Portion 91 of the Farm Matjes

Fontein 304

Plettenberg Bay

TOWN PLANNING REPORT Rev 2

(Prepared as part of the Draft Basic Assessment Report)

Planning Space

Town and Regional Planners

2/1/2024

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1. Introduction

Planning Space Garden Route Pty Ltd has been appointed by Eco Route Environmental Consultants to prepare a Town Planning Report to inform the Basic Assessment Report (BAR) to be submitted for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) in respect of listed activities that have been triggered by the planned development on Portions 91 of the Farm Matjes Rivier No. 304.

The purpose of this document is to report on the existing land use rights, opportunities, and constraints on the property, and to assess the need and desirability of the project in terms of the planning policies and principles contained in National, Provincial, and Municipal Spatial Development Frameworks applicable to the area.

2. Property Information

2.1 LOCALITY

The property is located in the Keurboom area which is situated in the Bitou Municipal Area to the northeast of Plettenberg Bay. (See Diagram 1: Locality Plan). The property can be accessed directly from Keurboom Road (Main Road 00394 Rd) which connects with the N2 .The site is approximately 1.8km west of Keurboomstrand.

This property is presently used for a horse-riding center and is directly opposite the Milkwood Glen Residential Complex, which consists of about 50 Group Housing erven and communal open space.

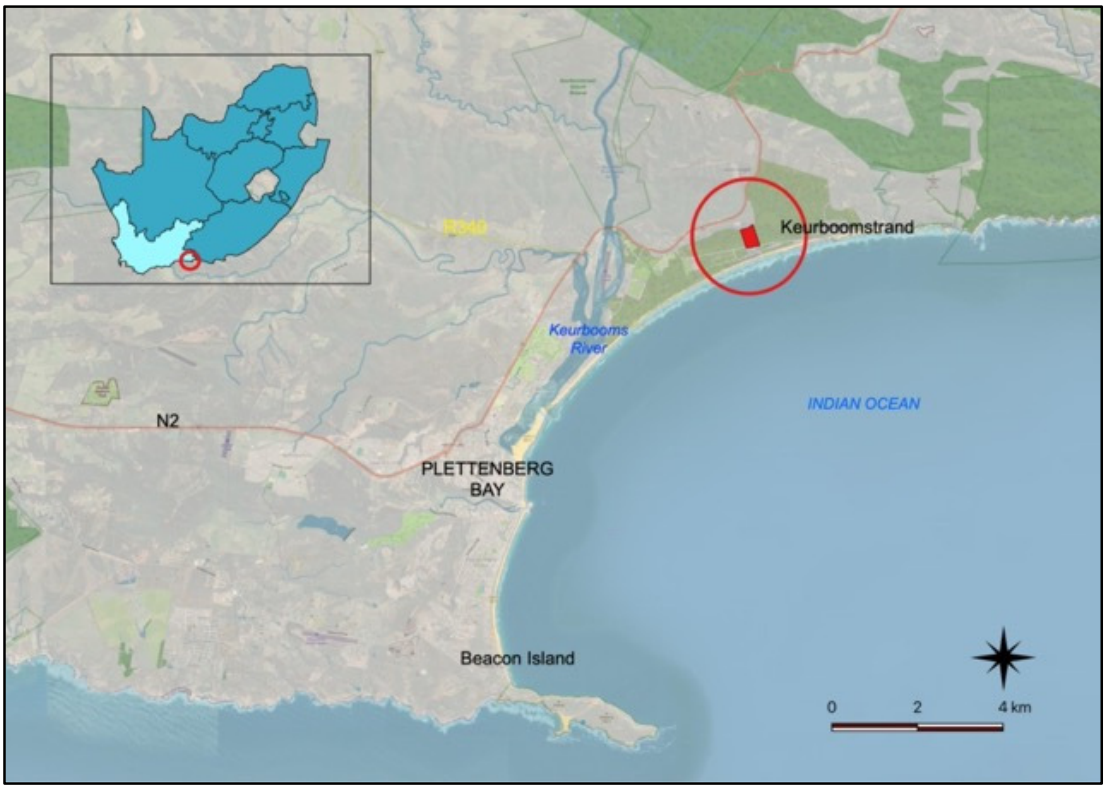

Figure 1: Locality.

