

PORTION 38 OF THE FARM GANSE VALLEI NO 444, BITOU MUNICIPALITY

SPECIALIST PLANNING REPORT FOR ENVIRONMENTAL AUTHORISATION PURPOSES



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SECTION A :**BACKGROUND****1. PURPOSE OF THE REPORT**

This report serves as the Specialist "Planning" inputs into the Environmental Authorisation application on Portion 38 of the Farm Ganse Vallei No 444, Bitou Municipality. The objective of this Specialist Planning Report is to provide a description of the proposed development and to "contextualize" the envisaged project within the administrative, legal and policy planning framework. These policies are not prescriptive legal requirements, but rather guidelines to inform detailed planning and design, and to be interpreted and applied at the level of an individual project.

Portion 38 of the Farm Ganse Vallei No 444 is located east of the N2 National Road and north of Goose Valley Golf Estate; the eastern boundary of the application area borders the Keurbooms Estuary/River. The property is ±8.58 ha in extent and is currently zoned 'Agricultural Zone I' (Section 8 Zoning Scheme Regulations, 1988).

The owners of the property wish to apply for development rights on the property, in order to allow a group housing development, consisting of (12x) sectional title group housing units. The development of the proposed group housing development will require Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as well as a land development approval from Bitou Municipality in terms of the Bitou Municipality Land Use Planning By-law, 2015.

CAPE EAPRAC has been appointed to apply for Environmental Authorisation and Marike Vreken Urban & Environmental Planners have been appointed by **TRUE MOTIVES 99 PTY LTD** to apply for the required development rights from the applicable authorities.

2. PROPERTY DESCRIPTION, SIZE & OWNERSHIP

A copy of the Title Deed (T20048/2002) which includes all the information outlined below is contained in **ANNEXURE A**. The SG Diagram (SG 6687/48) for the property is contained in **ANNEXURE B**.

TITLE DEED DESCRIPTION: Portion 38 (A Portion of Portion 4) of the Farm Ganse Vallei No 444, in the Plettenberg Bay Municipality, Division of Knysna, Western Cape Province.

TITLE DEED NUMBER: T20048/2002

PROPERTY SIZE: 8.5805 Ha (Eight Comma Five Eight Nought Five) Hectares

REGISTERED OWNER True Motives 99 (Pty) Ltd

TITLE DEED RESTRICTIONS: No restrictive title deed conditions prohibit the proposed development. Refer to **ANNEXURE D** for the Conveyancer Certificate.

SERVITUDES: No servitudes are registered to the property.

BONDS: No bonds are registered to the property.

SECTION B :

DEVELOPMENT PROPOSAL

3. DESCRIPTION OF THE PROPOSED DEVELOPMENT

Section 24(O) (1) (b) (iv) of the National Environmental Management Act, 1998 (Act 107 of 1998) as amended states that:

"...where appropriate, any feasible and reasonable alternatives to the activity which is the subject of the application and any feasible and reasonable modifications or changes to the activity that may minimise harm to the environment..."

The following development alternatives were investigated for the application area:

- **Alternative 1 (Preferred Alternative):** Development of a group housing development. The preferred layout consists of (12x) sectional title group housing units, a private nature reserve, a gymnasium, a conference centre with communal recreational and medical facilities.
- **Alternative 2:** Development of a group housing development. This alternative layout consists of (17x) sectional title group housing units, a gymnasium, a conference centre with communal recreational and medical facilities and a private nature reserve.
- **Alternative 3:** Development of a group housing development. Alternative 3 has a different layout of units, that also consists of (17x) sectional title group housing units, a clubhouse with communal recreational facilities and a private nature reserve.
- **Alternative 4:** 'No go' Alternative.

3.1. Alternative 1: Preferred Alternative

(Refer to Plan 2: Site Development Plan – Preferred Alternative)

The proposed group housing development entails a 'split-zoning' of (1x) 'Residential Zone II' portion (3.17 ha) and (1x) 'Open Space Zone III' portion (5.41 ha). The portion zoned 'Residential Zone II' allows for (12x) sectional title group housing units¹ with communal buildings / facilities, as indicated on the Site Development Plan (SDP).

The portion (5.41 ha) zoned as 'Open Space Zone III' will be used for a private 'nature reserve'² – no development is proposed in the 'Open Space Zone III' portion.

¹ "Group housing" means a group of separate and/or linked dwelling units planned, designed and built as a harmonious architectural entity and arranged around or inside a communal open space in a varied and ordered way, of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided.

² "Nature reserve" means a national park, or some other nature park which is in the ownership of a public authority or has been declared as such in terms of legislation and remains in private ownership, it consists of an area which is utilized as a game park or reserve for fauna and flora in their natural habitat and includes accommodation facilities for tourists or holidaymakers.

The units will be alienated via a sectional title scheme, governed by a Body Corporate.

The units will be single-storey, consisting of 4/5/6 bedrooms each. The coverage of the units will be ±655m² each. The density of the proposed development calculates to 1.39 units/ha over the entire site (12 units / 8.5805 Ha).

The associated communal buildings / facilities included in the 'Residential Zone II' portion includes the entrance gate; a guard house; a maintenance & staff room; refuse area, a clubhouse; a gym; a conference room; a doctor/nurse office and an admin office. The residential component will have access control, and the residents will have access to the private nature reserve via the existing footpaths.

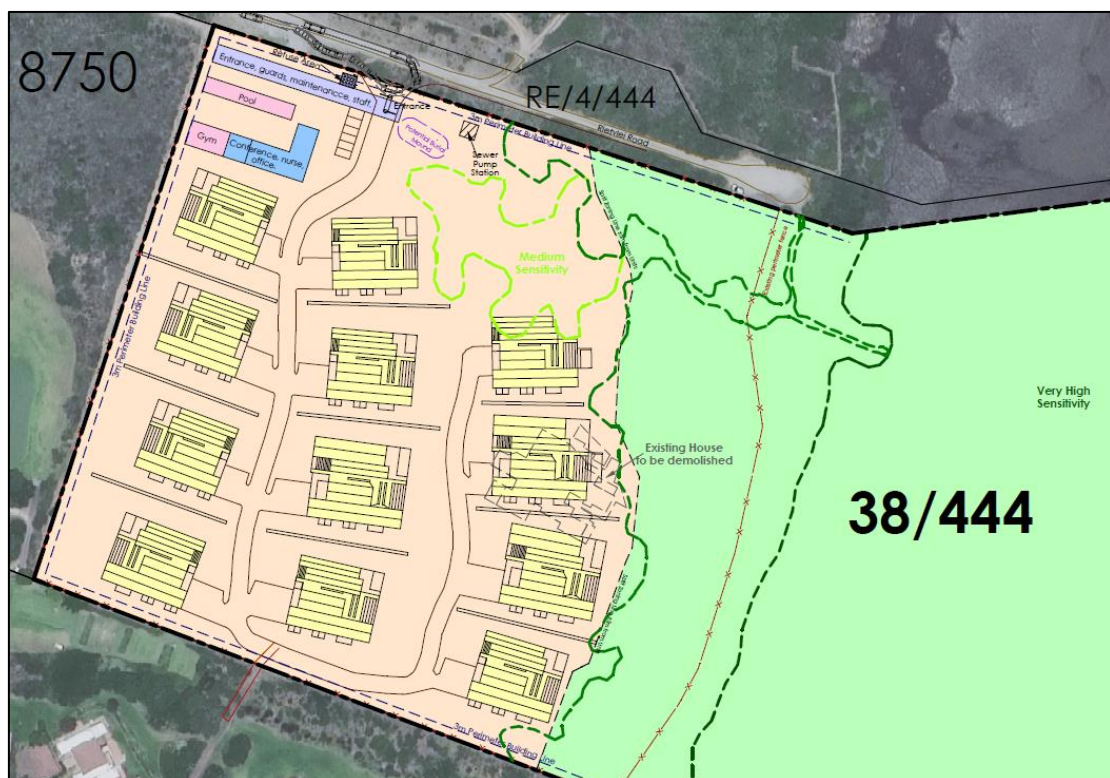


FIGURE 1: PROPOSED SDP EXTRACT

The proposed layout is specifically planned and designed in accordance with the topography (contours) and environmental informants (sensitive areas) of the site. The 'Residential Zone II' portion is specifically located on the flat portion of the site, ensuring that the proposed units do not encroach onto the steep slopes.

A biodiversity sensitivity map was compiled to determine the environmentally sensitive areas of the site; to inform the layout of the units, which is specifically placed to not encroach onto the identified sensitive areas. The contour plan and biodiversity sensitivity map were used to determine the split-zoning line, to ensure that the proposed group housing units are all placed on the 'Residential Zone II' portion. It also ensures that all the highly sensitive areas are protected in the 'Open Space Zone III' portion, which allows for a private nature reserve.

3.2. Access & Parking

Current access to Portion 38 of the Farm Ganse Vallei No 444 is via the Rietvlei Rd (Minor Road 7214) within a 9.45m wide right of way servitude (Portion 4 of Farm 444), along the northern boundary of the property. The Rietvlei Road connects directly with the N2 National Road Rd.

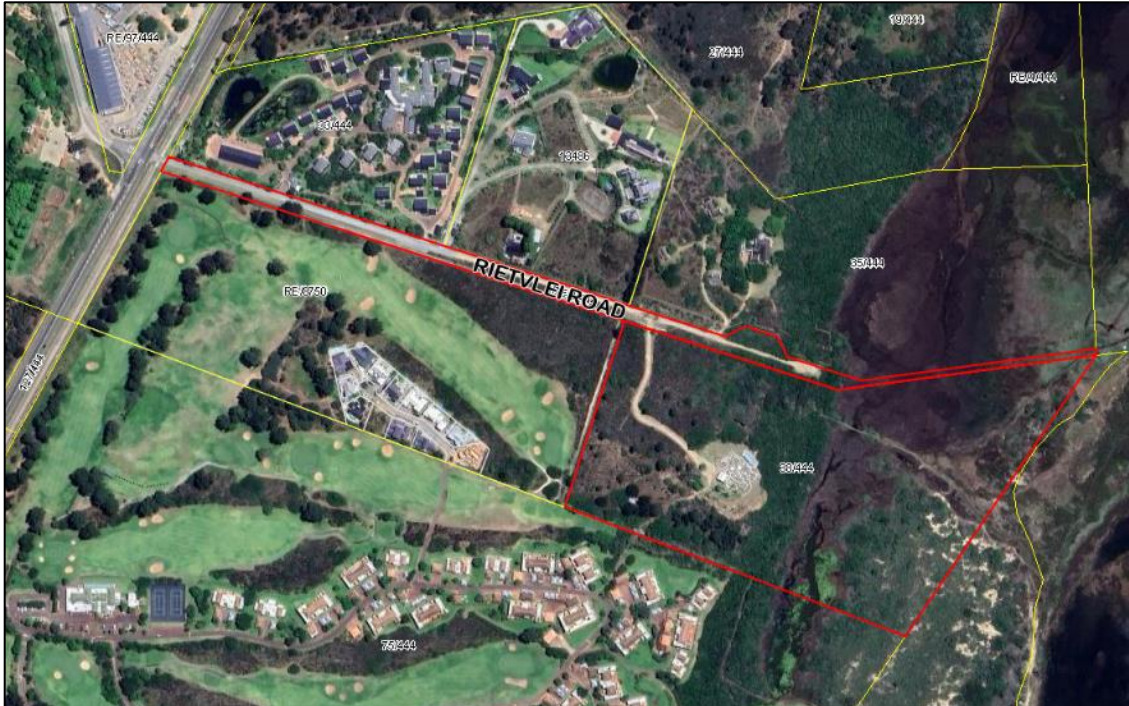


FIGURE 2: ACCESS ROAD



FIGURE 3: RIETVLEI ROAD FROM N2



FIGURE 4: EXISTING ACCESS GATE

The internal roads will be 5.5m wide. The internal roads will not be subdivided and will form part of the communal area, which is maintained by the Body Corporate.

Allowance will be made for adequate turning space at the entrance to the proposed development to accommodate the turning movement of a standard refuse truck.

The layout of the proposed refuse bay in the Minor Road 7214 road reserve was submitted and discussed with WCG.

Each group housing unit will have a double garage and two additional parking bays in front of the garages. In addition to this parking, there will be a designated parking area at the communal buildings / facilities that makes provision for 6x parking bays. The Section 8 Zoning Scheme Regulations prescribes 2 bays per dwelling unit.

| MINIMUM ON-SITE PARKING REQUIREMENTS | |
|---|---|
| Land Use | Minimum Requirements |
| Group housing | 2 bays per dwelling unit |
| Proposal: <ul style="list-style-type: none"> ▪ 12 group housing units | Required: <ul style="list-style-type: none"> ▪ 24 bays Provided: <ul style="list-style-type: none"> ▪ 6 Visitor Parking Bays ▪ 4 bays (2 garage + 2 open bays) per unit = 48 bays ▪ Total Provided = 54 bays |

3.3. Open Space Provision

The Section 8 Scheme Regulations stipulate that there should be at least 80m² communal open space per dwelling unit.

