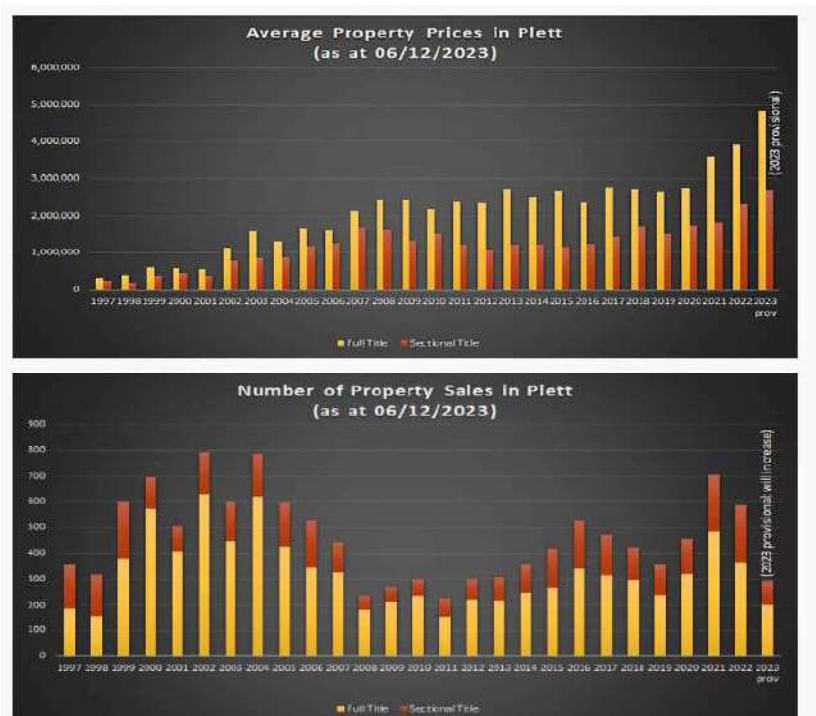
to an average annual growth rate of 2.7 per cent. Statistics show that historically most people moving to the Bitou area are from the Eastern Cape. Most of these people are poor, low-skilled individuals who are searching for employment opportunities. Although most of the population growth and subsequent 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. This leads to a situation where demand, and therefore property prices, are well above national averages.

According to a recent Article in the Financial Mail, the average value for a property in Plett increased by 24% from 2020 to 2021 to R3million, a further 9% in 2022 to R3,3million and 26% to R4,2million in 2023. Entry-level asking prices in Plett have increased considerably over the past 4 years. It is now almost impossible to find full-title homes below R3,500,000.

The Plettenberg Bay area historically has very few housing opportunities for middle-income earners. The mentioned influx of higher-income families moving to the area and subsequent sharp increases in housing prices have 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 housing 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.

In the coming years, it is critical that the housing shortage in the middle-income bracket be addressed to ensure the efficient functioning of the Plettenberg Bay economy. The Spatial Development Framework of the town has also identified this need and has identified Strategic Development Areas where affordable housing should be a priority. This development aims to address the housing need of the middle-income earners who live and work in the area and are situated in an



area that has been identified as suitable for this type of housing typology. **Figure 10: Property sales and prices between 1997 and 2023.**

4.1.2 SOCIO-ECONOMIC NEED OF THE LARGER COMMUNITY

South Africa has an ever-increasing challenge of high unemployment and skills shortages. 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 reduce poverty and to cut the unemployment rate to 6% by 2030. Notwithstanding decades of legislated environmental impact assessment and integrated development planning, *“poverty remains endemic “*.

The planned residential estate stands to contribute positively to the economic growth of the area by creating job opportunities for the local community without detrimentally affecting the environment. It 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 some 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 site has limited constraints, the 5ha development footprint excludes steep areas and provides an opportunity to conserve the southern slopes for conservation purposes.

The planned residential footprint however extends over the vegetation sensitivity divide proposed in the Terrestrial Biodiversity Report, but the encroachment is motivated by the urban context of the site. The proposed footprint aligns with adjacent residential development to the east and west of the property and still permit a conservation corridor along the southern section of the site, similar to what has been allowed for on the surrounding properties. Given that the property has been identified as a strategic development area it should be considered that in some instance the development footprint should be optimised, and that some biodiversity loss will occur. This is still preferable to more development in outer areas where valuable farm land is sacrificed to cater for the growing housing need.

