

THE REMAINDER OF PLETTENBERG BAY ERF 6503

APPLICATION FOR: REZONING, SUBDIVISION & PERMANENT DEPARTURES



CLIENT: RAY ANNE COOK & SHEILA GRACE STOREY
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SECTION A :**BACKGROUND****1. BACKGROUND**

Plettenberg Bay Erf 6503 is located in the northern extensions of Plettenberg Bay Town, directly east of Plettenberg Bay Primary School, north of the Poortjies residential neighbourhood. The subject property is currently zoned "as 'Agriculture Zone I' in terms of the Bitou Municipality: Zoning Scheme By-law, 2023 and 19,1129 Ha in extent.

Plettenberg Bay Erf 6503 was formed from the consolidation of Plettenberg Bay Erven 6500 and 6502. During 2015 Plettenberg Bay Erven 7994 & 7996, was subdivided from the subject property. The figure below is an extract of the approved consolidation diagram, indicating the deductions.

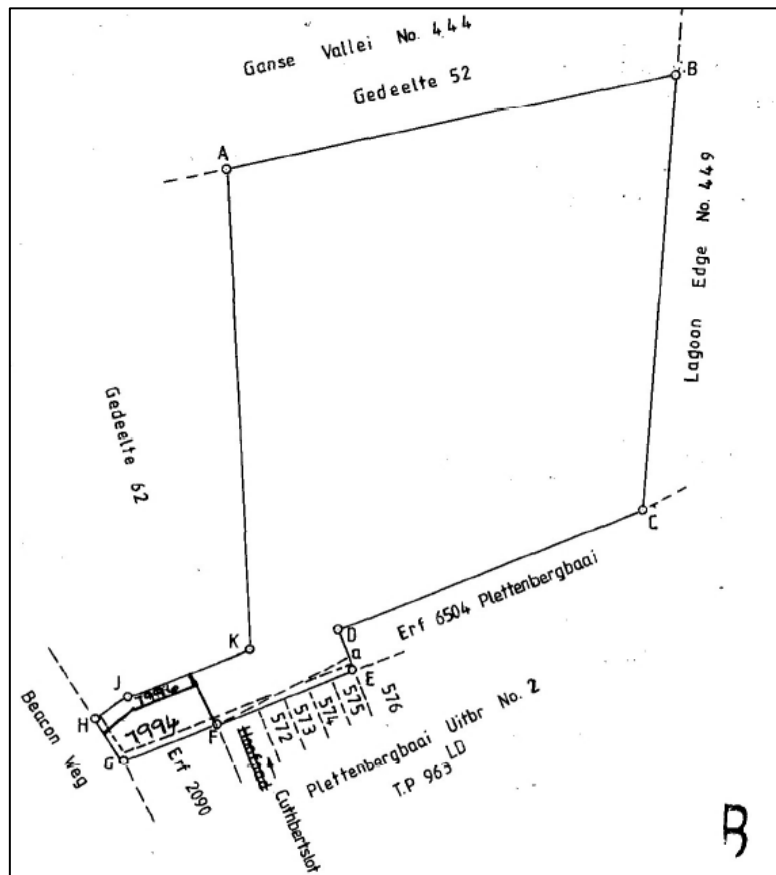


FIGURE 1: EXTRACT SG DIAGRAM

The application area is exempted from the provisions of Act 70 of 1970 as it was earmarked for "Township Development" and "Recreational" purposes in terms of the former Knysna, Wilderness & Plettenberg Bay Guidelines (Sub Regional Structure Plan). This statement is confirmed by the correspondence from the Department of Environmental Affairs and Development Planning, dated 18 February 2022, attached as **ANNEXURE A**.

Pre-Application Consultation was held with Bitou Municipality on , and a copy of the minutes of the “Pre-Application Consultation” is attached as **ANNEXURE B**. The outcome of the pre-application consultation with Bitou Municipality can be summarised as follows:

- *Traffic Impact is the biggest red flag. Several traffic problems in the area, with congestion on the N2 Beacon Way intersection, as well as the Beacon Way – Primary School intersection, and the signalled intersection on Beacon Way with Checkers and Market Square. Application has to be accompanied by a Traffic Impact Assessment.*
- *Consider access via Poortjies, or better mobility by connecting the existing servitude road with the public street (Cuthbert Close) in Poortjies.*
- *Rather consider Residential Zone I, as opposed to only Residential Zone II.*
- *From an environmental perspective – proposal to be informed by environmental site informants: vegetation, wetlands, 100m from the High-Water Mark.*
- *Need to address / motivate visual impact mitigation / sense of place.*
- *Bitou Municipality confirms the proposal is regarded to be consistent with the Bitou SDF and will be willing to provide a supporting letter on their letterhead to this regard.*
- *Bitou Municipality highlighted the fact that Provincial and National Planning Legislation encourages higher-density residential developments. This should be taken into consideration when finalising the proposal.*

To allow for the proposal, the application area must be rezoned to Subdivisional Area in terms of Section 15(2)(a), subdivided in terms of Section 15(2)(d) and Permanent departures in terms of Section 15(2)(b) the Bitou Municipality: Land Use Planning By-Law, 2015. The confirmation of an exempted subdivision in terms of Section 24(1)(f)(iv) of the Bitou Municipality: Land Use Planning By-Law, 2015 to allow for the registration of (1x) right of way servitude along the western most private road, in favour of this proposed single residential erven.

2. THE APPLICATION

Marika Vreken Urban and Environmental Planners have been appointed by **RAY ANNE COOK & SHEILA GRACE STOREY** to prepare and submit the required application documentation (refer to **ANNEXURE C** for the Signed Power of Attorney and **ANNEXURE D**: Application Form) for:

- (i) Rezoning of the remainder of Plettenberg Bay Erf 6503 from “Agriculture Zone I” to a “Subdivisional “Area” in terms of Section 15(2) (a) of the Bitou Municipality: Land Use Planning By-Law, 2015;
- (ii) Subdivision of the remainder of Plettenberg Bay Erf 6503 in terms of Section 15(2)(d) of the Bitou Municipality: Land Use Planning By-Law, 2015 into 61x portions to allow for the following land uses as indicated on the layout plan *Pr2309PB6503L06* dated 14 September 2023.
 - a. 9 x Single Residential Zone I - SRZI (single residential) erven;
 - b. 28x General Residential Zone II - GRZII (group housing) erven;
 - c. 5x General Residential Zone II - GRZII (flats) erven;

- d. 14x Open Space Zone II - OSZII (private open space) erven;
 - e. 1x Open Space Zone II -OSZIII erf; and
 - f. 4x Transport Zone III – TZIII erven (private roads) erven.
- (iii) A permanent departure on the proposed Erf 1 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
- a. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 0m.
- (iv) A permanent departure on the proposed Erf 2 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
- a. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (v) Permanent departures on the proposed Erf 3 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
- a. The prescribed eastern street building line for "General Residential Zone II" zoned properties used for flats from 5m to 3m.
 - b. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
 - c. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (vi) Permanent departures on the proposed Erf 4 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
- a. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
 - b. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (vii) A permanent departure on Erf 5 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
- a. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 2m.
- (viii) Confirmation of an exempted subdivision in terms of Section 24(1)(f)(iv) of the Bitou Zoning Scheme By-Law, 2023 for:
- a. The subdivision to allow for the registration of (1x) right of way servitude over new general residential development in favour of the newly created single residential development as indicated on Plan Number: *Pr2309PB6503L06* dated 14 September 2023.

3. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the Title Deed (T98661/1996) that includes the information outlined below is contained in **ANNEXURE E**. The SG Diagram (SG 4327/1994) for the application area is contained in **ANNEXURE F**.

PROPERTY DESCRIPTION: The remainder of Erf 6503 Plettenberg Bay, in the area of the greater Plettenberg Bay Transitional Local Council, Division of Knysna, Western Cape Province.

TITLE DEED NUMBER: T98661/1996

PROPERTY OWNERS: Ray Anne Cook & Sheila Grace Storey

PROPERTY SIZE: 19,6632 ha (Nineteen comma Six Six Three Two) Hectares
After deductions of Erven 7994 & 7996, the application area measures 19,1129 Ha in extent.

TITLE DEED RESTRICTIONS: Refer to **ANNEXURE G** for Conveyancer Certificate.
Conditions D (b) – (d) – these conditions are in favour of the National Transport Commission, and the Deed states that certain activities may not be conducted unless the controlling authority in terms of Act 21 of 1941 grants permission for such activities. The Controlling Authority is the Provincial Roads Authority. Therefore, the permission of the Provincial Roads Authority must be obtained, during the public participation period. These conditions are:

- (b) construction of only 1x dwelling house with outbuildings
- (c) land shall be used or residential and agricultural purposes only
- (d) 94,46m building line from the centre line of the National Road – *not applicable to the application area, as the application area is 250m+ from the N2 National Road.*

SERVITUDES: According to the SG Diagram, there is a 6m right of way along the southern boundary of the application area. The Title Deed however states that *this servitude was cancelled.*

Entitled to water rights and use of a spring.

BONDS: The property is not bonded.

SECTION B : DEVELOPMENT PROPOSAL

4. DEVELOPMENT SPECIFICATIONS

(Refer to **Plan 4: Layout Plan Pr2309PB6503L06** dated 14 September 2023)

The development proposal entails the development of a residential estate, including various housing typologies, with various accommodation alternatives as well as a club house with communal recreational facilities. The proposed development will consist of freehold title development group housing units and Sectional apartments, that will consist of the following:

- 9x Single residential (Single Residential Zone I - SRZI) erven
- 28x Group housing (General Residential Zone II - GRZII) erven
- 5x Flats (General Residential Zone II - GRZII) erven, containing 8x apartments per erf, except for Erf 1, which will only have 6x apartments: (i.e. 38 apartments)
- 14x Private open space (Open Space Zone II - OSZII) erven, with a club house and communal recreation space
- 1x Private nature conservation area (Open Space Zone II -OSZIII)
- 4x Private Road (Transport Zone III - TZIII) erven

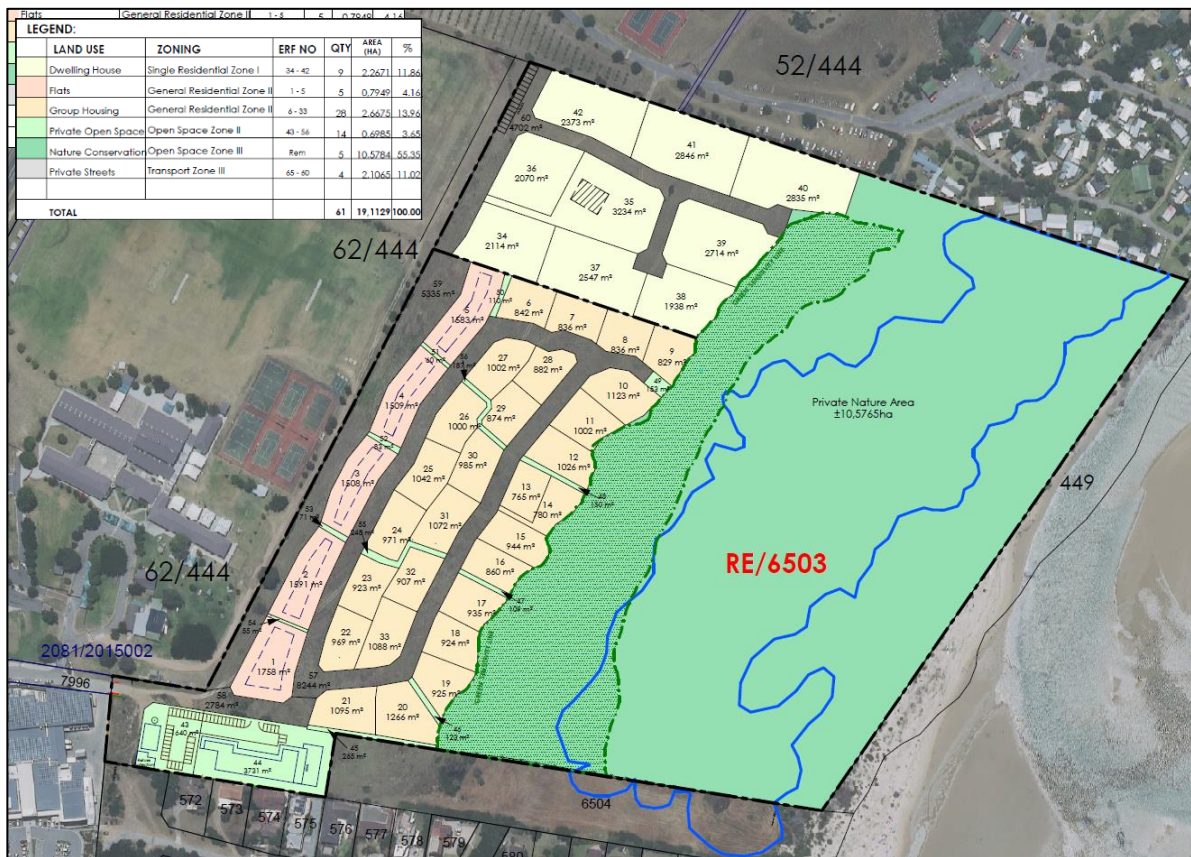


FIGURE 2: PROPOSED LAYOUT

The proposed development will therefore consist of ± 77 residential units on 19,1 ha (i.e. *gross density of 4 units per ha*). The application area is divided into two portions: the western part, consisting of disturbed, previous pastures, and an eastern portion, containing thicket vegetation, that abuts the Keurbooms Lagoon. The proposed development will accommodate a variety of different residential unit types, to cater to various market requirements. The proposed development will be contained on the western disturbed area of the application area. The proposed layout is shown in the figure below:

4.1. Single Residential Erven (Erven 34-42)

A total of 9x single residential erven are proposed towards the northwest of the application area. These 9x larger erven will form a separate gated community, with an individual HOA. The sizes of the single residential erven will range between ±1800m² and 3000m².