Since the proposed development will be a sectional title development (no subdivision), all the outdoor spaces are considered communal open space, and given that a large portion (±5.41 ha) of the property will be zoned 'Open Space Zone III' for a private nature reserve, there is ample communal open space for the residents.

The residents will have access to the 'private nature reserve' (±5.41 ha), which will also be managed and owned by the respective Body Corporate.

The required communal open space for (12) units is only 960m². The proposed development will make provision for more than 7 ha of communal open space.

3.4. Group Housing Design & Layout

The layout of the units is specifically placed on the flat areas of the site, not to encroach into the steep slopes and they are strategically placed not to encroach into the identified sensitive areas.

The development proposal will particularly be savoured by nature-loving enthusiasts who want to enjoy the security, conveniences, lifestyle, and comforts of a well-established seaside town and yet experience the feeling of nature with the beautiful views that the land provides and have direct access to the pristine areas adjoining the lagoon and the lagoon itself.

It is therefore the intention to develop the land in a manner that befits and maximises its natural attributes to attract the earmarked potential market.

This could be achieved by:

- Developing the land as a sectional title scheme so that the estate can have simple non-intrusive roads with the only form of internal fencing being the trees and shrubs between the houses (which are already there or will be planted);
- Building mainly single-storey units, so that there will be no blocking of the views of any other units;
- Lowering the ground level of the front stands to allow the second row stands to also enjoy the lagoon views;
- Choosing colours that are not intrusive/glaring in the habitat – darkish grey corrugated / Brown-built low-pitched roofing, off-shutter concrete, rough plastered light grey walls, wood and glass;
- There will be set Architectural Design Guidelines, with which the units need to comply.

The figures below are illustrations of the style & design of the proposed units:



FIGURE 5: DESIGN ILLUSTRATIONS

3.5. Section 8 Zoning Scheme Regulations: Prescribed Development Parameters

A summary of the prescribed development parameters for 'Residential Zone II' and a comparison of the proposed development's parameters are shown in the table below.

From this table, it is clear that the proposed development complies with all prescribed parameters, and that no departure applications are required.

| DEVELOPMENT PARAMETER | PRESCRIBED | PROPOSAL | COMPLIANCE |
|------------------------------|---|--|---------------|
| Primary Use: | group housing | group housing | <i>Comply</i> |
| Density: | max of 20 units per gross hectare or a 3:1 ratio with regard to the gross density of surrounding dwelling units, whichever permits a smaller number of units. | 1.39 units/ha | <i>Comply</i> |
| Communal Open Space: | at least 80 m ² per dwelling unit (i.e. 1360m ²) | >7ha | <i>Comply</i> |
| Height: | at most two storeys (8m) | single storey | <i>Comply</i> |
| Street Building Line: | 0m | 3m | <i>Comply</i> |
| Side Building Line: | 0m | 3m | <i>Comply</i> |
| Parking: | at least two parking bays per group house | Parking Required: 24x bays Parking Provided: 54x bays | <i>Comply</i> |
| Street Width: | normally at least 10 m, or 8 m in a cul-de-sac or loop road of limited length which serves only a few group houses. | The internal road will not be subdivided. The access road (Rietvlei Rd.) is more than 10m wide. | <i>Comply</i> |
| Service Yard: | service yard of an adequate area and screened by a wall | Only applicable at final SDP submission to Council. | <i>Comply</i> |

3.6. Proposed Land Development Application

In order to obtain land development rights for the proposed housing development, the following land development application will have to be lodged to Bitou Municipality:

- (i) The rezoning of Portion 38 of the Farm Ganse Vallei No 444 from 'Agriculture Zone I' to 'Residential Zone II' (group housing – ±3.17 ha) & 'Open Space Zone III' (nature reserve – ±5.41 ha) for a group housing development in terms of Section 15(2)(a) of the Bitou Municipality Land Use Planning Bylaw, 2015.

The proposed group housing development entails a 'split-zoning' of (1x) 'Residential Zone II' portion (3.17 ha) and (1x) 'Open Space Zone III' portion (5.41 ha).

| ZONING | LAND USE | DESCRIPTION |
|---------------------|----------------|--|
| Residential Zone II | Group housing | means a group of separate and/or linked dwelling units planned, designed and built as a harmonious architectural entity and arranged around or inside a communal open space in a varied and ordered way, of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided. |
| Open Space Zone III | Nature reserve | means a national park, or some other nature park which is in the ownership of a public authority or has been declared as such in terms of legislation and remains in private ownership, it consists of an area which is utilized as a game park or reserve for fauna and flora in their natural habitat and includes accommodation facilities for tourists or holidaymakers. |

3.7. Alternative 2

(Refer to Plan 3: Site Development Plan – Alternative 2)

This alternative entails a different layout of units, that consists of (17x) sectional title group housing units, a gymnasium, a conference centre with communal recreational and medical facilities and a private nature reserve. This layout is not considered desirable because two of these proposed units encroach into the medium-sensitive environmental areas. The proposed 17x unit layout will also be higher density and more disturbance of vegetation.

3.8. Alternative 3

(Refer to Plan 4: Site Development Plan – Alternative 3)

This alternative entails a different layout of units, that also consists of (17x) sectional title group housing units, a clubhouse with communal recreational facilities and a private nature reserve. The only change in this 17x unit layout is the placement of units, some of the units encroach into the highly sensitive areas.

- The layout of Alternative 3 is not considered desirable as it **encroaches into the very high, high**, as well as medium environmentally sensitive areas which will lead to the removal of sensitive vegetation.

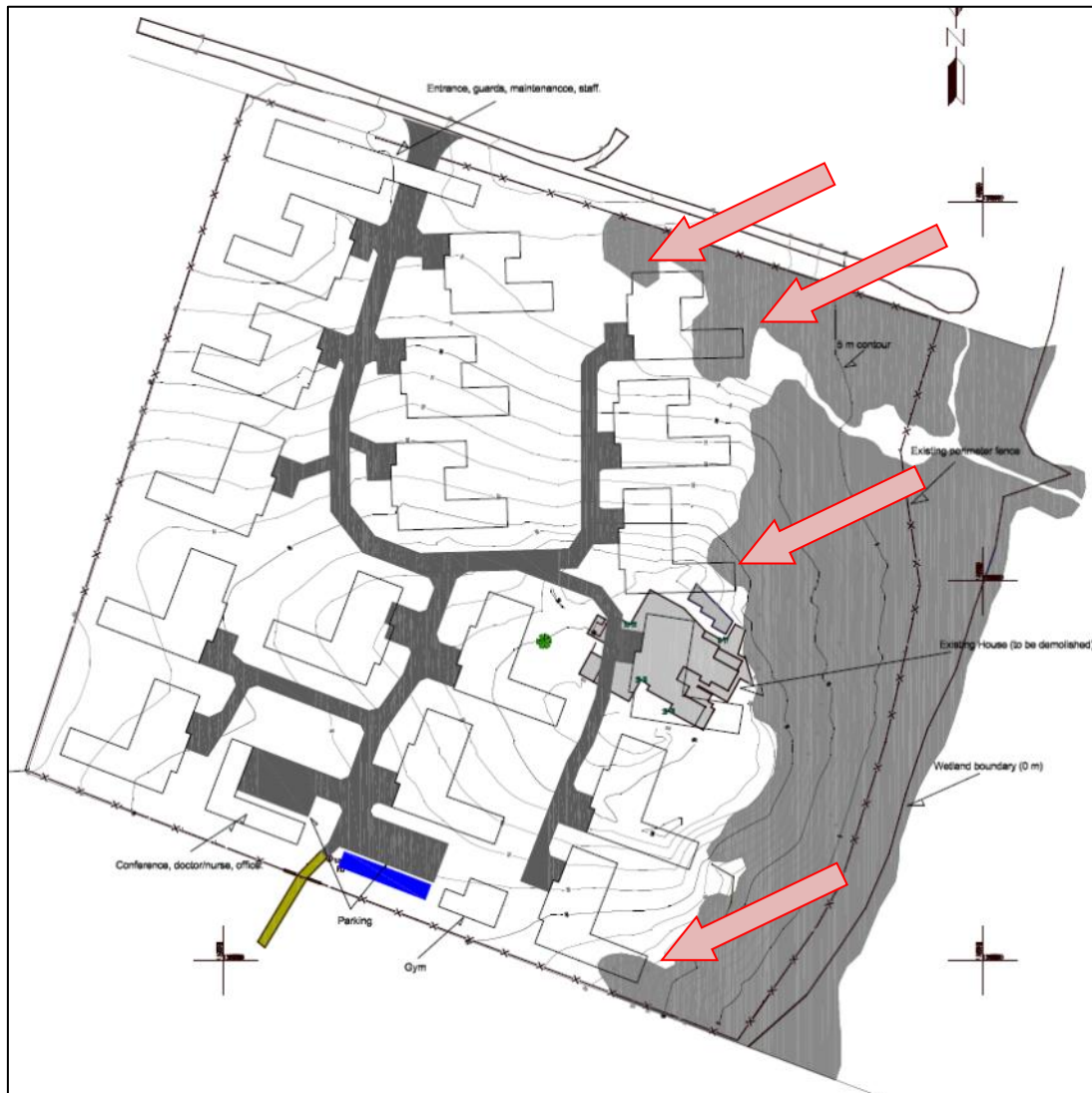


FIGURE 6: ALTERNATIVE 3 – SDP

3.9. Alternative 4: No Go Alternative

This alternative is not to do any development on Portion 38 of the Farm Ganse Valleï No 444.

The no-go alternative is not desirable, as it means that a very strategic, centrally located piece of land in Plettenberg Bay will stay vacant, and undeveloped. The implication is that there will be more pressure for urban sprawl on other land parcels.

From the above, it is clear that the preferred alternative is a more efficient, viable and desirable layout, and therefore these alternative options are not the preferred development proposal.

SECTION C : CONTEXTUAL INFORMANTS

4. LOCALITY

(Refer to Plan 1: Locality Plan)

Portion 38 of the Farm Ganse Valleï No 444 is located east of the N2 National Road and north of Goose Valley Golf Estate; the eastern boundary of the application area borders the Keurbooms Estuary/River.

The GPS coordinates to the property is 34°01'30.0"S 23°23'16.4"E.



FIGURE 7: LOCALITY

5. CURRENT LAND USE & ZONING

5.1. Land Use

Portion 38 of the Farm Ganse Valleï No 444 has an existing dwelling house and a small stable on the property, the rest of the site is vacant. This property was previously used for agriculture in the form of grazing.



FIGURE 8: DWELLING HOUSE



FIGURE 9: DWELLING HOUSE



FIGURE 10: DWELLING HOUSE



FIGURE 11: STABLES



FIGURE 12: PADDOCKS



FIGURE 13: PADDOCKS

5.2. Zoning

Portion 38 of the Farm Ganse Vallei No 444 is currently zoned 'Agricultural Zone I' in terms of the Section 8 Zoning Scheme Regulations, 1988.

