

Portion 66 and 67 of the
Brakkloof 443
Plettenberg Bay

MOTIVATION REPORT. REV2

(Consolidation, Rezoning and Subdivision)



VPM PLANNING

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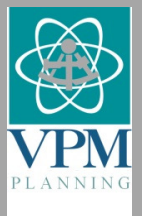


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Executive summary

Portion 66 and 67 of the Farm Brakkloof Nr 442 measures ± 2.68 ha in size and are some of the last remaining undeveloped agricultural land parcels along the coastal strip between the Beacon Isle Hotel and the Robberg Nature Reserve.

The properties have been earmarked for urban development for the past 40 years in various Structure Plans, Guide Plans, and Spatial Development Frameworks of the past. Presently, the Spatial Development Framework for Bitou 2017, like all the preceding spatial plans, also earmarks the site as urban land within the urban edge, where residential development is encouraged.

Portion 66 was rezoned in 1989 from "Agriculture" to "Subdivisional Area" and subdivided into 11 "Single Residential" erven. These development rights were never implemented and have lapsed. Presently, the site contains a dwelling house that appears to have been constructed without approved building plans. The house has never been occupied and will be demolished. Portion 67 is vacant.

The vision is to consolidate the two land portions and to create a small exclusive beachfront security estate. The proximity to the beach and the magnificent views over the bay will secure high property values, as there are very few beachfront properties left in the area. The development concept includes ± 9 residential stands that vary between $\pm 1300\text{m}^2$ and $\pm 1900\text{m}^2$ in size. The communal open space will be rehabilitated with natural indigenous vegetation. The property will be fenced and gated. The development will be controlled by a Homeowners Association and the design of houses will be subject to architectural design guidelines that will ensure an aesthetically pleasing development that blends in with the surroundings.

The present zoning of the property is zoned "Agriculture" in terms of the Plettenberg Bay zoning Scheme and the intention is to apply for the rezoning of the land to "Sub-divisional Area" which would allow for the further subdivision of the land into 9 "Single Residential" erven and 1 communal "Private Open Space" erf.

The property is ideal for residential development. It is easy to access and can conveniently connect to the existing municipal services networks because it is surrounded by existing and planned residential areas.

The bio-physical site characteristics of the property are conducive to a cost-effective development. The topography is even which will result in minimum cut and fill. The sandy soils are stable and pose no concerns for construction. The Botanical Sensitivity Report (2020), confirms that most of the vegetation on the site has been transformed and is no longer sensitive.

The proposal responds to the need for unique upmarket housing in Plettenberg Bay and will, contribute to job creation, municipal revenue, and economic growth in the town. The development of vacant land within the urban edge resonates with spatial planning policies at every level of government. The proposal will not deplete scarce natural and agricultural resources and will not have a negative impact on the surrounding built environment. Further potential impacts will be reported during the EIA process and mitigation measures will be proposed.

1. Introduction

VPM Planning has been appointed by the trustees of the Mantevrede Trust and Seven Falls Trading 101 Property Limited, (See Power of Attorney and Company Resolution attached as **Annexure A**), the respective owners of Portion 66 and Portion 67 of the Farm Brakkloof No. 443, to submit the following applications in terms of the provisions of the Bitou Municipality: Land Use Planning By-Law:

- i. Consolidation of Portion 66 and 67 of the Farm Brakkloof No. 443 in terms of Section 15 (2) (a) of the said By-law;
- ii. Rezoning of the consolidated properties from “Agriculture 1” to “Subdivisional Area” ;
- iii. Subdivision of the property into 9 (nine) Single Residential erven and 1 (one) Private Open Space Erf.

2. Property Information

2.1 LOCALITY

The property is situated in the southeastern section of the Bitou Municipality area, adjacent to Robberg Beach. (See Diagram 1: Locality Plan). The property can be accessed from the south via Robberg Bay Road (Minor Road 4(a)K).

This study area represents some of the last remaining undeveloped agricultural land parcels along the coastal strip between the Beacon Isle Hotel and the Robberg Nature Reserve. The development is directly south of the “Duin en See” residential estate, situated on Portion 58 of the Farm Brakkloof 443, containing 14 group housing erven and communal open space. North of Duin en See is Solar Beach residential area.

To the south, the property borders on an undeveloped agricultural portion. Further south is a variety of residential developments, mixed with smallholdings.

To the east, the properties border a Public Open Space, Erf 2132 (State Land), and Robberg Beach.

The Robberg Beach Road traverses the western boundary of both properties and separates the site from the wetlands(Public Open Space) further to the west.

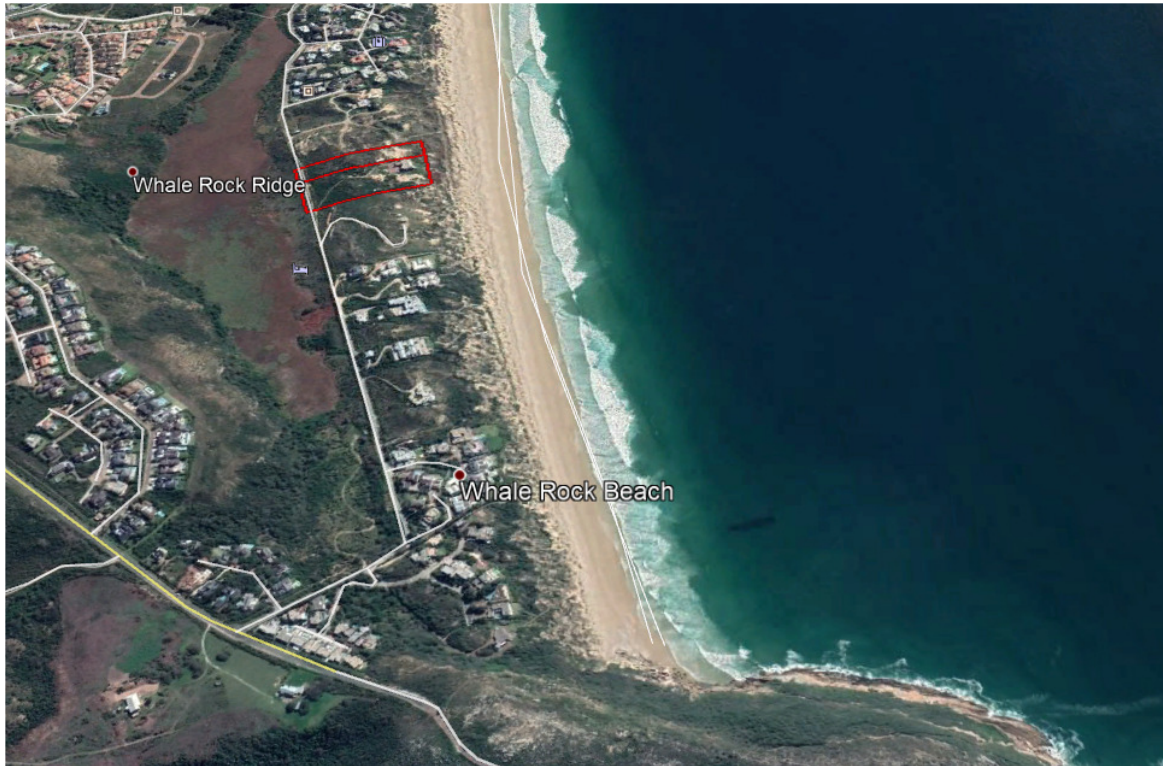


Figure 1: Locality

2.2 PROPERTY DESCRIPTION

Title Deed Description:	Portion 66 (a portion of portion 57) of the farm Brakkloof nr 443 in the Bitou Municipality and Administrative District of Knysna, Western Cape Province.	Portion 67 (a portion of portion 57) of the farm Brakkloof nr 443 in the Bitou Municipality and Administrative District of Knysna, Western Cape Province.
21 Digit code	C03900000000044300066	C03900000000044300067
Title Deed Number:	58337/1996	T25165/2015
S.G. Diagram Nr:	S.G 8362/1970	S.G 8363/1970
Title Deed Restrictions:	6m right of way servitude along the northern boundary (Notarial deed	6m right of way servitude along the northern boundary (Notarial deed