The existing farmhouse is older than 60 years and will be retained. The existing farmhouse is accommodated on the proposed Erf 35. The eastern development edge of the proposed single residential erven was informed by the delineation of the environmentally sensitive areas. The figure below shows the position of the single residential erven:

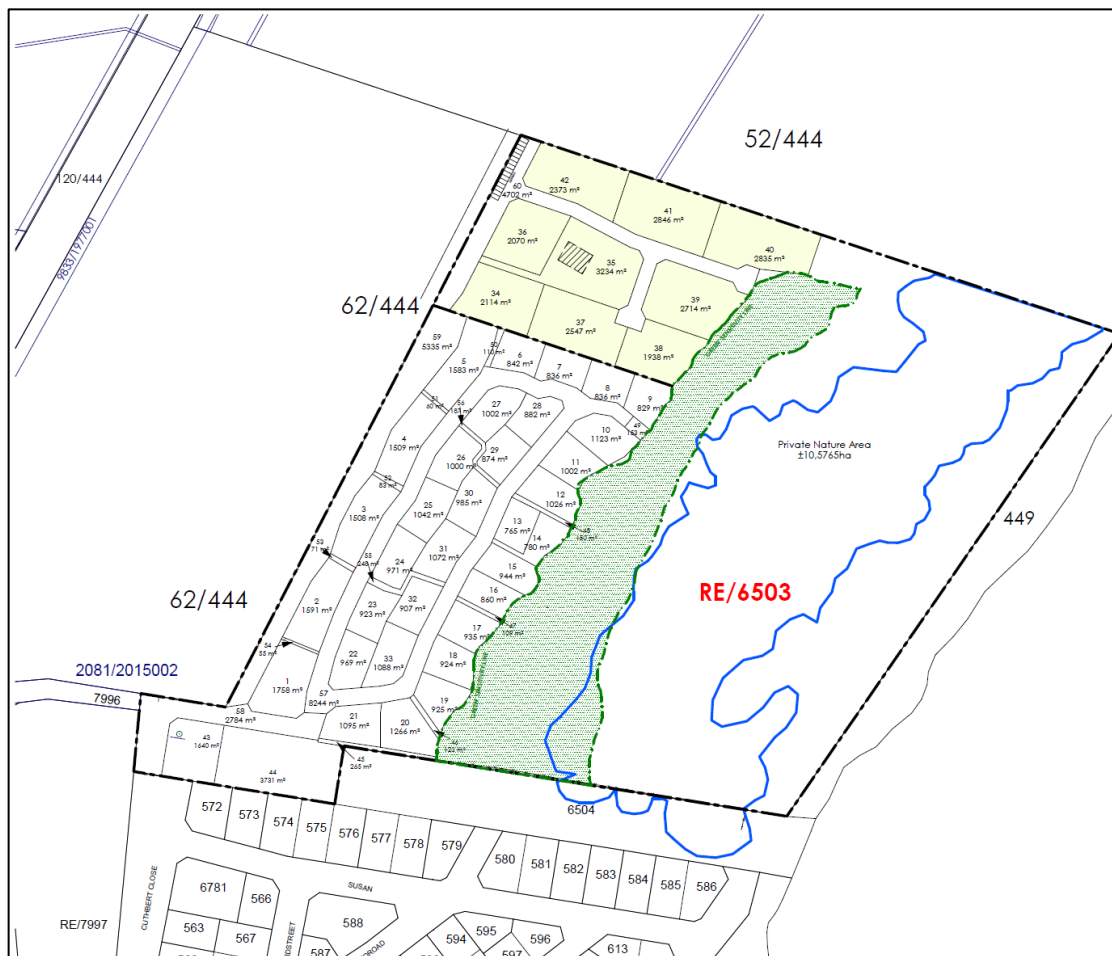


FIGURE 3: SINGLE RESIDENTIAL ERVEN

4.2. Group Housing Erven (Erven 6-33)

A total of 28x freehold title group housing erven are proposed. The 28x group housing erven covers ±2,6675 ha and therefore the nett density of the group housing erven calculates to 10.5 units per ha.

These units are located west of the demarcated environmental sensitivity line, and east of the proposed general residential apartments. The figure below shows the distribution of the group housing erven on the application area:

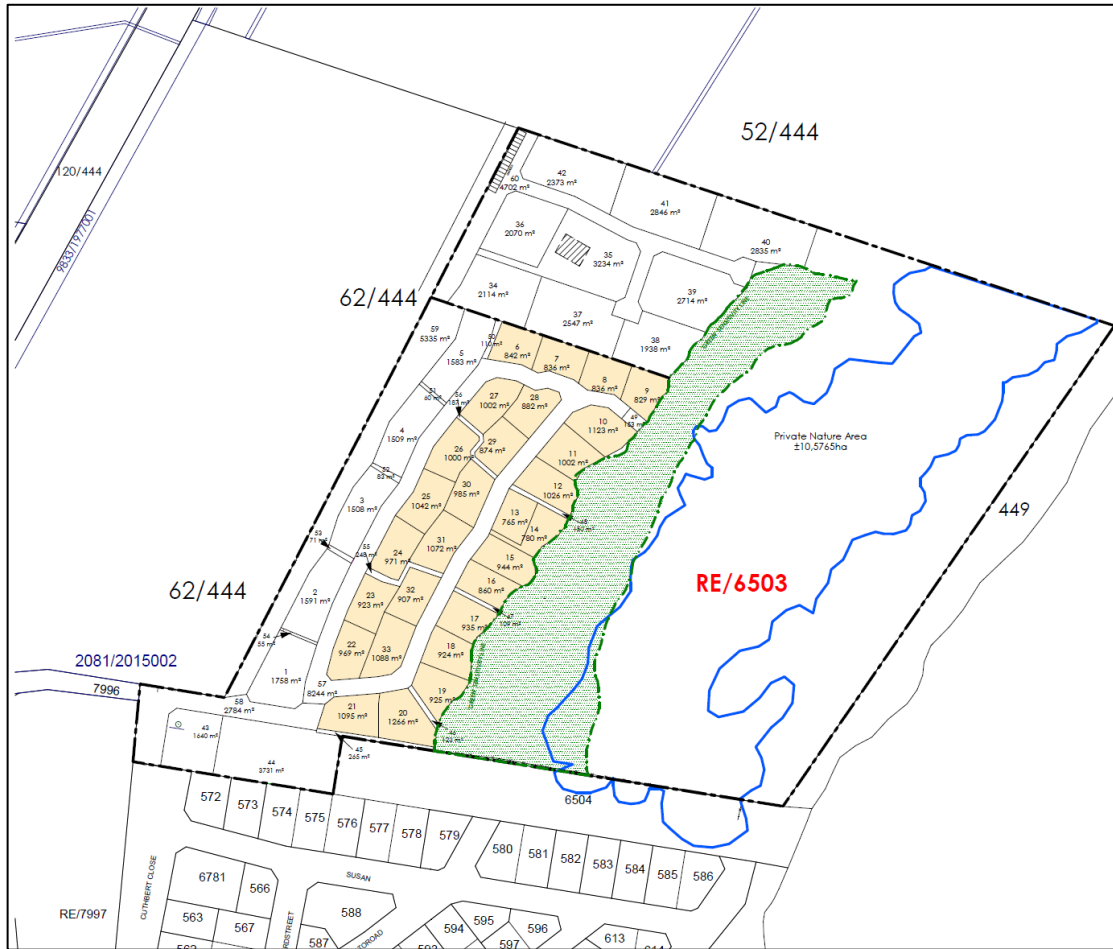


FIGURE 4: GROUP HOUSING ERVEN

4.3. General Residential Erven (Erven 1 – 5)

A total of 5x General Residential erven are proposed. Each general residential erf will contain 8x sectional title apartments, except for Erf 1, which will only have 6x apartments. These units will be located along the western boundary of the application area, overlooking the Plettenberg Bay Primary School, as well as towards the Keurbooms Lagoon. The height of these apartments will be limited to double-storey units.

Each erf will have its own body corporate, and each body corporate will be a member of the Master HOA of the development.

Erf sizes of the general residential erven range from 1500m² tot ±1750m². The general residential erven will also have access to the green spaces and communal facilities of the development. The figure below, shows the distribution of the general residential erven on the application area:

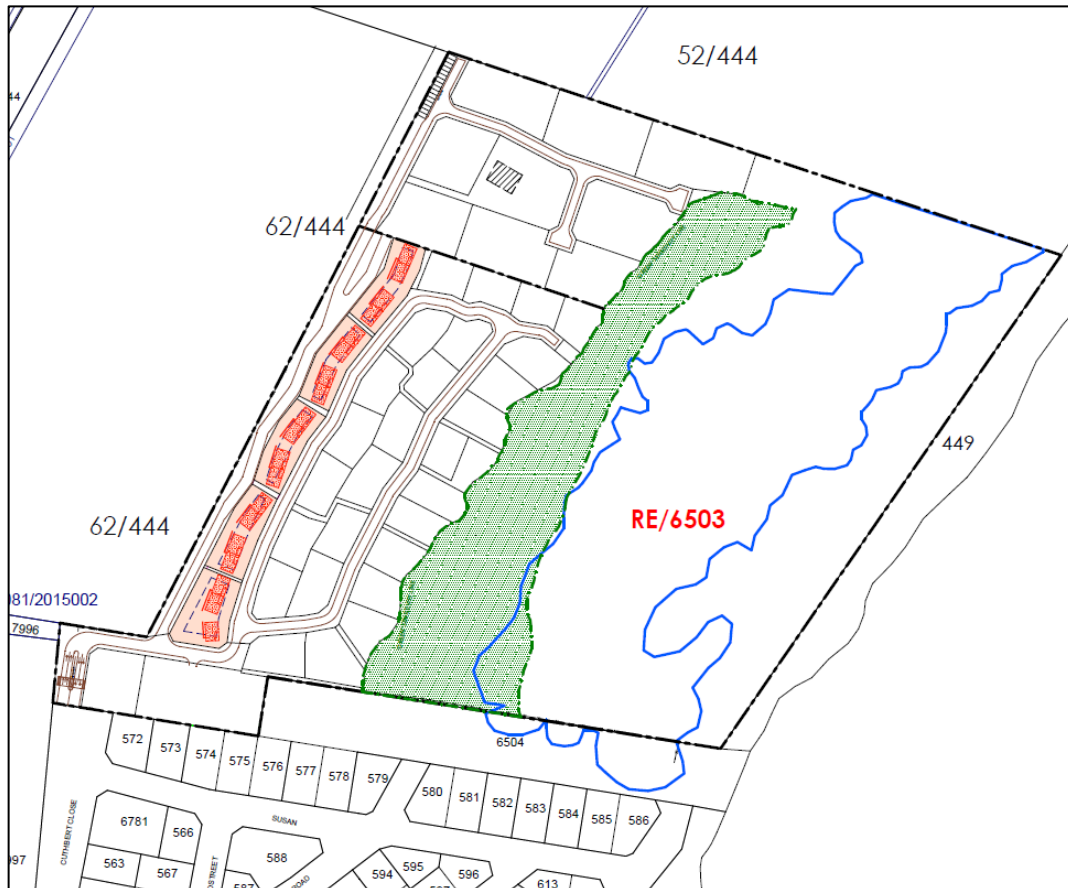


FIGURE 5: GENERAL RESIDENTIAL ERVEN

The Bitou Zoning Scheme By-Law, 2023 prescribe the following building lines for erven used for 'flats':

- Street building line is at least 5 metres.
- Side and rear building lines are at least 4,5 metres.

The height of the apartment buildings will be limited to no higher than 9m above NGL, hence the lateral building lines will encroach the 4.5m lateral building lines.

Given the fact that these apartments are bordered by the access road to the single residential erven to the west and the internal access road to the east, these general residential erven will require building line departures.

Ample green spaces are proposed between these general residential erven, in order to provide easy pedestrian access to the green spaces, hence these general residential erven will require lateral building line relaxations.

4.4. Open Spaces (Erven 43-56 & remainder)

The eastern part of the application area contains thicket vegetation and will not be used for development. A total of ±11,2769 ha of open space (±59%) will be provided for the proposed development.

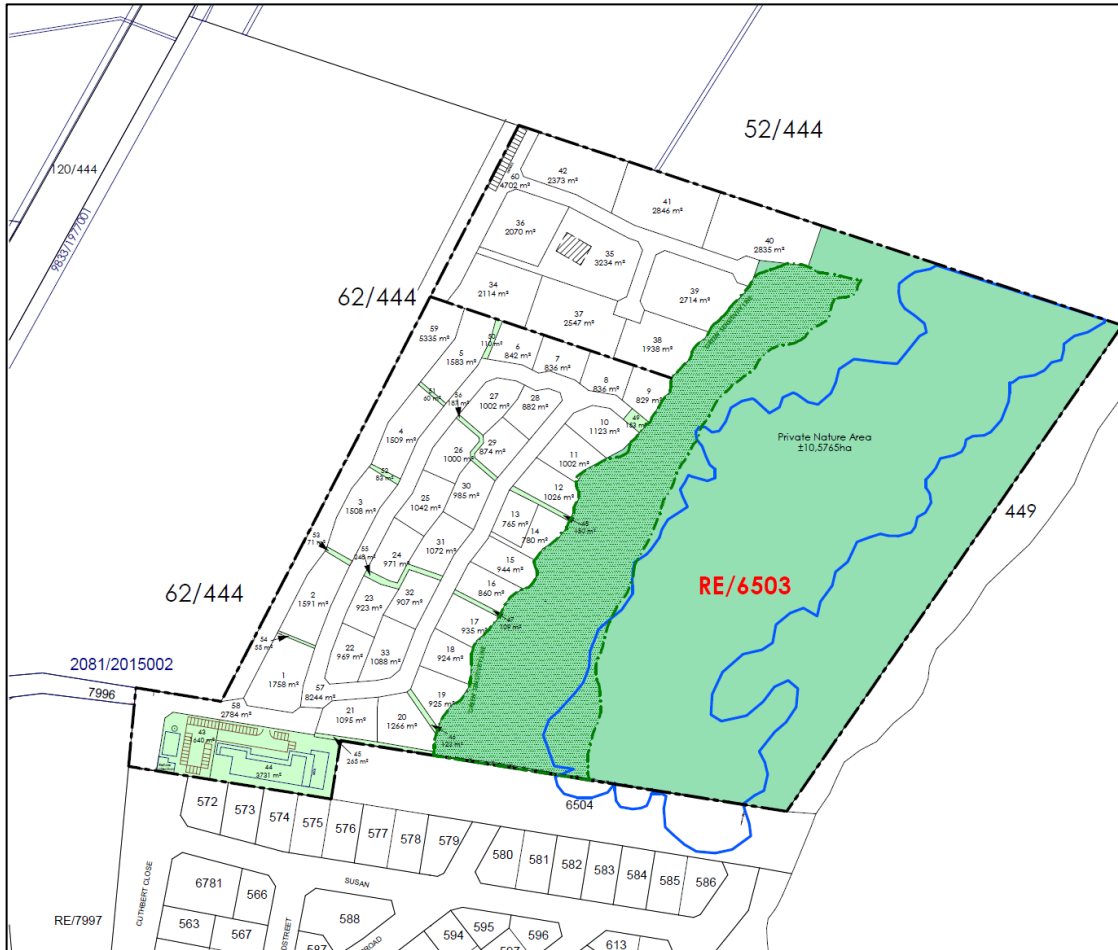


FIGURE 6: PROPOSED OPEN SPACES FOR THE PROPOSED DEVELOPMENT

- Approximately 0.6985 ha of private open space (Open Space Zone II) will be provided. These consist of a communal club house, maintenance buildings, green spaces and communal pedestrian walkways that connect the western units with the private nature area.
- An area of ±10,5784 ha (55%) is provided as a private nature area (Open Space Zone III). This area contains sensitive vegetation as well as a wetland area. There are existing open areas and pathways between the sensitive thicket vegetation, and these will be available for residents for hiking trails and recreational areas.

4.5. Access, Roads & Parking (Erven 57-60)

Access to the proposed development will be obtained from Cuthbert Close in the Poortjies Residential Neighbourhood. An extract from the General Plan for the Poortjies neighbourhood is shown in the figure below, and it is clear that Cuthbert Close terminates at the southwestern boundary of Erf 6503, thereby granting lawful street access to the application area from Cuthbert Close.