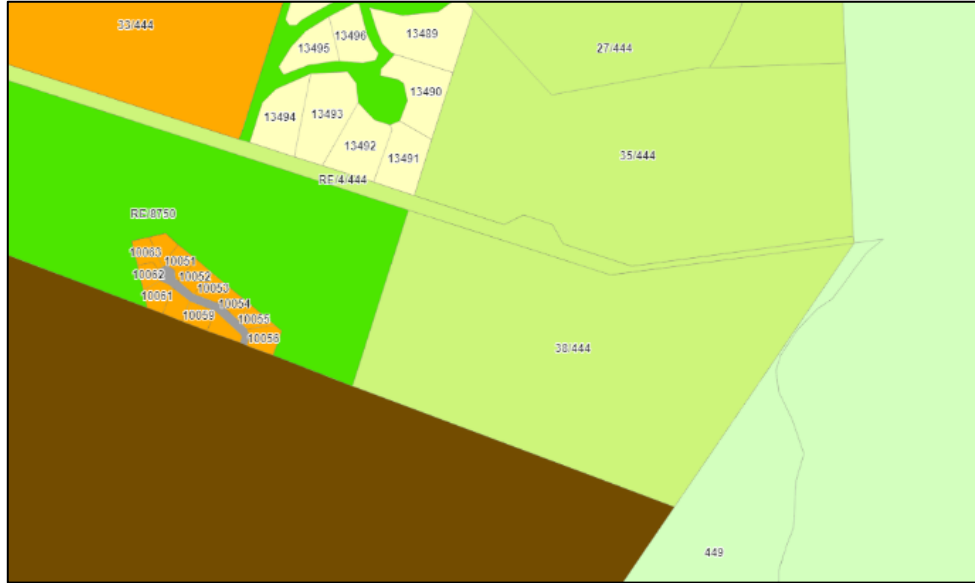


FIGURE 14: ZONING

6. SITE CHARACTERISTICS

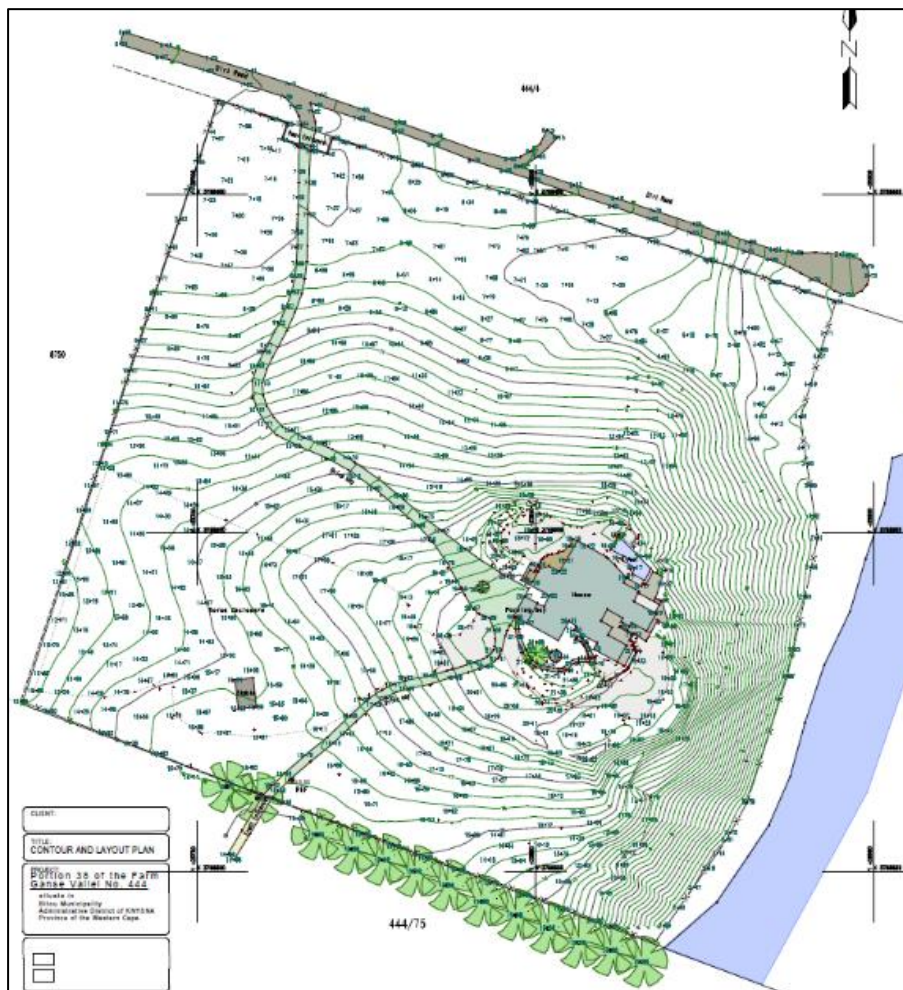


FIGURE 15: CONTOURS

The application area has a plateau area in the middle of the property, where the existing house is situated, it then has a gradual slope in a northern, western and southern direction. To the east, it has a steep slope that drops down towards the Keurbooms Estuary/River.

The highest point is ±23m at the plateau and the lowest point is ±2m to the east, at the Keurbooms Estuary/River. The layout was carefully designed, taking into consideration the steep slopes of the terrain. Steep slopes were avoided. The site is currently largely vacant. There is a dwelling house and a small stable on the site.

The application area is disturbed, with the vegetation that exists on the portion proposed for development, being a mixture between transformed areas, equestrian paddocks, degraded thicket and other alien species. The sensitive vegetation is situated on the steep slopes towards the Keurbooms Estuary/River.



FIGURE 16: VEGETATION TOWARDS THE KEURBOOMS ESTUARY/RIVER

The figure below indicates the areas considered HIGH and VERY HIGHLY sensitive areas. The proposed SDP have stayed clear of these areas; the HIGH and VERY HIGH sensitive areas have been included in the Open Space Zone III portion, where no development is proposed.



FIGURE 17: SENSITIVE AREAS

7. CHARACTER OF THE AREA

The application area and surrounding properties are characterised by a variety of rural residential, tourist and commercial associated uses. Well-known landmarks in the area include Keurbooms Lagoon Caravan Park, Old Nick Village, Goose Valley Golf Estate, Meadows Country Estate, Quartet Retirement Estate, Rietvlei Country Estate (Kwendalo), Plett Business Park, Denron Quarry, Sportman's Pub, Polo Field, Africa Padel Plettenberg Bay, Dankie Pa Eco Lodge, Emily Moon River Lodge, Plett River Lodge.

The surrounding areas located east of the N2 National Road are characterised by group housing developments known as private residential estate developments. These developments are usually managed by a Homeowners Association, the residential units within the estate are either cadastrally subdivided or managed as sectional title units. Goose Valley and Meadows Country Estate are examples of approved Sectional Title Group Housing Scheme developments in close proximity to the application area which currently falls under this characterisation.

The property is well connected to surrounding amenities by the N2 National Road that runs near the application area. The application area is situated in an area that has already formed a "rural node" with a mixture of land uses. The most suitable land use for the application area is residential. The proposed development will contribute to the existing character of the area.

The proposal of a residential development can be regarded as consistent in an area characterised by the various residential uses contributing to the character of the area.

SECTION D :

SPATIAL PLANNING POLICIES

8. EXISTING POLICY FRAMEWORKS

8.1. 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, and 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.

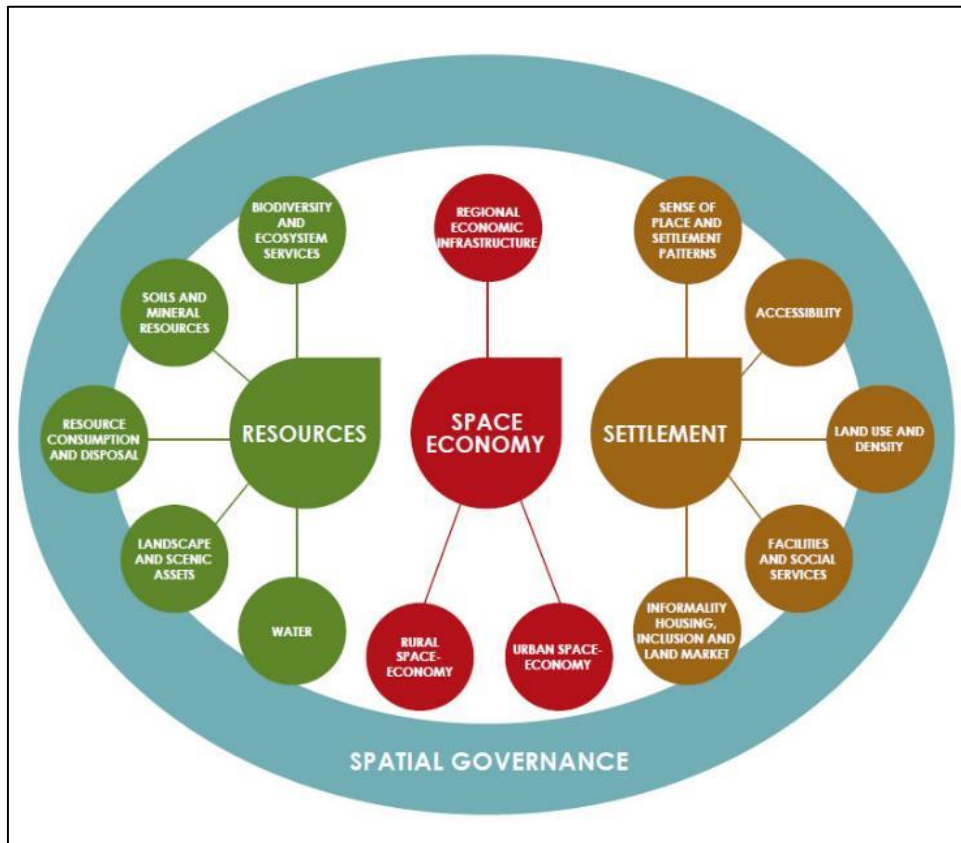


FIGURE 18: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

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

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

| POLICY STATEMENT | DEVELOPMENT’S RESPONSE |
|---|---|
| <p>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 and to preserve and protect the natural habitat.</p> | <ul style="list-style-type: none"> ▪ <i>This development realises the importance of the environment and did take into account the CBA areas and all other sensitive areas, the proposed development strives to be as sustainable and eco-sensitive as possible.</i> ▪ <i>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.</i> |

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

| POLICY STATEMENT | DEVELOPMENT'S RESPONSE |
|---|--|
| 5. Existing economic assets (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) to be targeted to lever the regeneration and revitalisation of urban economies | <ul style="list-style-type: none"> ▪ <i>This is a strategically located underdeveloped site that will be developed with an appropriate land use, creating additional employment opportunities and providing a different range of housing opportunities in the area.</i> |

POLICY S1: PROTECT, MANAGE AND ENHANCE SENSE OF PLACE, CULTURAL AND SCENIC LANDSCAPES

| POLICY STATEMENT | DEVELOPMENT'S RESPONSE |
|---|--|
| 2. Promote smart growth ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill, intensification and redevelopment within settlements. | <ul style="list-style-type: none"> ▪ <i>This is an infill development, preventing urban sprawl.</i> |

S3: PROMOTE COMPACT, MIXED USE AND INTEGRATED SETTLEMENTS

| POLICY STATEMENT | DEVELOPMENT'S RESPONSE |
|--|--|
| 1. Target existing economic nodes (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) as levers for the regeneration and revitalisation of settlements. | <ul style="list-style-type: none"> ▪ <i>Even though this application area is not within walking distance from business nodes, the proposal constitutes infill development within an existing urban environment.</i> |
| 2. Promote functional integration and mixed-use as a key component of achieving improved levels of settlement liveability and counter apartheid spatial patterns and decentralization through densification and infill development | <ul style="list-style-type: none"> ▪ <i>The proposal will contribute to the provision of an additional range of housing opportunities in the area.</i> |

POLICY R1: PROTECT BIODIVERSITY AND ECOSYSTEM SERVICES

| POLICY STATEMENT | DEVELOPMENT'S RESPONSE |
|--|---|
| 1. Continue to use CBA mapping to inform spatial planning and land use management decisions in the Province. | <ul style="list-style-type: none"> ▪ <i>The entire property is not within any CBA areas, only the sensitive areas.</i> |

POLICY R3: SAFEGUARD THE WESTERN CAPE’S AGRICULTURAL AND MINERAL RESOURCES, AND MANAGE THEIR SUSTAINABLE USE

| POLICY STATEMENT | DEVELOPMENT’S RESPONSE |
|---|---|
| <p>1. Record unique and high-potential agricultural land (as currently being mapped by the Provincial Department of Agriculture) in municipal SDFs, demarcate urban edges to protect these assets, and adopt and apply policies to protect this resource (especially in areas where raw water is available)</p> | <ul style="list-style-type: none"> ▪ <i>Low potential agricultural land earmarked for urban (recreational) development.</i> ▪ <i>The application area is exempted from the provisions of Act 70 of 1970.</i> ▪ <i>This portion was designated as ‘Recreational’ in the Knysna, Wilderness and Plettenberg Bay Regional Structure Plan.</i> |

POLICY R5: SAFEGUARD CULTURAL AND SCENIC ASSETS

| POLICY STATEMENT | DEVELOPMENT’S RESPONSE |
|--|---|
| <p>Priority focus areas proposed for conservation or protection include:</p> <ul style="list-style-type: none"> ▪ Rural landscapes of scenic and cultural significance situated on major urban edges and under increasing development pressure, e.g. Cape Winelands ▪ Undeveloped coastal landscapes under major development pressure ▪ Landscapes under pressure for large-scale infrastructural developments such as wind farms, solar energy facilities, transmission lines and fracking, e.g. Central Karoo ▪ Vulnerable historic mountain passes and ‘poorts’ | <ul style="list-style-type: none"> ▪ <i>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.</i> |

POLICY S1: PROTECT, MANAGE AND ENHANCE SENSE OF PLACE, CULTURAL AND SCENIC LANDSCAPES

| POLICY STATEMENT | DEVELOPMENT’S RESPONSE |
|--|---|
| <p>1. Prevent settlement encroachment into agricultural areas, scenic landscapes and biodiversity priority areas, especially between settlements, and along coastal edges and river corridors.</p> | <ul style="list-style-type: none"> ▪ <i>Low potential agricultural land earmarked for urban (recreational) development.</i> ▪ <i>The application area is exempted from the provisions of Act 70 of 1970.</i> ▪ <i>This portion was designated as ‘Recreational’ in the Knysna, Wilderness and Plettenberg Bay Regional Structure Plan.</i> ▪ <i>Stayed clear of the identified sensitive areas.</i> |
| <p>2. Promote smart growth ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill, intensification and redevelopment within settlements.</p> | <ul style="list-style-type: none"> ▪ <i>The development area is located within the urban edge.</i> ▪ <i>Regarded as infill development.</i> |

POLICY S3: PROMOTE COMPACT, MIXED USE AND INTEGRATED SETTLEMENTS

| POLICY STATEMENT | DEVELOPMENT'S RESPONSE |
|--|---|
| <p>2. Promote functional integration and mixed-use as a key component of achieving improved levels of settlement liveability and counter apartheid spatial patterns and decentralization through densification and infill development.</p> | <ul style="list-style-type: none"> ▪ <i>The development itself has adequate access, services and functionality. The proposal will contribute to a more integrated town as a whole and have a positive impact on the local economy.</i> ▪ <i>The proposal will provide a range of housing opportunities for the retired community, small & large families, investors and retirees, resulting in the creation of an integrated village.</i> |

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

| POLICY STATEMENT | DEVELOPMENT'S RESPONSE |
|---|---|
| <p>5. 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</p> | <ul style="list-style-type: none"> ▪ <i>The proposal will contribute to a different range of housing opportunities.</i> |
| <p>6. Increase densities of settlements and dwelling units in new housing projects</p> | <ul style="list-style-type: none"> ▪ <i>The proposed residential development will definitely increase the density of the area, which will ensure the sufficient use of municipal service infrastructure.</i> |

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 comply 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 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.*

From the above, it is clear that the proposed development is consistent with the Western Cape Provincial SDF.

