

**PORTION 1 OF THE FARM DUINEKROON
NO 591, DIVISION RIVERSDALE, STILL BAY
(FLEUR DE VIE LIFESTYLE ESTATE)**

**SPECIALIST PLANNING REPORT FOR NEMA
AUTHORISATION PURPOSES**



**CLIENT:
PREPARED BY:**

**QUICKSTEP 596(PTY)LTD
MARIKE VREKEN URBAN AND ENVIRONMENTAL PLANNERS**



JULY 2022

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

Portion 1 of the Farm Duinekroon No 591 is located in Stilbaai-Wes, south of Buitekant Street. Hessequa Municipality approved a development application on this property during 2015 (refer **ANNEXURE A** for a copy of the previous approval. The previous approval was for:

- 81x Free hold title Residential Zone III erven;
- 4x Residential Zone III erven with 188 sectional title units
- Institutional Zone III for a Day Hospital

This approval was not implemented before the lapsing date and it has lapsed, and the zoning of the property reverted back to Agricultural Zone I (refer **ANNEXURE B**). Ownership of the company that owns the land has changed, and the new owners wish to develop a residential estate on Portion 1 of the Farm Duinekroon No 591.

1.1. Purpose of the Report

The new development proposal is to develop a residential estate, consisting of

- 146 x General Residential Zone II (Group Housing) erven;
- 1 x General Residential Zone IV (Flats) erf;
- 1 x Business Zone III (Office & Sport & Recreation) erf;
- 7 x Open Space Zone II (Private Open Space) erven;
- 2 x Transport Zone II (Public Road) erven;
- 7 x Transport Zone III (Private Road) erven;

The development of the proposed new residential 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 Hessequa Municipality in terms of the Hessequa By-law on Municipal Land Use Planning, 2015.

CapeEAPrac Environmental Consultancy has been appointed to apply for Environmental Authorisation and Marika Vreken Urban and Environmental Planners have been appointed by **Quickstep 596(Pty)Ltd** to apply for the required development rights from the applicable authorities.

This report serves as the Specialist Planning Report for the Environmental Authorisation application on Portion 1 of the Farm Duinekroon No 591, Stilbaai-Wes. 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.

1.2. Pre-Application Consultation with Hessequa Municipality

Pre-Application Consultation in terms of Section 37 of the Hessequa Land Use Planning Bylaw, took place and a copy of the minutes of the pre-application consultation is attached as **ANNEXURE C**. No “red flags” were raised during the pre-application consultation process.

2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the Title Deed for Portion 1 of the Farm Duinekroon No 591, which includes all the information outlined below is contained in **ANNEXURE E**. The Surveyor General Diagram (Annex D - SG 6722-1999) for the application area is contained in **ANNEXURE D**. A copy of a Conveyancer’s Certificate is attached as **ANNEXURE F**.

Title Deed Number:	T21214/2004
SG Diagram Description:	Portion 1 of the Farm Duinekroon No 591, located in the Administrative District of Riversdale, Western Cape Province.
Title Deed Description:	Portion 1 of the Farm Duinekroon No 591, located in the Administrative District of Riversdale, Western Cape Province.
SG Code:	C0640000000059100001
Property Owner:	Quickstep 596 (Edms)Beperk Reg No 2003/027800/07
Title Deed Restrictions:	The Title Deed contains no restrictive title deed conditions that prevent the proposed development.
Bonds:	There is no bond registered over the property.
Property Size:	10 ha Ten hectares
Servitudes:	There is a 10m wide right of way servitude along the northern boundary. This servitude area is known as “Buitekant Street” and will be accommodated as a public road in the development proposal.

SECTION B :**DEVELOPMENT PROPOSAL****3. DEVELOPMENT ALTERNATIVES**

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 residential estate, consisting of 146 x General Residential Zone II (Group Housing) erven; a 1 x General Residential Zone IV (Flats) erf; and Business zone III (Neighbourhood shop), with private open spaces, private roads and public roads.
- **Alternative 2:** The proposed development will contain 81x Free hold title Residential Zone III erven; 4x Residential Zone III erven with 188 sectional title units, and Institutional Zone III for a Day hospital.
- **Alternative 3:** No go Alternative.

These development alternatives are discussed in more detail hereunder:

3.1. Preferred Alternative

The Preferred Alternative development proposal is shown in the figure below, and includes the following:

- 146 x General Residential Zone II (Group Housing) erven;
- 1 x General Residential Zone IV (Flats) erf;
- 1 x Business Zone III (Office & Sport & Recreation) erf;
- 7 x Open Space Zone II (Private Open Space) erven;
- 2 x Transport Zone II (Public Road) erven;
- 7 x Transport Zone III (Private Road) erven;

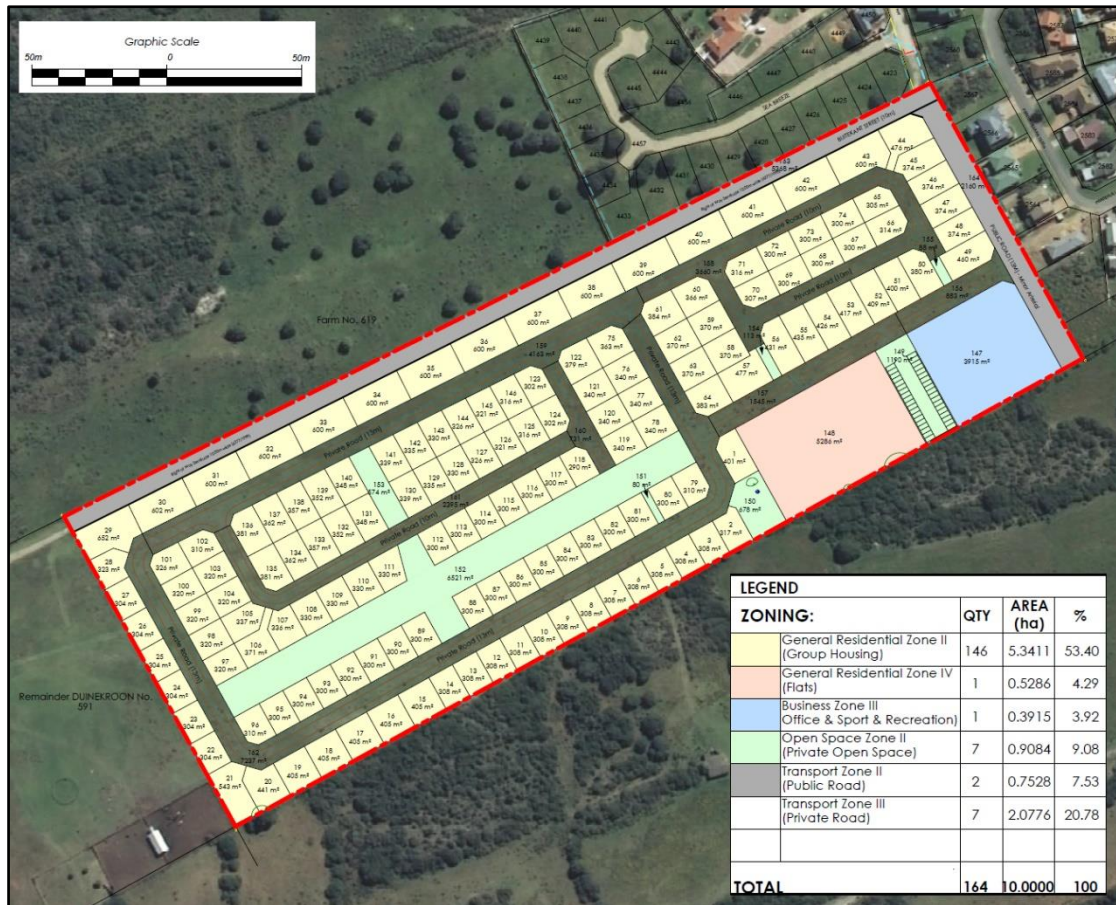


FIGURE 1: PREFERRED LAYOUT

The preferred layout, consists of the following:

3.1.1. Access

Access to the proposed development will take place off a new proposed public road, that will run along the eastern boundary of the proposed development. This road is a future access road, that the municipality wish to connect with Bosboklaan to the south. This proposed new public road will have a 13m wide road reserve.

3.1.2. General Residential Zone II (Group Housing)

The proposed development will consist of 146x free hold title group housing erven on a group housing site of approximately 8,207 ha. This calculates to a density of 17,8 units per ha.

An Architectural Design Manual will be developed, and all development within this development, will have to be consistent with the approved Architectural Design Manual.

The group housing site, with the 146x group housing erven is shown in the figure below:

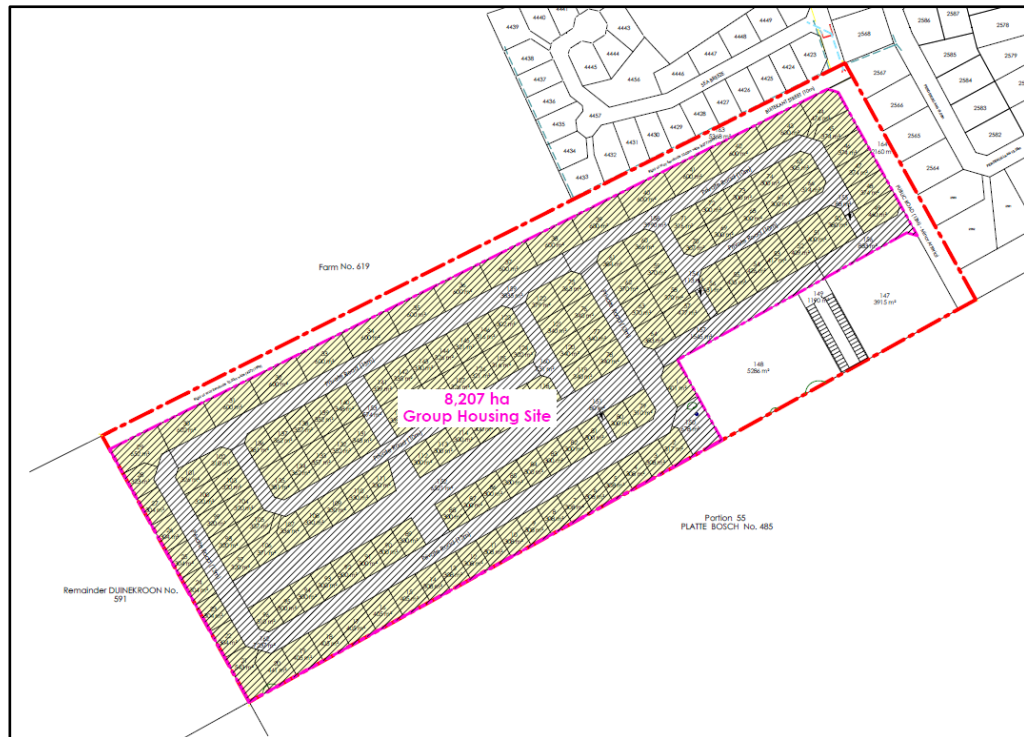


FIGURE 2: PROPOSED GROUP HOUSING SITE

The proposal complies with the prescribed development parameters for group housing, as contained in the Hessequa Municipality’s Integrates Zoning Scheme Bylaw:

PARAMETER	REQUIREMENT	PROPOSAL	COMPLIANCE
Primary land use	Group Housing	Group Housing	COMPLY
Coverage:	at most 60%.	60%	COMPLY
Density:	at most 35 units / ha	17,8 u/ha	COMPLY
Height:	May not exceed 8,5 metres	Double storeys	COMPLY
Private Open Space	at least 50m ² per dwelling unit (i.e. 7300m ²)	7894m ² , and erven allow for 60% coverage, hence more than ample provided.	COMPLY
Building Lines:	boundary building line of 5m	5m	COMPLY
	3 metres along the perimeter.	3m	COMPLY

PARAMETER	REQUIREMENT	PROPOSAL	COMPLIANCE
Service Yard:	Must be provided	Provided	COMPLY
Refuse Room:	Must be provided	Provided	COMPLY
Parking Requirements:	2 bays per dwelling 0.25 bays/unit for visitors (329)	Provided	COMPLY

3.1.3. General Residential Zone IV (Flats)

One (1x) General Residential Zone IV property is proposed. This property will contain approximately 38x 2-bedroom apartments. A final Site Development Plan for these apartments must still be developed. The height of the General Residential apartments will be limited to two (2x) storeys.