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 property is situated along Marine Drive which is a major transportation route. The area has a mixed-use character as can be seen from the attached Zoning Map (Diagram 3) and Land Use Map (Diagram 4).

The Thulana Hills development directly to the west has a similar shape and size and has received planning permission for medium-density residential development of approximately 200 units. Phase 1 consisting of about 70 units has been implemented. Further west is Castleton, another medium-density residential development consisting of about 129 units and the Whale Song Hotel and Spa. To the east is the existing low-density residential neighbourhood known as Cutty Sark. Direct across the road from the Remainder of Erf 2074 are two more medium-density residential complexes, Santini Village which consists of about 120 units and

Laridae with about 24 units. Further along Marine Drive is a mix of residential, community and business use including Shell Garage to the west at the intersection with the N2, a Medical Clinic to the east and a church and the municipal depo and offices further east.

To provide further context for this density evaluation, the following table offers a comparative analysis with other developments in the vicinity.

DEVELOPMENT DENSITIES IN THE AREA					
Development Name	Property Description	Height	Nr of Units	Property size	Density
Thulana	2073	3 Storey	200	6ha	33u/ha
Castleton	6527	3 Storey	129	11ha	
Santini Village	Re2317	3 Storey	120	2.7ha	44u/ha
Laridae	3354	3 Storey	24	4808m ²	50u/ha
Fynbos Rand	RE/2074	3 Storeys	228	6.2ha	36.7u/ha

It can be stated that the proposed development will not have any impact on the character of the area. The scale, nature and typology of the development are similar to surrounding developments.



Figure 11: View of Santini Village from the site.

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 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 Bitou Spatial Development Framework 2021

The Bitou Spatial Development Framework 2021 was approved by the 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 conceptually illustrated in Figure 12, the property is situated in a first-order settlement, where urban growth is promoted.

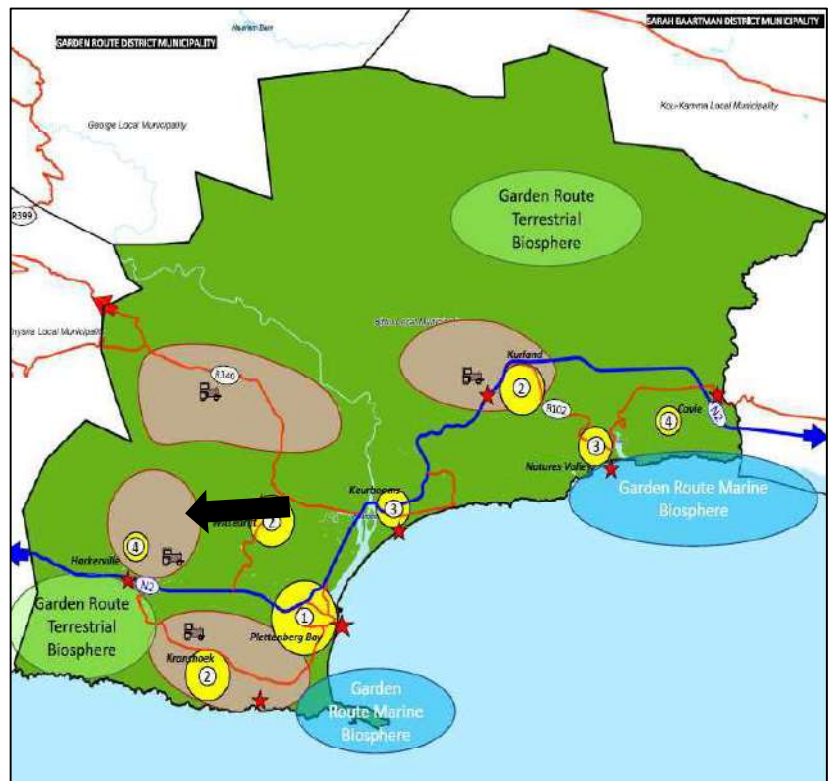


Figure 12: Spatial Vision/Concept.