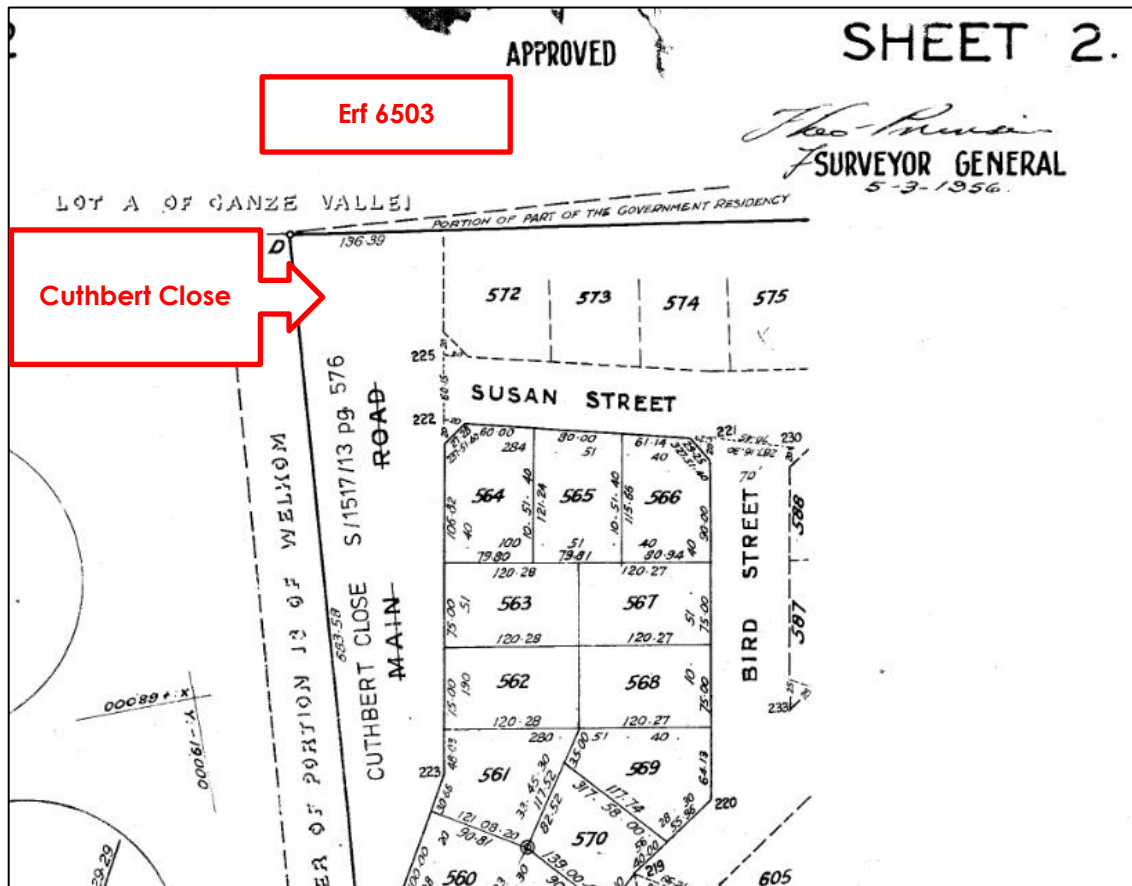


FIGURE 7: EXTRACT GENERAL PLAN - POORTJIES

The proposed development will be a gated village, with access control from the access in Cuthbert Close. The access will be approximately 18m wide, allowing for 2x lanes of traffic in, and 2x lanes of traffic out of the proposed development. The proposed refuse collection area will be at the entrance gate.

The proposed single residential erven will access through the proposed development and a right-of-way servitude will be registered along the western most private road, in favour of this proposed development. The registration of this right of way servitude will be exempted from a formal subdivision application, in terms of Section 24(1)(f)(iv) of the Bitou Municipality's land use planning bylaw.

The private internal circular street through the single residential erven will be a 10m wide road reserve, with a road surface of 5m wide, and allows for access to the proposed private nature area, to allow for pedestrian access to the nature area.

The private internal circular street through the group housing erven will be a 12m wide road reserve, with a road surface of 5,5m wide, and allows for access to the proposed private nature area, to allow for pedestrian access to the nature area. Ample parking will be provided:

- A minimum of 16x off-street parking bays per 'flats' erf will be provided.
- Each group housing erf and single residential erf will have a minimum of 2x parking bays per erf.
- 45x communal parking bays are provided at the proposed club house. This parking will also be available and accessible for visitors.
- 16x garages are proposed in the north-western corner of the single residential erven. These garages will be for boat and caravan storage for the residents of the single residential erven.

The proposed private street and parking layout is shown in the figure below:

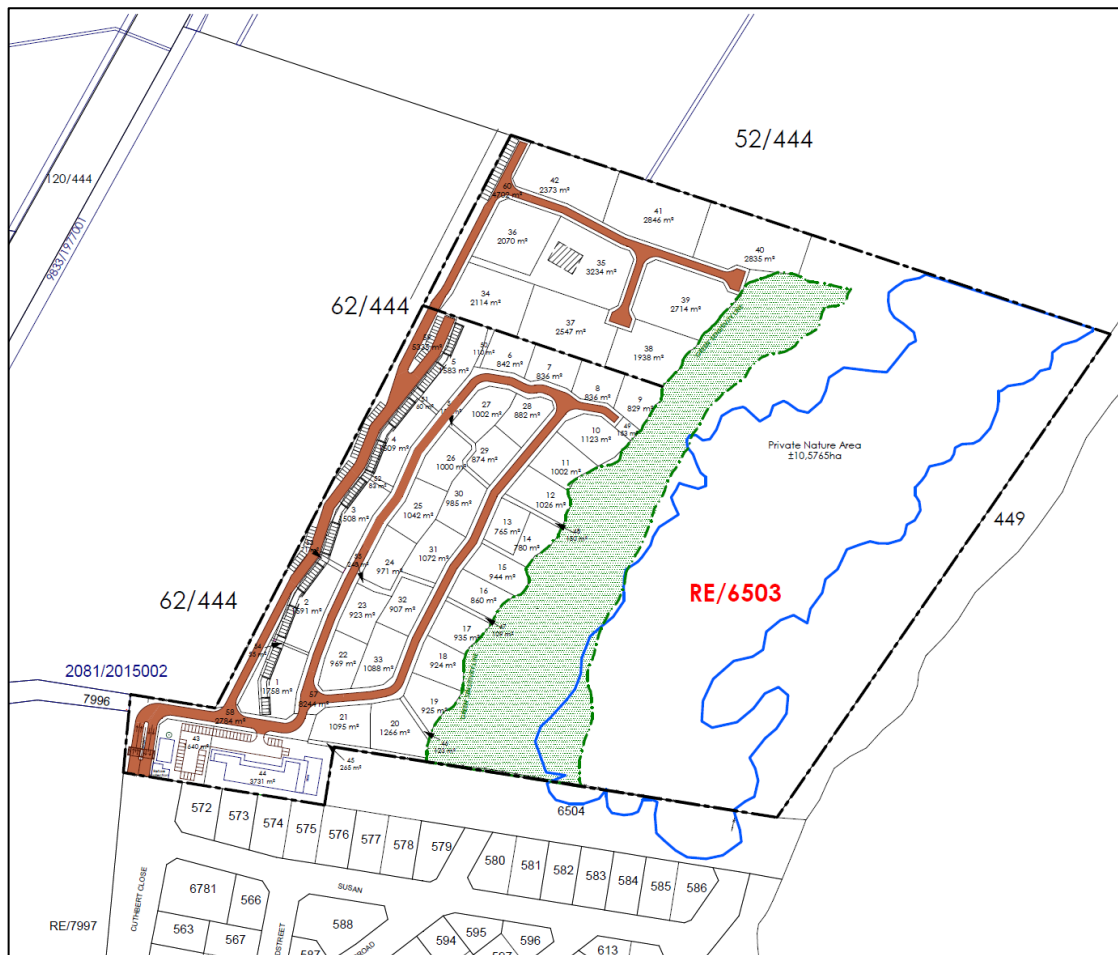


FIGURE 8: PROPOSED ROADS

The roads inside the proposed development will all be private roads and will be in accordance with the provisions of the Bitou Zoning Scheme By-Law, 2023.

4.6. Refuse Collection

A communal refuse collection area is located at the entrance gate, and the refuse collection for the apartments is provided in the southwestern corner of Erf 43. This collection area will be accessed off Cuthbert Close.

4.7. Governance

A Homeowners' Association will be established to control, administer, and manage the communal land, the erven, the common property and the facilities and services. A Sectional Title Body Corporate will be established for the General Residential Erven (Erven 1 – 5) and these erven, will each constitute 1x (one) member of the HOA.

5. STATUTORY SPECIFICATIONS

The following land development application is lodged in terms of the Bitou Municipality: Land Use Planning By-Law, 2015 to achieve the desired outcome.

5.1. Rezoning

The proposal is to rezone the remainder of 6503 Plettenberg Bay from "Agriculture Zone I" to a "Subdivisional Area"¹.

The general purpose of Subdivisional Area Overlay Zone: The subdivisional area overlay (SAO) zoning designates land for future subdivision with development rights by providing development directives through specific conditions as approved in terms of this By-law. The SAO zoning confirms the principle of development and acceptance of future subdivision of land; but not the detailed layout, which will be determined when an actual application for subdivision is approved.

An application is therefore made for the Rezoning of the Remainder of Plettenberg Bay Erf 6503 from "Agriculture Zone I" to a "Subdivisional "Area" in terms of Section 15(2) (a) of the Bitou Municipality: Land Use Planning By-Law, 2015.

5.2. Subdivision

The proposal is to subdivide the subdivisional area into 61x portions, as per *Plan 4: Layout Plan*. Application is made for the subdivision of the remainder of Plettenberg Bay Erf 6503, in terms of Section 15(2)(d) of the Bitou Municipality's Land Use Planning Bylaw (2015), into the following land uses as indicated on the layout plan Pr2309PB6503L06 dated 14 September 2023:

¹ "subdivisional area" means an overlay zone that permits subdivision for the purposes of a subdivision application involving a change of zoning.

- 9 x Single Residential Zone I - SRZI (single residential) erven;
- 28x General Residential Zone II - GRZII (group housing) erven;
- 5x General Residential Zone II - GRZII (flats) erven;
- 14x Open Space Zone II - OSZII (private open space) erven;
- 1x Open Space Zone II -OSZIII erf; and
- 4x Transport Zone III – TZIII erven (private roads) erven.

An application is therefore made for subdivision of the remainder 6503 Plettenberg Bay in terms of Section 15(2)(d) of the Bitou Zoning Scheme By-Law, 2023 into 61x portions as indicated on the layout plan *Pr2309PB6503L06* dated 14 September 2023.

The proposal is to implement the proposed development in one phase.

5.3. Exempted Subdivision - Registration of a ROW Servitude

The proposed single residential erven will access through the proposed general residential development and a right-of-way servitude will be registered along the most western private road, in favour of this proposed single residential development, accessed directly from Cuthbert Street situated south of the application area. No direct access to this portion from Cuthbert Street is currently available. Therefore, a right-of-way servitude must be registered over the new general residential development.

It should be noted that the registration of servitudes for a private right of way is exempted from a formal subdivision application in terms of Section 24(1)(f)(iv) of the Bitou Municipality: Land Use Planning By-Law, 2015. Confirmation is required for the following exempted subdivision:

The subdivision to allow for the registration of (1x) private right of way servitude over the new general residential development in favour of the newly created single residential development as indicated on Plan Number: *Pr2309PB6503L06* dated 14 September 2023.

5.4. Permanent Departures

The proposal is generally consistent with the prescribed development parameters of the Bitou Zoning Scheme By-Law, 2023, except for 2x aspects:

The Bitou Zoning Scheme By-Law, 2023 prescribe a 5m street building line and 4.5m side and rear building lines for "General Residential Zone II (GRZII)" properties used for 'flats'. The designs of the general residential sites do not comply with the prescribed building lines. The sites were designed to allow for a 4,0m street building line, in order to provide more circulation space on the site.

Therefore, the following permanent departure applications will be lodged:

- (i) A permanent departure on the proposed Erf 1 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 0m.
- (ii) A permanent departure on the proposed Erf 2 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (iii) Permanent departures on the proposed Erf 3 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed eastern street building line for "General Residential Zone II" zoned properties used for flats from 5m to 3m.
 - b. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
 - c. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (iv) Permanent departures on the proposed Erf 4 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
 - b. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (v) A permanent departure on Erf 5 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 2m.

5.5. Bitou Integrated Zoning Scheme By-Law, 2023

A summary of the prescribed development parameters for the General Residential Zone II (group housing) and a comparison of the proposed development's parameters are shown in the table below:

GROUP HOUSING			
PARAMETER		APPLICATION AREA	COMPLIANCE
PRIMARY USE:	'group/town housing' ²	'group housing'	REZONING REQUIRED
DESIGN PRINCIPLES	All buildings and structures must be planned, designed and built as a harmonious architectural entity and special attention must be given to aesthetics, architectural coordination, urban design and landscaping.	Designed as a harmonious architectural entity. Adequate communal open space and communal facilities will be available.	COMPLY
DENSITY	35 dwelling units per hectare.	28x units on ±2,6675Ha = 10.5 units / ha	COMPLY
HEIGHT	6.5 metres to the wall plate 8.5 metres to the ridge of the roof in the case of a pitched roof.	8.5m	COMPLY
OPEN SPACE	To the satisfaction of the Municipality.	- 0.6985 ha of private open space (Open Space Zone II) Consisting of a communal club house, maintenance buildings, green spaces and communal pedestrian walkways that connect the western units with the private nature area. - ±10,5784 ha (55%) is provided as a private nature area (Open Space Zone III)	COMPLY

²"group housing site" means one or more land units on which a group housing scheme or retirement resort may be erected.

GROUP HOUSING			
PARAMETER		APPLICATION AREA	COMPLIANCE
BUILDING LINES:	GROUP HOUSING SITE PERIMETER BUILDING LINES		
	Street Building Line: 5m	3m	COMPLY
	Lateral Building Line: 3m North	3m+	COMPLY
	Lateral Building Line: 3m East	3m+	COMPLY
	Lateral Building Line: 3m South	3m+	COMPLY
	Lateral Building Line: 3m West	3m+	COMPLY
PARKING	2 bays per dwelling unit plus 0.25 bays/unit for visitors. 28x units x 2.25 parking bays = 63 parking bays required	56 parking bays provided @2 per dwelling house. 45x parking bay provided at the club house with communal recreational facilities for visitors. = 101x parking bays provided	COMPLY
REFUSE ROOM³	1x required	The proposed refuse collection area will be at the entrance gate.	COMPLY

A summary of the prescribed development parameters for the General Residential Zone II (flats) and a comparison of the proposed development's parameters are shown in the table below:

FLATS			
PARAMETER		APPLICATION AREA	COMPLIANCE
PRIMARY USE:	'flats' ⁴	'flats'	REZONING REQUIRED

³"refuse room" means a defined screened refuse receptacle from where refuse is collected, usually on a weekly basis.

⁴"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.