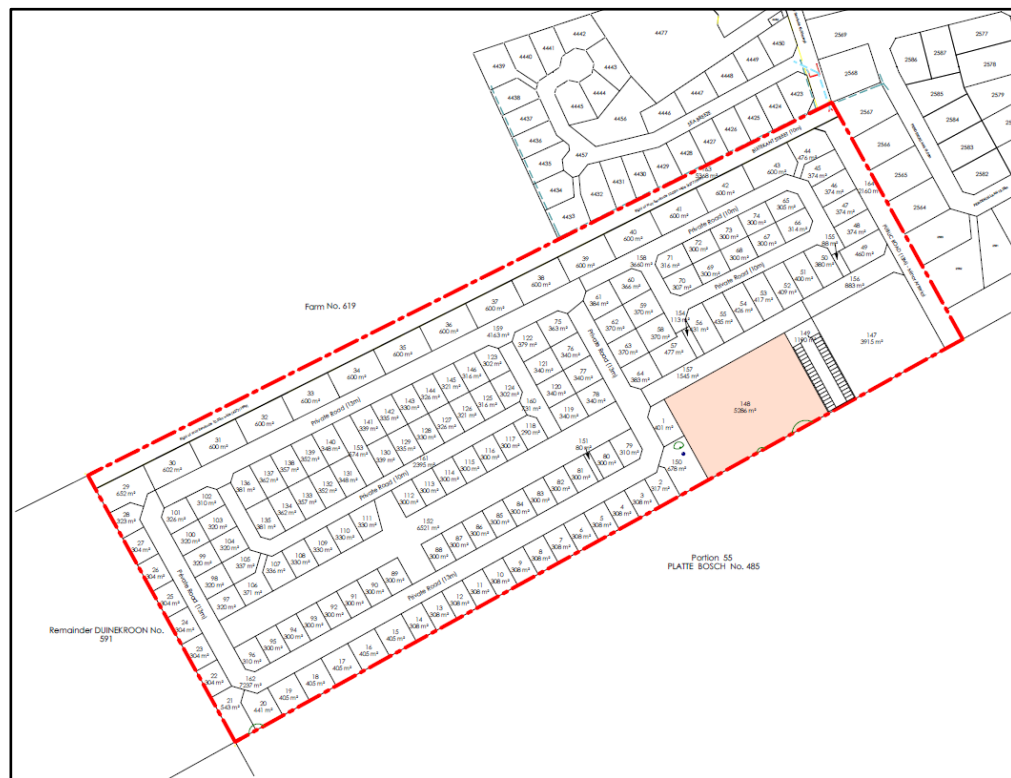


FIGURE 3: PROPOSED GENERAL RESIDENTIAL SITE (FLATS)

3.1.4. Business Zone III (Neighbourhood centre)

A “Business Zone III” property is provided at the entrance of the proposed development. This property will be 3915m² in extent, and will accommodate a communal recreation centre, a neighbourhood shop, a heated indoor pool, and office space.

In order to allow the offices and place of recreation, an application for a consent use “Offices” and a “Sport and Recreation Centre” will be required on this property. The

facilities on this property will be available for the use of the members of the HOA, as well as to the general public.

The Hessequa Zoning Scheme Bylaw defines "Offices" and a "sports and recreation centre" as follows:

"Offices" means property used for the conducting of an enterprise primarily concerned with administrative, clerical, financial or professional duties, and includes:

- (a) medical consulting rooms;
- (b) clinic;
- (c) convenience shop.

"Sports and recreation centre" means an outdoor or indoor sports and recreation facility which may be public or privately owned and which may include sports grounds and fields, golf courses, a sports stadium, as well as ancillary and subservient facilities and amenities like a clubhouse with a restaurant and shop, gymnasium, ablution facilities, stores, and related administrative buildings.

The proposed Business Zone III site is shown in the figure below:

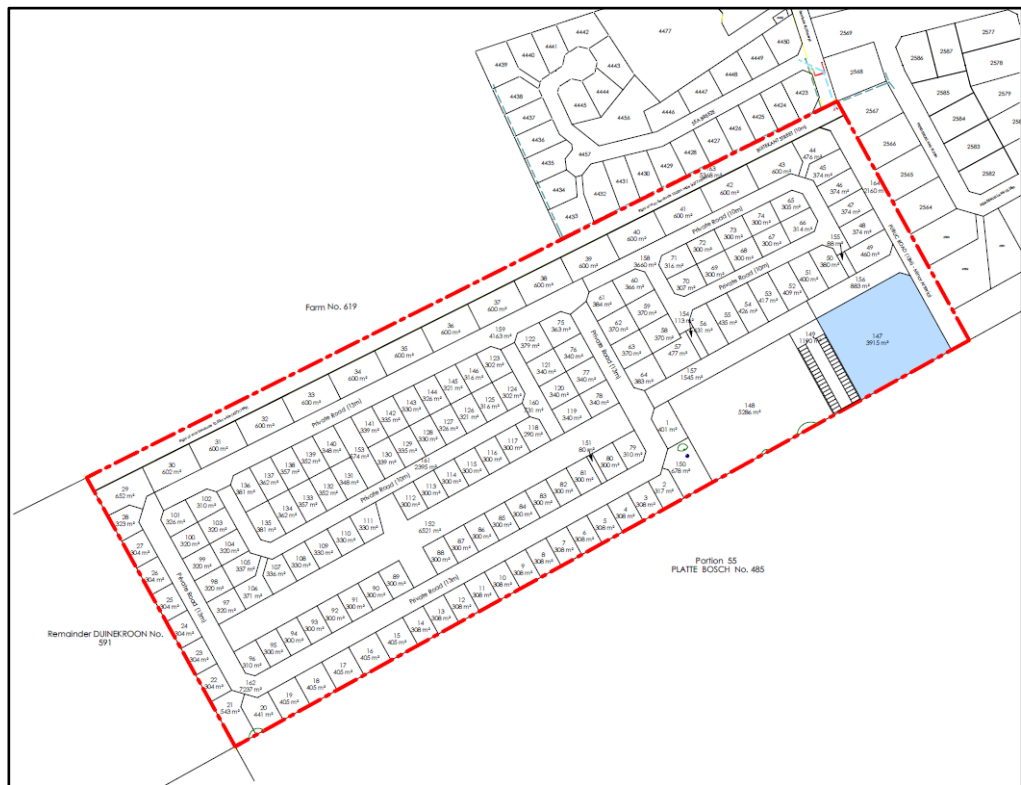


FIGURE 4: PROPOSED BUSINESS ZONE III PROPERTY

3.1.5. Open Space Provision

A total of seven (7x) Open Space Zone II (Private Open Space) erven are provided in the proposed development. A large, centrally located private open space is provided, and a smaller open space is located to the west of the general residential zoned property. This open space contains a borehole, and this open space will be appropriately landscaped as a recreational space.

A total of 9084m² is proposed for this development, and it calculates to 9% of the land uses in the proposed development.

Erf 149 is proposed as a private parking property, this can be used for visitors' parking, as well as parking for the members of the HOA, that attend / use the Business Zone III property. The open space provision of the proposed development is shown in the figure below:

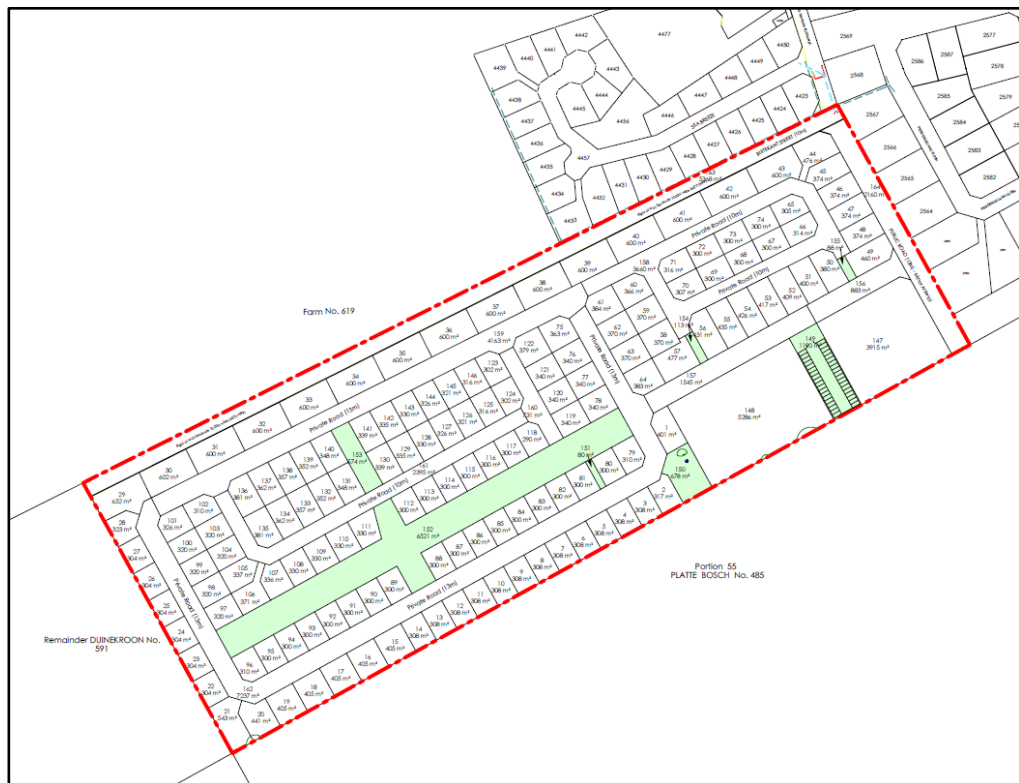


FIGURE 5: OPEN SPACE PROVISION

3.1.6. Proposed Access and Roads

Two Public Streets are proposed (Erf 163 = Buitenkant Street), and the proposed new public street along the eastern boundary.

All roads within the proposed development will be Transport Zone III (Private Road) erven and will be maintained by the HOA.