	of Servitude Nr 110/1967 has been canceled)	of Servitude Nr 750/1996) must be accommodated in the layout.
Servitudes:	The SG Diagram indicates that there is a 10m road servitude registered over the western boundary of the property.	The SG Diagram indicates that there is a 10m road servitude registered over the western boundary of the property.
Property Size:	1.7130ha	8565m ²
Property Owner:	Mantevrede Trust	Seven Falls Trading 101 Property Limited
Bonds:	Yes, Bondholder consent attached	Yes, Bondholders consent attached
Zoning:	Agriculture	Agriculture
Land Use	Uninhabited dwelling house	Vacant

2.3. BACKGROUND

Both portions were created when Portion 57 of Farm No 443 was subdivided in the 1970ties. Portion 67 has never been developed and is still vacant. Portion 66 was rezoned in 1989 from “Agriculture” to “Subdivisional Area” and subdivided into 11 “Single Residential” erven with average erf sizes of approximately $\pm 1020\text{m}^2$ and 2 open space erven. The validity of the approval was extended but the development rights have eventually lapsed, as the development was never implemented. Figure 2 below shows the previously approved layout on Portion 66.

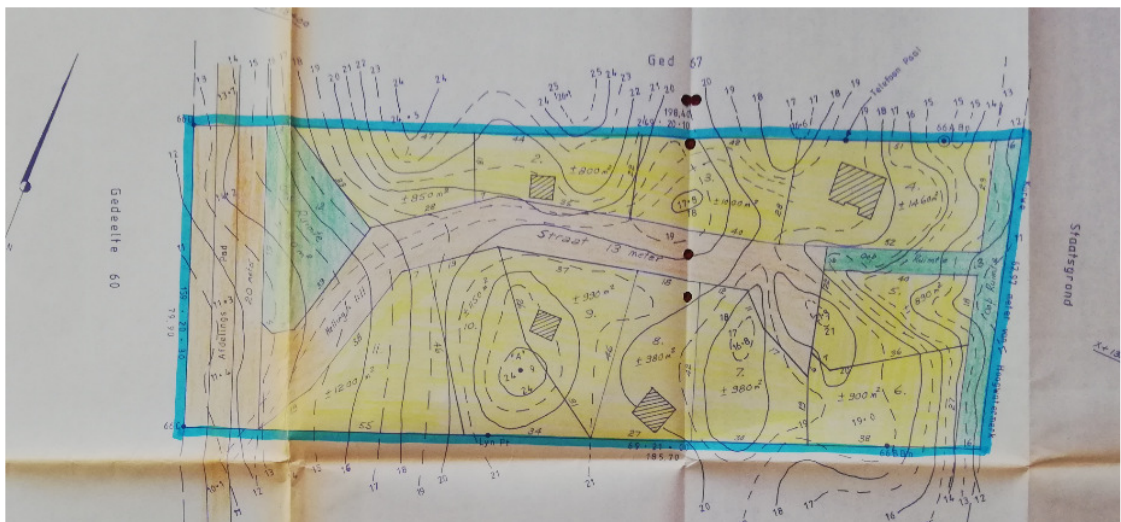


Figure 2: Previously approved development on Portion 66

Later, a large dwelling house was constructed on Portion 66. There seem to be no building plans for this house and the structure has never been occupied.



Figure 3: Existing Structure on Portion 66

2.4 SITE CHARACTERISTICS

2.4.1 TOPOGRAPHY

The site is situated on a north-south dune and has an undulating, but gentle slope. The eastern portion of the site has a gentle eastern slope toward the beach, while the western portion of the site has a gentle western slope towards the road, as illustrated by the Height Analysis, attached as Diagram 7 as well as Fig 4 below.