8.2. 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 guiding 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**”³ and the function or role of Plettenberg Bay within the Eden District is an ‘exclusive tourism’ orientated town.

³ 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.

The following Spatial Policy Statements & 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 | Compliance |
| Direct and encourage growth to match capacity, resources and opportunity in relation to the regional socio-economic hierarchy of cities and towns. | <ul style="list-style-type: none"> ▪ <i>The development will contribute to a more intensified use of the land making optimal use of the available municipal infrastructure.</i> ▪ <i>The proposal intends to cater for a range of income groups; small & large families, investors and retirees.</i> |
| Guideline 3.1.3. Role and investment focus of specialised coastal centres | Compliance |
| <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> | <ul style="list-style-type: none"> ▪ <i>The proposal intends to cater for a range of income groups; small & large families, investors and retirees.</i> ▪ <i>This residential development will attract new investors and visitors, contributing to the development and economic income of Plettenberg Bay.</i> ▪ <i>It also provides employment opportunities to several professional people and local people.</i> |
| 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 | Compliance |
| <p>The SDF promotes a considered approach to investment in settlement and growth management that directs new investment towards the establishment of appropriate urban forms.</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> | <ul style="list-style-type: none"> ▪ <i>The application area is within the urban edge and it could be regarded as infill development.</i> ▪ <i>The property is surrounded by urban development, with existing services and infrastructure connection points. The proposal is on a brownfield site.</i> ▪ <i>The proposed development will attract local and international investors, which will contribute to the general expenditure in the area.</i> |

8.3. Bitou Spatial Development Framework (2021)

The latest Bitou Spatial Development Framework (SDF) was approved by the Bitou Municipal Council on 31 March 2022 (Council Resolution C/6/16/03/22).

The Bitou Municipality Spatial Development Framework serves as a regulatory framework for spatial development within the local municipality. 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 purpose of the Bitou SDF report is to provide relevant background information regarding the biophysical, economic and social context of Bitou Municipality. The Spatial Development Vision of Bitou Municipality:

"...To become the Garden Route's sustainable tourism hub for the benefit of all..."

According to the Plettenberg Bay Municipality Spatial Development Framework (SDF), the entire application area is situated inside the urban edge of Plettenberg Bay and is suitable for urban development. The application area is earmarked for 'urban development' and according to the Spatial Structure for the area identified as residential development.

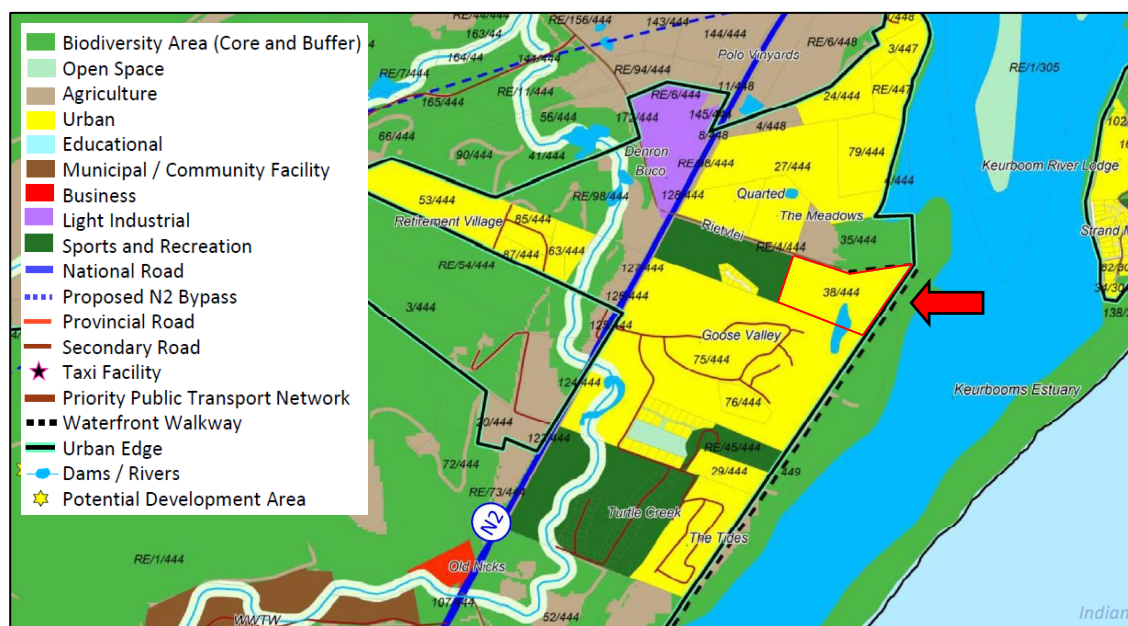


FIGURE 19: EXTRACT BITOU SDF (FIGURE 56.1)

The Bitou SDF recommend that future development in the 'Goose Valley Area' especially around the N2 be limited to Holiday Accommodation, Low Impact Tourist and Recreational Facilities and **Low Density Housing**. The site is largely surrounded by urban development and the proposal could be regarded as "infill" development. Bitou Municipality also confirmed that the property is earmarked for development and that an environmental impact study would determine the exact development potential.

From the above discussion regarding the Bitou SDF; the following conclusion can be made:

- The entire property is situated inside the demarcated urban edge.
- The portion to be developed is earmarked 'urban development'.
- The proposal is generally consistent with the Bitou SDF for the following reasons:
 - a. The private development will impact as little as possible on the environmental integrity by promoting:
 - a large portion of land is proposed to be zoned as Private Open Space
 - the majority of the CBA area will remain intact and will not be developed on
 - development is proposed on the areas that have been previously disturbed and earmarked for development
 - the development is unlikely to have any negative visual impacts as it is located in an area with similarly built environmental impacts
 - b. To provide sufficient protection to land requiring conservation, promote public and non-motorised transport and encourage the infill of vacant land parcels within the existing urban areas.
 - c. To ensure that future development improves the current urban structure.

Section 19 (2) of the Western Cape Land Use Planning Act states the following:

"...If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development does not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being consistent with that spatial development framework or structured plan..." The proposed development is therefore consistent with the Bitou SDF.

8.4. Bitou Integrated Development Plan (2017-2022)

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

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

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

Bitou Municipality has adopted seven strategic objectives to deliver on its vision and to help realize the objectives of the district economic development, provincial strategic goals and national development plan which eventually will contribute to the globally sustainable development goals. Strategic objectives relevant to the proposal are:

| OBJECTIVE | |
|-----------------------------------|---|
| Economic Development | Grow the local economy, create jobs, empower previously disadvantaged, and transform ownership patterns. Economic development of the local economy. |
| Infrastructure Development | Universal access to a decent quality of services. |

The application area is located in Ward 2 of the Bitou Municipality. The following Ward based planning interventions are considered to be applicable to the land development application:

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

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 the make use of existing services network.

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

SECTION E :**STATUTORY REQUIREMENTS****9. THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (107 OF 1998)**

The National Environmental Management Act (NEMA) requires that all aspects of potential impacts of a proposed development are assessed within an Environmental Impact Assessment (EIA), with many specialists involved to investigate these potential impacts. From a Town Planning perspective, one of the most important considerations when providing input into the wider EIA process is the 'Need and Desirability' of a potential project.

The Guideline on Need and Desirability published by the Department of Environmental Affairs and Development Planning (DEADP) goes to great lengths to explain that the 'Need' for a project relates to its 'timing', where the 'Desirability' related to the 'placing' of the proposed development; i.e. is this the right time and is it the right place for locating the type of land-use/activity being proposed.

9.1. Need

Need, as defined by DEADP refers to the timing of the proposal, as such the question '*do we need this development now?*'. In answering this question, the planning and land use policy of the area must be examined. Therefore, consistency with the existing approved Spatial Development Framework (SDF), the current Integrated Development Plan (IDP) and other municipal planning policies are important in the consideration of need.

Further considerations of need include the need of the community/area of the activity & land use – is the development "a societal priority". The need for a project also relates to the service's capacity and consistency with infrastructure planning.

According to the current Bitou SDF, the development area is inside the demarcated urban edge and is therefore suitable for urban development. The property is currently largely vacant and makes no contribution to the local economy of the town.

The proposed development is in line with all the provincial, district and local development policies. Allowing the applicant to develop the site will unlock the full potential of the property and it will allow for an increase in local expenditure. The development of the property will create employment opportunities and it will contribute to effective service delivery.

The proposed development will be mainly aimed to create a cohesive society, where people seek a place to stay where they are close to nature and family and in an environment not surrounded by the daily noise and traffic of the urban areas, but close enough to work to avoid a long drive.

The proposal intends to cater for a range of income groups; small & large families, investors, and retirees.

According to <https://www.bizcommunity.com/Article/196/568/226410.html> the Western Cape is the most popular province to semigrate to in the country at 35%, according to 2021 Lightstone data. Holiday destinations along the Garden Route like Plettenberg Bay, Wilderness and George have seen an uptick of activity among retirees as have whale-watching hotspots such as Hermanus and Gansbaai.

It will be to the benefit of many role-players if the property is allowed to develop the proposed group housing 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. It is therefore the considered opinion that the timing is correct for this development proposal.

9.2. Desirability

The desirability of a proposed development also relies heavily on consistency with policy documentation but has a distinctly spatial focus. The guideline on Need and Desirability specifically poses the question "*Would the approval of this application compromise the integrity of the existing approved and credible municipal IDP and SDF as agreed to by the relevant authorities?*"

NEMA also links the desirability of development to the concept of the "*best practicable environmental option*"; this refers to the option that provides the most benefit and *causes the least damage to the environment, at a cost acceptable to society, in the long term as well as in the short term*. The consideration of alternatives is therefore closely related to this concept.

The proposal is in line with the applicable policy documentation (Western Cape Provincial SDF, Eden SDF, Bitou SDF and the Bitou IDP, meaning that it is in line with the spatial proposal and vision for the area whilst complying with the development guidelines for the current proposal. Therefore, the approval of this application would not compromise the integrity of the applicable policy documents agreed to by the relevant authorities.

It is clear that all the applicable policy documentation encourages densification within urban areas, and it is clear from the statistics that *infill development and densification should be encouraged*.

Given the existing residential character of the area, 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 to exercise their legal land use rights, in fact, the proposal will rather enhance the amenity of the area. The proposed residential development will also allow for a more sufficient use of municipal 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.

The proposed development will have a positive socio-economic impact on the area. The development will create a mix of short-term and permanent jobs. Short-term employment will be provided by additional availability of employment in the construction industry and related fields. Increased employment opportunities within Plettenberg Bay will have a knock-on effect on local businesses meaning that there is a net increase in prosperity and standard of living in the town as a whole.

The application area is situated within an existing rural node, surrounded by residential and business uses. The site is zoned for agricultural purposes but was spatially earmarked for recreational and resort purposes. The property is exempted from the provisions of Act 70 of 1970, and therefore it has no potential to be used for agricultural purposes.

It can, therefore, be concluded that the proposal is regarded as desirable.

9.3. Planning Evaluation

The above boxes for need and desirability can be ticked. The proposal will have an insignificant impact as it is in line with all planning legislation and consistent with the applicable spatial planning policies.

It is clear that the proposal is in line with the applicable spatial planning policies, will not prevent any surrounding landowner from lawfully exercising their existing land use rights or detract from the character of the area and can, therefore, be considered to be desirable and suitable for the area that it is to be situated in.

10. THE NATIONAL HERITAGE RESOURCES ACT, 1999 (25 OF 1999)

The National Heritage Resources Act states in Section 38 of this Act, that the rezoning, of a property of more than 1 ha in extent, requires permission from Heritage Western Cape.

An application (Notice of Intent to develop – (NID), was submitted to Heritage Western Cape (HWC). The Committee approved the HIA compiled by Perception Planning dated March 2023. The final decision is attached as **ANNEXURE E**.

11. SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970)

The Knysna, Wilderness and Plettenberg Bay Regional Structure Plan earmarked this area for 'Recreational' purposes, hence the application area is exempted from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970). A copy of this confirmation is attached as **ANNEXURE E**.