Access control will be implemented on the private road, entering the proposed development, just west of the proposed Business Zone III property.

The roads of the proposed development are shown in the figure below:

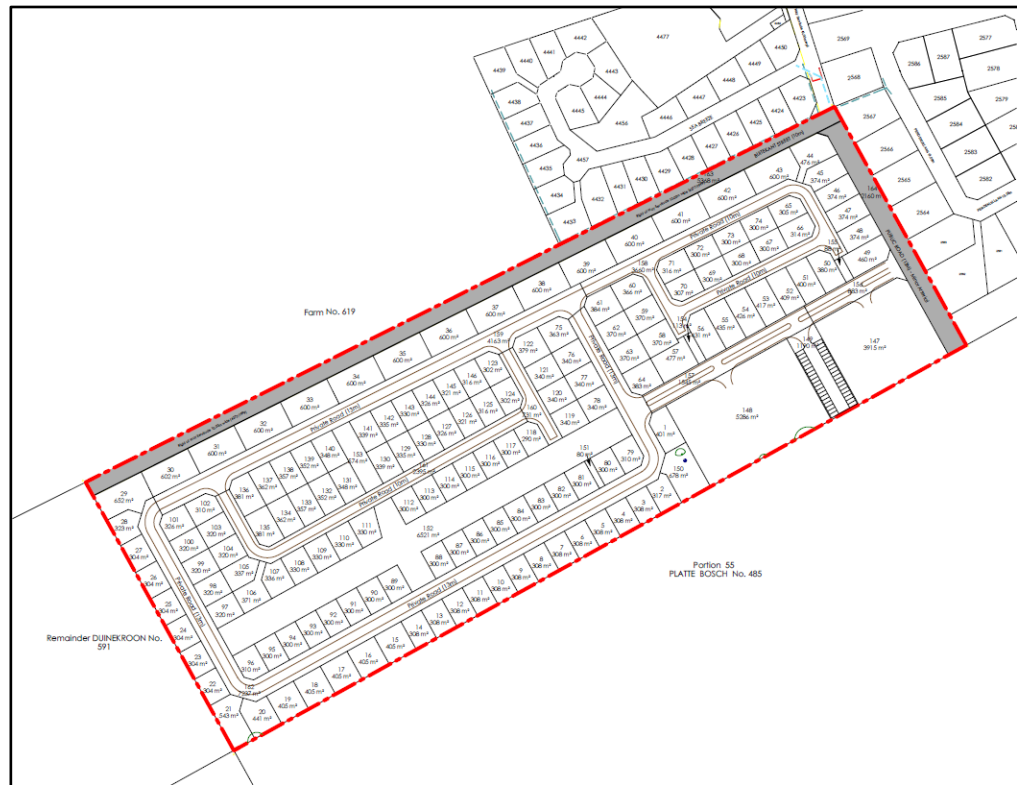


FIGURE 6: PROPOSED ROADS

3.1.7. Harmonious Architectural Entity

The proposed development will form a harmonious architectural entity, with an approved Architectural Design Manual, that will guide the aesthetic design and appearance of the dwellings within the proposed development. The figures below, are artist impressions of the proposed architectural style:



FIGURE 7: PROPOSED ENTRANCE GATE



FIGURE 8: PROPOSED ARCHITECTURAL STYLE

3.1.8. Governance

A Homeowners’ Association will be established to control, administer and manage the communal land, the erven, the common property and the facilities and services. Membership of the HOA will be compulsory for all property owners within the proposed development.

A Sectional Title Body Corporate will be established for the General Residential Erf (Erf 148) and the Business Erf (Erf 147) will each constitute 1x (one) member of the HOA.

3.2. Alternative 1: Previous Approved Development

This alternative consists of the previously approved development proposal, that includes:

- 81x Free hold title Residential Zone III erven;
- 4x Residential Zone III erven with 188 sectional title units
- Institutional Zone III for a Day Hospital

This proposal is not the preferred alternative, as it is regarded as too dense, and not within the character of this area. Since there is already a hospital and acute care facilities in Still Bay, it is believed that the market is saturated for this facility.

3.3. Alternative 2: No – Go Alternative

The no-go alternative will be no development, and the property retains an agricultural zoning. This alternative is not desirable, as the property is too small to farm as an economical farming unit. The farming activities could also have a negative impact on the surrounding residential properties. This is not a reasonable and feasible option: The property is located inside the urban edge of Stilbaai, and if this property is not developed, there will be more pressure for urban sprawl on other land parcels.

4. STATUTORY SPECIFICATIONS

4.1. Proposed Land Development Application

In order to obtain land development rights for the proposed Preferred Alternative, the following land development application will have to be lodged to Hessequa Municipality:

- (i) The rezoning of Portion 1 of the Farm Duinekroon No 591 from "Agriculture Zone I" zone to "Subdivisional Area), in terms of Section 15(2)(a) of the Hessequa Municipality: By-law on Municipal Land Use Planning 2015 (PN 287 of 2015);
- (ii) The subdivision of Portion 1 of the Farm Duinekroon No 591 into 164x erven, in terms of Section 15(2)(d) of the Hessequa Municipality: By-law on Municipal Land Use Planning 2015 (PN 287 of 2015). The subdivisions will be for:
 - a. 146 x General Residential Zone II (Group Housing) erven;
 - b. 1 x General Residential Zone IV (Flats) erf;
 - c. 1 x Business Zone III (Office & Sport & Recreation) erf;
 - d. 7 x Open Space Zone II (Private Open Space) erven;
 - e. 2 x Transport Zone II (Public Road) erven;
 - f. 7 x Transport Zone III (Private Road) erven;
- (iii) A consent use for "Offices" and a "Sport and Recreation Centre" on the "Business Zone III" zoned property (Erf 147), in terms of Section 15(2)(o) of the Hessequa Municipality: By-law on Municipal Land Use Planning 2015 (PN 287 of 2015).

SECTION C : CONTEXTUAL INFORMANTS

5. LOCALITY

(Refer to Plan 1: Locality Plan)

Portion 1 of the Farm Duinekroon No 591 is located to the west of Stilbaai-Wes, south of Buitenkant Street and south of the existing Seebries development.

The coordinates of the centre point of the property are located at 34.377198° South and 21.397254° East.

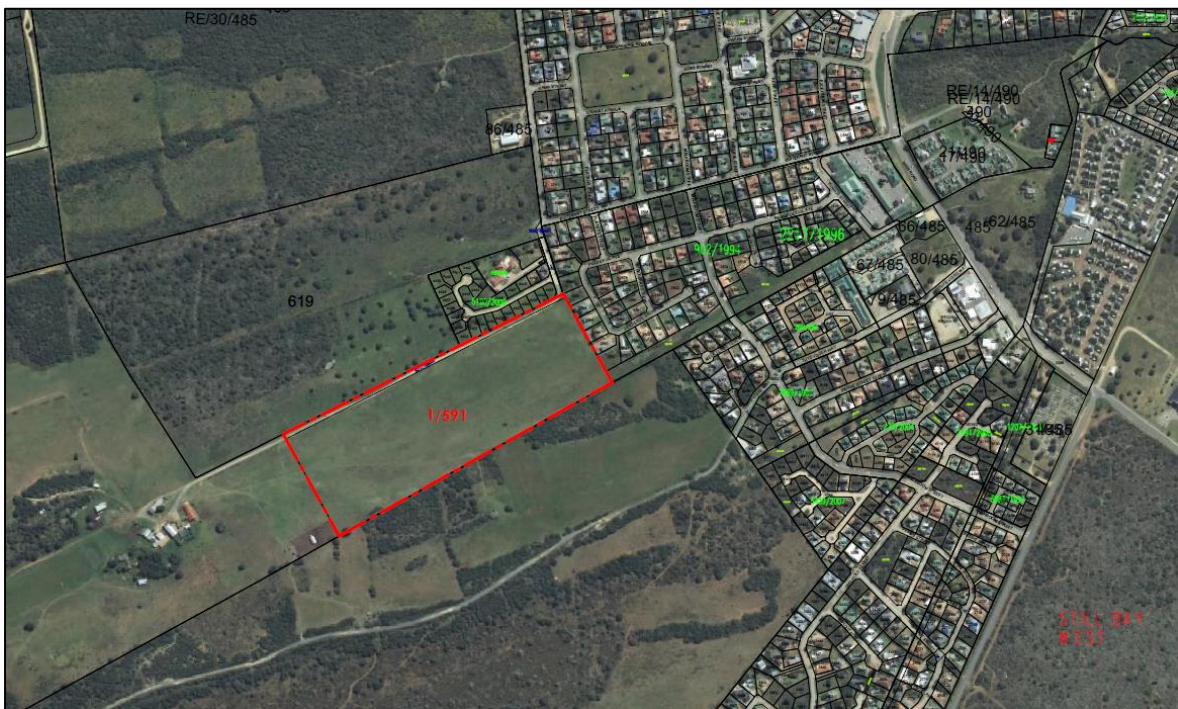


FIGURE 9: LOCALITY

6. CURRENT LAND USE AND ZONING

6.1. Land Use

The application area is currently vacant.

6.2. Zoning

The application area is zoned "Agriculture Zone I" in terms of the new Hessequa Integrated Zoning Scheme By-law. A copy of a recent Zoning Certificate, issued by Hessequa Municipality, is attached as **ANNEXURE B**.

7. SITE CHARACTERISTICS

The site characteristics of the application area are shown in the figure below:



FIGURE 10: SITE CHARACTERISTICS

7.1. Topography

The application area has a moderate to flat topography, and slopes in a southern eastern direction. No slopes on the application area is steeper than 1:4, with heights that vary between 63m and 49m above Mean Sea Level. Given the flat topography, the site is ideally suited to be developed for residential purposes.

7.2. Vegetation

The application area is mostly completely transformed, with approximately 2x scattered milkwood trees that can be accommodated within the building lines reserves of the proposed development.



FIGURE 11: MILKWOOD TREE ON ERF 150

The existing Milkwood tree in the vicinity of the borehole, will be retained as a private open space and the tree will be retained too.

The figure below, shows the moderately sloped, transformed application area.



FIGURE 12: TRANSFORMED VEGETATION ON THE PROPERTY

7.3. Built Environment / Improvements

The application area is vacant. The only improvements on the application area is an existing borehole that is located to the south of the application area.

7.4. Agricultural Potential

Even though the application area is zoned for agricultural purposes, the site has a very low grazing capacity: 1 large stock unit per 12 ha, this means that the application area is too small to accommodate 1x large stock unit.

The application area was earmarked for urban development, since the 1991 Langeberg Regional Structure Plan the property was earmarked for urban development purposes.

The application area is exempted from the provisions of Act 70 of 1970, and therefore there is no need to apply for the subdivision of this land to the National Department of Agriculture. Confirmation from the Department of Environmental Affairs and Development Planning, confirming the exemption, is attached as **ANNEXURE G**.