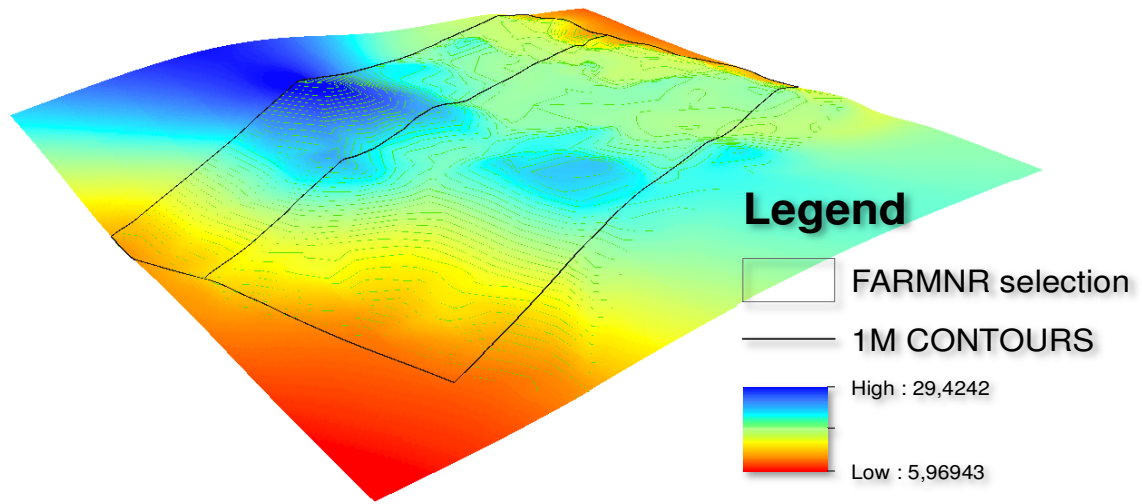


Figure 4: Topography of the site

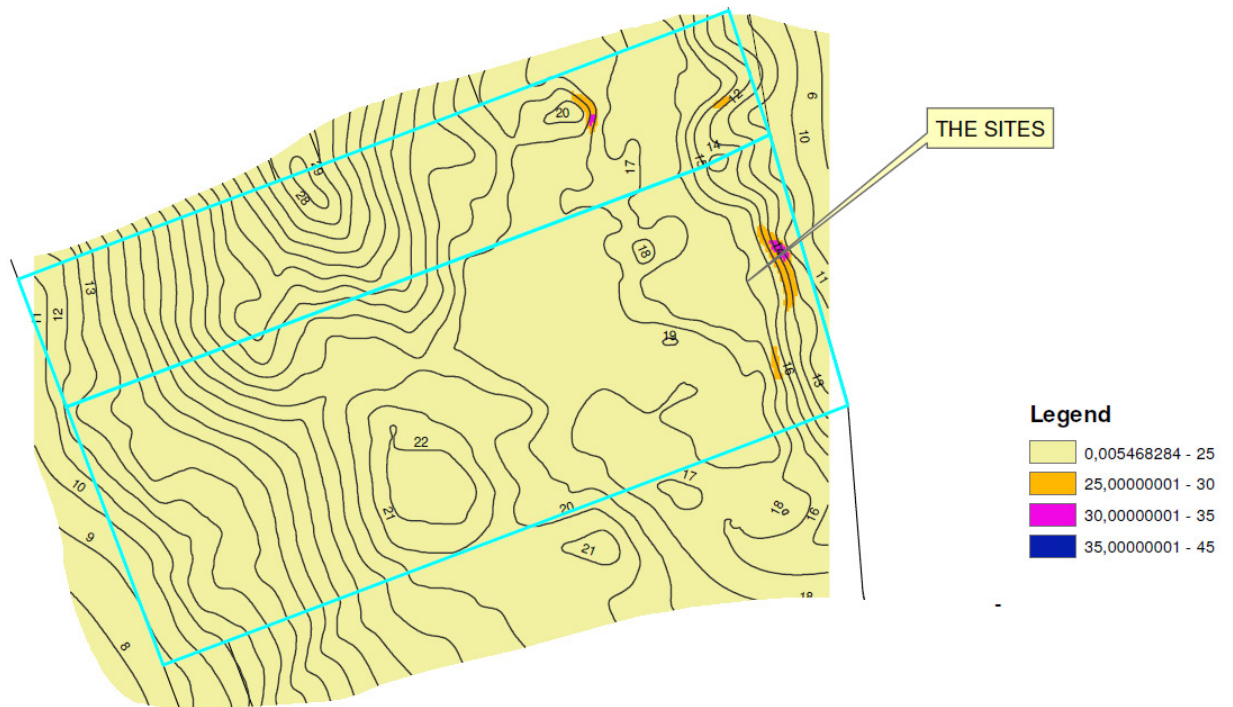


Figure 5: Slope Analysis

The slope analysis (see as fig 5 above) as well as Diagram 8 attached hereto, indicates that almost the entire site has a gradient of less than 25% and is, therefore, suitable for development.

2.4.2 COASTAL SET BACKLINE

The Western Cape Provincial Government, Department of Environmental Affairs and Development Planning (DEA&DP) appointed Royal Haskoning DHV to complete a situational analysis to understand the local and regional coastal geomorphology and to determine coastal erosion risk and coastal management lines.

The eastern boundary of the properties is described as a curved line, 63m away from the highwater mark, which coincides more or less with the Bitou Coastal management Line. The development has been set back from the eastern boundary to accommodate the 100-year erosion line as can be seen in Figure 6 below.

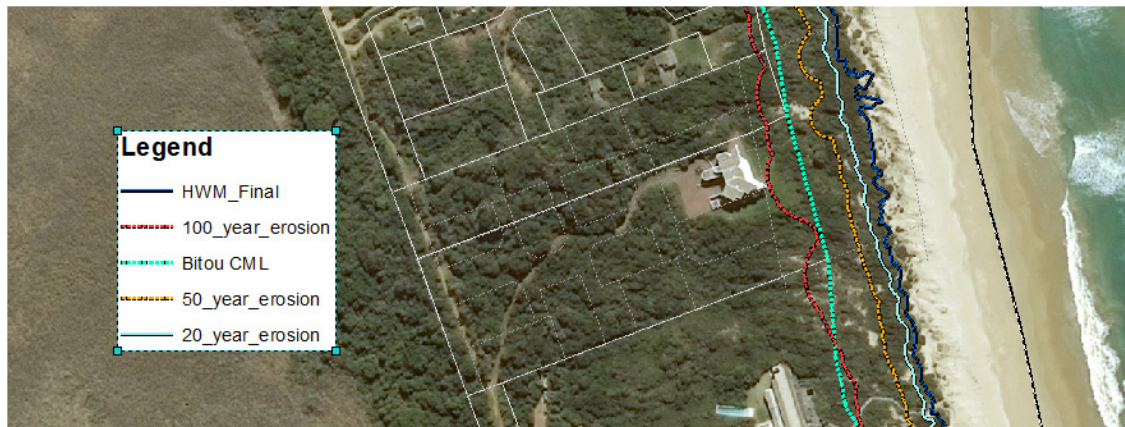


Figure 6: Draft Coastal Setback lines

2.4.3 VEGETATION

Regalis Environmental Services CC was appointed as an independent consultant to conduct a botanical sensitivity analysis of the properties. The study is attached as “Annexure G”.

The study confirms that the original vegetation on the site consists of Goukamma Dune Thicket, which is not a threatened national vegetation type.

Although about half of the properties have been identified as an Ecological Support Area (ESA1) in terms of the Bio Spatial Plan (BSP) of 2017 (see Diagram



Figure 7: Rooikrans prevalent on the property

3), the affected dune system has lost most of its ecological value. The report further states that the affected area is not rich in indigenous plant species, as most of the vegetation has either been disturbed with the construction of current infrastructure and/or dense invasion by alien plants mostly Rooikrans (*Acacia cyclops*). The study also confirms that no known ecological processes are acting between the wetland west of the properties and the beach east of the properties

The Western Cape Biodiversity Spatial Plan Handbook states on numerous occasions that it is essential to ground-truth the BSP Map and conduct additional biodiversity assessments to determine the biodiversity importance of the site.

The site survey conducted did not reveal any rare or threatened species. The study did not identify any sensitive area on the properties that need to be protected from development. It was however mentioned that the strip between the property and the beach consists of a very sensitive primary dune system.



Figure 8: Dense regrowth of alien vegetation on the western side of the property

2.4.4 SOIL

Most of the study area consists of well-drained sands, which do not easily permit the storage of surface water and are normally not a concern for stormwater. Soils are reported to be stable and not a concern for construction.

2.4.5 IMPROVEMENTS

Portion 67 is vacant and Portion 66 contains a dwelling house that will be demolished. The Municipalities Building office confirmed that there are not approved building plans on record for this property.

2.4.6 SERVITUDES AND OTHER RESTRICTIONS

The restrictions in the title deed relate to the use of water furrows, fountains, and roads. The water rights have no bearing on these properties.

The road (Minor Road 4(a)K is indicated on the diagrams of both properties and runs along the western boundary, 10m wide. The Layout accommodates this servitude.

The title deed of Portion 66 mentions a right of way servitude 6m wide, along the northern boundary of the property, in favour of Portion 60. The layout accommodates this servitude. The title deed of Portion 67 has a similar 6m right of way encumbrance, but the servitude has been canceled by Notarial Deed of Cancellation of Servitude No K 749/96.

3. Proposal

3.1 DEVELOPMENT CONCEPT

The vision is to create a small exclusive beachfront security estate. The proximity to the beach and the magnificent views over the bay will secure high property values as there are very few beachfront properties left in the area. The development concept has been reduced from 15 residential stands to 9 residential stands that vary between $\pm 1300\text{m}^2$ and $\pm 1980\text{m}^2$ in size. The communal open space will be rehabilitated with natural indigenous vegetation. The property will be fenced and gated.