12. ROADS AND RIBBON DEVELOPMENT ACT, 1940 (ACT 21 OF 1940)

Since the proposed development abuts a District Road (Minor Road 7214), the permission of the Roads Authority was obtained for this proposed development. The layout was amended to incorporate the requirements of the Provincial Roads Department. The Provincial Roads Department's conditional approval for the proposed development is attached as **ANNEXURE F**.

13. 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 a land development 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. 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:

14.1. Spatial Justice

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|--|---|---|
| <p>Past spatial and other development imbalances must be redressed through improved access to and use of land.</p> | <p>N/A</p> | <p><i>This policy does not apply to the application area.</i></p> |
| <p>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.</p> | <p>N/A</p> | <p><i>This policy does not apply to the application area.</i></p> <p><i>Not a Spatial Development Framework or Policy.</i></p> |
| <p>Spatial planning mechanisms, including land-use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.</p> | <p>N/A</p> | <p><i>This policy does not apply to the application area.</i></p> |
| <p>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.</p> | <p>N/A</p> | <p><i>This policy does not apply to the application area.</i></p> |
| <p>Land development procedures must include provisions that accommodate access to, and facilitation of, the security of tenure and the incremental upgrading of informal areas.</p> | <p>N/A</p> | <p><i>The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Bitou Municipality, 2015.</i></p> |
| <p>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.</p> | <p>Applicable to Knysna Municipality</p> | <p><i>The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Bitou Municipality, 2015.</i></p> |

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|---|------------|--|
| The right of owners to develop land in accordance with current use rights should be recognised. | N/A | <i>The applicant does not want to develop the property in accordance with the current agricultural rights.</i> |

14.2. Spatial Sustainability

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|---|------------|---|
| Promote spatially compact land development, 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 | <i>The proposal will contribute to additional capital income in the form of new development.</i> <i>The proposed development can be regarded as infill development, hence spatially compact development for Plettenberg Bay.</i> |
| Ensure that special consideration is given to the protection of prime, unique and high-potential agricultural land. | COMPLY | <i>Low potential agricultural land earmarked for urban (recreational) development.</i> <i>The application area is exempted from the provisions of Act 70 of 1970.</i> |
| Uphold consistency of land use measures in accordance with environmental management instruments. | COMPLY | <i>Currently busy with an environmental authorisation process.</i> |
| Promote and stimulate the effective and equitable functioning of land markets. | COMPLY | <i>The proposal will impact the functioning of the market in the area, by attracting investment to the area and will be beneficial to the area.</i> <i>The functioning of the land markets in the area will not be impacted in such a way that any of the surrounding properties landowners will be unfairly impacted and negatively impact the functioning of land markets.</i> <i>The proposal will provide a range of housing opportunities, supporting the functioning of land markets in the area.</i> <i>Development is occurring in the area and the change of land use is not an irregular occurrence.</i> |
| Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments. | COMPLY | <i>Any service upgrades at the cost of the applicant.</i> <i>Civil and electrical services report is to be provided with the land use application.</i> |

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|---|---------------|--|
| Promote land development in locations that are sustainable and limit urban sprawl. | COMPLY | <i>The development area is located within the urban edge. Regarded as infill development.</i> |
| Result in communities that are viable. | COMPLY | <i>The proposal will provide opportunities and amenities that were not available in the area before creating a more viable community, and allowing members of the community with new economic and employment opportunities. The proposal will enhance the character of the area and supplement the surrounding land uses. The proposal will result in new, permanent employment opportunities. The proposed development will result in additional rate payers that will support the existing retail businesses in the area.</i> |
| Strive to ensure that the basic needs of all citizens are met in an affordable way. | N/A | <i>This principle does not apply to the applicant or this development.</i> |
| The sustained protection of the environment should be ensured. | COMPLY | <i>Currently busy with an environmental authorisation process.</i> |

14.3. Spatial Efficiency

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|---|---------------|--|
| Land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities. | COMPLY | <i>Any service upgrades at the cost of the applicant. Civil and electrical services report is to be provided with the land use application. Given the strategic location of the application area, the proposed development will support the existing community uses and business activities in the area.</i> |
| Integrated cities and towns should be developed. | COMPLY | <i>The development itself has adequate access, services and functionality. The proposal will contribute to a more integrated town as a whole and have a positive impact on the local economy. The proposal will provide a range of housing opportunities for the retired community, small & large families, investors and retirees, resulting in the creation of an integrated village.</i> |

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|---|------------|---|
| Policy, administrative practice and legislation should promote speedy land development. | N/A | <i>The municipality should process this application within the prescribed time frames of the Land Use Planning By-Law for Bitou Municipality, 2015.</i> |

14.4. 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 | <p><i>The proposal is in line with all the various spatial plans, the zoning scheme and policies, as motivated by the report.</i></p> <p><i>It will have no negative impact on the livelihood of the community.</i></p> <p><i>The proposal will uplift the community.</i></p> <p><i>The proposed application complies with the requirements of the Land Use Planning By-Law for Bitou Municipality, 2015.</i></p> <p><i>The Environmental authorisation process is currently ongoing.</i></p> |

14.5. Good Administration

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|--|---|--|
| All spheres of government should ensure an integrated approach to land-use planning. | Applicable to Bitou Municipality | <p><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></p> <p><i>What is however important is that all decision-making is aligned with sound policies based on national, provincial and local development policies.</i></p> |
| 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 | | |

| CRITERIA | COMPLIANCE | PLANNING IMPLICATION |
|---|------------|----------------------|
| 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 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. | | |

15. CONCLUSION

The purpose of this specialist report was to identify the administrative process, legal requirements and policies that are directly applicable to the proposed development and to ensure compliance with the principles contained therein as far as reasonably possible.

In summary, the proposed development as envisaged:

1. The development area is located inside the urban edge and therefore suitable for development.

2. The proposal encourages densification within urban areas.
3. This development aims to contribute to the number of available units, and more importantly, it aims to provide a range of housing typologies for the various income groups.
4. Adequate access to the application area is obtained from the existing Rietvlei Road (Minor Road 7214).
5. The proposal will have no impact on the character of the area, it will complement the existing residential character of the area.
6. Is consistent with the various applicable spatial planning policies and land use management legislation.
7. There is a great need for this proposal; it is highly desirable and suitable for the area.

It is the considered opinion that the proposed development will achieve a sensitive balance between the natural environment, the built environment, and the social-economic environment, which is imperative to ensure sustainable development.

Marike Vreken Urban and Environmental Planners
December 2023

ANNEXURE A:

*ANNEXURE A. Title Deed (T20048/2002) – Ptn
38 Farm No 444 & Windeed Copy*

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Prepared by me,

Conveyancer
ARTLETT D P

SEELREG
DUTY R.....
FOOI
FEE R..... 500,00

T 020048 / 2002

DEED OF TRANSFER

BY VIRTUE OF A POWER OF ATTORNEY

KNOW ALL MEN WHOM IT MAY CONCERN

THAT **ELMA HAMMAN**

appeared before me, Registrar of Deeds at **CAPE TOWN** he being duly authorised thereto by a Power of Attorney, executed at **PLETTENBERG BAY** on the 5 day of **MARCH 2002**, by

8/4
hetesha

ABRAHAM JOHANNES VAN ALMENKERK

Identity No. 540413 5229 18 4

Married, which marriage is governed by the Laws of the Netherlands

Assisted by his spouse as far as needs be **LIES MARIE COULIER-VAN ALMENKERK**

which power, witnessed in accordance with law, was exhibited to me on this day.

And the Appearer declared that his said Principal had truly and legally sold on the 8 FEBRUARY 2002 and that he in his capacity as Attorney aforesaid did by these presents, cede and transfer, in full and free property to and on behalf of


**TRUE MOTIVES 99 (PROPRIETARY) LIMITED
NO. 2001/028673/07**

or Its Assigns

**PORTION 38 (A PORTION OF PORTION 4) OF THE FARM
GANSE VALLEI NO. 444, IN THE PLETTENBERG BAY MUNICIPALITY,
DIVISION OF KNYSNA, WESTERN CAPE PROVINCE;**

**IN EXTENT: 8,5805 (EIGHT comma FIVE EIGHT NOUGHT FIVE)
SQUARE METRES;**

**FIRST TRANSFERRED BY DEED OF TRANSFER NO. T.49781/1980 WITH
DIAGRAM NO. 6687/48 RELATING THERETO AND HELD BY DEED OF
TRANSFER NO. T.22678/2001**

- A. SUBJECT** to the conditions referred to in Deeds of Transfer Nos. 11190/1929 and 11191/1929.
- B. ENTITLED** to the benefit of the condition referred to in the Endorsement dated 29 May 1940 on Deed of Transfer No. 11190 dated 8 November 1929 and Deed of Transfer No. 10976 dated 5 October 1939 which Endorsement reads as follows :
- "By Transfer No. 5141 dated 29.5.1940 the 5,67 metres roadway indicated on the Diagram No. 5744/1939 thereto annexed shall be for the joint use of the owners & successors in title of Lot No. 2 thereby conveyed by para. 1 and remainder of Lot D held hereunder, as will more fully appear on reference to said Deed of Transfer"
- C. SUBJECT and ENTITLED** as the case may be, to the conditions referred to in the Endorsement dated 20 November 1944 on Deeds of Transfer Nos. 11190/1929 dated 8 November 1929 and 10976/1939 dated 5 October 1939, which Endorsement reads as follows :
- 

"By Trf. 16366 gedateer 20.11.1944 certain conditions regarding (a) Fencing (b) a right to demand a right of way over the remainder held hereunder have been agreed upon and (c) a right of way 9,45 metres wide over the land thereby transferred has been granted in favour of the remainder held hereunder as will more fully appear on reference to the said Deed of Transfer."

- D. SUBJECT** to the servitude referred to in the Endorsement dated 20 april 1955 on Deed of Transfer No. 26243/1948 dated 18 November 1948, which Endorsement reads as follows :

REGISTRASIE VAN SERWITUUT

Die binnegemelde eiendom is onderhewig aan 'n serwituut in terme van 'n Bevel van die Water Hof (Water Hof Distrik No. 4) gedateer 13-12-1954 soos breedvoerig sal blyk uit die gesegde Bevel waarvan 'n kopie hieraan geheg is, No. 177/55."

(a copy of the Order of Court is annexed to Deed of Transfer No. T.49781/1980 marked Annexure "A")

- E. ENTITLED** to the conditions referred to in the Endorsement dated 27 September 1968 on Deed of Transfer No. 26243 dated 18 November 1948, which Endorsement reads as follows:

REMAINDER

By Deed of Transfer No. 21776/1968 dated 27 September 1963 the remainder of Lot D part of the farm Ganse Valley, measuring: 32,9529 hectares held hereunder is entitled to the benefit of the following conditions: (a) The property shall be used for residential, business and recreational purposes only and no factory, motor scrap yard or any noxious trade or industry shall be conducted or opened on the said property unless the consent in writing of the transferor and his successors in title has first been obtained. (b) No sand pits or other excavation shall be made on the property without the written consent of the Transferor or his aforesaid first having been obtained, nor shall there be erected on the said property any unsightly structures or fences; over Portion 36 (a portion of Lot D) of the farm Ganse Vallei, measuring 4,2827 hectares transferred thereby. As will more fully appear on reference to said Deed of Transfer."

d

WHEREFORE the Appearer in his said Capacity, renouncing all the right and title the said TRANSFEROR heretofore had to the premises, did, in consequence also acknowledge the said TRANSFEROR as aforesaid to be entirely dispossessed of, and disentitled, to the same; and that by virtue of these presents the said

TRANSFEE COMPANY

or Its Assigns, now and henceforth shall be entitled thereto conformably to local custom; State, however, reserving its rights; and finally acknowledging the said TRANSFEROR

to have been satisfactorily paid or secured the whole of the purchase money amounting to the sum of R2 500 000,00 (TWO MILLION FIVE HUNDRED THOUSAND RAND)

IN WITNESS whereof, I, the said Registrar, together with the Appearer have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED, at the office of the Registrar of Deeds, in CAPE TOWN

on the 18 day of March 2002



q.q.

In my presence,


REGISTRAR OF DEEDS



Any personal information obtained from this search will only be used as per the Terms and Conditions agreed to and in accordance with applicable data protection laws including the Protection of Personal Information Act, 2013 (POPI), and shall not be used for marketing purposes.