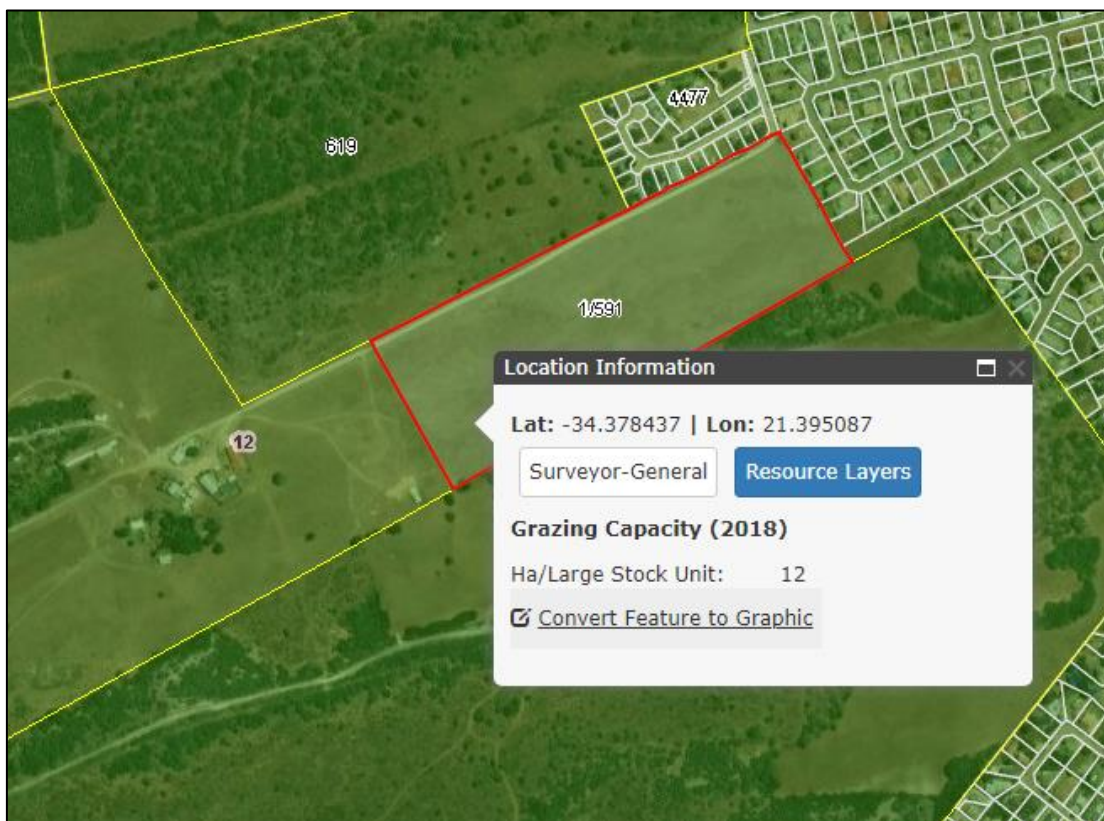


FIGURE 13: LOW GRAZING CAPACITY

8. CHARACTER OF THE AREA

The area where the application area is located, is characterised by low to medium density residential uses and community facilities, as shown in the figures below:



FIGURE 14: UNITED CHURCH STILL BAY ON ERF 4478

Two (2x) places of worship is located in close proximity to the application area (Erf 4478 and Portion 86 of Farm 485). The Seebries group housing development is located north of Buitenkant Street, north of the application area.



FIGURE 15: SEEBRIES DEVELOPMENT

From the above it is clear that the proposed development is consistent with the existing residential character of the area, and that the proposed use is well located, as it will be walking distance from community uses.

The proposed development will not have any negative impacts on the established character of the area.

SECTION D :**SPATIAL PLANNING POLICIES****9. EXISTING POLICY FRAMEWORKS**

This section will discuss the applicable policy frameworks that have an influence on any development proposal on the application area. These include:

9.1. 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 PSDF puts in place a coherent framework for the Province’s urban and rural areas that:

- Gives spatial expression to National and provincial development agendas.
- Serves as basis for coordinated and integrated planning alignment on National and Provincial Departmental Programmes.
- Supports municipalities to fulfil their mandates in line with national and provincial Agendas.
- Communicates government’s spatial development agenda.

The Western Cape Province’s Strategic objectives include:

- **Educating Cape:** Everyone has access to a good education, and the cities, towns and rural villages are places of innovation and learning
- **Working Cape:** There are livelihood prospects available to urban and rural residents, and opportunities for them to find employment and develop enterprises in these markets.
- **Green Cape:** All households can access basic services that are delivered resource efficiently, residents use land and finite resources prudently, and safeguard their ecosystems.
- **Connecting Cape:** Urban and rural communities are inclusive, integrated, connected and collaborate.
- **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.

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

The Western Cape’s agenda for spatial transformation and improved efficiencies in the use of natural resources are closely linked. The PSDF states that the paradigm that economic growth implies the on-going depletion of the Province’s natural capital needs to be broken. This is the rationale for the PSDF embracing a transition to a Green Economy. The so-called ‘decoupling’ of economic growth strived for, requires reductions/substitutions and/or replacements in the use of limited resources, while avoiding negative environmental impacts.

The recent shift in legislative and policy frameworks have clearly outlined the roles and responsibility of provincial and municipal spatial planning and should be integrated towards the overall spatial structuring plan for the province to create and preserve the resources of the province more effectively through sustainable urban environments for future generations. This shift in spatial planning meant that provincial inputs are in general limited to provincial scale planning.

The table below contains a summary of the key transitions promoted in the PSDF:

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

FIGURE 16: KEY TRANSITIONS FOR THE PSDF

The proposed development compliments 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 and strengthening the economy in rural areas;
- (iii) Strengthening resilience and sustainable development.

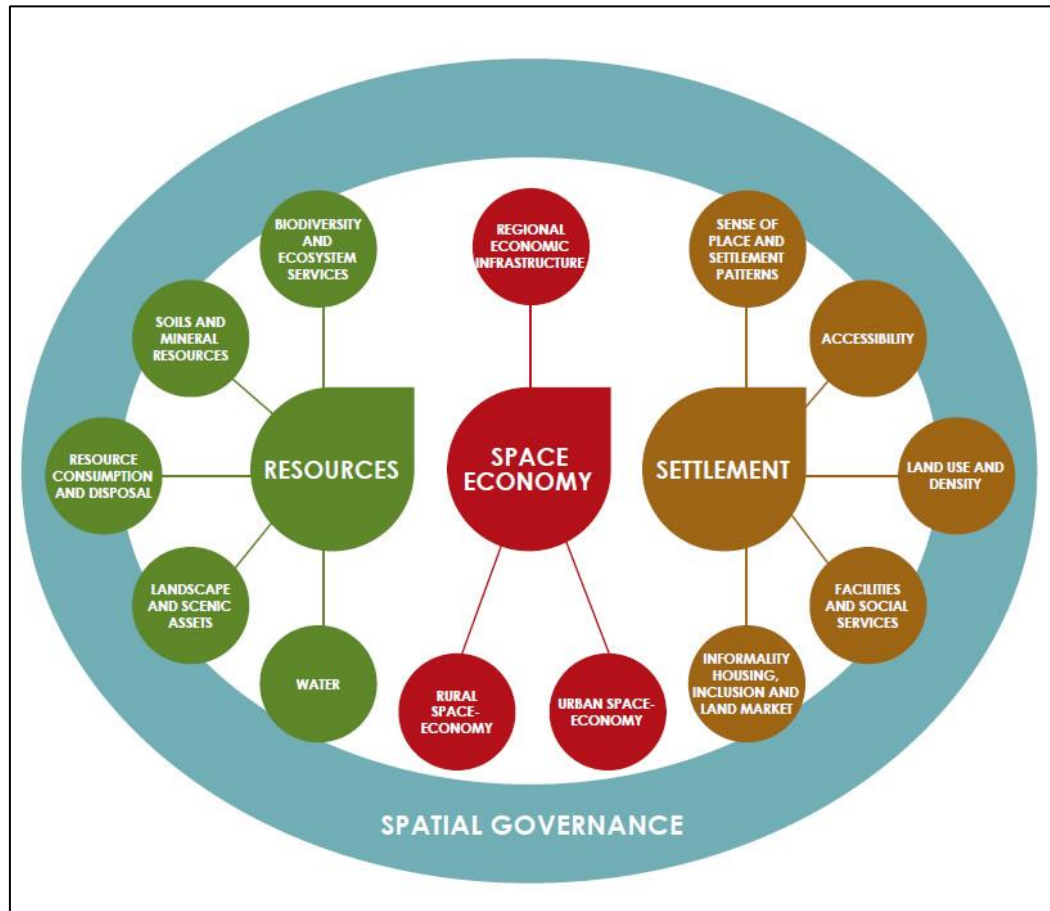


FIGURE 17: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

However, it is important to note some of the key policies laid down by the PSDF have a bearing on the proposed development:

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

Policy Statement	Development’s response
2. Whilst public investment in the built environment to be spatially targeted to complement <i>new regional economic infrastructure investments</i> (in the dominant and emerging regional growth centres as identified), it will also be made available <i>to any settlement that makes a business case for delivering on the Provincial Strategic Objectives</i> . In this	<ul style="list-style-type: none"> ▪ <i>Stilbaai is one of the identified growth nodes in Hessequa Municipality.</i> ▪ <i>Complies with "Living Cape" as this new living environment will be walking distance from business and community uses.</i>

Policy Statement	Development's response
regard the Growth Potential Study (GPS) to be used as a tool to inform spatial investment decisions	
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 use, creating additional employment opportunities and generating additional income for the Hessequa Municipality.</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>
3. Respond to and enhance an economically, socially and spatially meaningful settlement hierarchy that takes into account the role, character and location of settlements in relation to one another while preserving the structural hierarchy of towns, villages, hamlets and farmsteads in relation to historical settlement patterns.	<ul style="list-style-type: none"> ▪ <i>Stilbaai is one of the main settlements in the Hessequa Municipality, with high development potential. It is therefore appropriate to locate this proposed development in Stilbaai.</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	<ul style="list-style-type: none"> ▪ <i>The application area is within walking distance of the Stilbaai CBD and other community uses.</i>

Policy Statement	Development's response
regeneration and revitalisation of settlements.	
2. Promote <i>functional integration and mixed use</i> as a key component of achieving <i>improved levels of settlement liveability</i> and counter apartheid spatial patterns and decentralization through densification and infill development	<ul style="list-style-type: none"> ▪ <i>Given the existing mixed uses in the area, the proposal will indeed contribute to mixed land uses.</i>

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

Policy Statement	Development's response
6. Increase densities of settlements and dwelling units in new housing projects	<ul style="list-style-type: none"> ▪ <i>The proposed density of 18 units / ha is denser than the existing single residential areas, and consistent with the densities of the surrounding group housing developments.</i>

Planning Implication:

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

9.2. 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 providing guidance to local municipalities in the District regarding future spatial planning, strategic decision-making and regional integration.

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

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

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

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

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

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

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

STRATEGY: GROWTH MANAGEMENT	
Policy 3.3. Optimise existing infrastructure capacity and economic opportunity by directing mixed-use, higher density development to areas of opportunity	
Guideline 3.3.7. Promote compact development	Compliance with the land development application
<ul style="list-style-type: none"> ▪ Density should occur within 800-1600 m or 10- 20 minutes from transport hubs and areas with mixed-use activity. ▪ The promotion of a more compact city form requires an increase in average gross density. However, an increase in density should maintain the character and form of certain heritage areas and natural environments so as to not damage or negatively impact the surroundings. ▪ Appropriate urban density is key to achieving the Eden SDFs policy objectives 	<ul style="list-style-type: none"> ▪ The proposed development is within walking distance from community services (places of worship) and business uses (750m). ▪ The proposed development will therefore result in an integrated and compact urban form for Stilbaai.