3.2 DEVELOPMENT DENSITY

The two properties will be consolidated, and the combined property size calculates to 2.5695ha. The planned 9 units calculate to a development density of 3.5 unit per ha. This development density has been reduced and is now compatible with surrounding development densities.

3.3 PROPOSED ZONING CONSOLIDATION AND SUBDIVISION

The proposal includes the consolidation of the 2 farm portions and the rezoning of the consolidated stand to “Subdivisional Area”. The consolidated stand will then be subdivided into 9 Single Residential erven and a communal open space that will include private streets and services, as well as communal gardens and walkways.

3.4 ENGINEERING SERVICES

3.4.1 WATER AND SEWER

Tuiniqua (Pty)Ltd was appointed by the developer to provide a Services Report for planned residential development. GLA Consulting Engineers was also appointed to provide a Bulk Service Report. The engineering reports are attached as Annexure H. The GLA report confirmed that the existing Plettenberg Bay water and sewer reticulation systems have sufficient capacity to accommodate the proposed development. The Tuiniqua Report confirms that that Robbeberg Road leading directly to the site is within a 10 m road reserve and consists of a tarred section with the final section to the site being a gravel road. There is a 110 mm municipal water main in the services servitude on the western border of the site and a 110 mm sewer rising main also in the servitude. The development will be able to connect to the surrounding engineering services network that runs along with the servitude on the western boundary. There will be a requirement for a private on-site pumping station.

3.4.2 WASTE REMOVAL

It is proposed that the municipality extend their bulk service to the development and that an approved collection and storage area be constructed at the entrance to the development. In this regard, the municipality requires acceptable access to the site.

Waste will be transported to the Municipal waste transfer and compaction facility at Kwanokuthula, at this facility waste, is separated, compacted, and transported to approved landfill sites.

3.4.3 STORMWATER MANAGEMENT:

The development has a small catchment area. The development has permeable dune sand soil conditions and noticeable runoff is not envisaged. There are also large open areas where runoff can be dissipated. Only one row of erven drains towards the west and vlei. Most of the stormwater runoff will be accommodated on site. There is a further 20 m of services and road servitude in between the natural growth along the vlei and the lower ends of the western sloping sites. The engineering report also recommends that each home be equipped with a 5000l rainwater tank which will further reduce runoff.

3.4.4 ELECTRICITY

An electrical network is available in the area and the development will be able to connect to this network. A detailed electrical design will be submitted for approval.

3.5 ARCHITECTURAL STYLE

There will be an architectural design manual that will ensure a pleasing degree of consistency of architectural character that will create a harmonious development, without being monotonous. The architectural design will ensure that the development blends in with the surrounding area.

3.6 HOME OWNERS ASSOCIATION

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

3.7 PUBLIC ACCESS TO THE BEACH

There is a servitude registered over portion 67 giving access to Portion 60, which today comprises most of Whale Rock Estate. It must be made clear that this is not public access. It is also not a new proposal and has been the situation since 1987. The Conveyancer's Certificate attached as Annexure C contains the Notarial Deed of Servitude K750/1996. This servitude grants the owner of Portion 60 access over the property and permits them to landscape and pave the servitude area. It is not the responsibility of the owner of portion 67 to build the access or to provide parking. It merely allows the owners of Portion 60 to traverse the property to get to the beach. The layout makes provision for this servitude.

The eastern portion of the servitude area will also be used by the residents to gain access to the beach. Thereby reducing multiple access points over the sensitive dune area.

3.8 PLANNING PERMISSIONS REQUIRED

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

Consolidation in terms of Section 15 (2)e of the said Bylaw: the tow farm portions will be consolidated into a single Erf and will obtain a new Erf number.

Rezoning in terms of Section 15 (2)a of the said Bylaw: The properties are currently zoned “Agricultural” in terms of the Plettenberg Bay Zoning Scheme applicable to the area. To facilitate the development of the land the consolidated property will have to be rezoned to “Sub-divisional Area”.

Subdivision in terms of Section 15 (2)d of the said Bylaw: The current subdivision plan indicates the subdivision of the property into 9 individual Single Residential stands with average erf sizes of ±1600m² as well as roads and private open spaces.

3.8.2 NATIONAL ENVIRONMENTAL MANAGEMENT ACT (Act 107 Of 1998)

The development will trigger certain listed activities in terms of the Regulations of NEMA(Act 107 Of 1998). Andrew West Environmental Consultancy has been appointed as in dependant Environmental Assessment practitioner to obtain the necessary authorisation from the Department of Environmental Affairs and Development Planning.

A Notice of Intent to start the process to obtain an Environmental Authorisation was submitted to the Department in March 2021 and the officials at the Department has conducted a site meeting in April 2021. The draft basic assessment has been prepared and is attached as Annexure I.

Activity No(s):	Basic Assessment Activity(ies) as set out in Listing Notice 1
17	<p>Development</p> <p>(v) If no development setback line exists, then within a distance of 100 meters inland of the high-water mark of the sea</p> <p>In respect of :</p> <p>(e) buildings of 50 square meters or more.</p> <p>(f) infrastructure, structures of 50 square meters or more.</p>

19	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal, or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 5 cubic metres from: (i) a watercourse (ii) the seashore (iii) the littoral active zone, an estuary, or a distance of 100 meters or more from the high-water mark of the sea.
27	The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of vegetation is required for: (i) the undertaking of a linear activity (ii) maintenance purposes undertaken in accordance with a maintenance management plan.

3.8.3 NATIONAL HERITAGE RESOURCES ACT 25 OF 1999

The rezoning of more than a hectare of land will require approval in terms of Section 38 of the Heritage Resources Act. André Vercueil has been appointed as the Heritage Consultant and has prepared a Heritage impact assessment for further consideration by Western Cape Heritage. Additional Studies prepared for this application include an Archaeological Study, a palaeontological study, and a visual impact assessment.

3.8.4 SUBDIVISION OF AGRICULTURAL LAND ACT 70 OF 1970

The properties were originally earmarked in the Knysna Wilderness Plettenberg Bay Guide plan for Urban development. This means that although the properties have farm portion numbers and are zoned for agricultural purposes, they are exempt from the provisions of the Subdivision of Agricultural Land Act (Act 70 of 70).

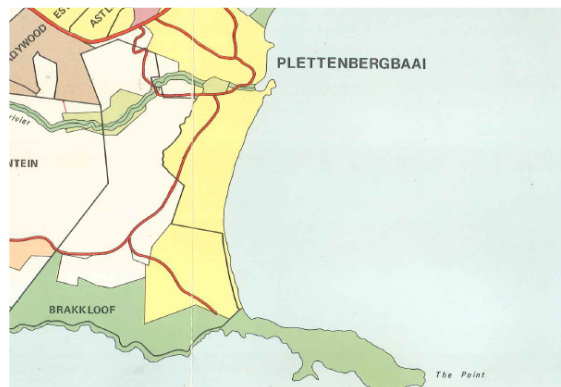


Figure 9: Extract from Old KPW Guide plan

The Department of Environmental Affairs and development planning is now the competent authority and they have issued an exemption certificate in this regard.

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

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

An application to SANRAL is not required.

3.8.6 ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT 21 OF 1940

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

The properties gain access from Minor road 49(a)K and require approval from the Provincial Roads Authority. Approval from the Department of Transport and Public Works has been obtained.