FLATS			
PARAMETER		APPLICATION AREA	COMPLIANCE
HEIGHT	The highest point of a building may not exceed 10,67 metres.	9m above NGL	COMPLY
BUILDING LINES	ERF 1		
	Street Building Lines: 5m East, South & West	5m+	COMPLY
	Lateral Building Line: 4.5m North	0m	DEPARTURE REQUIRED
	ERF 2		
	Street Building Lines: 5m East & West	5m+	COMPLY
	Lateral Building Line: 4.5m North	4.5m	COMPLY
	Lateral Building Line: 4.5m South	1m	DEPARTURE REQUIRED
	ERF 3		
	Street Building Line: 5m West	5m	COMPLY
	Street Building Line: 5m East	3m	DEPARTURE REQUIRED
	Lateral Building Line: 4.5m North & South	1m	DEPARTURE REQUIRED
	ERF 4		
	Street Building Lines: 5m East & West	5m	COMPLY
	Lateral Building Lines: 4.5m North & South	1m	DEPARTURES REQUIRED
	ERF 5		
	Street Building Line: 5m East & West	5m	COMPLY
Lateral Building Lines: 4.5m North & East	4.5m	COMPLY	
Lateral Building Lines: 4.5m South	2m	DEPARTURES REQUIRED	

FLATS			
PARAMETER		APPLICATION AREA	COMPLIANCE
OPEN SPACE	at least 10% of the total erf area must be provided	<ul style="list-style-type: none"> - 0.6985 ha of private open space (Open Space Zone II) Consisting of a communal club house, maintenance buildings, green spaces and communal pedestrian walkways connecting units with the private nature area. - ±10,5784 ha (55%) is provided as a private nature area (Open Space Zone III) 	COMPLY
PARKING	1.75 bays per dwelling unit plus 0.25 bays/unit for visitors. 38units x 2 parking bays = 76 parking bays required	16x off-street parking bays per 'flats' erf = 80 parking bays provided	COMPLY
REFUSE ROOM	1x required	refuse collection for the apartments is provided in the southwestern corner of Erf 43	COMPLY

6. CIVIL SERVICES INFRASTRUCTURE

'Vita Consulting Engineers' was appointed to compile a Civil Engineering Services Report, that outlines civil engineering services that are subject to the proposed development. A copy of the full report dated July 2023 is attached as **ANNEXURE H**. Bitou Municipality confirmed on 05 October 2023 that it has bulk infrastructure capacity in its networks and can accommodate the proposed development. Refer to the attached **ANNEXURE I** for this correspondence.

6.1. Water

Existing Bulk Municipal Network:

- The master plan indicated that the proposed development should be accommodated within the existing Goose Valley reservoir zone.
- The proposed connection to the existing water system is to the existing 250 mm diameter supply pipeline from the Goose Valley reservoir in Beacon.
- Link services items BPW14.1 is required to connect the internal reticulation network of the proposed development to the existing municipal water network.

- The bulk water system to the Goose Valley, Wittedrift and Matjiesfontein reservoirs is at capacity and should be upgraded according to the master plan before additional developments within the reservoir supply areas can be accommodated.
- GLS estimated the costs for the design and installation of Item 2, BPW.B39 and BPW.B67 to be R42 million
- GLS provided the following temporary solution:
 - *Installation of an additional 160mm bulk main off the existing 160mm distribution main in the N2 road reserve (refer figure 5) which will free up an additional 860kl/day.*
 - *There is sufficient capacity in the 860kl/day to accommodate the developments on Farm 444/38, Farm 304/32 and erf 6503.*
- This temporary solution was discussed with Bitou Municipality on 9 March 2023, who stated that they will except the temporary solution on the following conditions:
 - *Design, installation, etc. costs for the temporary solution will be the responsibility of the developer/developers and will not be deductible from the Augmentation Levee's*
 - *The temporary solution is not a permanent solution and Augmentation Levee's for Water and Sewage will be used towards the permanent solution.*
 - *The proposed pro-rata contribution towards the temporary solution must be resolved between the developers of the different properties.*
 - *A Service Level Agreement must be drafted for the development*

Internal Water Reticulation:

The potable water demand for the development will be:

- Gross Annual Average Daily Demand: 61m³ per day
- Instantaneous Peak Demand (Peak Factor - 10): 7.06 l/s
- Fire flow criteria (low risk): 15l/s @ 10m

The proposed internal metered water reticulation network will consist of a combined domestic and fire water reticulation network consisting of a 75mm diameter uPVC Class 12 potable water main. Allowance will be made for individual water meters to be located 1m inside the erf boundaries for every property.

The water reticulation network will adhere to the following design requirements:

- Minimum pipe size – 75mm diameter
- Minimum pipe class – uPVC Class 12 / HDPE PE100 Class 12.5
- Specials & Fittings – As per Bitou Municipal Engineering Standards
- The bedding and blanket material will comply with SABS 1200 regulations for Class

- C bedding and blanket
- Fire hydrants will be spaced for low-risk areas

Irrigation Network:

Each homeowner will be responsible for the irrigation of their own property. Irrigation to individual gardens and road verge landscaping will be done from the potable water network. The irrigation schedule will fall outside of the normal operating peak hours and will therefore not have an adverse effect on the water supply. Rainwater harvesting tanks, which collect stormwater run-off from roofs and hardened surfaces, will be prescribed as part of the estates building guidelines and will be confirmed by the homeowner's association.

6.2. Sewage Disposal

Existing Municipal Foul Sewer:

- The master plan indicated that the proposed development should be accommodated within the existing Plettenberg Bay Pumping Station (PS1) drainage area.
- There is sufficient capacity in the existing Plettenberg Bay sewer reticulation system to accommodate the proposed development.
- The recommended position for the sewer connection for the proposed development is to the existing 150 mm diameter outfall sewer in Susan Street

Internal Sewage Network:

The estimated sewage yield generated from the proposed development will be:

- Annual Average Daily Sewage Yield: 38.5m³ per day
- Peak Daily Wet Weather Sewage Yield (Peak Factor - 3.5): 2.2 l/s

The internal sewage infrastructure will consist of a 160mm diameter uPVC Class 34 gravity pipe network and round precast concrete ring manholes in the road reserves. The internal infrastructure will drain towards a new foul sewer pumpstation. The pumpstation will be situated inside the road reserve and will not encroach into the environmentally sensitive area.

The pumpstation will convey all sewage from the development via a 75mm rising main towards an existing 160mm underground pipe and manholes network inside the Susan Road reserves (as per GLS Report) on the southern boundary of the site.

The underground gravity network will adhere to the following requirements:

- Minimum self-cleansing velocity inside a half full pipe – 0.7m/s
- Maximum full-bore velocity – 3.5m/s
- Maximum spacing between manholes – 90m
- The bedding and blanket material for the internal sewage pipe trenches will adhere to SABS 1200 regulations for Class C bedding and blanket.

The underground pumpstation will have the following minimum requirements:

- The pumpstation will be equipped with duty- and standby pumpsets
- The pumpstation will have back-up power (genset or inverter/batteries)
- The pumpstation sump will have an emergency back-up volume equal to the 4- hour peak flow

6.3. Storm Water

Existing Municipal Stormwater Network:

The pre-development site drains from the higher lying western boundary towards the lower lying eastern boundary. There is no formal bulk municipal stormwater infrastructure in the vicinity of the site. The high permeability of the insitu sands ensures that all stormwater run-off permeates into the subsoil layers and a formalised bulk stormwater connection for the development is not required. The residential dwellings, roads- and civil infrastructure has been positioned to fall above the pre-scribed 5m contour.

Internal Stormwater Network:

The standard stormwater design principle, as set out in section 1 will be implemented in the planning and design of the internal stormwater system. The following minimum design specifications will be implemented:

- Minimum pipe specification: Class 75 D Concrete spigot & socket pipes
- Minimum pipe diameter: 375mm Nominal diameter
- Minimum design flow: 1.0m/s inside a half-full pipe
- Maximum spacing between manholes/inlets: 80m

An open swale stormwater network will be designed to have sufficient capacity to adequately manage and convey up to a 1:5year rainfall event. The open swales network will follow the road network and will have inlet structures and pipe culverts at road crossings. For rainfall events with a return period larger than 1:5 year, the internal roadways will act as overland flow routes which will convey stormwater run-off towards the lower lying eastern portion of the site, where it will follow the existing natural drainage routes and permeate through the insitu soils in to the subsurface water reserves.

The cohesion of the dune sands is very poor and will therefore be very susceptible to erosion. The following erosion preventative measures will be incorporated in the detail stormwater design:

- Concentration of stormwater will be minimised to prevent high volume/flow rates
- Hard surface run-off (driveways) will be routed into swales via the internal roadways
- Sheetflow into open swales will be promoted to maximise contact time with permeable dune sands

- All channels with an internal velocity higher than 1m/s will be formalised (armorflex)
- All unlined channels will be landscaped with appropriate vegetation
- Energy dissipation structures will be installed at high energy discharge points

Due to the likely occurrence of a seasonal perched ground water table, provision will be made for a subsoil drainage network beneath the roads. The subsoil drainage network will consist of a 110mm diameter perforated pipe network installed 800mm below the final road level.

6.4. Roads and Parking Areas

Internal Roads and Parking Areas:

The design philosophy for the proposed internal road network will be similar to that of a typical urban road network, which includes a minimum 2.0% crossfall and 0.5% longitudinal slope. This road network will consist out of 5.5m wide brick paved roads with formal kerbs/edgings, roadside channels and a stormwater drainage network.

The internal roads/parking areas have been designed for low heavy vehicle traffic (construction vehicles, furniture removal and refuse trucks) and makes allowance for the insitu subgrade conditions.

- Road Category C/D (TRH4) or UC (UTG)
- Pavement Class ES 0.1 (TRH4).
- Structural design period 20 years
- Surface finish: Concrete Paving

7. TRAFFIC IMPACT

'UDS Africa' was appointed to prepare a Traffic Impact Statement (TIS) for the proposed development. A copy of the full report dated 28 July 2023 is attached as **ANNEXURE J**. This TIA concluded the following:

CONCLUSIONS

- The proposed development will accommodate 77 units, of which 37 are proposed to be single residential units and 40 units will be retirement units.
- Traffic counts were performed on Monday, 22nd May 2023 at the N2/Beacon Way intersection, Beacon Way / Filling Station / School Access intersection, Beacon Way / Market Square / Checkers intersection, Beacon Way / Zenon Street.
- Using TMH17, 63 trips are expected during the peak hours with 16 IN / 47 OUT during the AM peak hour and 44 IN / 19 OUT during the PM peak hour.
- A 3% annual growth rate was used to project the traffic to 2028 to evaluate a 5-year future scenario.

- As mentioned, the N2 / Beacon Way intersection is planned to be upgraded to a roundabout in the near future.
- Access to the subject property is proposed to be gated, however the details for the guard house has not been confirmed. The Minimum Standards for Civil Engineering Services in Townships (2007) only stipulates specifications up to 40 units, however, using the ratios provided, stacking distance should be provided between 18- and 23-metres. Based on the available information, sufficient space is available.
- An entry lane of minimum 4.0 metres should be provided for emergency vehicles.
- Internal roads are 5.5-metres wide with road reserve widths ranging from 10.0- to 12.0-metres.
- It is anticipated that refuse collection will occur at the gatehouse.
- Each single residential unit will include a garage and space for 2 parked cars outside the garage. 80 bays are provided outside the retirement units with an additional 42 bays for visitors at the clubhouse.

The development be recommended on condition that:

RECOMMENDATIONS

- Sufficient stacking space exceeding 23-metres be provided.
- A minimum entry lane of 4.0-metres be provided.
- Sufficient sight distance be ensured in the placement of trees along the internal roads.
- It should be ensured that there is sufficient space for vehicles reversing out of driveways.
- Traffic calming be considered along roads within the development longer than 100-metres.
- Traffic calming be considered along Plato Road with appropriate spacing between them.
- A pedestrian gate be considered on the western boundary of the subject erf, providing access to the school and retail areas.

8. ELECTRICAL SUPPLY

The subject property and application area are connected to the existing municipal infrastructure network of Bitou Municipality. Electricity will be supplied by the supply authority, Bitou Municipality.

SECTION C :**CONTEXTUAL INFORMANTS****9. LOCALITY***(Plan 1: Locality Plan)*

The application area abuts Plettenberg Bay Primary School and the Poortjies residential neighbourhood. The application area is located inside the Plettenberg Bay “urban edge” and abuts the existing urban development of Plettenberg Bay on two boundaries, which can be regarded as “normal urban extension”.

The GPS co-ordinates for the centre of the proposed development are at 34.039887 South and 23.374335 East.

**FIGURE 9: LOCALITY****10. CURRENT LAND USE AND ZONING****10.1. Land Use**

The application area is used for rural residential purposes. No productive farming is taking place on the application area.



FIGURE 10: EXISTING RESIDENTIAL DWELLING

10.2. Zoning

Plettenberg Bay Erf 6503 is currently zoned as 'Agriculture Zone I' in terms of the Bitou Municipality: Zoning Scheme By-law, 2023.

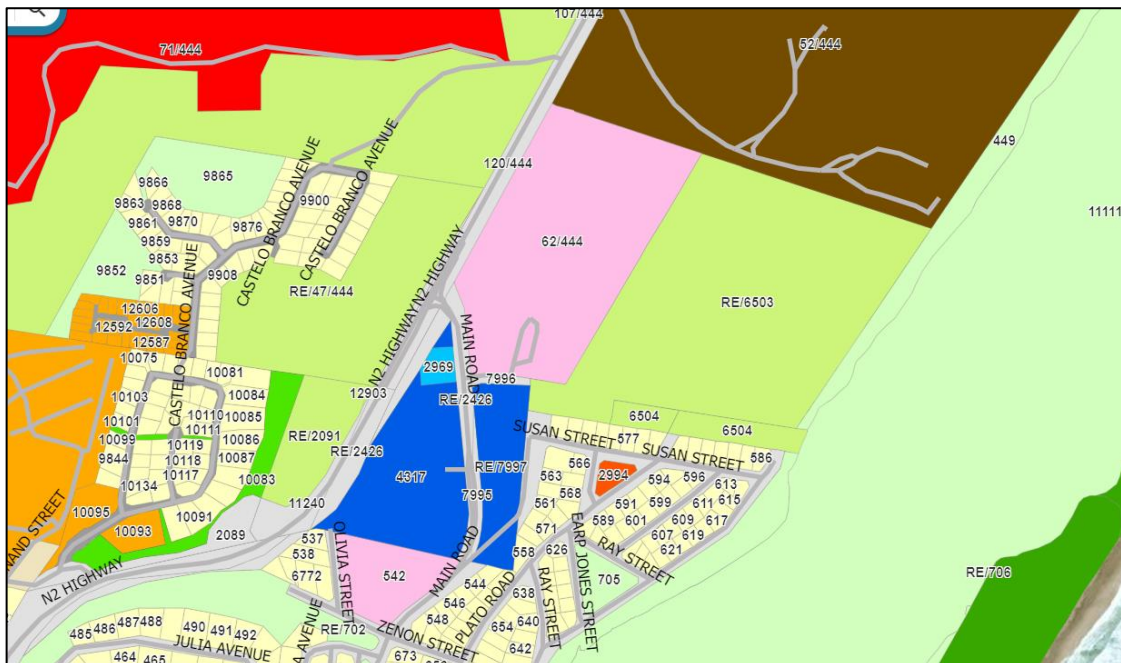


FIGURE 11: ZONING MAPS EXTRACT

11. SITE CHARACTERISTICS

The figure below shows the site characteristics of the application area:

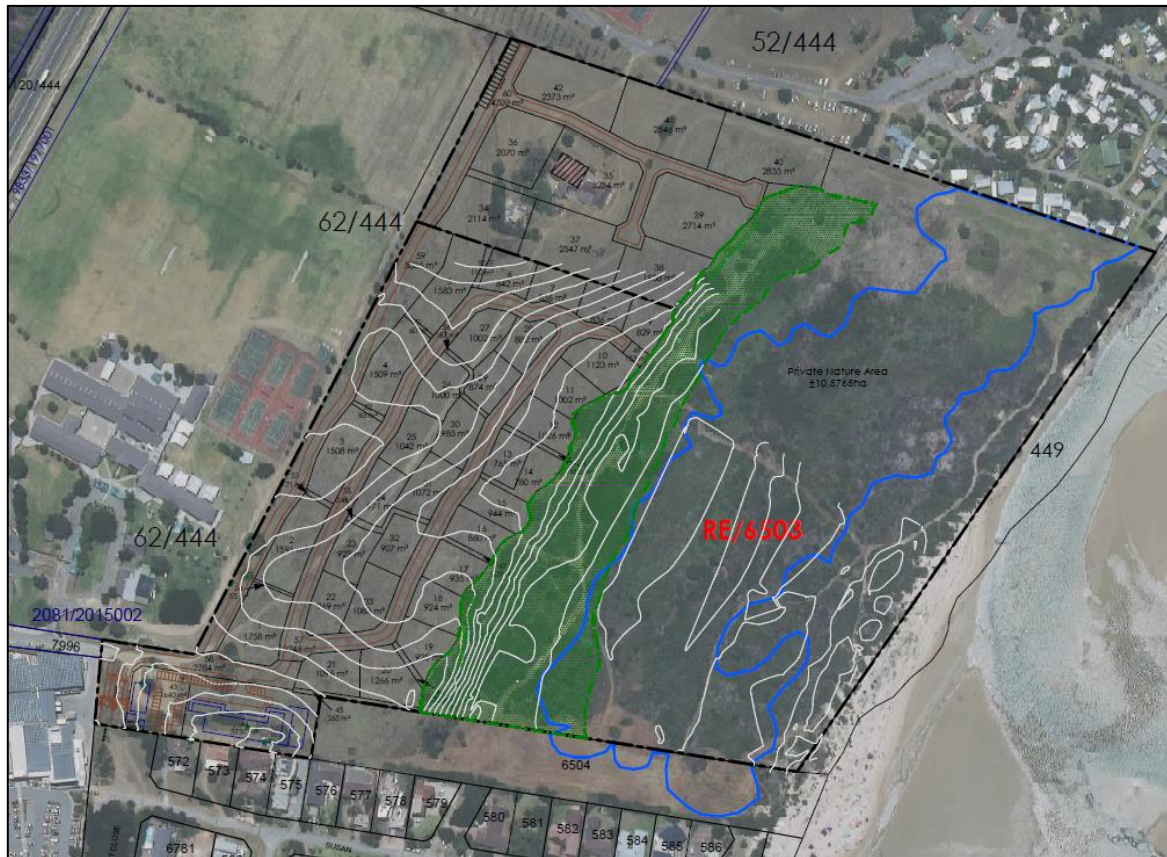


FIGURE 12: SITE CHARACTERISTICS

11.1. Topography

The application area is characterised by a flat, eastern-sloping topography.

The highest part of the application area is at $\pm 15\text{m}$ above MSL, at the current homestead, and then the height of the application area drops to approximately 5m above MSL along the thicket vegetation area, and then lower to sea level at the lagoon.

The figure below shows the slope analysis of the application area, with the entire site shown as having a 'flat' slope. From the image below, it is clear that there are no steep slopes that prevent development, present on the application the application area.

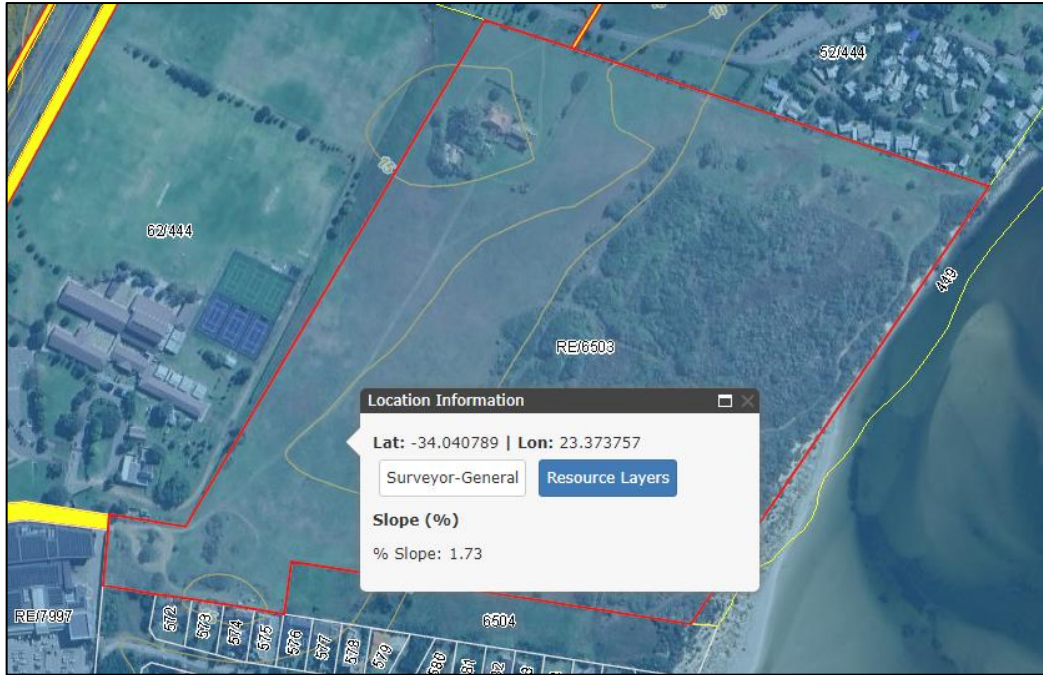


FIGURE 13: SLOPE ANALYSIS

11.2. Botanical Informants

From a botanical perspective, the application area is divided into two prominent portions: the eastern portion of the application area is characterised by sensitive fynbos and forest thicket vegetation, and the western part of the application area is “classified” as “Garden Route Shale Fynbos”. However, the western part of the application area is transformed and disturbed and characterised by grasslands.



FIGURE 14: BIODIVERSITY SENSITIVITY

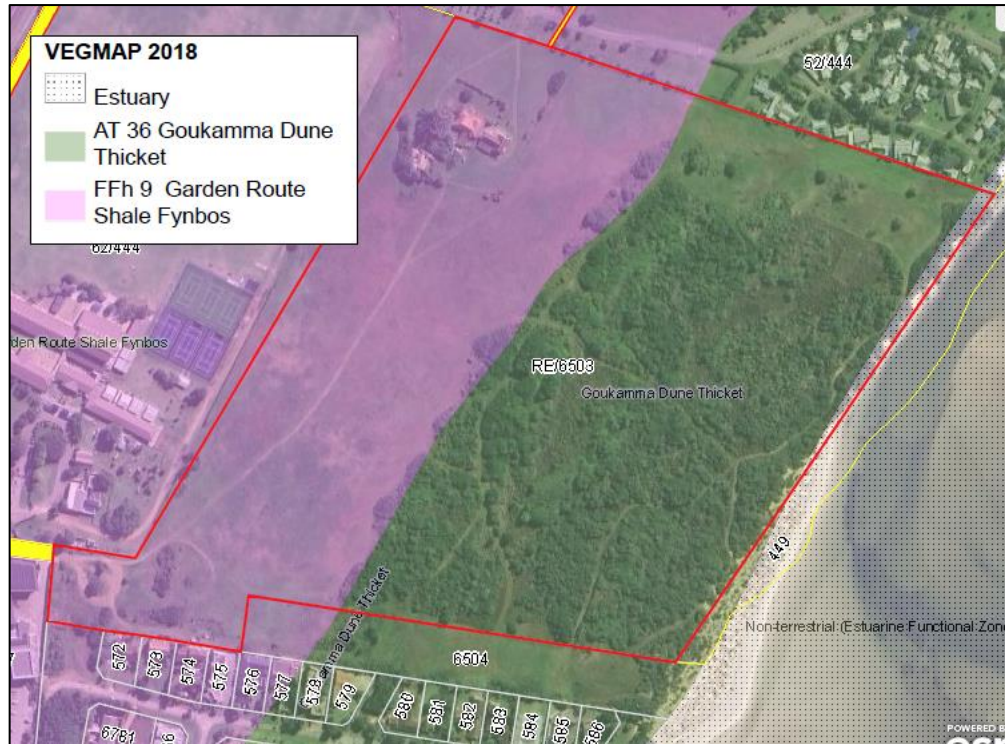


FIGURE 15: VEGETATION CLASSIFICATION



FIGURE 16: TRANSFORMED DEVELOPABLE AREAS ON THE APPLICATION AREA

The proposed development is limited to the disturbed areas, hence no negative impact on the sensitive vegetation on the site.

11.3. Drainage

No water courses are located on the application area. The eastern part of the application area is lower lying than 5m above MSL and is classified as an “Estuary”. According to the

Biodiversity specialist, a wetland exists on the application area, inside the demarcated sensitive areas. The proposed development will have no impact on the wetland whatsoever.



FIGURE 17: WETLAND ON THE APPLICATION AREA

11.4. Heritage

'Perception Planning' was appointed to prepare and submit a Notice of Intent to Development (NID) in terms of the provisions of the National Heritage Resources Act, 1999 (Act 25 of 1999). The existing dwelling on the application area is older than 60 years, and therefore the development application was subject to approval from Heritage Western Cape. Refer to **ANNEXURE K** for the Notice of Intent to Develop (NID) application to Heritage Western Cape, dated August 2023.

On 15 August 2023 Heritage Western Cape confirmed that since there is no reason to believe that the Proposed Development on a portion of Erf 6503, Off the N2, Beacon Way, Plettenberg Bay, Knysna, will impact heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required. The correspondence from Heritage Western Cape dated 15 August 2023 is attached as **ANNEXURE L**.

11.5. Agricultural Potential

The application area is flat, with limited grazing areas. The overall agricultural potential of the site is low to moderate. The image below confirms that the land capability, soil capability, and terrain capability are low to moderate, with only the climate capability being high. This statement can be supported by the fact that the land was never earmarked for agricultural purposes in the old guide plan, and hence the proposed subdivision is exempted from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).

11.6. Improvements

The improvements on the application area include an existing dwelling house with outbuildings and a farm access track. The Figure below shows the existing farmhouse on the application area.



FIGURE 18: EXISTING MAIN DWELLING



FIGURE 19: EXISTING OUTBUILDING

12. CHARACTER OF THE AREA

(Plan 3: Land Use Plan dated 29 June 2023)

The application area and surrounding properties are characterised by a variety of urban, rural residential, tourism and other mixed uses. Well-known landmarks in the area include:

- Market Square and Checkers Shopping Centres (Erven 4317 & 7997)
- Plettenberg Bay Primary School (444/62)
- Old Nick Village (444/89)
- Poortjies Residential Neighbourhood
- Keurbooms Lagoon Caravan Park
- Goose Valley and Turtle Creek Golf Estates

The application area is located in an area that is surrounded by urban-related, and rural residential uses. The images below, show some of these land uses above:



FIGURE 20: CHECKERS SHOPPING CENTRE ON ERF 7997



FIGURE 21: PLETT PRIMARY SCHOOL



FIGURE 22: HOUSES IN POORTJIES ALONG SOUTHERN BOUNDARY OF APPLICATION AREA

Given the fact that this large property is currently vacant, any development will change the “character of the area”. It should however be considered whether these amendments are “negative”.

From a planning perspective, the proposed infill / urban expansion development will complement the existing uses in the area, and it will not negatively impact the character of the area.

It is therefore the considered opinion that the proposed development will not negatively impact the character of the area.

12.1. Visual Impact

The potential visual impact of the proposed development can also have an impact on the character of the area. The height of buildings in this proposed development will be limited to double storeys, which is similar to the surrounding development in the area.

It should be noted that the application area is included inside the urban edge and earmarked for urban development. Hence, any visual impact should be assessed from an urban context, and not a rural context outside the urban edge.

The proposed development will indeed change the character of the site, but with appropriate mitigation measures in place, visual impact will be minimised.

13. EXISTING POLICY FRAMEWORKS

13.1. National Development Plan

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 National Development Plan is a broad strategic framework. It sets out a coherent and holistic approach to confronting poverty and inequality based on the six focused, interlinked priorities summarised below:

- Building Safer Communities
- Environmental Sustainability
- Faster and inclusive economic rural and urban economic growth
- Economic infrastructure
- Promoting Health
- Transforming human settlements and urban space economy.

The National development plan is divided into 15 chapters which outline the objectives and actions necessary to achieve the overall vision for South Africa by 2030: The following policies have been identified have a bearing on the proposed development.

NDP Chapter 3 – (Economy and Employment)

The following economic development policies are proposed that focus on removing the most pressing constraints on growth, investment and job creation, including energy generation and distribution and urban planning. These policies include the following:

- Promote Private Investment- Private Investment is linked with improved conditions as a result of policy certainty, infrastructure delivery, and efficiency of public services which will improve the quality of labour in surrounding areas.
- Improve spatial dynamics and rural employment- Encourage development close to rural townships. Rural economies will be activated through the stimulation of agriculture and tourism investment.
- Establish economic and growth clusters – firm decisions need to be taken on sectors which could serve as platforms to launch new growth trajectories.
- Establish Tourism Clusters- Increase the number of tourists entering the country and increase the average amount of money spent in the regional economy.

- South Africa can do more to develop regions as international tourist destinations by empowering the broader diversity and range of tourism destinations.

NDP Chapter 5 – (Environmental Sustainability)

The following guiding principles are defined for the transition of all aspects from policy to process to action. Focus should be put in place to establish a regulatory framework for proposed land uses, to ensure the conservation and restoration of the natural environment. These guidelines include the following:

- Strategic Planning – Apply a systems perspective, while ensuring an approach that is dynamic, with flexibility and responsiveness to emerging risk and opportunity, and effective management trade-offs.
- Transformative approach- Address all aspects of the current economy and society requiring amongst others visionary thinking and innovative planning.
- Manage transition – build on existing processes to attain gradual change and phased transition.
- Opportunity focus – for business growth, competitiveness and employment creation, that will contribute to equality and prosperity.
- Full cost accounting – Internalise externalities through full cost accounting.
- Effective participation of social partners – Be aware of mutual responsibilities, engage on differences, seek consensus and exact compromise.

NDP Chapter 8 – (Transforming Human Settlement and the National Space Economy)

Provincial Land use management systems overlap with local municipalities creating confusion and conflict. Provincial governments oversee key economic activities such as agriculture tourism environmental management.