Further to the above, according to this regional SDF, Stilbaai has a residential and tourism role, and therefore the proposed development will strengthen this existing role of Stilbaai.

Stilbaai has been categorised as a "*Specialised Coastal Centre*". These are 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. Appropriate development in "*Specialised Coastal Centre*" would be development only within the urban edge only, and development that keeps in character with promotion of a walkable, compact urban environment.

Planning Implication:

The proposed development of Portion 1 of the Farm Duinekroon No 591 as a "residential estate" is regarded as being consistent with the Eden District SDF.

9.3. Hessequa Spatial Development Framework (2017)

The Spatial Development Framework (SDF) is one of the sectoral plans of an Integrated Development Plan. According to the law of Municipal Systems, 2000 (Act 32 of 2000), the purpose of the SDF is to give general spatial guidelines to officers on a consistent basis, which aims to an integrated and sustainable city, town and residential area. Also included in the SDF:

- spatial analysis of the Municipality
- Spatial development principles
- Maps which identify certain spatial goals

Hessequa SDF has identified towns which has high growth potential. According to the results of the growth potential study that was conducted by provincial authority, growth and development strategies must be focussed on towns that has relatively growth potential towards other towns. These towns include:

- Riversdale
- Heidelberg
- Albertinia
- Stilbaai

Still Bay is one of the biggest coastal towns from Gansbaai until Mossel Bay. Coastal towns play an enormous role from a regional perspective and thus the Still Bay area should be considered as a top coastal development node.

The application area is located inside the demarcated urban edge of Stilbaai, and it is also earmarked as a proposed "medium density residential" area.

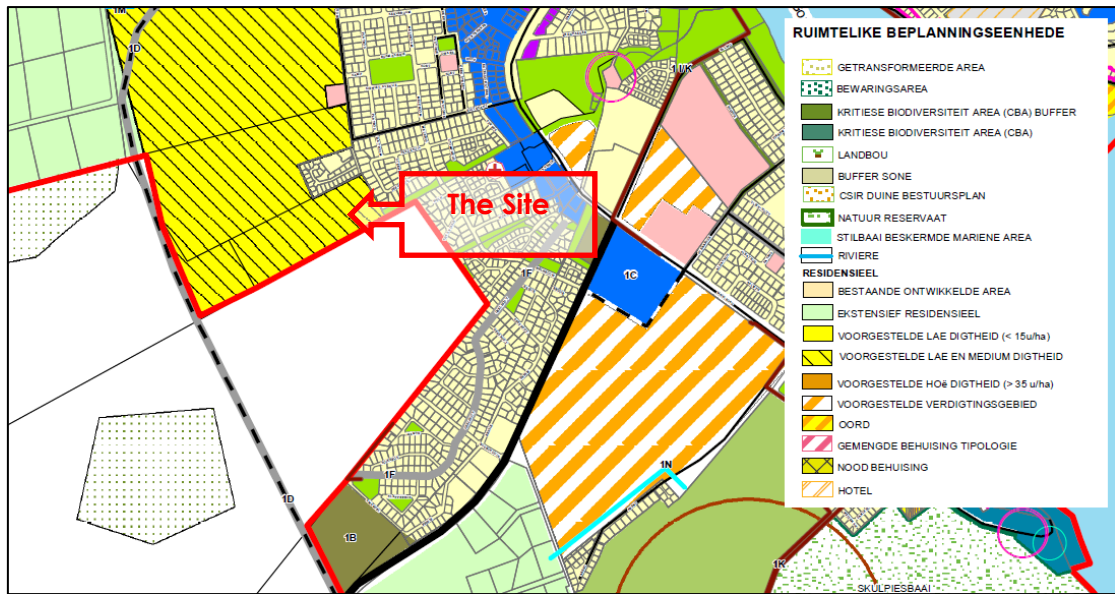


FIGURE 18: EXTRACT HESSEQUA SDF – STILBAAI-WES

Planning Implication:

The application area is located inside the demarcated urban edge of Stilbaai, and earmarked for medium density residential purposes. The proposal is therefore consistent with the local Municipal Spatial Development Framework.

9.4. Hessequa Integrated Development Plan (2017–2022)

The Integrated Development Plan (2017-2022) is the fourth generation of strategic development plans together with proper monitoring of progress on goals as provided in the National Development Plan and the Hessequa Long Term Financial Plan. The image below is a condensed summary of the Hessequa Municipality’s Vision; Mission & Strategic Objectives.



FIGURE 19: HESSEQUA VISION, MISSION & STRATEGIC OBJECTIVE

The key pillars of sustainability for the Hessequa Municipality's are Social Well-being, Economic Viability and Environmental Integrity.

According to the Municipal IDP, the key development priorities for Stilbaai include:

- Commercial Development;
- Industry Development;
- Bulk Infrastructure Development;
- Property Development;
- Water Security

The IDP highlights the following aspects for Stilbaai in the IDP:

- There has been a change in the attitude of most residents towards a positivity regarding growth.
- Growth is inevitable and the focus should be on managing the growth to protect what is important to the residents
- When a critical mass of development is reached the element of crime will also manifest, therefore development should be strictly managed and guided towards a common goal of maintaining the "ambience" and "free" characteristics of the town.

Planning Implication:

The IDP is a municipal planning tool to integrate municipal planning and allocate municipal funding to achieve strategic objectives that will contribute to the overall municipal vision.

The IDP recognises the need for property development in Stilbaai, and also the need for growth and development.

It is the considered opinion that the proposed development of Portion 1 of the Farm Duinekroon No 591 is consistent with the Hessequa IDP.

SECTION E :**STATUTORY REQUIREMENTS****10. 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 in order 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.

10.1. 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 forward planning and land use policy of the area must be examined. Therefore, the consistency with the existing approved Spatial Development Framework (SDF), the current Integrated Development Plan (IDP) and other municipal planning policy 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"?

10.2. Desirability

The desirability of a proposed development also relies heavily on the 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.

10.3. Planning Evaluation

The above boxes for need and desirability can be ticked. The current Spatial Development Framework earmarks the subject property for future urban development and locates the subject property inside the urban edge of Stilbaai.

The Integrated Development Plan (IDP) sets out strategic objectives to achieve the desired goal of the Hessequa Municipality.

The development proposal is consistent with all the applicable policy guidelines, it is consistent with the Hessequa IDP and consistent with the character of the area. It is therefore the considered opinion that it is indeed desirable.

11. 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 the permission from Heritage Western Cape.

In order to obtain permission, an application (Notice of Intent to develop – (NID), has to be submitted to Heritage Western Cape (HWC). A suitably qualified Heritage consultant has been appointed to comply with the requirements of the Heritage Act.

12. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)

Section 42 of SPLUMA prescribe certain aspects that have to be taken into consideration when deciding on 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.

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

The purpose of this Provincial legislation is to consolidate legislation in the Province pertaining to provincial planning, regional planning and development, urban and rural development, regulation, support and monitoring of municipal planning and regulation of public places and municipal roads arising from subdivisions; to make provision for provincial spatial development frameworks; to provide for minimum standards for, and the efficient coordination of, spatial development

frameworks; to provide for minimum norms and standards for effective municipal development management; to regulate provincial development management; to regulate the effect of land development on agriculture; to provide for land use planning principles; to repeal certain old-order laws; and to provide for matters incidental thereto.

Section 59 of this Act prescribe the Land Use Planning Principles that are applicable to all land development in the Province. These are summarised in the tables below.

The tables below aim to summarise how the proposed development on Portion 1 of the Farm Duinekroon No 591 complies with these planning principles.

13.1. Spatial Justice

Criteria	Compliance	Planning Implication
Past spatial and other development imbalances must be redressed through improved access to and use of land.	Not applicable	This policy is not applicable to the application area.
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.	Not applicable	This policy is not applicable to the application area. Not a Spatial Development Framework or Policy.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	Not applicable	This policy is not applicable to the application area.
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.	Not applicable	This policy is not applicable to the application area.
Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas.	Not applicable	The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Hessequa Municipality, 2015.

Criteria	Compliance	Planning Implication
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.	COMPLY	The municipality should process this application within the prescribed guidelines of the Land Use Planning By-Law for Hessequa Municipality, 2015.
The right of owners to develop land in accordance with current use rights should be recognised.	COMPLY	<ul style="list-style-type: none"> ▪ The applicant has a right to develop this property for agricultural purposes. This is not the most desirable use, as the property has low agricultural potential, and the agricultural uses could negatively impact on the surrounding residential areas. ▪ Also, the surrounding residential areas have a right to develop their properties for residential purposes, and the proposal will not impact negatively on the residential rights of the surrounding residential properties.

13.2. Spatial Sustainability

Criteria	Compliance	Planning Implication
Promote land development that is spatially compact, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority;	COMPLY	<ul style="list-style-type: none"> ▪ The proposed development can be regarded as infill development, hence spatially compact development for Stilbaai. ▪ The proposal will contribute to additional capital income for the municipality.
Ensure that special consideration is given to the protection of prime, unique and high potential agricultural land.	COMPLY	<ul style="list-style-type: none"> ▪ Not high potential Agricultural land ▪ Application area exempted from the provisions of Act 70 of 1970.
Uphold consistency of land use measures in accordance with environmental management instruments.	COMPLY	Currently busy with an environmental authorisation process.
Promote and stimulate the effective and equitable functioning of land markets.	COMPLY	<ul style="list-style-type: none"> ▪ The properties in the surrounding area which consist of a diverse group of land uses. ▪ Development is occurring in the area and change of land use is not an irregular occurrence. ▪ The proposal to rezone will not influence the functioning of the land markets in the area.

Criteria	Compliance	Planning Implication
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	COMPLY	Any service upgrades at the cost of the applicant. Civil and electrical services report is to be provided with the land use application.
Promote land development in locations that are sustainable and limit urban sprawl.	COMPLY	<ul style="list-style-type: none"> The application area is located within the urban edge of Stilbaai, and within walking distance of community facilities, as well as business opportunities.
Result in communities that are viable.	COMPLY	<ul style="list-style-type: none"> The proposed development will result in additional rate payers that will support the existing retail businesses in town. The proposed development will create additional temporary and permanent employment opportunities for the area.
Strive to ensure that the basic needs of all citizens are met in an affordable way.	Not Applicable	This principle is not applicable to the applicant or this development.
The sustained protection of the environment should be ensured.	COMPLY	<ul style="list-style-type: none"> Currently busy with an environmental authorisation process. The site is mostly transformed, flat and no water courses exist on the site. The existing milkwood trees will be retained.

13.3. Spatial Efficiency

Criteria	Compliance	Planning Implication
Land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities.	COMPLY	<ul style="list-style-type: none"> Given the strategic location of the application area, the proposed development will support the existing community uses and business activities in the area.
Integrated cities and towns should be developed.	COMPLY	<ul style="list-style-type: none"> The area is characterised by mixed uses, community uses and business uses. The proposed use will support these uses, and further support the existing mixed uses, thereby supporting the integration of various uses in town.
Policy, administrative practice and legislation should promote speedy land development.	Not Applicable	The municipality should process this application within the prescribed time frames of the Land Use Planning By-Law for Hessequa Municipality, 2015.