SEARCH CRITERIA

| | | | |
|-------------------|------------------|-----------------------|------------------|
| Search Date | 2022/02/10 14:33 | Farm Number | 444 |
| Reference | P22-016 | Registration Division | KNYSNA RD |
| Report Print Date | 2022/02/10 14:33 | Portion Number | 38 |
| Farm Name | - | Remaining Extent | NO |
| Deeds Office | Cape Town | Search Source | WinDeed Database |

PROPERTY INFORMATION

| | | | |
|-----------------------|--------------|---------------------|----------------------|
| Property Type | FARM | Diagram Deed Number | T49781/1980 |
| Farm Name | GANSE VALLEI | Local Authority | MUN PLETTENBERG BAY |
| Farm Number | 444 | Province | WESTERN CAPE |
| Registration Division | KNYSNA RD | Remaining Extent | NO |
| Portion Number | 38 | Extent | 8.5805H |
| Previous Description | - | LPI Code | C0390000000044400038 |

OWNER INFORMATION (1)

| | | | |
|-------------------------|-------------------------|--------------------------|--------------|
| TRUE MOTIVES 99 PTY LTD | | | Owner 1 of 1 |
| Company Type | TRANSFER | Document | T20048/2002 |
| Registration Number | 200102867307 | Microfilm / Scanned Date | - |
| Name | TRUE MOTIVES 99 PTY LTD | Purchase Price (R) | 2 500 000 |
| Multiple Owners | NO | Purchase Date | 2002/02/08 |
| Multiple Properties | NO | Registration Date | 2002/03/18 |
| Share (%) | - | | |

ENDORSEMENTS (2)

| # | Document | Institution | Amount (R) | Microfilm / Scanned Date |
|---|----------------|-------------|------------|--------------------------|
| 1 | K279/2006S | - | 8 | 2006 0860 2224 |
| 2 | FARM KN 444/38 | - | - | 1985 004 3 :06:29 |

DISCLAIMER

This report contains information provided to LNRM by content providers and LNRM cannot control the accuracy of the data nor the timely accessibility. LNRM will not be held liable for any claims based on reliance of the search information provided. This report is subject to the terms and conditions of LexisNexis Risk Management Agreement. LexisNexis Risk Management (Pty) Ltd is a registered credit bureau (NCRCB26).

HISTORIC DOCUMENTS (2)

| # | Document | Institution | Amount (R) | Microfilm / Scanned Date |
|---|-------------|-----------------------------------|------------|--------------------------|
| 1 | T22678/2001 | ALMENKERK ABRAHAM JOHANNES VAN | 2 050 000 | 2002 029 7 :12:83 |
| 2 | T49781/1980 | WELLS MICHAEL WYNNE | Unknown | 2001 0249 1521 |

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This report contains information provided to LNRM by content providers and LNRM cannot control the accuracy of the data nor the timely accessibility. LNRM will not be held liable for any claims based on reliance of the search information provided. This report is subject to the terms and conditions of LexisNexis Risk Management Agreement. LexisNexis Risk Management (Pty) Ltd is a registered credit bureau (NCRCB26).

ANNEXURE B:

ANNEXURE B. SG Diagram (SG 6687/1948)

SUB-DIVISIONAL DIAGRAM,
Sect. 24 (b), Act No. 9 of 1927.

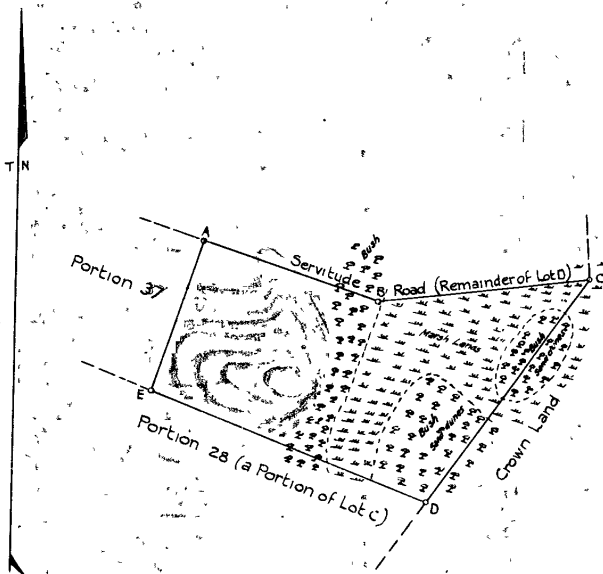
| SIDES | Cape Feet | ANGLES OF DIRECTION | SYSTEM 1 ^o 25' CO-ORDINATES | |
|-------|-----------|---------------------|--|-------------|
| | | | x | y |
| A-B | 689.09 | 268. 1. 40 | A - 113557.36+ | 61287.32 |
| B-C | 799.95 | 262. 36. 20 | B - 114212.62+ | 61500.58 |
| C-D | 1037.29 | 34. 36. 20 | C - 115005.90+ | 61397.63 |
| D-E | 1116.90 | 110. 47. 20 | D - 114416.80+ | 62251.40 |
| E-A | 596.98 | 198. 1. 40 | E - 113372.62+ | 61854.99 |
| | | | Constants | |
| | | | 0.00+ | 11900000.00 |

No.

Approved

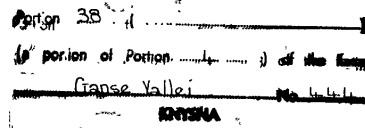
J. M. ...
Surveyor-General.

19 OCT 1948



DESCRIPTION OF BEACONS

- A B E..... 3' Angle Irons & Cairns
- C..... 3' Angle Iron alongside planted Stone
- D..... 14'x8" planted stone under fence



Scale 1 : 5000

The figure A-B-C-D-E represents 10-0177 Morgen of land being

METRIC AREA
8.5805 HECTARES

Portion 38 (a Portion of Lot D) of the farm

GANSE VALLEY

situate in the Division of Knysna

Province of Cape of Good Hope.

Surveyed in May 1948 by me

A. M. ...
Land Surveyor.

This diagram is annexed to
D/T 49781/80

The original diagram is
No. 2153/1937 annexed to
Deed of Transfer 1899-19-1265

File No. 12453
S.R. No. E. 1588/48
Deed Sheet AM-188 Knysna Q7-26

Registrar of Deeds.

ANNEXURE C:

DEA&DP - Confirmation of exemption from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) dated 18 April 2022



REFERENCE NUMBER: 15/4/2/3
ENQUIRIES: Elma Vreken
DATE OF ISSUE: 18 February 2022

Marike Vreken Town Planners

PO Box 2180

KNYSNA

6570

Attention: Marike Vreken

Email: info@vreken.co.za

marike@vreken.co.za

Dear Sir/Madam

SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970): CONFIRMATION OF THE DESIGNATION OF PORTION 38 OF THE FARM GANSE VALLEI NO. 444, PLETTENBERG BAY IN TERMS OF THE KNYSNA, WILDERNESS AND PLETTENBERG BAY REGIONAL STRUCTURE PLAN

1. The Department has received your request for confirmation of the status and designation of the above-mentioned property in terms of the above Regional Structure Plan, which was originally approved as a Guide Plan in Government Notice No. 1708 of 5 August 1983, but later declared as a Regional Structure Plan in Government Notice No. 170 of 9 February 1996.
2. I hereby confirm that Portion 38 the farm Ganse Vallei No. 444 (Plettenberg Bay) was indeed included in the Knysna, Wilderness and Plettenberg Bay Regional Structure Plan. This portion was designated as '**Recreational**'.

3. Based on the above information, it is therefore the view of this Department that the property mentioned above **is** exempt from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).
4. We trust that the above would assist you to finalise the General Plans, received for this property. Should you require any further information, please do not hesitate to contact Elma Vreken from my office on 044 – 814 2010 or on e-mail: elma.vreken@westerncape.gov.za

Yours faithfully

MR. GAVIN BENJAMIN

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION3)

WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 21 February 2022

Copies to:

Director: Land Use and Soil Management

Department of Agriculture, Forestry and Fisheries

Private Bag X120

PRETORIA

0001

Attention: Ms. Annette Geertsema (e-mail: AnnetteS@dalrrd.gov.za)

Director Land Use Management

Western Cape: Department of Agriculture

Private Bag X1

ELSENBURG

7607

Attention: Mr Cor van der Walt (e-mail: corvdw@elsenburg.com)

The Surveyor General

Western Cape: Department of Rural Development and Land Reform

Private Bag X9073

CAPE TOWN

8000

Attention: Mr J Williamson (e-mail: julian.williamson@dalrrd.gov.za)

The Surveyor General

Western Cape: Department of Rural Development and Land Reform

Private Bag X9073

CAPE TOWN

8000

Attention: Mr Andrew Ballantyne (e-mail: andrew.ballantyne@dalrrd.gov.za)

ANNEXURE D:

*Conveyancer Certificate Richard Stuart
Mccafferty dated 27 May 2022*

CONVEYANCER'S CERTIFICATE

I, the undersigned

RICHARD STUART MCCAFFERTY (LPCM 33330)

duly admitted conveyancer, hereby certify that:

1. True Motives 99 (Pty) Ltd is the registered owner of:

PORTION 38 (A PORTION OF PORTION 4) OF THE FARM GANSE
VALLEI NO.444, IN THE PLETTENBERG BAY MUNICIPALITY,
DIVISION OF KNYSNA, WESTERN CAPE PROVINCE

IN EXTENT 8,5805 (EIGHT COMMA FIVE EIGHT NOUGH FIVE)
SQUARE METRES

HELD BY DEED OF TRANSFER T20048/2002

("the Property")

2. The owner intends to rezone and develop the Property.
3. The Property is subject and entitled to conditions as reflected at paragraphs A to E of the said Deed of Transfer T20048/2002 ("the Conditions").
4. I have examined the Conditions and certify that they do not restrict or prevent the property from being rezoned and developed as per the owner's application.

Signed at SANDTON on this the 27th day of May 2022



RICHARD STUART MCCAFFERTY

ANNEXURE E:

*Heritage Western Cape – Final decision
dated 06 April 2023*

Our Ref: HM/ GARDEN ROUTE/ BITOU/ PLETTENBERG BAY/ PORTION 38 OF FARM GANSE VALLEI 444
Case No: HWC22101907AM1019
Enquiries: Ayanda Mdludlu
E-mail: ayanda.mdludlu@westerncape.gov.za
Tel: 021 483 5959



Stefan de Kock
perceptionplanning@gmail.com

RESPONSE TO HERITAGE IMPACT ASSESSMENT: FINAL DECISION
In terms of Section 38(8) the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

HERITAGE IMPACT ASSESSMENT: PROPOSED GROUP HOUSING DEVELOPMENT ON PORTION 38 OF FARM GANSE VALLEI 444, PLETTENBERG BAY, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

The matter above has reference.

This matter was discussed at the Heritage Officers' Meeting held on 3 April 2023.

FINAL DECISION

The Committee approved the HIA compiled by Perception Planning dated March 2023 for recommendations on page 18 as follows;

It is recommended that these recommendations are assimilated into future outcome(s) of the NEMA process currently underway:

- Alternative 1, the preferred alternative, is supported.
- A buffer of 5 m must be implemented around the two stone features. They must be fenced during the earth moving activities, to protect them from accidental impact.
- An archaeologist must be on site to monitor earth moving activities, particularly those areas around the stone features. If any human remains or significant archaeological materials are exposed during development activities, then the find should be protected from further disturbance and work in the immediate area should be halted and Heritage Western Cape must be notified immediately. These heritage resources are protected by Section 36(3)(a) and Section 35(4) of the NHRA (Act 25 of 1999) respectively and may not be damaged or disturbed in any way without a permit from the heritage authorities. Any work in mitigation, if deemed appropriate, should be commissioned and completed before construction continues in the affected area and will be at the expense of the developer. The above recommendations should be included in the Environmental Management Program (EMPr) for the proposed residential development.

As per the APM Committee decision dated 2nd June 2009 (Case No 37/ROD ID 418):

- Archaeological monitoring of bulk earthmoving activities must take place.
- The Archaeologist must report any occurrences of fossils and a palaeontologist must record the exposed sections before the trenches are closed up.

The HWC Chance Fossil Finds Protocol to be implemented and included in the Environmental Management Programme Report.

Provision of adequate public (pedestrian) access to the estuary should be addressed in the environmental process.

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

Straatadres: Protea Assuransie-gebou, Groentemarkplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
• **Tel:** +27 (0)21 483 5959 • **E-pos:** ceoheritage@westerncape.gov.za

Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

Page 2 of 2

Our Ref: HM/ GARDEN ROUTE/ BITOU/ PLETTENBERG BAY/ PORTION 38 OF FARM GANSE VALLLEI 444
Case No: HWC22101907AM1019
Enquiries: Ayanda Mdludlu
E-mail: ayanda.mdludlu@westerncape.gov.za
Tel: 021 483 5959



Stefan de Kock
perceptionplanning@gmail.com

NOTE:

- This decision is subject to an **appeal period of 14 working days. Kindly note that the appeal period is calculated from the date indicated on the HWC date stamp, which is the date the appeal is sent, and not the date of signature**
- Appeals to HWC are to be submitted to HWC.Appeals@westerncape.gov.za
- The applicant is required to inform any party who has expressed a bona fide interest in any heritage-related aspect of this record of decision. The appeal period shall be taken from the date above. It should be noted that for an appeal to be deemed valid it must refer to the decision, it must be submitted by the due date, and it must set out the grounds of the appeal. Appeals must be addressed to the official named above and it is the responsibility of the appellant to confirm that the appeal has been received within the appeal period.
- **Work may NOT be initiated during this 14-day appeal period.**
- If any archaeological material or evidence of burials is discovered during earth-moving activities all works must be stopped and Heritage Western Cape must be notified immediately.
- This approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.