Spatial developments should conform to the following normative principles and should explicitly indicate how they would meet the requirements of these principles. These principles are directly related to Section 42 of the Spatial Planning and Land Use Management Act 16 of 2013 which will be implemented as the primary spatial and Land Use Management legislation on the 1st of July 2015. These principles include:

NORMATIVE PRINCIPLES FOR SPATIAL PLANNING	
PRINCIPLE	DESCRIPTION
Spatial justice	The historic policy of confining particular groups to limited space, as in ghettoization and segregation, and the unfair allocation of public resources between areas, must be reversed to ensure that the needs of the poor are addressed first rather than last.
Spatial sustainability	Sustainable patterns of consumption and production should be supported, and ways of living promoted that do not damage the natural environment.

Spatial resilience	Vulnerability to environmental degradation, resource scarcity and climatic shocks must be reduced. Ecological systems should be protected and replenished.
Spatial quality	The aesthetic and functional features of housing and the built environment need to be improved to create liveable, vibrant and valued places that allow for access and inclusion of people with disabilities.
Spatial efficiency	Productive activity and jobs should be supported, and burdens on business minimised. Efficient commuting patterns and circulation of goods and services should be encouraged, with regulatory procedures that do not impose unnecessary costs on development.

NDP Chapter 10 – (Promoting Health)

This chapter is about promoting health across all spheres of the population in the country. Promoting health and wellness is critical to preventing and managing lifestyle diseases among the people, such as heart disease, high blood cholesterol and diabetes. The environment in which people are born, grow up, live and work can affect their health negatively. This includes exposure to polluted environments, inadequate houses and poor sanitation. The following actions are set in place to promote better health:

- Address the social determinants that affect health and disease - Promote healthy diets and physical activity.
- Build human resources in the health sector – Accelerate the production of community health specialists in the five main specialist areas (medicine, surgery, including anaesthetics, obstetrics, paediatrics, and psychiatry) and train more nurses.
- Strengthen the health system – Bring in additional capacity and expertise to strengthen the health system at the district level; implement a national health information system to ensure that all parts of the system have the required information to effectively achieve their responsibilities.

Policies relating to housing, densification and health in the NDP:

- Promote **mixed housing** strategies and more **compact urban development** to help people access public spaces and facilities, state agencies, and work and business opportunities.
- New spatial norms and standards – **densifying cities**, improving transport, locating jobs where people live, upgrading informal settlements and **fixing housing market gaps**.
- Develop a strategy for the **densification of cities** and resource allocation to **promote better-located housing** and settlements.
- Provide **affordable access** to **quality health care** while promoting health and wellbeing.

The health system should **provide quality care to all**, free at the point of service, or paid for by publicly provided or privately funded insurance.

13.2. 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 provinces spatial planning agenda”.

The Western Cape Province’s Strategic objectives include:

- **Educating Cape:** Everyone has access to a good education, and the cities, towns and rural villages are places of innovation and learning.
- **Working Cape:** There are livelihood prospects available to urban and rural residents, and opportunities for them to find employment and develop enterprises in these markets.
- **Green Cape:** All households can access basic services that are delivered resource efficiently, residents use land and finite resources prudently, and safeguard their ecosystems.
- **Connecting Cape:** Urban and rural communities are inclusive, integrated, connected and collaborative.
- **Living Cape:** Living and working environments are healthy, safe, enabling and accessible, and all have access to the region’s unique lifestyle offering.
- **Leading Cape:** Urban and rural areas are effectively managed.

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's 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

For each theme, key challenges as distilled from the Provincial spatial profile and their spatial implications are noted and Provincial policies for dealing with them are presented. These themes and policies are summarised in the figure below.

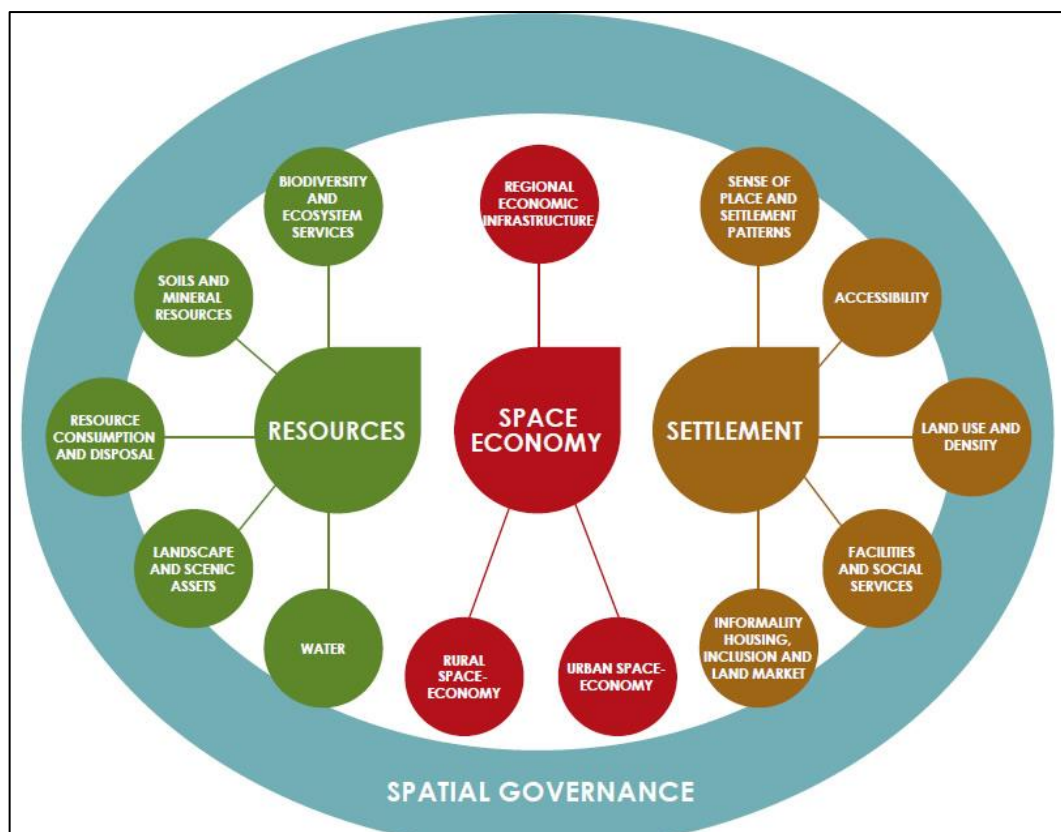


FIGURE 23: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

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 urban areas; and
- (iii) Strengthening resilience and sustainable development.

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

POLICY R1: PROTECT BIODIVERSITY & ECOSYSTEM SERVICES

This policy reflects on securing fragmental natural habitats, it is necessary to prevent further intrusion of agricultural activity or urban expansion into key Critical Biodiversity Areas and ecological support areas. This policy helps to prevent any development in these unique environments, to preserve and protect the natural habitat.

This development realises the importance of the environment and takes into account the CBA areas and all other sensitive areas, the proposed development strives to be as sustainable and eco-sensitive as possible. The proposed layout of the development, stayed clear on the protected areas, thus indicating the commitment of the development to comply with any environmental constraints.

POLICY E3: REVITALISE AND STRENGTHEN URBAN SPACE-ECONOMIES AS THE ENGINE OF GROWTH

5. Existing economic assets (e.g. CBD's, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) should be targeted to lever the regeneration and revitalisation of urban economies.

7. Incentives should be put in place to attract economic activities close to dormitory residential areas and facilitate brownfield development.

POLICY S3: ENSURE COMPACT, BALANCED & STRATEGICALLY ALIGNED ACTIVITIES & LAND USES

This policy reflects the main aim of the policy through targeting economic assets (e.g. Modal Interchanges underutilised strategically located land parcels) should be used as a lever to regenerate and revitalise urban settlements.

Promoting functional integration and mixed land use to increase the liability of urban areas. Thus, the policy specifies the importance to- increasing the density of settlements and the number of units in new housing projects; continuing to deliver public investment to meet the needs of settlement developments; and integrating packages of land, infrastructure and services as critical to promote densification and efficiency associated with agglomeration.

Development response: The proposed mixed-density development will have an average density of ± 10 units per ha, which is consistent with this policy of densification of well-located land.

POLICY S4: ENSURE BALANCED AND COORDINATED DELIVERY OF FACILITIES AND SOCIAL SERVICES

1. Balance sustainable service delivery and equitable access to education and health services to improve equitable access to social services such as health and education across the Province.

4. Rationalise and balance the regional distribution of health and educational service centres around a coherent hierarchy of services and only invest in places where people can easily access these services.

Development response: Communal recreation facilities are proposed inside the development.

POLICY S5: PROMOTE SUSTAINABLE, INTEGRATED & INCLUSIVE HOUSING IN FORMAL AND INFORMAL HOUSING MARKETS

4. Promote private-sector participation in the lower end of the market to diversify and expand housing delivery options.

6. Increase densities of settlements and dwelling units in new housing projects.

11. Achieve a wider range of housing opportunities with regards to diversity of tenure, size, density, height and quality in order to promote a ladder of upward mobility for households to progress as economic circumstances change over time.

Development response: The proposed residential development will definitely increase the density of the area, which will ensure the sufficient use of municipal service infrastructure. A range of housing typologies are proposed, which allows buying opportunities to various income groups.

Planning Implication:

The Western Cape Spatial Development framework has a strong emphasis on revitalising urban spaces creating an urban living environment which is more convenient, efficient and aesthetically pleasing to residents. The proposal is consistent with strategic objectives as set out by the Western Cape Spatial Development Framework, for the following reasons:

- *The development proposal will be consistent with the Western Cape Spatial Development Framework as the proposed residential development contributes to the regeneration and revitalisation of urban economies.*
- *The development proposal ensures densification and contributes to infill development.*
- *The proposed development is on a vacant site, thus contributing to infill development and it will be strengthening the character of the area by contributing to an existing residential neighbourhood.*
- *The residential development will contribute to the integrated living environment which is strategically aligned with the surrounding land uses of the residential neighbourhood.*
- *The proposal promotes smart growth, by ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill, intensification and redevelopment within settlements.*
- *The development is a private-sector development, which will help to provide a housing opportunity and expand the housing delivery options.*
- *The layout design was informed by the biophysical informants of the site: slopes, vegetation, orientation, etc.*

13.3. 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 is categorised as a "**Specialised Coastal Centre**"⁵ and the function or role of Plettenberg Bay within the Eden District is an 'exclusive tourism' orientated town.

The following Spatial Policy Statements and guidelines are applicable to the proposed land development planning application:

Strategy: Sustainable Growth Management	
Policy 3.1. Direct and encourage growth to match capacity, resources and opportunity in relation to the regional socio-economic hierarchy of cities and towns	
Guideline 3.1.1. Align growth with infrastructure and fiscal capacity	Consistency
Direct and encourage growth to match capacity, resources and opportunity in relation to the regional socio-economic hierarchy of cities and towns.	(i) The development will contribute to a more intensified use of the land making optimal use of the available municipal infrastructure.

⁵ 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.

	(ii) The proposal intends to cater for a range of income-groups; first-time-buyer, small families, large families, holiday makers, and retirees.
Guideline 3.1.3. Role and investment focus of specialised coastal centres	Consistency
<p>These urban centres have a special function (often tourism-related), as well as important roles in servicing the surrounding areas and rural settlements. They should be complete settlements. Complete settlements aim to improve standards of living and social inclusion.</p> <p>Investment in these areas should prioritise achieving a balanced mix of uses, economic activities, socio-economic groups and services.</p>	<p>(i) The proposal intends to cater for a range of income-groups; first-time-buyer, small families, large families, retirees and holiday makers.</p> <p>(ii) The proposed development will provide employment opportunities to several skilled and unskilled staff, as well as down-stream economic opportunities.</p>
Policy 3.3. Optimise existing infrastructure capacity and economic opportunity by directing mixed-use, higher-density development to areas of opportunity	
Guideline 3.3.9. Ensure the development of strong resilient towns and places	Consistency
<p>The SDF promotes a considered approach to investment in settlement and growth management that directs new investment towards the establishment of appropriate urban form.</p> <p>A regional settlement hierarchy and framework for accommodating growth has been established in relation to infrastructure, economic and institutional capacity.</p> <p>Growth must be encouraged in towns that have economic, spatial and social capacity to ensure fiscal sustainability.</p>	<p>(i) The property is surrounded by urban development, with existing services and infrastructure connection points. The proposal is on a brownfield site.</p> <p>(ii) Sufficient bulk infrastructure capacity is available to accommodate the proposed development, some extensions will be required, but these will also contribute to bringing infrastructure closer to the municipality’s identified “coming together” initiative.</p> <p>(iii) This development proposes to provide a range of housing opportunities near existing community facilities and business nodes, such as the Plettenberg Bay Primary School and the Market Square and Checkers Retail centres.</p> <p>(iv) The proposed development will attract local and international investors, which will contribute to the general expenditure in the area.</p>

13.4. Bitou Municipal Spatial Development Framework, 2021

The updated Bitou Spatial Development Framework (SDF) was approved by the Bitou Municipal Council during 2021. The SDF is, therefore, the primary spatial tool for guiding development within the municipal area.

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.

The figure below shows an extract of the Bitou Municipal SDF for this area, and the figure shows the application area as being included inside the urban edge of Plettenberg Bay.

The Bitou SDF lists the following spatial objectives in the SDF:

- **Expansion** of the urban footprint should be **directed to strategically located priority** development areas which will contribute towards the overall consolidation of the currently fragmented urban footprint of the municipality.
- The development of a **diverse range of housing typologies** for all income groups, at low, medium and higher densities and offering a variety of tenure alternatives should be a priority. This applies to housing for permanent residents and for holiday accommodation.
- Protect and enhance agricultural lands and secure these as a productive land base for food security, employment, etc.

The SDF makes the following statements for the Goose Valley Area:

- To the south, the urban edge is **extended southwards from Turtle Creek/The Tides right up to the primary school** (across the caravan park) in order to allow for the future consolidation of the urban fabric of the main town with the Goose Valley area.
- It is proposed that the Lookout Park be established as a **Private Nature Reserve** with a pathway extending from the Wedge to the Whale Tail. From there the entire lagoon side (Farm 449) should be established as an MPA (or similar agreement) with a pathway extending from the Lookout Beach to the end of the Lagoon Edge at The Meadows.



Since the application area is located inside the demarcated urban edge, and included in the area between Goose Valley and Plettenberg Bay that is earmarked for future urban expansion, the proposal is regarded as being consistent with the Bitou Municipal SDF. Also, the proposed private nature area on the eastern parts of the application area is consistent with the Bitou SDF’s proposed nature area on Farm 449.

Bitou Municipality has also confirmed in writing, that the proposed development on Erf 6503 is regarded as being consistent with the Bitou SDF. A copy of this correspondence is attached as **ANNEXURE M**.

13.5. Bitou Integrated Development Plan (2022-2027)

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 5th generation IDP during June 2022 Council Resolution Number: C/6/23/05/17. According to this IDP, the municipality’s vision is “...To be the best together...”