13.4. 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>The proposal is in line with all the various spatial plans, zoning scheme and policies, as motivated by the report.</p> <p>Currently busy with the Environmental authorisation process.</p> <p>The proposed application complies with the requirements of the Land Use Planning By-Law for Hessequa Municipality, 2015.</p>

13.5. Good Administration

Criteria	Compliance	Planning Implication
All spheres of government should ensure an integrated approach to land use planning.	Applicable to Hessequa Municipality	<p>This principle has no direct bearing on the application; however, the Hessequa Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.</p> <p>What is however important is that all decision making is aligned with sound policies based on nation, provincial and local development policies.</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 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		

Criteria	Compliance	Planning Implication
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.		

14. 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. Requires a land use approval for a rezoning from "Agriculture Zone" to "Subdivisional Area" to allow the property to be developed as a residential estate;
2. This application will require approval from Heritage Western Cape in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) since the proposal will constitute the rezoning of a property exceeding 1 ha in extent.
3. The application area is exempted from the provisions of Act 70 of 1970.
4. No development is proposed on environmentally sensitive areas. Development is proposed on the portions of land with a flat topography which is suitable for urban development;

5. Is consistent with the 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 the proposed development, and 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, that is imperative to ensure sustainable development.

Marike Vreken Urban and Environmental Planners
July 2022

897368

Rig alle korrespondensie aan die Munisipale Bestuurder
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HESSEQUA

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1 September 2015

Meneer

AANSOEK OM HERSONERING, ONDERVERDELING, VERGUNNINGSGEBRUIK EN AFWYKING: GEDEELTE 1 VAN DIE PLAAS DUINEKROON, NO. 591, STILBAAI-WES

U aansoek gedateer 02 Maart 2015, verwys.

Die Uitvoerende Burgemeesterskomitee van die Hessequa Raad het tydens sy vergadering van 26 Augustus 2015 (Item: 5.4.4.5) u aansoek oorweeg en as volg besluit:

Dat die aansoek ingevolge die bepalings van Artikel 15(1)(a)(i), 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), vir die Afwyking, Hersonerings en Onderverdelingsaansoek Regulasie 4.6 van PK 1048/1988, vir 'n Vergunningsgebruik, op Gedeelte 1 van die Plaas Duinekroon, No. 591, Stilbaai-Wes, ten einde 'n aftree landgoed te ontwikkel, soos volg:

Hersonering vanaf Landbousone I na Onderverdelingsgebied om voorsiening te maak vir die volgende:

1.1 Residensiële Sone III met 'n Vergunning vir 'n Aftree-oord in:

- a) 188 Deeltitel Wooneehede;
- b) 65 Groepbuisingswooneehede met 'n gemiddelde grootte van 300m² tot 500m²;
- c) 16 Groepbuisingswooneehede met 'n gemiddelde grootte van 500m² tot 700m²;

1.2 Institusionele Sone III vir 'n Daghospitaal, Verswakte Sorgeenheid en Mediese Sentrum;

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Tel: (028) 713 8019

GOURITSMOND
Tel: (028) 713 7855

WITSAND
Tel: (028) 713 7868

1.3 Vervoersone III;

1.4 Oop Ruimte Sone II (Privaat Oopruimte);

2 Onderverdeling van Gedeelte 1 van die Plaas Duinekroon, Nr. 591 in:

- 81 Residensiële Sone III (Enkel Woonerwe);
- 4 Residensiële Sone III (Deeltitel Woonerwe);
- Afwyking van 10m boulyne na 4.5m straatboulyne en 3m van die kant- en agterboulyne van die voorgestelde Daghospitaal en Verswakte Sorgeenheid erwe; **GOEDGEKEUR WORD**, onderworpe aan die volgende voorwaardes opgelê ingevolge Artikel 42 van die genoemde Ordonnansie:

1. Strate en Stormwater

- 1.1. Dat die voorgestelde 14 Residensiële erwe almal toegang verkry vanaf die 13m toegangspad;
- 1.2. Dat die ontwikkelaar verantwoordelik is vir die konstruksie en koste van die toegangspad tot bevrediging van die Tegniëse Afdeling van Hessequa Munisipaliteit;
- 1.3. Dat die ontwerp van die toegangspad en interne strate van Fase 1 voorgelê word aan die Hoof: Tegniëse Dienste vir goedkeuring;
- 1.4. Dat stormwaterdreinerings die verantwoordelikheid van die ontwikkelaar is en saam met die bouplanne op 'n terreinplan aangespreek word;
- 1.5. Dat strate en stormwaterdreinerings deur 'n Raadgewende Ingenieur ontwerp word volgens die Raad se spesifikasies;
- 1.6. Dat Ingenieurstekeninge voorsien word van die geometriese uitleg van die strate vir die koste van die ontwikkelaar;
- 1.7. Dat die aansoeker verantwoordelik is om die stormwater vanaf die erwe na die straat te dreineer;

2. Water

- 2.1. Dat die Waternetwerk deur 'n Raadgewende Ingenieur ontwerp word;
- 2.2. Dat 'n watermeter vir elkeen van die nuwe gedeeltes aangebring word;
- 2.3. Dat die Waternetwerk volgens die Raad se spesifikasies ontwerp word;
- 2.4. Dat Waternetwerk Ontwerpplanne voorgelê word aan die Hoof: Tegniëse Dienste vir goedkeuring;
- 2.5. Dat geen besoedeling van grond-of oppervlak waterbronne mag plaasvind nie;
- 2.6. Dat alle Artikels en Regulasies in die Nasionale Waterwet, 1998 (Wet 36 van 1998) rakende watergebruik moet nagekom word.

3. Riool

- 3.1. Dat Rioolnetwerk deur 'n Raadgewende Ingenieur ontwerp word om in te skakel by Munisipale rioolnetwerk;
- 3.2. Dat Rioolnetwerk ontwerp word volgens die Raad se spesifikasies;

- 3.3. Dat die Rioolnetwerk Ontwerpplanne voorgelê word aan die Hoof: Tegniese Dienste vir goedkeuring;

4. Elektrisiteit

- 4.1. Dat die Elektrisiteitsnetwerk deur 'n Raadgewende Ingenieur ontwerp word;
- 4.2. Dat die Elektrisiteitsnetwerk ontwerp word volgens die Raad se spesifikasies;
- 4.3. Dat Elektrisiteitsnetwerk Ontwerpplanne voorgelê word aan die Hoof: Tegniese Dienste vir goedkeuring;
- 4.4. Dat 'n basiese aansluiting van enkel fase, 30 ampère per wooneenhede verskaf moet word;
- 4.5. Dat die elektriese behoefte van die daghospitaal deur die Tegniese Afdeling geëvalueer moet word;
- 4.6. Dat indien die bestaande Munisipale Infrastruktuur opgegradeer moet word as gevolg van die behoefte van ontwikkeling, dit vir die koste van die ontwikkelaar sal wees.

5. Straat

- 5.1. Dat die Straatontwerp stormwater in ag sal neem;
- 5.2. Dat die straatontwerp gedoen sal word deur 'n Raadgewende Ingenieur;
- 5.3. Dat die straatontwerp gedoen sal word volgens die Raad se spesifikasies;
- 5.4. Dat 'n Straatontwerpplan voorgelê word aan die Hoof: Tegniese Dienste vir goedkeuring;

6. Algemeen

- 6.1. Dat Bouplanne ingedien word vir goedkeuring in terme van die Nasionale Bouregulasies (NBR);
- 6.2. Dat die goedkeuring slegs as geïmplementeer geag te wees met die uitreiking van okkupasiesertifikate met die ooreenstemmende bouplanne;
- 6.3. Dat hierdie goedkeuring slegs geld ten opsigte van die Afwyking, Hersoening, Onderverdeling en Vergunning waarvoor aansoek gedoen is vir Fase 1 van die ontwikkeling, soos aangedui op die aangehegte planne tot hierdie verslag met die departement se stempel op en mag nie beskou word as goedkeuring vir afwyking of vergunningsgebruik van enige ander vereistes nie of eiendoms gedeelte van die totale ontwikkeling nie;
- 6.4. Dat die goedkeuring slegs van toepassing sal wees soos uiteengesit op die Terreinontwikkelingsplan (Projekfasering), Z-02a gedateer 20 Januarie 2015;
- 6.5. Dat 'n gewysigde Terreinontwikkelingsplan ingedien word wat die Projekfasering aantoon oor 'n 5 jaar periode vanaf 2015 tot 2019;

- 6.6. Dat die volgende kapitaal bydrae betaalbaar is per nuut geskepte woonerf en daghospitaal ten opsigte van Fase 1:

Water & Riool	R 5 000.00 x 14 woonerwe	R 70 000.00
Elektrisiteit	R13 875.00 x 14 woonerwe	R 194 250.00
Water (50% van Sake)	R 4 218.00 (Daghospitaal)	R 2 109.00
Riool (50% van Sake)	R 2 633.00 (Daghospitaal)	R 1 316.50
Elektrisiteit (50% van Sake)	R 13 875.00 (Daghospitaal)	R 6 937.50
Totaal:		R 274 613.00

- 6.7. Dat 'n sertifikaat voorsien moet word van 'n Raadgewende Ingenieur wat bevestig dat dat alle dienste volgens goedgekeurde ontwerpe geïnstalleer is alvorens enige oordrag van enige erf kan plaasvind;
- 6.8. Dat Stormwater van hoogliggende erwe deur die ontwikkeling geakkommodeer moet word;
- 6.9. Dat enige Munisipale dienste wat beskadig is gedurende die voorgestelde ontwikkeling deur die ontwikkelaar herstel moet word volgens Munisipale standaarde;
- 6.10. Dat boulyne vir die voorgestelde Residensiële erwe voldoen aan Stilbaai Skemaregulasie en dat boulyne wat grens aan hoof toevoerroetes (13m) gesien sal word as kant-of agtergrensboulyne;
- 6.11. Dat geen woonerf toegang verkry vanaf hoof toevoerroetes (13m) nie;
- 6.12. Dat boulyne vir die voorgestelde Dagghospitaal erf voldoen aan Stilbaai Skemaregulasie "Institusionele Sone II";
- 6.13. Dat die ontwikkelaar verantwoordelik is vir die wegdoening van alle vaste afval vanaf die residensiële eiendom en dagghospitaal;
- 6.14. Dat geen vaste afval op enige oop ruimtes, residensiële erf of aangrensend tot enige residensiële erf, oopruimte of straat reserwes geberg of gestoor mag word nie;
- 6.15. Dat enige Munisipale/huidige dienste wat opgradering nodig het om die ontwikkeling te akkommodeer, die ontwikkelaar se verantwoordelikheid sal wees en vir sy koste;
- 6.16. Dat die hantering van vaste afval te alle tye moet voldoen aan die vereistes van Artikel 20(1) van die Wet op Omgewingsbewaring, Wet 73 van 1989;
- 6.17. Dat die Grondgebruik beheermaatreëls moet voldoen aan die Stilbaai Skemaregulasie;
- 6.18. Dat die ontwikkelaar verantwoordelik is om toe te sien dat daar voldoen word aan die vereistes gestel in die "Rekord van Besluitneming" soos

uitgereik deur die Departement van Omgewingsake en
Ontwikkelingsbeplanning, gedateer 25 November verwysing
16/3/1/1/D5/18/0047/13;

- 6.19. Dat kapitaalbydraes gehef sal word vir die ander fases soos dit ontwikkel gaan word;
- 6.20. Dat die kapitaalbydraes vir die ander fases die bydrae sal wees soos ten tyde van die goedkeuring van die terreinontwikkelingsplan vir daardie spesifieke fase;
- 6.21. Dat kapitaalbydraes slegs nou vir Fase 1 gehef sal word.