.....
Sneha Jhupsee
Acting Assistant Director: Professional Services



www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
• **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

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Idilesi yendawo: kumgangatho 3, kwisakhiwo iprotea Assurance, Greenmarket Square, eKapa, 8000 • **Idilesi yeposi:** Inombolo yebhokisi yeposi 1665, eKapa, 8000 • **Iinombolo zomnxeba:** +27 (0)21 483 5959 • **Idilesi ye-imeyile:** ceoheritage@westerncape.gov.za

ANNEXURE F:

*Provincial Roads Department – Approval dated
09 March 2023*



Ref: TPW/CFS/RP/LUD/REZ/SUB – 22/138 (Job 18762)

The Manager: Land Use Management
Bitou Municipality
Private Bag X1002
PLETTENBERG BAY
6600

Attention: Mr C Schliemann

Dear Sir

PROPOSED REZONING: PORTION 38 OF FARM GANSE VALLEY 444, BITOU MUNICIPALITY

1. The following refer:
 - 1.1. Your letter 18/38/444 dated 8 November 2022 to "Sir/Madam".
 - 1.2. Ms B Lotz's e-mail of 16 February 2023 on behalf of Marike Vreken Town Planners to Mr E Burger at this Branch.
 - 1.3. Mr E Burger's e-mail of 16 February 2023 on behalf of this Branch to Ms B Lotz at Marike Vreken Town Planners.
2. Minor Road 7214 (OP07214), for which this Branch is the Road Authority, is affected by this application.
3. This Branch offers no objection to this development, provided that the following are adhered to:
 - 3.1. The development is limited to 17 single storey sectional title group housing units, up to 6 bedrooms each, with communal buildings, entrance gate, guard house, maintenance and staff room, clubhouse, gym, conference room, doctor or nurse's office and administrative office, and a private nature reserve, all as depicted on the "SDP".
 - 3.2. The existing access off OP07214 at ±km0.51 RHS ("Right Hand Side") must be permanently closed by the future wall or fence that will be erected around the gated development.

- 3.3. A new access off OP07214 at \pm km0.53 RHS s must be created as proposed. This access will serve as the only access off OP07214 in favour of this proposed development, no other access off OP07214 may be created or continue to exist.
- 3.4 The new access off OP07214 at \pm km0.53 RHS in favour of this proposed development must be designed, by an adequately registered civil engineering professional, in accordance to this Branch's standards before submitting those design drawings to this Branch's Chief Design Directorate (Attention: Mr M Hendrickse; e-mail: Michael.Hendrickse2@westerncape.gov.za) for approval before construction thereof may commence. This access design must include:
 - 3.4.1 Enough stacking distance between the edge of shoulder of OP07214 and the vehicular gate structure. This stacking distance must be indicated.
 - 3.4.2 Sight distances along and within the road reserve of OP07214 that complies to this Branch's minimum safe standards.
- 3.5 If external services will be proposed to be constructed within the road reserve or within the adjacent 5m Building Line (Roads Ordinance 19 of 1976) of OP07214, such planning must be cleared with this Branch (Attention: Mr E Burger; e-mail: Evan.Burger@westerncape.gov.za) before designs and requests for such wayleave approvals may be submitted.
- 3.6 If refuse will not be collected at each residence and the communal buildings within the development, then a refuse removal area must be provided within the proposed development and not within the road reserve of OP07214.
- 3.7 No additional stormwater runoff (pre- versus post development scenarios) may be discharged into the road reserve of OP07214.
- 3.8 Approval must be obtained from this Branch to construct a (security) wall or fence along the road reserve boundary of OP07214 if different from this Branch's standard for fences.
- 3.9 No structures may be constructed within the 5m Building Line (Roads Ordinance 19 of 1976) adjacent to OP07214.
- 3.10 It must be entered into the Body Corporate's set of rules, and accepted by all the property owners or tenants, that this Branch is not obliged to maintain a Minor Road - such as OP07214, and that this Branch will not increase on its maintenance along OP07214 due to this development being supported. It is however recommended by this Branch that the gravelled road section be upgraded by the developer, with a permanent (tarred) surfacing up to at least the new access of this development.

- 3.11 SANRAL is requested to provide their input and approval where affected at the N2/OP07214-intersection.
- 3.12 The developer accepts to cover all the design and construction costs towards the establishment of this proposed development.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS

DATE: 9 March 2023

ENDORSEMENTS

1. Bitou Municipality
e-mail: townplanning@plett.gov.za

2. Marike Vreken Town Planners

Attention: Ms M Vreken (e-mail: info@vreken.co.za)

3. Garden Route District Municipality

Attention: Mr JG Daniels (e-mail)

4. District Roads Engineer, Oudtshoorn

5. Mr SW Carstens (e-mail)

6. Mr E Burger (e-mail)

7. Mr M Hendrickse (e-mail)

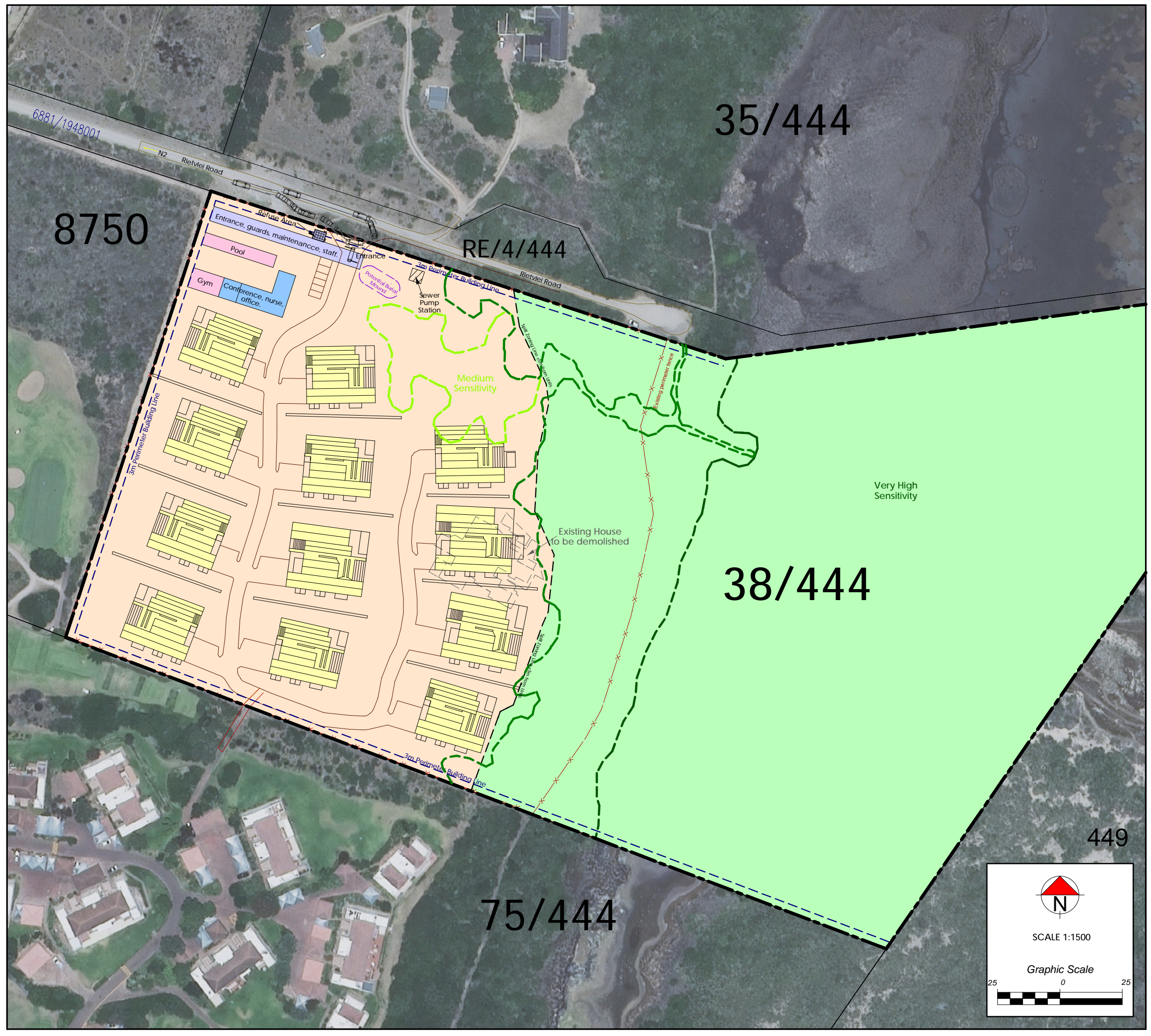
8. Mr J van der Merwe (e-mail)

PLAN 1:

Locality Plan

PLAN 2:

Site Development Plan – Preferred Alternative



**PORTION 38 OF THE FARM
GANSESVALLEI NO 444**

SITE DEVELOPMENT PLAN

LEGEND:

| ZONING | QTY | HA | % |
|--------------------------------------|----------|-------------|------------|
| Residential Zone II (Group housing) | 1 | 3.17 | 36.9 |
| Open Space Zone III (Nature reserve) | 1 | 5.41 | 63.1 |
| Medium Sensitivity Area | | | |
| High Sensitivity Area | | | |
| Very High Sensitivity Area | | | |
| TOTAL | 2 | 8.58 | 100 |

- NOTES**
- For erf data, refer SG6687/1948
 - Sizes & dimensions are approximate and subject to final survey
 - 1m contour intervals based on Contour Plan from SJM Surveys dated October 2008
 - (12) x Sectional Title Group Housing Units (655m² each)
 - 3m Perimeter Building Lines proposed
 - (2) x Garage bays / unit
(6) x Visitor parking bays
 - Density (max 20u/ha) = 1.399 u/ha
 - Communal Open Space (min 80m²/unit) = > 7 ha
 - Internal Road Width = 5m

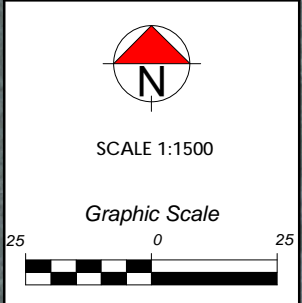
| | | | |
|-------------------|--|-----------------|----|
| DRAWN: | HL | CHECKED: | MV |
| PLAN NO: | Pr22/11/F444Ptn38/SDP08 | | |
| PLAN DATE: | 11 Dec 2023 | | |
| STORED: | z:\drawings\App\Pr2211-F444Ptn38/SDP08.dwg | | |

COPY RIGHT:
This Plan may not be copied or amended without the written consent of M Vreken

MUNICIPAL STAMP

21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
086 459 2987
e-mail: marike@vreken.co.za
www.vreken.co.za



PLAN 3:

Site Development Plan – Alternative 2

PORTION 38 OF THE FARM
GANSE VALLEI NO 444

SITE DEVELOPMENT PLAN

LEGEND:

| ZONING | QTY | HA | % |
|--------------------------------------|----------|-------------|------------|
| Residential Zone II (Group housing) | 1 | 3.17 | 36.9 |
| Open Space Zone III (Nature reserve) | 1 | 5.41 | 63.1 |
| High Sensitivity Area | | | |
| Very High Sensitivity Area | | | |
| TOTAL | 2 | 8.58 | 100 |

NOTES

- For erf data, refer SG6687/1948
- Sizes & dimensions are approximate and subject to final survey
- 1m contour intervals based on Contour Plan from SJM Surveys dated October 2008
- (17) x Sectional Title Group Housing Units (700m² each)
- 3m Perimeter Building Lines proposed
- (2) x Garage bays / unit
(18) x Visitor parking bays
- Density (max 20u/ha) = 1.98 u/ha
- Communal Open Space (min 80m²/unit) = > 7 ha
- Internal Road Width = 5m

| | | | |
|------------|--|----------|----|
| DRAWN: | HL | CHECKED: | MV |
| PLAN NO: | Pr22/11/F444Ptn38/SDP04 | | |
| PLAN DATE: | 26 MAY 2022 | | |
| STORED: | z:\drawings\App\Pr2211-F444Ptn38/SDP04.dwg | | |

COPY RIGHT:

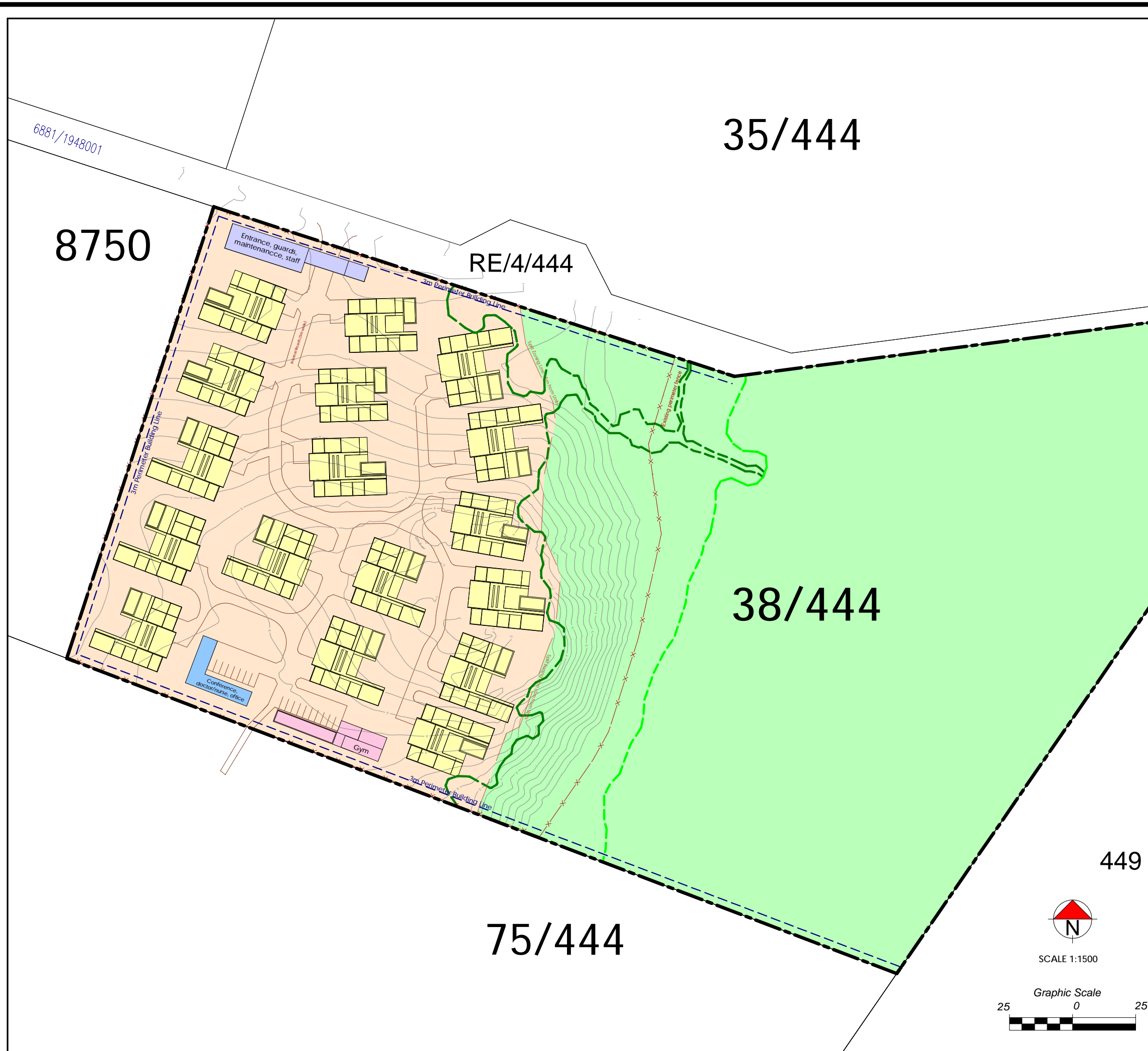
This Plan may not be copied or amended without the written consent of M Vreken

MUNICIPAL STAMP



21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
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e-mail: marike@vreken.co.za
www.vreken.co.za



35/444

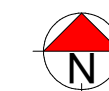
8750

RE/4/444

38/444

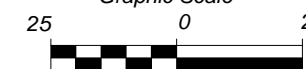
449

75/444



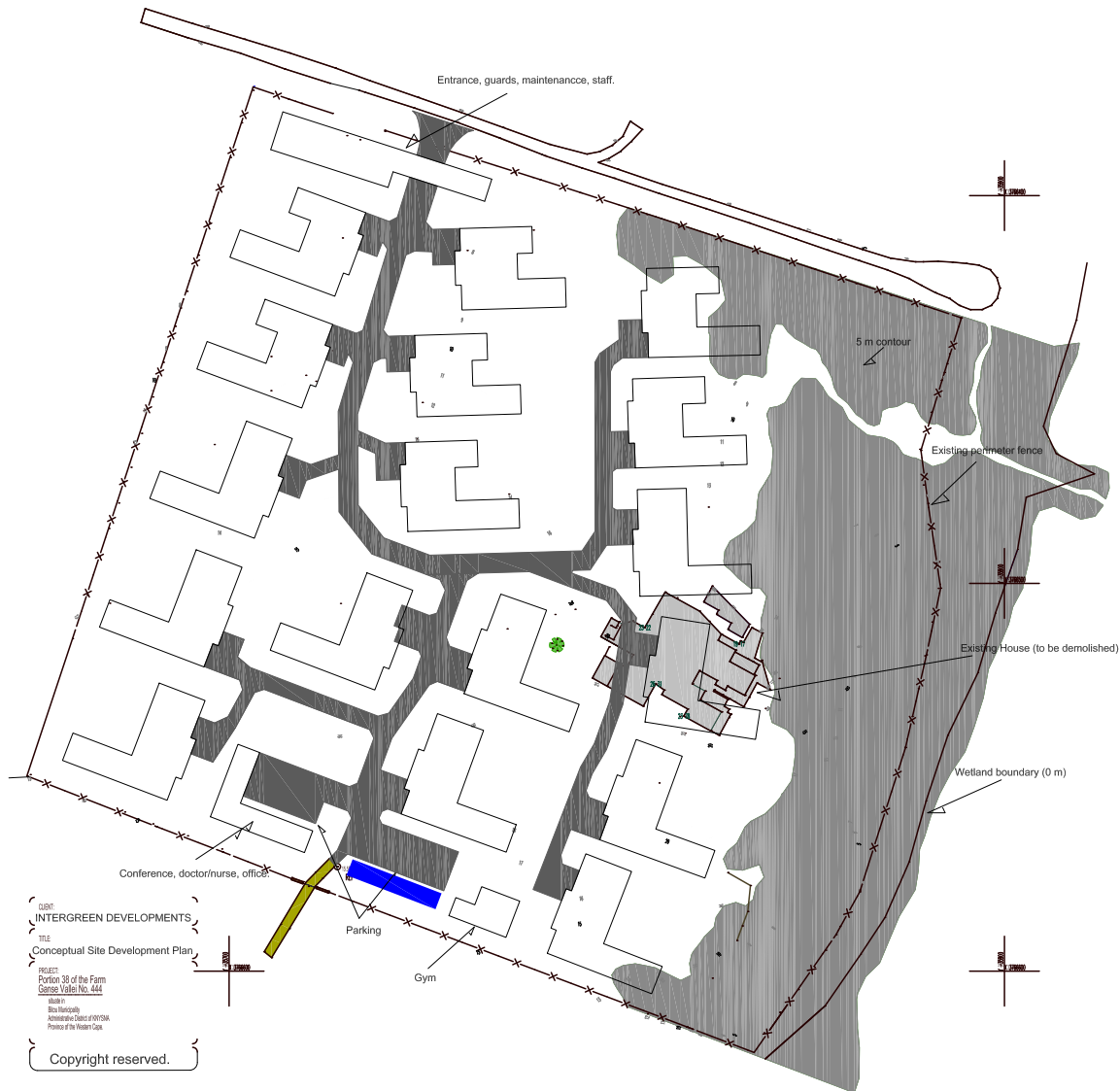
SCALE 1:1500

Graphic Scale



PLAN 4:

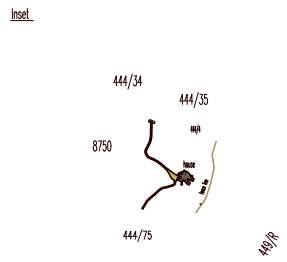
Site Development Plan – Alternative 3



Proposed to build 18 dwellings.
 Total Coverage: 9000 sqm
 Total Floor Area: 9000 sqm
 Total Stand: 85800 sqm

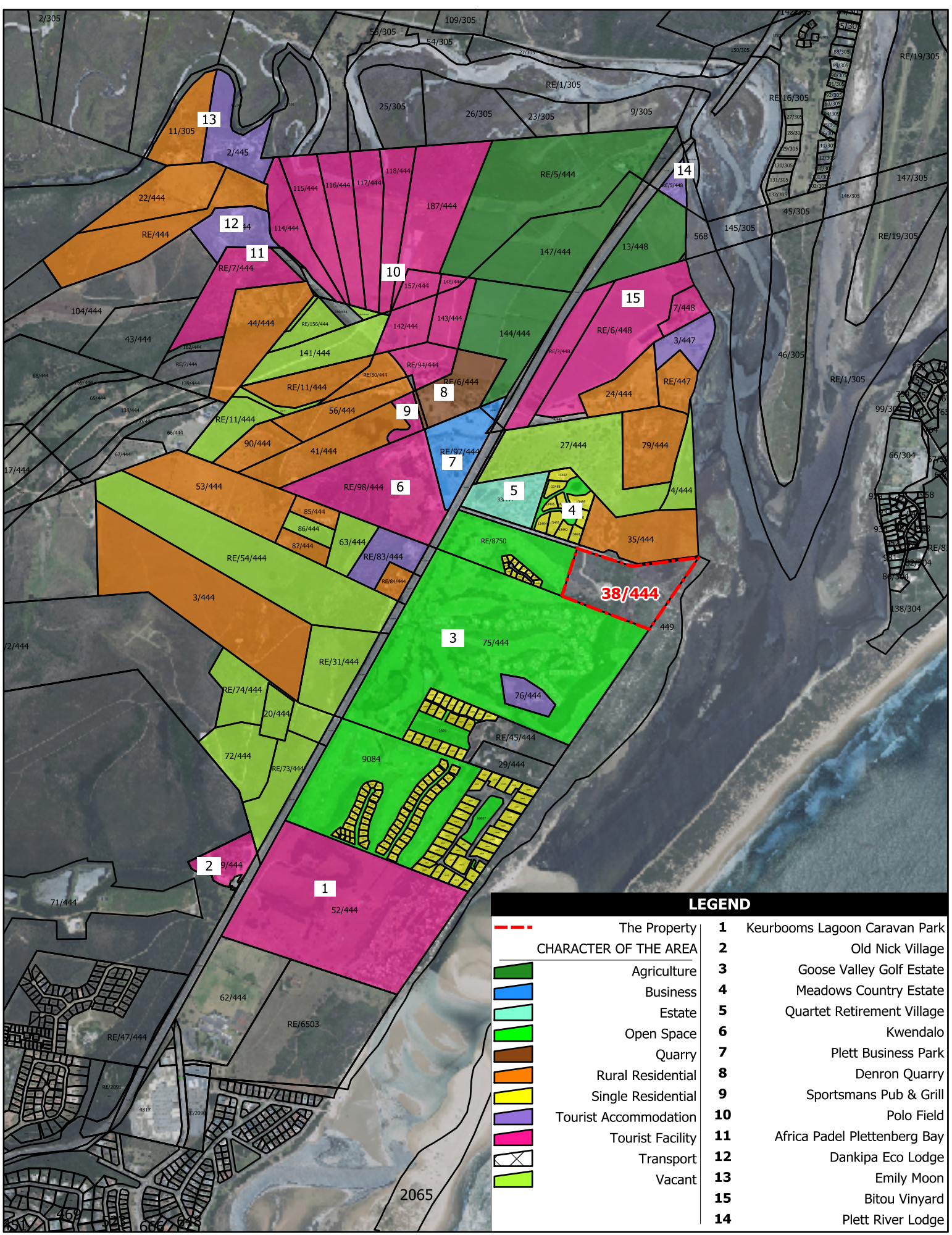
Coverage: 10%
 Floor Area Ratio: 10%
 Zoning: 2.1 units per hectare

Considering western portion above wetland only: 42500 sqm
 Coverage: 20%
 Floor Area Ratio: 20%
 Zoning: 4.2 units per hectare



PLAN 5:

Land Use Plan



LEGEND

| | | | |
|--|------------------------------|-----------|-------------------------------|
| | The Property | 1 | Keurbooms Lagoon Caravan Park |
| | CHARACTER OF THE AREA | 2 | Old Nick Village |
| | Agriculture | 3 | Goose Valley Golf Estate |
| | Business | 4 | Meadows Country Estate |
| | Estate | 5 | Quartet Retirement Village |
| | Open Space | 6 | Kwendalo |
| | Quarry | 7 | Plett Business Park |
| | Rural Residential | 8 | Denron Quarry |
| | Single Residential | 9 | Sportsmans Pub & Grill |
| | Tourist Accommodation | 10 | Polo Field |
| | Tourist Facility | 11 | Africa Padel Plettenberg Bay |
| | Transport | 12 | Dankipa Eco Lodge |
| | Vacant | 13 | Emily Moon |
| | | 15 | Bitou Vinyard |
| | | 14 | Plett River Lodge |

PORTIONS 38 OF THE FARM GANSE VALLEI NO. 444, DIVISION OF KNYSNA, BITOU MUNICIPALITY

LAND USE PLAN



Projection: Transverse Mercator
 Centre Lon: 23°22'57" E
 Centre Lat: 34°01'35" S
 Created: 2023/08/09
 Scale: 1:18000

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Source: 1:18000 Approved Project 2011: Ganse Vallei No. 444 Port 38/444