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 globally sustainable development goals. Strategic objectives relevant to the proposal are:

STRATEGIC OBJECTIVE	
SO1	Provide Excellent Service Delivery to the residents of Bitou Municipality.
SO2	Re-establish, grow and expand tourism within the municipality.
SO3	Put relevant control measures in place to ensure efficiency and excellence.
SO4	Provide basic service delivery to informal settlements and the poor.
SO5	Facilitate growth, jobs and empowerment of the people of Bitou.
SO6	To ensure the safety of residents and visitors of Bitou municipality
SO7	To build institutional and financial sustainability.

FIGURE 24: BITOU MUN - STRATEGIC OBJECTIVES

The application area is located in Ward 2 of the Bitou Municipality. No detailed development proposals have been made for this area.

ECONOMIC DEVELOPMENT	Make development more accessible and expedite applications (rezoning and building plans) to make industrial and commercial development possible.
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Planning Implication:

The IDP is a municipal planning tool to integrate municipal planning and allocates municipal funding to achieve strategic objectives that will contribute to the overall municipal vision. Although this application is not considered to be an important strategic objective it can be motivated that the development of the land supports important municipal interventions amongst others creating economic jobs within the ward. Further to the above the proposed development will contribute to the economic expenditure in the area, providing housing opportunities, creating employment and making use of the existing services network.

It is the considered opinion that the proposed development will contribute to the strategic objectives within Ward 2.

SECTION D :**MOTIVATION****14. ASSESSMENT OF APPLICATIONS****14.1. Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

Section 42 of SPLUMA prescribes 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.

14.2. 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, Par.7, Par.8
The integrated development plan , including the municipal spatial development framework.	Par.13.5

CRITERIA	REFERENCE IN REPORT
The applicable municipal spatial development frameworks adopted by the Municipality.	Par.13.4
The applicable structure plans .	N/A
The applicable policies of the Municipality that guide decision-making .	Par.14.2
The provincial spatial development framework .	Par.13.2
where applicable, a regional spatial development framework contemplated in section 18 of the Act and a provincial regional spatial development framework.	Par.13.3
The policies, principles and the planning and development norms and criteria set by the national and provincial governments;	Par.14.1
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 ;	Par.28
applicable provisions of the zoning scheme ; and	Par.5.5
any restrictive condition applicable to the land concerned.	N/A

15. CONSISTENCY WITH SPATIAL PLANNING POLICIES

As described in **Par.13** of this report, the proposal is consistent with the relevant spatial planning policies namely:

- National Development Plan
- Western Cape Provincial SDF (2014)
- Eden Spatial Development Framework (2017)
- Bitou Municipal Spatial Development Framework, 2021
- Bitou Integrated Development Plan (2022-2027)

The proposal is consistent with the relevant spatial planning policies for the following reasons:

- (i) The subject property is situated inside the urban edge; and included in the area between Goose Valley and Plettenberg Bay that is earmarked for future urban expansion, the proposal is regarded as being consistent with the Bitou Municipal SDF.
- (ii) The proposed private nature area on the eastern parts of the application area is consistent with the Bitou SDF's proposed nature area on Farm 449, situated directly east.
- (iii) Bitou Municipality has also confirmed in writing, that the proposed development on Erf 6503 is regarded as being consistent with the Bitou SDF.

- (iv) Further to the above the proposed development will contribute to the economic expenditure in the area, providing housing opportunities, creating employment and making use of existing services network.
- (v) The proposal will ensure suitable densification and is within walking distance of the distance from public facilities and surrounding amenities.
- (vi) The proposed development ensures the efficient use of this ideally situated and currently underutilised portion of land.
- (vii) The development proposal will contribute to the regeneration and revitalisation of the urban economy.
- (viii) The residential development will contribute to the integrated living environment which is strategically aligned with the surrounding land uses.
- (ix) The proposed residential development will attract more economic opportunities as accommodation attracts people and people attract business. The proposed development will also provide new temporary and permanent employment opportunities to skilled, and unskilled staff. Local professionals and contractors will be employed, and all building materials will be sourced locally.
- (x) The subject property and the proposed development are consistent with the Spatial Policy Directives set out in the above-mentioned policy documents.

16. NO NEGATIVE ENVIRONMENTAL IMPACT



FIGURE 25: HABITATS ON THE APPLICATION AREA

The proposed development triggers various “listed activities” in terms of the 2017 NEMA listing notices, published under GN 40772, R327 & 324, on 7 April 2017. In parallel with the above-mentioned applications, **Cape EAPrac** has been appointed as Environmental Assessment Practitioners (EAP) for the preparation and submission of the application for ‘environmental

authorisation' of the envisaged development for consideration by the 'competent authority' in terms of the provisions of the National Environmental Management Act, 1998 (Act 107 of 1998).

As per the above biodiversity sensitivity map, the western part of the application area is "classified" as "Garden Route Shale Fynbos". However, the western part of the application area is transformed and disturbed and characterised by grasslands. The proposed development is limited to the disturbed areas, hence no negative impact on the sensitive vegetation on the site.

The proposed layout does not encroach into any areas that have been previously designated as "sensitive" and honours the environmental requirements, by rezoning the eastern portion for nature conservation purposes.

The layout has been amended numerous times to honour the environmental informants and the Environmental Authorisation process, the Competent Authority will consider all applicable environmental informants and will issue authorisation if satisfied with the outcome to develop the residential development on the application area. Therefore, the development will not have any significant negative impacts on the natural environment on or around the application area.

17. NO AGRICULTURAL IMPACT

The application area is not subject to the provisions of Act 70 of 1970 as it was earmarked for "Township Development" and "Recreational" purposes in terms of the former Knysna, Wilderness & Plettenberg Bay Guidelines (Sub Regional Structure Plan). This statement is confirmed by the correspondence from the Department of Environmental Affairs and Development Planning, dated 18 February 2022, attached as **ANNEXURE A**.

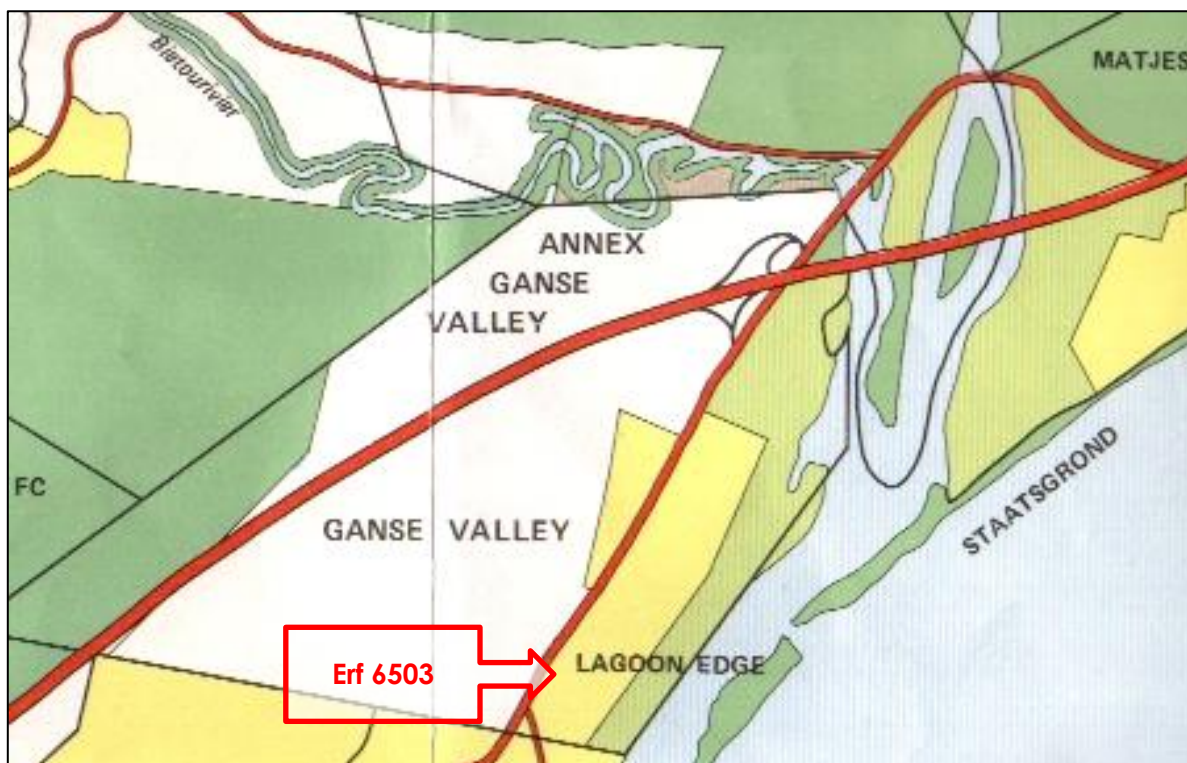


FIGURE 26: LOCALITY OF ERF 6503 PLETTENBERG BAY – GUIDE PLAN

The application area was therefore never earmarked to be used for agricultural purposes. The application area is flat, with limited grazing areas. The overall agricultural potential of the site is low to moderate. The proposed development will therefore not impact any demarcated agricultural resources.

18. NO HERITAGE IMPACT

On 15 August 2023 Heritage Western Cape confirmed that since there is no reason to believe that the proposed development on a portion of Erf 6503, will impact heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required. Refer to **ANNEXURE X** for the correspondence from Heritage Western Cape dated 15 August 2023.

The Heritage Impact NID also concludes, that while the proposal would transform the western portion of the property through implementation of the proposal, this is likely to be viewed within the context of existing urban development within its direct proximity. The lower-lying, environmentally sensitive eastern portion of the property is not proposed to be developed. The proposal would not impact a cultural landscape of high local significance and is situated within the urban edge as designated in the Bitou Municipal SDF, 2021.

It is therefore clear that the proposed residential development on the remainder of Plettenberg Bay Erf 6503 will not have any negative heritage impacts.

19. AVAILABILITY OF SERVICES

On 05 October 2023, Bitou Municipality confirmed that the Municipality has bulk infrastructure capacity in its networks and can accommodate the proposed development, subject to the following conditions:

- The developer enters and signs a Service Level Agreement with the Municipality
- The developer implements the upgrade of the services as detailed and required in the GLS network analysis report dated 27 February 2023

Par.6, Par.7 and **Par.8** of this motivation report address the services provision of the proposed development. 'Vita Consulting Engineers' was appointed to investigate the Civil Engineering Services provision. This report concluded that adequate supply exists for civil services. The electricity however will be confirmed, and if deemed necessary the required upgrades will be made.

20. LOW TRAFFIC IMPACT

It was initially proposed that the access to the development should be off the existing School & Checkers Yard Access Road (Erf 7996). It was then recommended to make use of an alternative access, because of the congestion caused at the Beacon Way/ School Road intersection by the school traffic, and the additional impact the proposal might have.

UDS (Pty) Ltd was commissioned to compile a traffic impact statement for the proposed Development. The Traffic Statement, along with the findings and recommendations were submitted to and discussed with Bitou Municipality (20 June 2023). The recommendation from

Bitou Municipality was that access be obtained from the southern boundary, with 3 alternative access points as indicated in the figure below (extract from TIS).

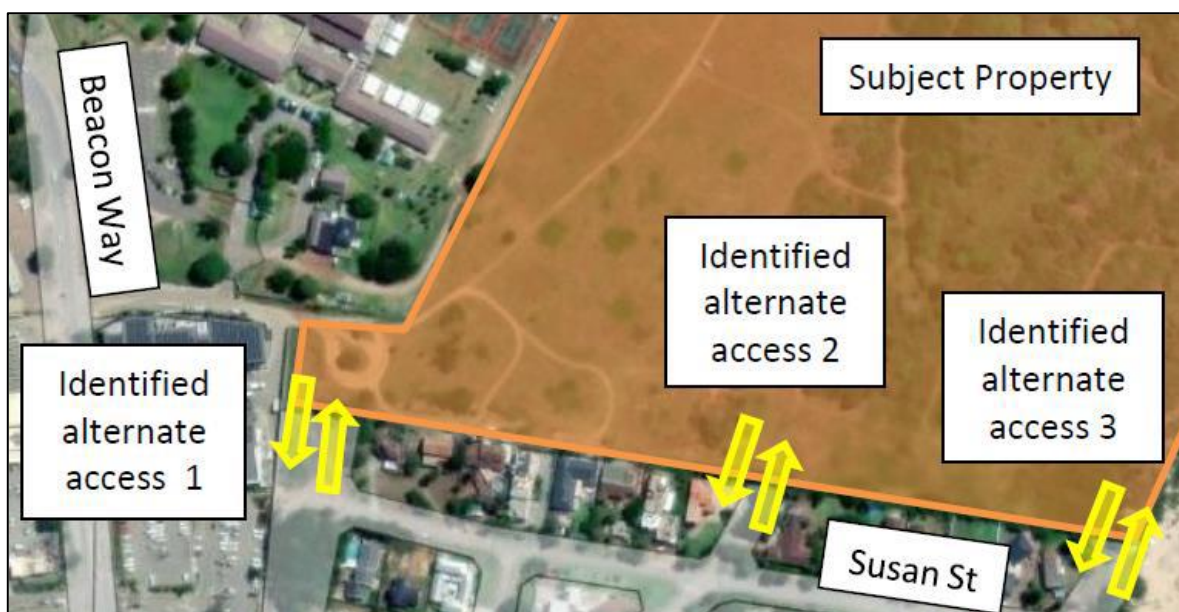


FIGURE 27: EXTRACT TIS - ACCESS ALTERNATIVES

The preferred access was identified to be the western access as the other two accesses would encroach upon high-sensitivity areas as identified by the Environmental specialists.

Traffic will therefore travel via Susan-, Plato- and Zenon Street to reach Beacon Way where vehicles will have access to the wider road network.

It must also be noted that the proposed development will be pedestrian-friendly as the development is located within walking distance of the school and retail areas. It was also recommended that a pedestrian gate be considered on the western boundary of the development, these areas.

It can therefore be concluded that the proposed development will have minimal impact on the traffic flow in the area, adequate on-site parking is available, and the proposed development can handle the projected number of trips.

21. CONSISTENCY WITH THE SURROUNDING AREA

The property is situated in the ideal area for the proposed land use and will contribute to the growth and facilitation of accommodation within the town of Plettenberg Bay.

The proposal will contribute to the existing urban structure and contribute to the existing character of the area. Specific locational factors that favour the proposed land use are also important when desirability is assessed. The subject property is easily accessible. The proposal will contribute to the upliftment of the area.

The application area is located in an area that is surrounded by urban-related, and rural residential uses. Given the fact that this large property is currently vacant, any development will change the “character of the area”. It should however be considered whether these amendments are “negative”. From a planning perspective, the proposed infill / urban expansion development will complement the existing uses in the area, and it will not negatively impact the character of the area. It is therefore the considered opinion that the proposed development will not negatively impact the character of the area.

22. NO IMPACT ON EXISTING RIGHTS

It is the considered opinion that the proposed residential development will not impact the existing land use rights of any property owners in the area. The proposal will not prevent any surrounding owner from exercising their legal land use rights. The proposal will enhance the amenity of the area and fit in with the evolving character of the area. The proposed residential development will also allow for more sufficient use of municipal infrastructure services.

The fact that there will be consistent movement in this area, an increase in land value as well as an increase in urban renewal to the property will contribute to the surrounding area, positively.