Hoop u vind dit so in orde.

Die uwe



HS VISSER
BESTUURDER: BEPLANNING & OMGEWING

HESSEQUA

Munisipaliteit / Municipality / U Masipala



Rig alle korrespondensie aan die Munisipale Bestuurder
Address all correspondence to the Municipal Manager

Tel: (028) 713 8000

Faks / Fax: 086 4015 118

Posbus / P.O. Box 29, RIVERSDAL(E), 6670

E-pos / E-mail: info@hessequa.gov.za

www.hessequa.gov.za

Van den Bergstraat

RIVERSDAL(E)

Verw. / Ref: LD-1/591

Navrae/Enquiries: L. Steyn

31 January 2022

ZONING CERTIFICATE

PORTION 1 OF THE FARM DUINEKROON 591

In terms of the Hessequa Zoning Scheme By-law, Portion 1 of the Farm Duinekron 591, is zoned as **"AGRICULTURE ZONE 1"**.

This property may only be used as such and for no other purposes.

Please note:

- a. The above zoning category and land use rights are subject to various development parameters and restrictions contained in the applicable zoning scheme a copy of which is available on request at the Hessequa Municipality.
- b. The extract information above primarily states land use rights as reflected in the relevant By-law and doesn't necessarily include reference to all previous land use approvals, restrictions, exclusions or departures. As such, you are therefore required to check the subject property's title deed for any restrictions that might be more onerous and/or records of any other previous approvals, consents, exclusions or departures granted from the zoning scheme By-law.
- c. Use of the property in accordance with the above specified zoning category does not exempt the owner/occupier from compliance with any other legal statutory requirement which may affect the property.
- d. This document has no status unless signed by the Manager: Town Planning or other person exercising sub-delegated powers.

Yours truly,

HS VISSER (Pr. Pln.)
DIRECTOR: DEVELOPMENT PLANNING

NOTULE: GRONDGEBRUIK PRE-AANSOEKDATUM: **03/03/2022**

NOTA: Pre-aansoek konsultasie is 'n toeligting sessie en bepaal op geen wyse die uitkoms van enige toekomstige aansoek wat by die munisipaliteit ingedien word nie.


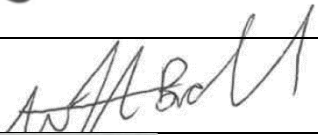

(Sluit aansoeke vir Afwyking van Huiswinkels en Boulynoorskrydings uit)

BESONDERHEDE

Verwysingsnommer (Erf No. & Town): **LD-1/591**

Kort voorstel: **Onderverdeling en Hersonerig**

Aanwesiges:

	Naam & Van	Organisasie	Handtekening
Bestuurder	Paul Louw	Hessequa Munisipaliteit	
Stadsbeplanner	Wessel van Brakel	Hessequa Munisipaliteit	
Stadsbeplanner	Marco Booyesen	Hessequa Munisipaliteit	

BESPREKING:

- Aansoek kan voortgaan.
- Aktebesorgersertifikaat.
- Diensteverlag
- TIA
- Omgewings Impak Studie
- Maatskappy Resolusie

PUBLIEKE DEELNAME

Omliggende Bure	50m Radius
Adverteer	Suid Kaap Forum

Instansies	Stilbaai Belange Forum, Stilbaai Sakekamer, Hessequa Ontwikkelings Forum
------------	--

KOMMENTAAR			
------------	--	--	--

Boubeheer		Departement Landbou	
Tegnies	X	Departement Omgewingsake en Ontwikkelingsbeplanning (DEADP)	X
Verkeer	X	Departement Vervoer en Openbarewerke (Provinsiale Paaie)	

Raubenheimers Ing
Posbus 21
Cathedralstraat 60
George
6530

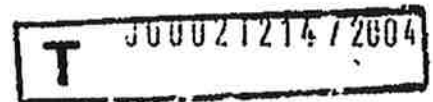
Opgestel deur my

SEELREG DUTY R.	
FOOI FEE R.	100.00


TRANSPORTBESORGER
LUTTIG WM

TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT



voor my verskyn het, REGISTRATEUR VAN AKTES, te KAAPSTAD, hy die genoemde komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan hom verleen deur

Die Trustees van tyd tot tyd van DUINEKROON TRUST
Nr. IT1193/96

Geteken te STILBAAI op 22 DESEMBER 2003

En genoemde Komparant het verklaar dat sy prinsipaal, op 18 November 2003, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

QUICKSTEP 596 (EDMS) BEPERK
Nr. 2603/027800/07

diese Opvolgers in titel of Regverkrygendes,

Gedeelte 1 van die Plaas Duinekroon Nommer 591, geleë in die Munisipaliteit Langeberg, Distrik Riversdal, Wes-Kaap Provinsie ;

GROOT 10 (TIEN) Hektaar

EERSTE OORGEDRA en steeds gehou kragtens Sertifikaat van Geregistreerde Titel Nr T 62302/2002 met Kaart Nr 6277/1999 wat daarop betrekking het.

- A. **ONDERHEWIG** aan die voorwaardes verwys na in Transportakte Nr 4672/1971
- B. **ONDERHEWIG VERDER** aan die gereglig op die voordele van die voorwaardes verval in Verdelingstransportakte Nr T 2535/1938, naamlik:

"That all existing road on any of the properties hereby partitioned shall remain as heretofore for the joint use of all of the said partitioning owners and th. ir successors in title."

7

WESHALWE die komparant afstand doen van al die regte en titel wat

Die Trusteas van tyd tot tyd van DUINEKROON TRUST Nr.
IT1193/96


voorheen op gencemde eiendom gehad het, en gevolglik ook erken het dat hulle geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

QUICKSTEP 596 (EDMS) BEPERK Nr. 2003/027800/07

diese Opvolgers in titel of Regverkrygendes, lams en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken dit dat die verkoopprijs die bedrag van R700 000,00 (Sewe Honderd Duisend Rand) beloop.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

Onderteken, verly en met die ampseël bekragtig op die kantoor van die Registrateur van Aktes te Kaapstad op 10 MAART 2004. ~~2003~~ 6



q.q.

In my teenwoordigheid



REGISTRATEUR VAN AKTES



This report is compiled exclusively from the very latest data directly supplied to WinDeed by the Deeds Office.

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.

**** ASTERISKS INDICATE THE INFORMATION IS ENRICHED FROM THE WINDEED DATABASE.**

SEARCH CRITERIA

Search Date	2022/01/18 12:27	Farm Number	591
Reference	Pr22/01	Registration Division	RIVERSDALE RD
Report Print Date	2022/01/18 12:27	Portion Number	1
Farm Name	-	Remaining Extent	NO
Deeds Office	Cape Town	Search Source	Deeds Office

PROPERTY INFORMATION

Property Type	FARM	Diagram Deed Number	T62302/2002
Farm Name	DUINEKROON	Local Authority	LANGEBERG DC
Farm Number	591	Province	WESTERN CAPE
Registration Division	RIVERSDALE RD	Remaining Extent	NO
Portion Number	1	Extent	10.0000 H
Previous Description	-	LPI Code	C06400000000059100001
Suburb / Town**	2KM NORTH OF STILL BAY	Co-ordinates (Lat/Long)**	-34.376238 / 21.398099

OWNER INFORMATION (1)

QUICKSTEP 596 PTY LTD			Owner 1 of 1
Company Type**	-	Document	T21214/2004
Registration Number	200302780007	Microfilm / Scanned Date	2004 0315 0169
Name	QUICKSTEP 596 PTY LTD	Purchase Price (R)	700 000
Multiple Owners**	NO	Purchase Date	2003/11/18
Multiple Properties**	NO	Registration Date	2004/03/10
Share (%)	-		

ENDORSEMENTS

No endorsements to display

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 (3)

#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	B45082/1997	LANDBANK	-	2006 0383 0360
2	B66107/1998	-	-	2006 0383 0394
3	T62302/2002	DUINEKROON TRUST	CRT	2004 0315 0162

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).

CONVEYANCER'S CERTIFICATE

I, the undersigned

ZENARIAH MARTIN

a duly qualified and admitted Conveyancer, practicing at:

STADLER & SWART INCORPORATED

Office 2, 1st Floor, Heritage Square, Cnr. Gladstone & Vrede Streets, Durbanville, Cape Town

do hereby certify as follows:

1. I have perused the following Title Deed/s at the Deeds Office, Cape Town:

T 21214/2004 [Current Title Deed];

In respect of:

**PORTION 1 OF THE FARM DUINEKROON, NO. 591
IN THE MUNICIPALITY OF LANGEBOEG, DIVISION RIVERSDALE
WESTERN CAPE PROVINCE**

IN EXTENT: 10 (TEN) HECTARES

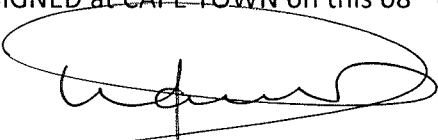
HELD BY DEED OF TRANSFER NUMBER T21214/2004

REGISTERED in the name of

**QUICKSTEP (PTY) LTD
Registration Number 2003/027800/07**

2. The Title Deed referred to in clause 1 above contains no restrictive conditions.

SIGNED at CAPE TOWN on this 08th day of FEBRUARY 2022



Z. MARTIN

CONVEYANCER



REFERENCE NUMBER: 15/4/2/3
ENQUIRIES: Elma Vreken
DATE OF ISSUE: 26 January 2022

Marike Vreken Town Planners

PO Box 2180

KNYSNA

6570

Attention: Marike Vreken

Email: info@vreken.co.za

Dear Sir/Madam

SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970): CONFIRMATION OF THE DESIGNATION OF PORTION 1 OF THE FARM DUINEKROON NO. 591, STILL BAY WEST IN TERMS OF THE MOSSEL BAY/RIVERSDAL REGIONAL GUIDE 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.
2. I hereby confirm that Portion 1 of the Farm Duinekroon No 591, Still Bay West was indeed included in the Mossel Bay/Riversdal Regional Guide Plan. This portion was designated as '**Urban Development**'.
3. Based on the above information, it is therefore the view of this Department that the property mentioned above **is** exempted 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 these properties. 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: 26 January 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