4. Need & Desirability

4.1 NEED

4.1.1 THE MARKET DEMAND FOR THE PROPOSED RESIDENTIAL DEVELOPMENT

Plettenberg Bay is a coastal resort town with a fairly small economy. The town has approximately 60 000 residents and continues to grow at a rate considerably above the national average. Most people moving to the Bitou area are from the Eastern Cape. Most of these people are poor low-skilled individuals who are searching for employment opportunities.

Although most of the population growth and subsequent housing needs are in the poorer communities, there is also a known need for high-end properties in Plettenberg bay.

There is currently a “semigration” trend, with many people from Gauteng and KwaZulu/Natal moving to smaller towns in the Western Cape. Covid 19 has strengthened this trend. This leads to a situation

where demand and therefore property prices are well above national averages. It seems that Covid-19 has caused a lot of people to introspect and re-evaluate their priorities, which has led to the current influx of city dwellers to the Garden Route. Recent unrest and increased crime and violence in Gauteng and Natal will be likely to create an even higher demand for housing in safer areas.

Plett is truly a special place to visit or live in, which, in property terms, translates into one of the best-performing markets in the country.

4.1.2 THE NEED FOR A RELIABLE SOURCE OF MUNICIPAL INCOME

Although the need for high-end properties is not as dire as the need for subsidised housing or even affordable middle-income housing, these high-end properties also serve another need. Municipalities need a reliable source of revenue to provide basic services and perform their functions. Property rates are an important source of general revenue for municipalities. Revenue from property rates is used to fund services that benefit the community as a whole. These include installing and maintaining streets, roads, sidewalks, lighting, and storm drainage facilities; operating parks, recreational facilities, and cemeteries. Property rates revenue is also used to fund municipal administration, and costs of governance. High-value properties, yielding high property rates have a very important role to play in municipal finance.

According to the 2017-2021 valuation roll, the two properties under discussion currently pay property tax of ±R 310 000 to the municipality per year. When fully developed, it is estimated that the increased value of the 9 properties will generate almost a Million Rand a year for the municipality in property rates alone, as can be seen from the table below.

CURRENT RATES FROM THE 2 PROPERTIES (2017-2021VR)				
ERF NR	MUNICIPAL VALUE	EXEMPTION	RATE	TAX PER YEAR
66/433	R23 800 000,00	R15 000,00	0,00574	R 136 525,90
67/433	R23 300 000,00	R15 000,00	0,00746	R 173 706,10
	R47 100 000,00			R 310 232,00
Future rates for 9 properties (estimate from current values of similar properties in Roberg Beach estate and Whale Rock beach estate)				
5	R25 000 000,00	R15 000,00	0,00574	R143 413,90
6	R25 000 000,00	R15 000,00	0,00574	R143 413,90
7	R25 000 000,00	R15 000,00	0,00574	R143 413,90
8	R25 000 000,00	R15 000,00	0,00574	R143 413,90
9	R25 000 000,00	R15 000,00	0,00574	R143 413,90

4	R12 000 000,00	R15 000,00	0,00574	R57 313,90
3	R10 000 000,00	R15 000,00	0,00574	R68 793,90
1	R7 500 000,00	R15 000,00	0,00574	R42 963,90
2	R5 500 000,00	R15 000,00	0,00574	R31 483,90
	R160 000 000,00			R917 625,10

4.1.3 SOCIO-ECONOMIC NEED OF THE LARGER COMMUNITY

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

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

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

Plettenberg bay has a very similar demographic profile to the rest of the country. Socio-economic studies indicate high levels of poverty and unemployment. The social needs of the larger community form part of the “surrounding environment” and should receive due consideration when new developments are investigated. The “ripple effect” that a development of this scale has on the local economy and social well-being of the community cannot be ignored.

4.2 DESIRABILITY OF THE SITE TO ACCOMMODATE THIS DEVELOPMENT

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

4.2.1 PHYSICAL SITE CONSTRAINTS AND OPPORTUNITIES

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

OPPORTUNITIES

Location: The property is adjacent to an existing residential area within the urban edge of Plettenberg Bay, which makes it easy to service.

The properties are adjacent to the beach and have magnificent views over the bay, which will realise high real estate values.

Municipal Infrastructure: Bulk municipal services are available, and access is available through an existing road network.

Agricultural Value: Underutilised agricultural land within the urban edge creates an opportunity for infill development.

CONSTRAINTS

Proximity to the coast results in coastal setback lines and management reducing the available development land. The primary dune system east of the properties should not be disturbed during the construction or operational phases of the development. Access to the beach should be limited to a single boardwalk.

There is a public road that traverses over the properties, taking away valuable development land. A 20m municipal services servitude along the western boundary may be required by the authorities.

The property has no agricultural value due to low soil potential, small size, and limited irrigation potential. For this reason, the property has not been identified for Agricultural purposes in the SDF.

Low conservation value: Although the site is partially earmarked as an Ecological Support Area (ESA), a biodiversity assessment was conducted to determine the biodiversity importance of the site. The study confirms that the entire site has been transformed and has no sensitivity or conservation value.

Topography: The site has an even gradient which will allow for cost-effective services and design.

The sensitive Coastal belt to the east of the property needs to be protected via a coastal setback line.

The site is subject to a coastal setback line

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

4.2.2 COMPATIBILITY WITH SURROUNDING AREA

This study area represents some of the last remaining undeveloped agricultural land parcels along the coastal strip between the Beacon Isle Hotel and the Robberg Nature reserve.

The planned residential development will be similar to existing and planned residential developments to the north and south of the property.

The development is directly south of the Duin en See Development situated on Portion 58 of the Farm Brakkloof 443, containing 14 Group housing erven and communal open space. North of Duin en See is Solar Beach residential area.

The development density and upmarket nature of the planned development will be in line with the

surrounding developments. Duin en See directly to the north has a slightly lower density, but this is due to the presence of a wetland on a portion of the property that could not be developed.

To the south the property borders onto another undeveloped agricultural portion. Further south is a variety of residential developments, mixed with smallholdings.