As can be seen from the extract of the SDF map below, the property is situated within the urban edge of the Plettenberg town settlement which is regarded as the first-order settlement where most investment should be focused towards.

The property is also situated in an area that has been identified as a “Strategic Development Area”, with the potential for medium-density (3 to 4-storey) residential development (SDA9).

The Strategic Development Areas are earmarked to accommodate the bulk of future residential development within the municipality and are graphically indicated by the orange areas in Figure 13 below.

The SDF points out that the development of land identified as a priority or Strategic Development Area should take into account the surrounding area(s) in terms of context, character, prevailing property values, aesthetics and other factors as may be determined by the Municipality, as to not unreasonably detract from the aforementioned aspects and general appeal of the area(s) in question. It is submitted that the proposal fits into the surrounding urban environment with similar land uses and densities found on Erf 2073 (Thulana Hills) directly to the west and RE/2317 (Santini Village) directly to the north.



Figure 13: Extract from SDF indicating that the property is situated in SDA9.

Furthermore, this area also forms part of the Restructuring Zones of the Bitou Local Municipality (i.e. it is intended to accommodate medium-density housing, including Social Housing).

The proposal completely aligns with the Spatial Planning proposals for the Bitou municipal area.

4.2.4 COMPLIANCE WITH SPLUMA DEVELOPMENT PRINCIPLES

In considering the application, the decision-maker needs to be guided by the DEVELOPMENT PRINCIPLES contained in (Chapter II) of the Spatial Planning and Land Use Management Act 2013 (Act no 16 of 2013) SPLUMA and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).

Section 7 of the Act describes a set of development principles that need to be considered when evaluating any development application. These principles include the following:

4.2.4.1 Spatial Justice

Social justice targets the marginalised and disadvantaged groups in society. Spatial justice principles seek to eliminate spatial injustices that resulted from previous discrimination and marginalisation. Inequitable access to housing, educational and economic opportunities and health facilities are consequences of spatial injustice. The instruments used to promote spatial justice are varied and include Spatial Development Frameworks, Precinct Plans, and Urban Regeneration Plans and Policies which require government intervention. The development of this property in an identified Strategic Development Area can contribute to spatial reform and integration as it will allow 228 households to own a home in an established urban area which is near jobs, schools and other urban amenities.

4.2.4.2 Spatial Sustainability

Land development should be spatially compact, resource-frugal, compatible with cultural and scenic landscapes, and should not involve the conversion of high-potential agricultural land or compromising ecosystems. The proposal supports this principle of spatial sustainability in the sense that it proposes a more compact development of underutilised land within an existing urban area, thereby limiting the need for urban sprawl and encouraging the optimal use of existing urban land and services. The proposal does not impact on scarce resources such as valuable agricultural land or conservation-worthy natural environmental features.

4.2.4.3 Spatial Efficiency

Efficiency relates to the form of settlements and use of resources - compaction as opposed to sprawl; mixed-use, as opposed to mono-functional land, uses; residential areas close to work opportunities as opposed to dormitory settlement. The proposal supports the efficient use of existing resources and infrastructure with minimum negative financial, social, economic, or environmental impacts. The layout is compact and makes the best use of available land.

4.2.4.4 Spatial Resilience and Good Administration

These principles mostly relate to spatial plans, policies, land use schemes, and procedures, which, although important on a wider scale, do not have direct relevance to a proposal of this nature.

5. Summary

The Remainder of Erf 2074 measures about 6.2ha and is zoned for Agricultural I purposes. The southern section of the property has a steep gradient covered in sensitive vegetation while the northern and central areas have even gradients, and the vegetation has been historically disturbed. It is the vision of the landowner to create an affordable and sustainable housing project specifically targeting the middle-income group, in line with the identified need for affordable housing in the town.

The development is planned in the northern and central areas of the site while the southern section will be protected as a nature conservation area. At this stage, the layout proposes about 228 apartments of about 100-130m² in size with a communal open space that will include roads, infrastructure, parks and other amenities. This density is in line with other medium-density residential developments in the direct vicinity of the site.

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

The Bitou Spatial Development Framework earmarked the entire property for development and specifically earmarked the site as a priority development area for medium-density development. The proposal is in line with the long-term development vision of the town and will contribute significantly toward the need for housing stock, job creation and economic growth.