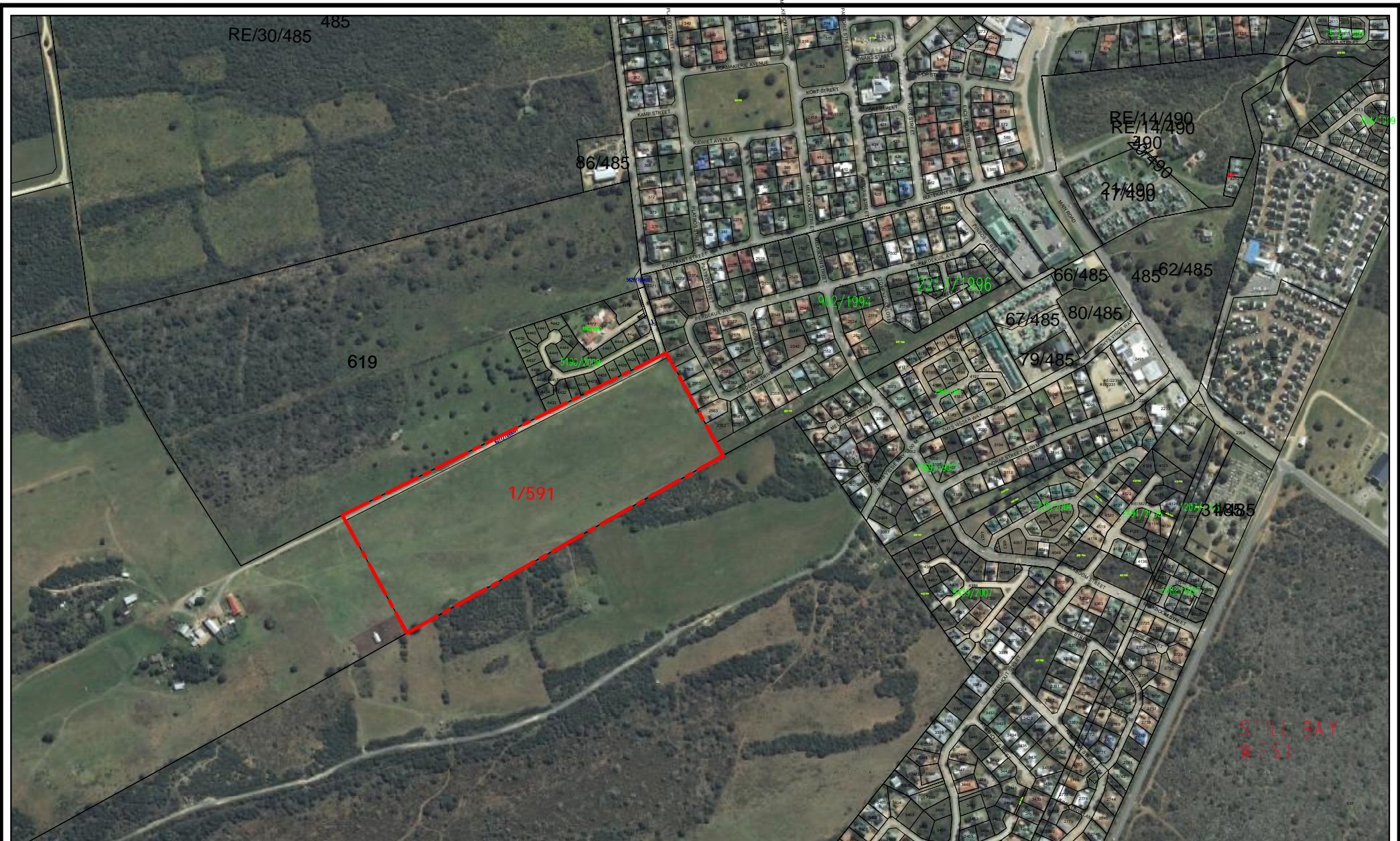
Western Cape: Department of Rural Development and Land Reform

Private Bag X9073

CAPE TOWN

8000

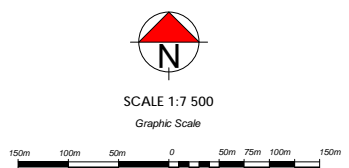
Attention: Mr Andrew Ballantyne (e-mail: andrew.ballantyne@dalrrd.gov.za)



PLAN 1

LOCALITY PLAN

PORTION 1 OF THE FARM
DUINEKROON NO 591



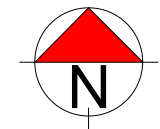

STUDIOS & CONSULTANTS/PLANNERS
 URBAN & ENVIRONMENTAL PLANNERS

21 Trotter Street, PO Box 2180
 KNYSNA 6570
 (044) 382 0420
 086 459 2987
 e-mail: marke@vreken.co.za
www.vreken.co.za

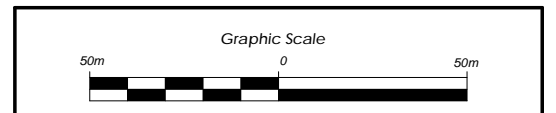
PLAN 2

PORTION 1 OF THE FARM DUINEKROON, DIVISION RIVERSDALE HESSEQUA MUNICIPALITY

SITE CHARACTERISTICS



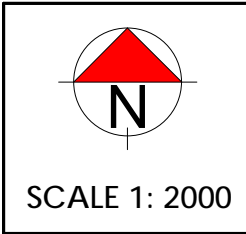
SCALE 1: 2000



Marika Vreken STATUS & ONCEMINGSBEPLANNERS
URBAN & ENVIRONMENTAL PLANNERS

21 Trotter Street, PO Box 2180
KNYSNA 6570

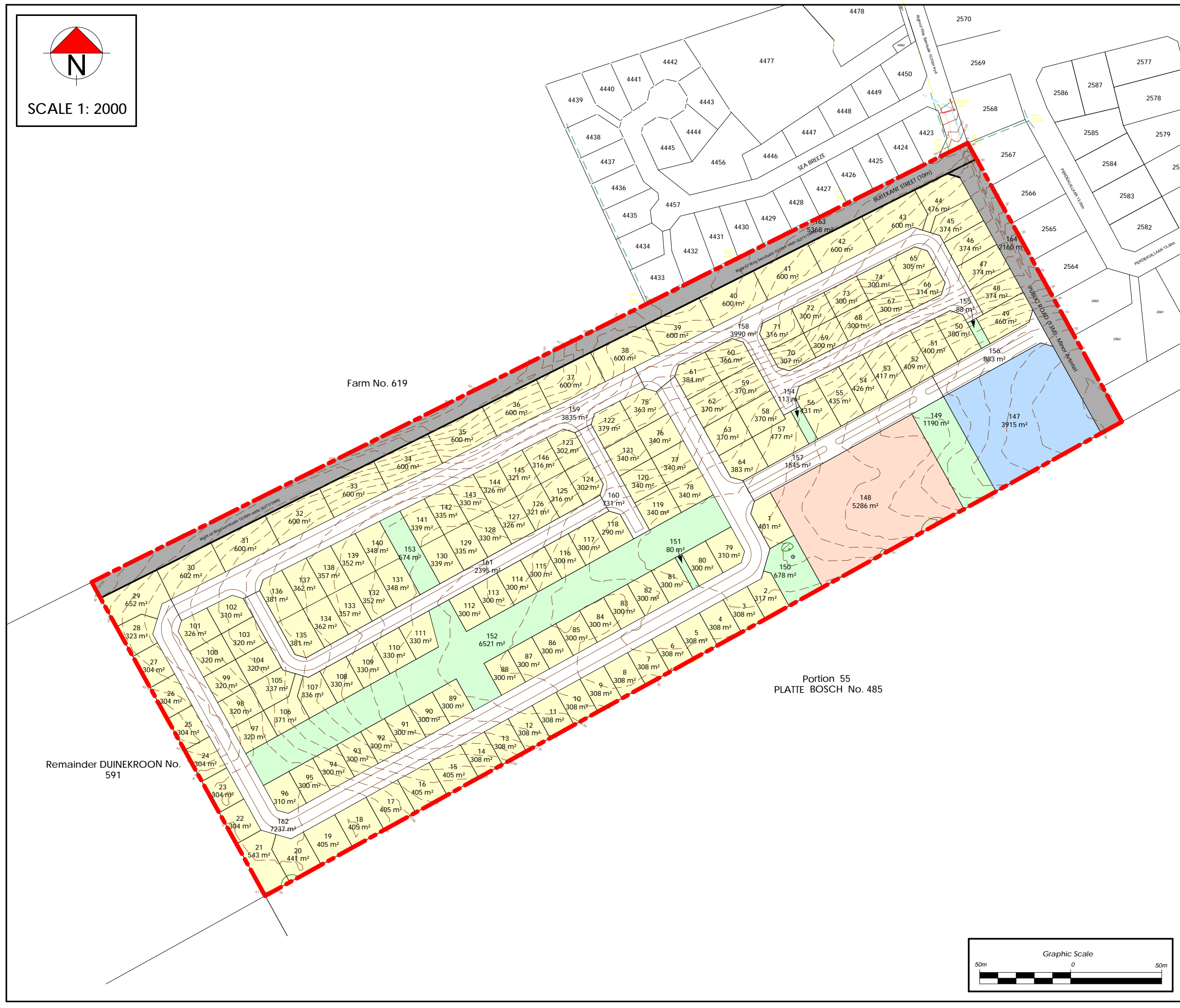
086 459 2987
0424 382 0420
e-mail: marika@vreken.co.za
www.vreken.co.za



PLAN 3

PORTION 1 OF THE FARM DUINEKROON, NO 591, DIVISION RIVERSDALE HESSEQUA MUNICIPALITY

LAYOUT PLAN: PREFERRED ALTERNATIVE



LEGEND			
ZONING:	QTY	AREA (ha)	%
General Residential Zone II (Group Housing)	146	5.3411	53.40
General Residential Zone IV (Flats)	1	0.5286	4.29
Business Zone III (Office & Sport & Recreation)	1	0.3915	3.92
Open Space Zone II (Private Open Space)	7	0.9084	9.08
Transport Zone II (Public Road)	2	0.7528	7.53
Transport Zone III (Private Road)	7	2.0776	20.78
TOTAL	164	10.0000	100

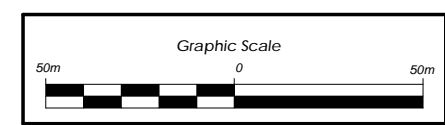
- NOTES**
- Sizes and dimensions are approximate and subject to final survey
 - For Property details, refer to SG 6277/1999
 - 1m Contour intervals, surveyed by Tommie Visagie

DRAWN:	MV	CHECKED:	MV
PLAN NO:	Pr22/01F591Ptn1-L05		
PLAN DATE:	15 March 2022		
STORED:	z:\drawings\App\Pr22/01F591Ptn-L05.dwg		

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

It is hereby certified that this subdivision plan (Plan No. _Pr2201F591Ptn1L01_) has been approved in terms of Sections 60 and 15(2)(d) of the Hessequa Municipal By-law on Municipal Land Use Planning. File reference [____], as published in P.N. 7472/2015 ON 21 AUGUST 2015

MUNICIPAL MANAGER
DATE: _____



Marika Vreken
STATUS & ONCEMINGSBEPLANNERS
URBAN & ENVIRONMENTAL PLANNERS

21 Trotter Street, PO Box 2180
KNYSNA 6570

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086 459 2987
e-mail: marika@vreken.co.za
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