23. EFFECTIVE URBAN FORM & INTEGRATION

Urban form is the way the built environment looks and functions. To achieve an effective urban form, land uses should be integrated, residential densities should be increased and the establishment of a pedestrian-friendly, walkable community. To redirect urban growth toward a more fiscally efficient and liveable compact urban form.

The proposal aims to densify and fully utilise this strategically located property. Higher densities create more opportunities for interaction, a climate in which economic activity - and small-scale economic activity, in particular - can thrive. Higher densities can also contribute to the more efficient use of infrastructure.

Urban integration is a strategic town planning principle that promotes sustainable development, as supported by the policies contained within the Spatial Development Frameworks. To achieve an effective urban form, land uses should be more integrated, and the establishment of a pedestrian-friendly, walkable community, which the proposal aims to achieve.

24. NEED FOR SPECIFIC RESIDENTIAL MARKET - DENSIFICATION & INTENSIFICATION

The proposed development will address the need for residential intensification and densification in an appropriate manner. The proposal encourages densification and aims to support an efficient, convenient and affordable urban structure by developing land appropriately zoned and suitable for densification and intensification.

The focus group of the proposal is not targeted at a specific age group, but rather at individuals seeking this accommodation typology, whilst also encouraging sustainable and appropriate densification. The ‘semigration’ away from the big metropolises - and notably out of South Africa’s

traditional business heartland of Gauteng – is currently making towns such as Plettenberg Bay home, thus a large need for residential opportunities.

The need has been identified for higher-density developments in Plettenberg Bay. The need for this specific residential market has been identified in the new SDF and is based on modern trends. This MSDF and PSDF support a concerted effort to open up development opportunities addressing the need for housing in a way that does not perpetuate the current apartheid pattern of segregation of class and race, and increased distance between low-income residential areas and social facilities, amenities and economic opportunities. The proposed development will provide 3 housing typologies, catering for various markets.

The MSDF encourages general densification to increase the supply of well-located land and building stock into the market at more affordable prices (and sizes). It will be to the benefit of many role-players if the property is allowed to develop the proposed residential development. The applicant will be able to develop the property, create employment opportunities, contribute to local expenditure, suitably densify within the urban edge and will be able to contribute to the economic growth of the town.

The provision of medium to high-income residential properties will contribute to the development of Plettenberg Bay by providing a mix of employment opportunities and decreasing the gap between medium-income residential properties.

25. POSITIVE SOCIO-ECONOMIC IMPACT

When a family, or business, contemplates relocating to a new area, they evaluate their options to a large extent, on the availability, quality and affordability of accommodation. Other considerations include access to quality education, places of worship, community organizations and convenient shopping. Before someone commits to a new location, they need to feel secure that there are no barriers to their success. The proposal will attract people to the area that will invest in the local economy, and also provide this opportunity to locals, rather than relocate. This is beneficial to other businesses in the area due to consistent local spending.

The development will likely draw new residents to the area who will contribute to the local economy while at the same time providing an alternative housing typology and therefore might be more likely to remain within the area rather than be forced to seek accommodation elsewhere.

The approval of the proposed residential development will create new temporary and permanent employment opportunities. During the construction phase and the operational phase. The Increased employment opportunities will have a knock-on effect on local businesses meaning that there is a net increase in the prosperity and standard of living in the town as a whole.

Permanent employment opportunities include:

- **Property Management:** Once the free-standing units and the flats are constructed, there will be a need for property management professionals to handle the day-to-day operations (HOA), maintenance, and tenant services. This can include property managers, maintenance staff, concierge personnel, security personnel, and leasing agents;

- Facilities and Maintenance: The upkeep of the estate and apartment buildings will require a team for ongoing maintenance, repairs, and facility management. This can include plumbers, electricians, technicians, cleaners, and landscapers;
- Security and Safety: With a new residential complex, there will be a need for security personnel to ensure the safety and well-being of the residents. Security guards, surveillance operators, and access control staff may be employed for this purpose;
- Sustainability and Energy Efficiency: As there is an increasing focus on sustainable development, there may be opportunities for employment in areas such as energy management, renewable energy installation and maintenance, waste management, and green building practices;

The proposed development can also have significant positive downstream economic impacts and will create opportunities for entrepreneurs such as laundry services, hairdressers, medical services (doctors, pharmacists, physiotherapists, dieticians etc.), existing professionals (real estate practitioners, accountants, etc.) and many more. Local professionals and contractors will be employed, and all building materials will be sourced locally. The proposal will create a net increase in prosperity and standard of living in the town as a whole.

26. NEED FOR PERMANENT DEPARTURES

Given the fact that these apartments are bordered by the access road to the single residential erven to the west and the internal access road to the east, these general residential erven will be subject to a 5m street building line along two boundaries, which will lead to building line departures.

Ample green spaces (Erven 50 - 54) are proposed between these general residential erven, in order to provide easy pedestrian access to the green spaces, hence these general residential erven will require lateral building line relaxations only except for erf 3 where one street building line departure is required, because of the layout of the building. The height of the apartment buildings will be limited to no higher than 9m above NGL.

27. RELEVANT CONSIDERATIONS, WESTERN CAPE - ENVIRONMENTAL AFFAIRS & DEVELOPMENT PLANNING

Another defining factor when considering the **desirability**, specifically for the proposal is in the public interest. The criteria as set out in the Relevant Considerations: Provincial Support Document covers the aspects to consider when determining whether a proposal is in the public interest or not.

CRITERIA	COMPLIANCE
The degree to which development principles & norms and standards will be promoted or prejudiced	<i>(i) The development of mixed-density housing within the demarcated urban area is consistent with local and provincial norms and standards.</i>

CRITERIA	COMPLIANCE
	(ii) <i>The proposal meets the criteria set out on the provincial and national level for densification and adheres to these principles, hence promoting these principles norms and standards.</i>
Degree of risk / potential risk	(i) <i>The applicant does not foresee any potential risk by allowing the proposal from a planning perspective. This unique portion of land with its unique locational factors can be fully utilised by allowing for the proposal.</i>
Impact on existing and surrounding land uses	<p>(i) <i>The surrounding properties include similar land uses and various other tourist attractions. The proposal will not impact the surrounding land uses it will complement the area and surrounding land uses.</i></p> <p>(ii) <i>The implementation of agricultural uses, animals, smells, noises, irrigation and pesticides, could have a more negative impact on the surrounding environment, than the proposed residential uses.</i></p> <p>(iii) <i>Large portions of the application area is not improved and is vacant. The property, in its existing state, is not properly fenced. Vagrants and other negative social elements thrive on large portions of unused and unattended vacant land. The proposed development will therefore add value to the surrounding area, providing a high quality, aesthetically controlled development. The proposed development will also secure the common boundaries with surrounding properties.</i></p>
Long-term benefits (rather than short-term gains)	(i) <i>The vision as mentioned from national to provincial spatial policies is eventually to promote additional tourism developments, in a manner that is sustainable and that would not impact the charter of the area. Providing sought-after facilities and amenities. That will be beneficial for the economy of the Bitou municipal area and the Eden District as a whole. The proposal will complement the surrounding land uses.</i>
Impact on quality of life (incl. views, sunlight, privacy, visual impact, character)	<p>(i) <i>Natural landscapes and scenic vistas can create a powerful sense of place, with people feeling a deep connection to the land, sea, or mountains they inhabit or visit. The proposed development will result in the formal protection and conservation of the sensitive wetland buffer (±250m wide) between the beach and the proposed residential development. This proposed buffer will enhance and protect the sense of place, of wide open spaces along the Keurbooms Lagoon.</i></p> <p>(ii) <i>Since the proposed development is bordered by the Keurbooms Lagoon caravan park, the Plettenberg Bay Primary School, and Erf 6054, the Checkers shopping centre, and only four (4x) single residential properties of Poortjies, the proposal will have no visual impact, and no impact on the sense of place of the area.</i></p>

Note: LUPA (Land Use Planning Act) does not refer to a lack of desirability, nor does it require there to be a positive advantage (i.e. the absence of a positive advantage should not automatically lead to a decision to refuse).

From the table above, it is clear that the proposed development is desirable on the subject property. It can, therefore, be concluded that the proposal is regarded as desirable.

28. 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 prescribes the Land Use Planning Principles that apply to all land development in the province. These are summarised in the tables below. The tables below aim to summarise how the proposed development complies with these principles.

28.1. Spatial Justice

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Past spatial and other development imbalances must be redressed through improved access to and use of land.	COMPLY	<i>The proposal aims to create a more inclusive, functional urban integrated living environment which is strategically aligned with the surrounding land uses of the area especially the economic activities throughout the town of Plettenberg Bay.</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	<ul style="list-style-type: none"> ▪ <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 and proposal.</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Land use management systems should include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas and informal settlements.	N/A	<i>This policy is not applicable to the application area and proposal.</i>
Land development procedures must include provisions that accommodate access to, and facilitation of, the security of tenure and the incremental upgrading of informal areas.	Applicable to Bitou Municipality	<i>The municipality must 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.	Applicable to Bitou Municipality	<i>The municipality must 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.	N/A	<i>This policy is not applicable to the application area and proposal.</i>

28.2. 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	<ul style="list-style-type: none"> ▪ The proposed development can be regarded as infill development, as well as normal urban expansion, hence spatially compact development for Plettenberg Bay. ▪ The proposal will contribute to additional capital income for the municipality. ▪ The proposed density of 4 units per ha for development on the urban periphery, is considered to be consistent with the spatial planning policy applicable to the area.
Ensure that special consideration is given to the protection of prime, unique and high potential agricultural land.	COMPLY	<ul style="list-style-type: none"> ▪ Although the property is zoned for agricultural purposes, it is not regarded as high potential agricultural land. ▪ The proposal is exempted from the provisions of Act 70 of 1970.

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Uphold consistency of land use measures in accordance with environmental management instruments.	COMPLY	<ul style="list-style-type: none"> ▪ An Environmental Authorisation process is currently underway. ▪ The design of the proposal has taken all sensitive environmental informants on the site into consideration.
Promote and stimulate the effective and equitable functioning of land markets.	COMPLY	<ul style="list-style-type: none"> ▪ The properties in the surrounding area consist of a diverse group of land uses. ▪ Development is occurring in the area and change in land use is not an irregular occurrence. ▪ The proposal will provide a range of housing opportunities, thereby addressing the housing needs in several different housing markets. ▪ The proposal to rezone will not influence the functioning of the land markets in the area. ▪ The value of the surrounding properties will increase.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	COMPLY	<ul style="list-style-type: none"> ▪ Any service upgrades at the cost of the applicant. Civil and electrical services report is to be provided with the land use application. ▪ Additional residential uses inside the urban edge will support the existing public services and businesses such as the nearby Plettenberg Bay Primary School, and the businesses in Market Square and the Checkers Centre.
Promote land development in locations that are sustainable and limit urban sprawl.	COMPLY	<ul style="list-style-type: none"> ▪ The application area is located within the urban edge of Plettenberg Bay and is accessible to community uses and business opportunities.
Result in communities that are viable.	COMPLY	<ul style="list-style-type: none"> ▪ The proposed development will result in additional rate payers that will support the existing retail businesses in town. ▪ The proposed development will create additional temporary and permanent employment opportunities for the area. ▪ Various residential, business and community services are proposed within this proposed development. Therefore, the proposed development will result in the creation of a viable community. ▪ The proposed higher density residential apartments, will provide more affordable accommodation for the middle income,

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
		working class such as the teachers from the abutting Plettenberg Bay Primary School. Teachers can then live within walking distance from their place of employment.
Strive to ensure that the basic needs of all citizens are met in an affordable way.	N/A	This principle is not applicable to the applicant or this development.
The sustained protection of the environment should be ensured.	COMPLY	<ul style="list-style-type: none"> The layout design was undertaken, taking all environmental informants into consideration (i.e. topography, drainage, botanical, faunal, etc.).

28.3. Spatial Efficiency

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Land development optimises the use of existing resources and infrastructure.	COMPLY	<ul style="list-style-type: none"> Given the strategic location of the application area, the proposed development will support the existing community uses and business activities in the area. Cuthbert Close, an existing public street, terminates on the southern boundary of the application area. The proposal to use the existing road network to provide access to the proposed development, optimise the use of existing infrastructure networks.
Integrated cities and towns should be developed.	COMPLY	<ul style="list-style-type: none"> The proposed development consists of a range of housing typologies. It is therefore the considered opinion, that the proposed development will achieve socio-economic integration, as well as land use integration.
Policy, administrative practice and legislation should promote speedy land development.	Applicable to Bitou Municipality	<i>The municipality should process this application within the prescribed time frames of the Land Use Planning By-Law for Bitou Municipality, 2015.</i>

28.4. 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	<ul style="list-style-type: none"> ▪ The proposal is in line with all the various spatial plans, zoning schemes and policies, as motivated by the report. ▪ The proposed application complies with the requirements of the Land Use Planning By-Law for Bitou Municipality, 2015.

28.5. Good Administration

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
All spheres of government should ensure an integrated approach to land use planning.	Applicable to Bitou Municipality	<ul style="list-style-type: none"> ▪ <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 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		

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
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.		

29. CONCLUSION

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

- (i) Rezoning of the remainder of Plettenberg Bay Erf 6503 from "Agriculture Zone I" to a "Subdivisional Area" in terms of Section 15(2) (a) of the Bitou Municipality: Land Use Planning By-Law, 2015;
- (ii) Subdivision of the remainder of Plettenberg Bay Erf 6503 in terms of Section 15(2)(d) of the Bitou Municipality: Land Use Planning By-Law, 2015 into 61x portions to allow for the following land uses as indicated on the layout plan Pr2309PB6503L06 dated 14 September 2023.
 - a. 9 x Single Residential Zone I - SRZI (single residential) erven;
 - b. 28x General Residential Zone II - GRZII (group housing) erven;
 - c. 5x General Residential Zone II - GRZII (flats) erven;
 - d. 14x Open Space Zone II - OSZII (private open space) erven;
 - e. 1x Open Space Zone II -OSZIII erf; and
 - f. 4x Transport Zone III – TZIII erven (private roads) erven.
- (iii) A permanent departure on the proposed Erf 1 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 0m.
- (iv) A permanent departure on the proposed Erf 2 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:

- a. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (v) Permanent departures on the proposed Erf 3 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed eastern street building line for "General Residential Zone II" zoned properties used for flats from 5m to 3m.
 - b. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
 - c. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (vi) Permanent departures on the proposed Erf 4 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed northern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
 - b. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 1m.
- (vii) A permanent departure on Erf 5 in terms of Section 15(2)(b) of the Bitou By-law on Municipal Land Use Planning (2015) for the relaxation of:
 - a. The prescribed southern lateral building line for "General Residential Zone II" zoned properties used for flats from 4.5m to 2m.
- (viii) Confirmation of an exempted subdivision in terms of Section 24(1)(f)(iv) of the Bitou Zoning Scheme By-Law, 2023 for:
 - a. The subdivision to allow for the registration of (1x) right of way servitude over new general residential development in favour of the newly created single residential development as indicated on Plan Number: Pr2309PB6503L06 dated 14 September 2023.

Meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and the Bitou Municipality Land Use Planning By-Law (2015), is desirable and it is therefore recommended that the application be supported by the relevant authorities and approved by Bitou Municipality.

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November 2023