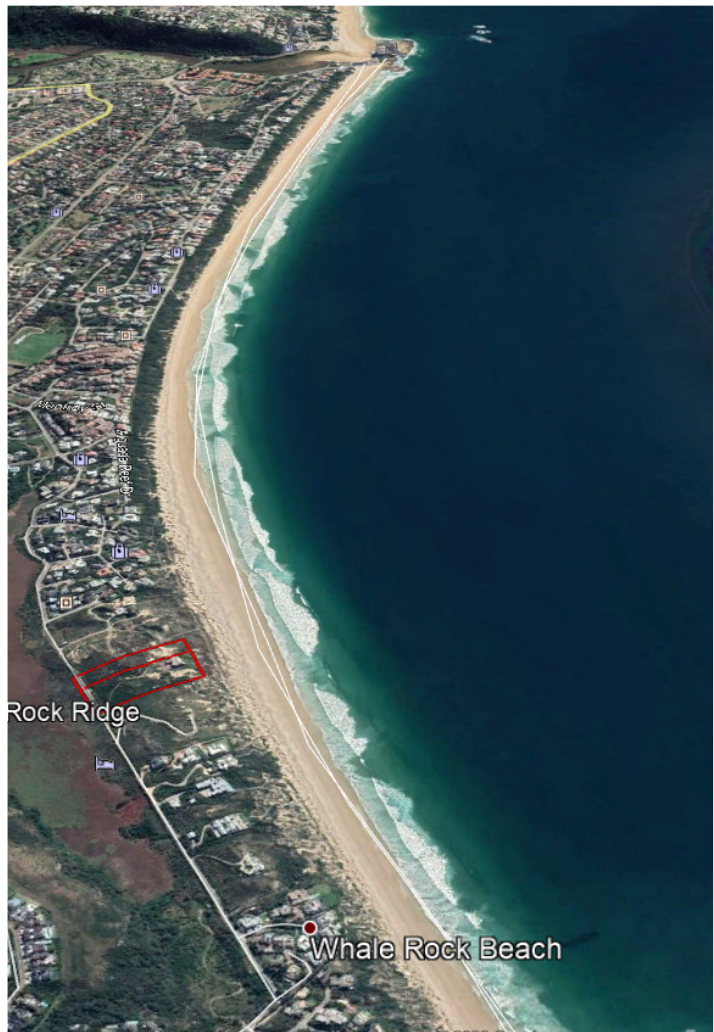


Figure 10: Google earth photo of the surrounding area

DEVELOPMENT NAME	NR OF UNITS	SIZE IN HA	DENSITY (unit/ha)
Solar beach	65 Residential stands	8,5	7,6
Dune and see 58/443	14 Group Housing stands	4,25	3,3
65/443	4 units	0,86	4,65

Whale Rock Beach End	13 Single Residential	2,4	5,4
Robberg Beach End	22 Group Housing stands	6,5	3,4

4.2.3 COMPATIBILITY WITH APPLICABLE FORWARD PLANNING DOCUMENTS

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

4.2.3.1 National Development Plan (NDP 2030)

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

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

The proposal is in line with the aims of the National Development Plan and the country's mandate to be a developmental state.

4.2.3.2 Western Cape Provincial Spatial Development Framework 2014

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

The sustainable use of provincial assets is one of the main aims of the policy. The protection of the non-renewable natural and agricultural resources is achieved through clear settlement edges for towns by defining limits to settlements and through establishing buffers/transitions between urban and rural areas. The urban fringe must ensure that urban expansion is structured and directed away from

environmentally sensitive land and farming land; agricultural resources are reserved; environmental resources are protected; appropriate levels of services are feasible to support urban fringe land uses, and land use allocations within the urban fringe are compatible and sustainable.

This property has been included in the urban edge and has been earmarked for urban development since the 1980ties when the Knysna Wilderness Plettenberg Bay Guide plan earmarked the area for township establishment. The value of these properties does not lie in their agricultural potential of conservation status, but their proximity to the beach. The site lies within the urban edge for Plettenberg Bay and the proposed upmarket residential development is compatible with surrounding land uses.

4.2.3.3 Western Cape Biodiversity Spatial Plan 2017

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

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

In terms of these maps, a portion of the properties is identified as ESA1: Terrestrial. Ecological Support Area (ESA), which is described as supporting zones or areas which must be safeguarded as they are needed to prevent degradation of Critical Biodiversity Areas and formal Protected Areas. These areas could be completely degraded but may be required for the protection of ecological processes. In this case, the proximity of the shoreline to the east and the wetland to the west are sensitive areas that need to be protected. It is very important that any possible impact of the development must be contained on the site and cannot spill over to the sensitive areas. In this regard, special attention needs to be given to sewer, stormwater, and landscaping as well as construction methods and maintenance.

The Fauna, Vegetation and Landscape Connectivity Evaluation Report study confirm that the affected dune system has lost most of its ecological value. The reports further state that the affected area is

not rich in indigenous plant species, as most of the vegetation has either been disturbed with the construction of current infrastructure and/or dense invasion by alien plants mostly Rooikrans

The Western Cape Biodiversity Spatial Plan Handbook states on numerous occasions that it is essential to ground-truth the BSP Map and conduct additional biodiversity assessments to determine the biodiversity importance of the site and makes provision for deviations if accompanied by suitable specialist studies.

The document further accepts the concept of control of urban expansion through the delineation of Urban Edges. The urban edge of Plettenberg Bay includes this property and the Spatial Development Plan earmarks the site for Urban Development.

4.2.3.4 Eden Spatial Development Framework 2017

The Eden SDF aims to promote balanced development that supports the integration and densification of settlements within the District. In general, it promotes the creation of a walkable, integrated, and compact urban environment.

The report states that the financial and economic viability of towns in the District should be improved by promoting the intensification of existing urban areas. This can be achieved through infill, densification, and redevelopment, which in turn makes the use of existing infrastructure capacity and services more efficient.

Policy 3.3. Optimise existing infrastructure capacity and economic opportunity by directing mixed-use, higher density development to areas of opportunity;

Land should only be developed in areas that are identified and suitable for urban growth. Vacant and underutilised land within the existing settlement footprint should be prioritised for development before new greenfield areas are considered for new development. This vacant site presents an ideal opportunity for densification and urban infill.

The proposal is in line with the proposals of compaction of existing urban areas. The development of vacant urban land within urban edges is promoted.

4.2.3.5 Bitou Spatial Development Framework 2017

At the time of writing this report, the 2017 Spatial Development Framework is still the applicable document, however, a more recent Spatial Development Plan has been developed in 2020, but not yet approved, and as such has no status. The approval of this document is eminent and for this reason, one must consider this document as well.

In both documents, the properties are situated within the urban edge of Plettenberg Bay and earmarked for urban development. This has been the case as far back as the 1980s when the then Knysna Wilderness Plettenberg Bay Guide Plan earmarks the area for urban development. The proposal is therefore not in conflict with either of the Spatial Development Frameworks.

Both Policy documents also promote densification of urban areas to an average density of 25 units per ha. Higher densities are typically achieved in the central business area or along major roads. In this instance the concept of densification is embraced but the proposed density is far below the proposed 25 units per ha average. Taken into account the character of the area, it is not recommended that densities be much higher than the surrounding development density.

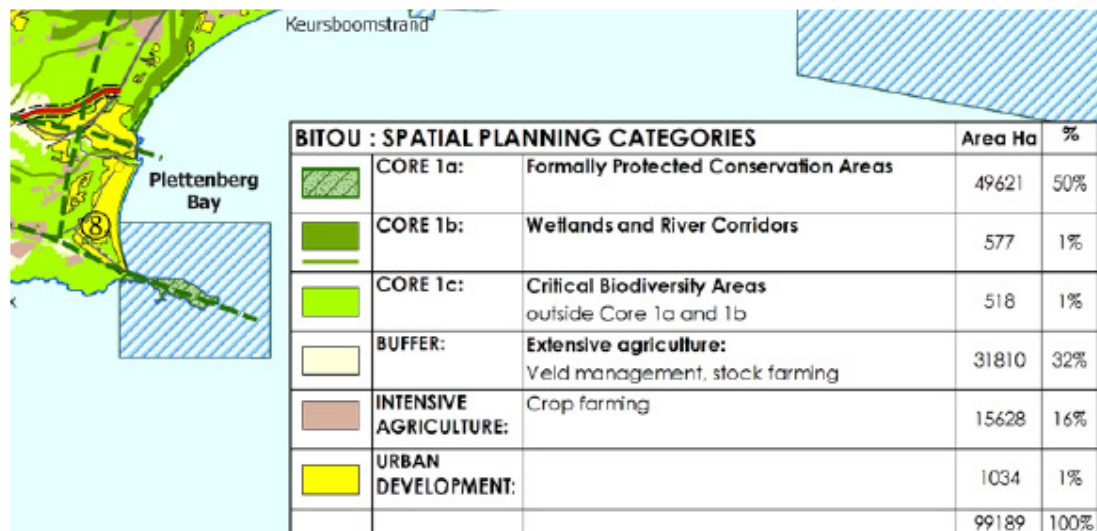


Figure 11: Extract from the 2017 SDF

5.3.1.8 Piesang Estuary

- PB1** Continue to promote development and densification of the current urban settlements but ensure that ubiquitous development typologies such as standard shopping centre or house and apartment design found elsewhere in the country are not repeated so as to not weaken the local sense of place.
- PB2** Produce an urban design framework and guidelines to implement policy PB1 above building on the main street redevelopment as precedent;
- PB3** Integrate with Coming Together corridor.

Figure 12: Extract from the 2017 SDF

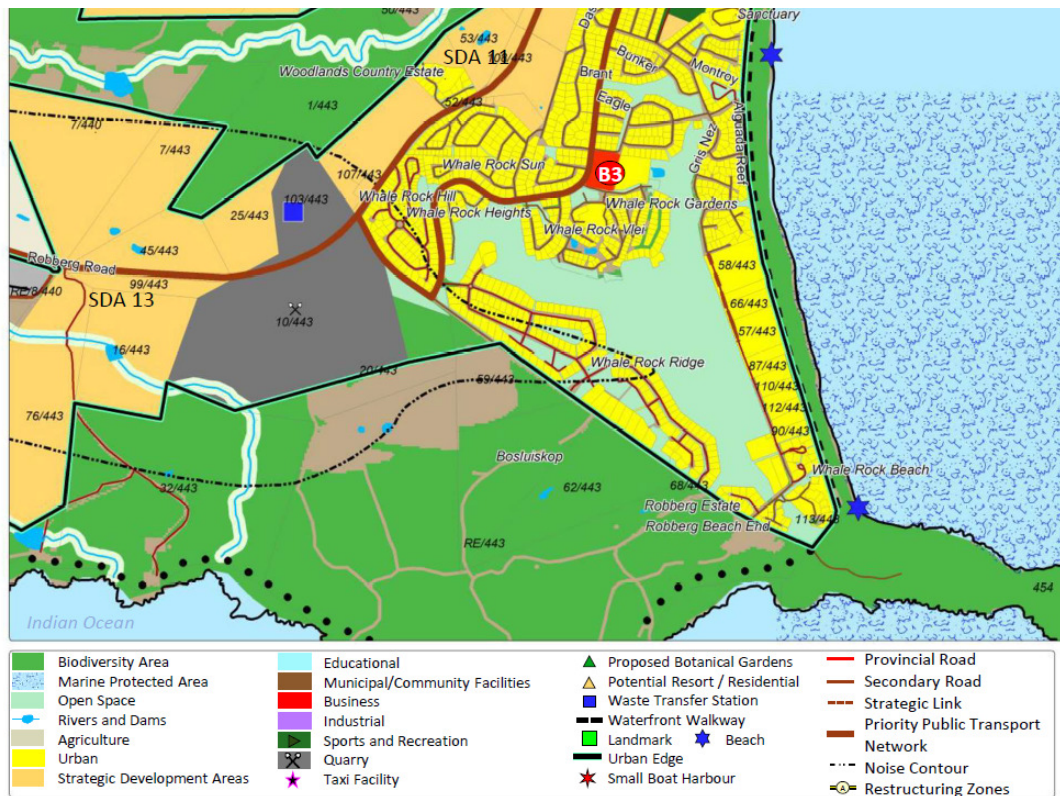


Figure 13: Extract from the draft 2020 SDF

The 2020 SDF contains details pertaining to the proposed spatial structure that have a direct impact on this development. There is a proposal to create a strategic link between Griz Nez Avenue and Robberg Beach End that will create a continuous north-south link through to Robberg and will also serve as an escape route should fires break out in the surrounding areas (as it did in 2017). This road

will traverse this development. Presently both properties are encumbered by a 10m right of way servitudes that can accommodate this link road in the future.

4.2.4 SPLUMA DEVELOPMENT PRINCIPLES

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

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

4.2.4.1 Spatial Justice:

Spatial justice principles seek to eliminate spatial injustices that result from discrimination and marginalisation. Inequitable access to housing, educational and economic opportunities, and health facilities are consequences of spatial injustice. The instruments used to promote spatial justice include Spatial Development Frameworks, Precinct Plans, and Urban Regeneration Plans and Policies. The location of this private property on the outer limits of the urban area cannot directly contribute to spatial reform and integration.

4.2.4.2 Spatial Sustainability:

The proposal supports this principle of spatial sustainability in the sense that it proposes a compact development within the urban edge, thereby limiting the need for urban sprawl and encouraging the optimal use of existing urban land and services. The proposal does not impact on scarce resources such as valuable agricultural land or conservation-worthy natural environmental features.

4.2.4.3 Spatial Efficiency:

Efficiency relates to the form of settlements and use of resources - compaction as opposed to sprawl; mixed-use, as opposed to mono-functional land, uses; residential areas close to work opportunities as opposed to dormitory settlement. This principle can only be address through spatial development frameworks. The Bitou SDF supports this principle in its stive to limit urban development to certain areas. Being compatible with the SDF can therefore be regarded as being compatible with the principle

of efficient urban form. Having under-utilised vacant land within the town limits is not contributing to efficient spatial form.

4.2.4.4 Spatial Resilience and Good Administration:

The principle of spatial resilience refers to flexibility in spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The ongoing covid pandemic is certainly a global shock that has caused a dramatic change in the workplace, lifestyle, and personal choice. The influx of people to smaller coastal towns is one of the many spatial implications of this situation. The efficiency of municipalities to absorb this growth is relevant in this case.

4.2.5 CONSIDERATION OF ALTERNATIVE LAND USES

The consideration of alternatives land use options provides a framework for sound decision-making based on the principles of sustainable development. Key criteria for consideration when identifying alternatives are that they should be “practicable”, “feasible”, “relevant”, “reasonable” and “viable”.

4.2.5.1 Status Quo: Undeveloped urban land with illegal structures

If the land remained undeveloped there will be little benefit for the landowner, the community, or the municipality. Presently the landowners are not maintaining the sites and they are posing a fire and security risk to the surrounding residential areas.

The house is empty and unattended and is at risk of falling prey to illegal occupation by vagrants that will pose a further security risk to the surrounding neighbourhood.

4.2.5.2 Agriculture

The primary right of both properties is Agriculture. The size of the land, the sandy soil conditions, and the fact that the property will have to rely on municipal water are not conducive to sustainable agriculture. Vertical farming in greenhouses is an option but given the high value of the land and the surrounding land use, this is not a viable option. Agriculture as an alternative land use will not be a practical or feasible alternative.

4.2.5.3 Alternative Residential Densities and Layouts:

Contemplating alternative densities and layouts is the only alternatives that can be considered relevant. A lower density development is an option, but will only result in higher land and service cost without any additional environmental, financial, or other benefits to the landowner, the municipality, or the community.

Higher densities could be an option where land and service costs can be reduced and where a very affordable project can be offered. However, high residential densities in this area may have an impact on the value of the surrounding high-end, low-density residential property.

5. Potential Impacts

Any proposed development must be “contextualised” within the bigger area. The introduction of residential development on this currently undeveloped area will affect the larger area in some way or another.

Components of any new development would inevitably ‘spill over’ or have an impact on areas external to the project. This external impact could be either beneficial or detrimental. The negative impacts that any development could generate that affect neighbouring properties adversely must be internalised through the removal of the impact or by changing the nature of the impact to minimise or to avoid its detrimental effect.

The following potential impacts have been identified during the initial environmental assessment process and mitigation measures have been investigated and reported on the Draft Basic Assessment Report prepared by Andrew West Consulting is attached hereto as Annexure I.

5.1 ECOLOGICAL IMPACT

The impact that the proposed development may have on the sensitive vegetation on-site, as well as the sensitive ecological areas near the site, such as the beach and dunes to the west and the wetland to the east, has been assessed and rated as low, provided that the development complies with the mitigation measures proposed. The Draft Basic Assessment Report proposed the following mitigating actions :

- Permission must be obtained from the relevant authority (DAFF) to remove any of the specially protected Milkwood trees (*Sideroxynon inerme*) that may occur on the properties;
- The primary dune system east of the properties should not be disturbed during the construction or operational phases of the development. If access will be allowed to the beach, then a boardwalk system will have to be constructed to minimize disturbance of this sensitive area.
- Rehabilitation and re-vegetation with suitable endemic indigenous species; acceptable landscaping methods to enhance the area and ensure compatibility with the environs
- Stormwater must be well-managed to ensure that no unnecessary pollution or erosion occurs on and off the site and that the integrity of the environs is maintained. It is recommended that runoff reduction practices be employed to reduce impervious areas and to route runoff from impervious surfaces over vegetated areas to slow down runoff and promote infiltration.

5.2 VISUAL IMPACT

According to the Guideline for involving Visual and Aesthetic Specialists in EIA processes, the following are indicators that could suggest the need for visual input based on the nature of the receiving environment and the nature of the project. It is submitted that this project does not trigger any of the listed indicators. A Visual Impact Assessment (VIA) was however done to support the Heritage application to Western Cape Heritage. The VIA confirms that there are no heritage resources that will be negatively affected by the proposed development. The VIA also confirms that there is little to no negative visual impact on the cultural landscape, it is recommended that the application for 9 units is to proceed accordingly.

5.2.1 THE NATURE OF THE RECEIVING ENVIRONMENT:

The properties can be described as disturbed urban land, situated in an area that has been identified in an approved Spatial Development Framework for residential purposes. The site has low visual

exposure, as the topography limits the geographic area from which the project will be visible. The eastern side of the site will be visible from the beach, which has a high scenic value, and from Robberg beach road, which is a low-order residential road. The site will also be visible from the Whalerock residential areas which are situated on a ridge ±500m away, overlooking the bay and the existing low-lying residential developments. The site has a high visual absorption capacity being situated within a built-up area.

INDICATOR	COMMENT
Areas with protection status, such as national parks or nature reserves	The property does not have a protected status
Areas with proclaimed heritage sites or scenic routes	The property is not near a proclaimed heritage site or scenic route and does not fall within a conservation area.
Areas with intact wilderness qualities, or pristine ecosystems	The site is not within an intact wilderness area
Areas with intact or outstanding rural or townscape qualities	The area will be visible from the beach but will be surrounded by similar low-density upmarket urban development.
Areas with a recognized special character or sense of place	The area has a special sense of place. Several residential developments have been approved in the area. The aesthetic quality of homes is very high and development density is low.
Areas lying outside a defined urban edge line	The area is situated within the Plettenberg Bay Urban edge line, and within an area that has been earmarked for residential purposes.
Areas with sites of cultural or religious significance	The site is of no cultural or religious significance.
Areas of important tourism or recreation value	The property is situated on a long stretch of beach which has a significant tourist and recreational value.
Areas with important vistas or scenic corridors	The development will be visible from the beach
Areas with visually prominent ridgelines or skylines	The site is situated in a low-lying area.

5.2.2 THE NATURE OF THE PROJECT

The development can be described as a Category 3 - small scale low-density residential type development.

High-intensity type projects including large-scale infrastructure	The development scale is very low, only 9 homes are being applied for.
A change in land use from the prevailing use	One of the properties is vacant while the other contains a large dwelling house that is not being maintained. The proposal will not result in a change of land use but will result in a change of density. It is not regarded as a significant reason to conduct a visual impact assessment. It is also relevant that it previously enjoyed development rights that were not implemented.
A use that conflicts with an adopted plan or vision for the area	The planned residential development is in line with the Bitou SDF.
A significant change to the fabric and character of the area	There will be a change in the character of the area, but bearing in mind the position of this property within residential developments, the prevailing Spatial Planning for the area, the change is expected and planned.
A significant change to the townscape or streetscape	Having regard to the location of the site within the urban edge, the change in townscape will not be significant.
Possible visual intrusion in the landscape	The development will be visible from the beach and Robberg Beach road but will blend in with the surrounding built-up area. The development will consist of 9 double-story homes.
Obstruction of views of others in the area	The positioning of the units has been done in such a way that surrounding residential properties will not be affected. There are no properties to the west of the site that could be impacted by the development.

5.2.3 MITIGATION MEASURES

Mitigation measures recommended in the Basic Environmental Assessment report includes:

- Soften the visual impact of structures with appropriate Architectural Guidelines terms of aesthetics and 'sense of place'.
- Re-vegetation and Landscaping of open space areas with suitable indigenous vegetation and the systematic removal of invasive alien plants

5.3 TRAFFIC IMPACT

The scale and nature of the development are too small to require a Traffic Impact Assessment, The engineering services report attached as Annexure H confirms that the site will generate very little traffic and the impact on the existing road network will be minor and not affect the current level of service. The gravel section road requires upgrading to include alignment, stormwater, and a 4.5m wide tarred surface up to the proposed entrance to the site. This will have a positive impact on the adjacent wetland and on other road users along the gravel section.

A traffic impact assessment was required during the Public Participation process, and the assessment report confirmed that the gravel road will need upgrading.

6. Conclusion

Application is made to allow 9 residential erven on Portion 66 and 67 of the Farm Brakkloof no 443. Being situated directly adjacent to an existing urban area, this site is easily accessible and can be serviced cost-effectively. The site is completely degraded with no conservation value. Poor soil conditions and limited arable land caused this property to be an unsustainable agricultural entity.

The even topography, proximity to the beach, and availability of municipal services make this property ideal for residential development.

The proposal is sensitive towards the character of the area and attempts to create a unique sense of place that will blend in and compliment the ambience of the surrounding area. The Layout has taken the coastal management line and has allowed for public access to the beach.

The site is situated within the urban Edge for Plettenberg Bay and the site has been earmarked for urban development for more than 20 years and is compatible with most of the other forward planning documentation applicable in the area. It can be concluded that this development complies with the criteria for sustainable development and will have many positive impacts on the large community.