2.2 PROPERTY DESCRIPTION

Title Deed Description:	Portion 91 (a portion of portion 14) of the farm Matjes Fontein 304 in the Bitou Municipality and Administrative District of Knysna, Western Cape Province.
21 Digit code	C03900000000030400091
Title Deed Number:	73549/2000
S.G. Diagram Nr:	S.G 6050/1997
Title Deed Restrictions:	Condition C contains restrictions that required the approval of in terms of Act 21 of 1940 (Provincial Roads Authority)
Servitudes:	None
Property Size:	14.7251ha
Property Owner:	Familie Roux Eiendomme (Pty) Ltd
Bonds:	None
Zoning:	Agriculture 1 in terms of the Section 8 Zoning Scheme
Land Use	Riding School

2.3. BACKGROUND

Portion 91 was created when Portion 14 were subdivided in 1997 (See SG Diagram attached as Annexure C).

In 1978 the Provincial Administration granted development rights on Portion 14 for a Resort with 100 units. Fifty-one units were approved to the south of the Keurboom Road that bisects the property, and 49 units were approved above the road (See Annexure F). The development was implemented in phases. Phase 1 gained approval in 1978, Phase 2 was approved in 1981 and Phase 3 in 1991. These phases were all implemented below the road and are today known as Milkwood Glen.

In 1997 the remainder of Portion 14 was subdivided to separate the undeveloped portion above the road from the resort. At the time it was recommended that the zoning of Portion 91 reverts to Agriculture 1 and that a new application be submitted for development on the northern portion in the event of the owner deciding to develop it in the future (See Annexure G).

2.4 SITE CHARACTERISTICS

2.4.1 TOPOGRAPHY

The southern portion of the property has a very even gradient and is situated between 3m and 6m above sea level. From here the gradient steeply inclines to about 125m above sea level, forming a steep south-facing ridge. The development is planned on the even southern portion of the site.

A detailed contour plan of the southern section was prepared by VPM Surveys and is attached as Diagram 5.

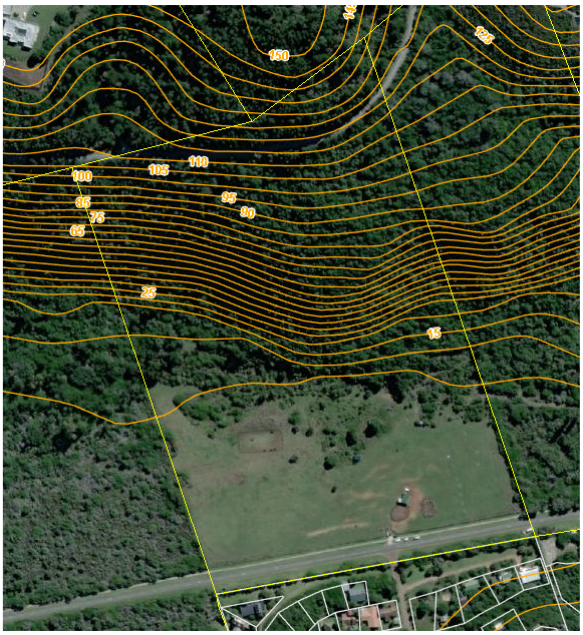

Figure 2: 5m aerial contour of the site.

The slope analysis (Diagram 6) indicates that the entire southern section of the site has a gradient of less than 25% and is therefore suitable for development from a slope point of view. Development on steep slopes with a gradient > 1:4 is in general not supported.

Although the property is relatively low-lying, it is not subject to flooding. According to the surveyed contour plan, the lowest elevations are about 3m above sea level. The Keurboom and Environs Local Structure Plan does not supported development in areas below the 1:50 and 1:100-year flood line. This document has provided a map (See Fig.3 below) that indicates the position of the 1:100-year flood line (dark blue), and light blue area is an 'island' below the 1:50 year flood line. The purple line is the 100m urban coastal setback line.

The proposed development area is located outside of all these features and is therefore not flagged from a heightened flood risk perspective. This has also been confirmed in the Freshwater Compliance statement prepared by Dr. Jackie Dabrowski of Confluent Environmental (Pty) Ltd (see Annexure D).

Even though the property is not within the 1:00 flood line, it is right on the edge of the flood line, and it has been observed that the frequency of 100-year flood events is increasing due to climate change, and when coincident with sea-level rise and high tide events, it is important to take a precautionary approach. This should be considered in the design and layout of the development.

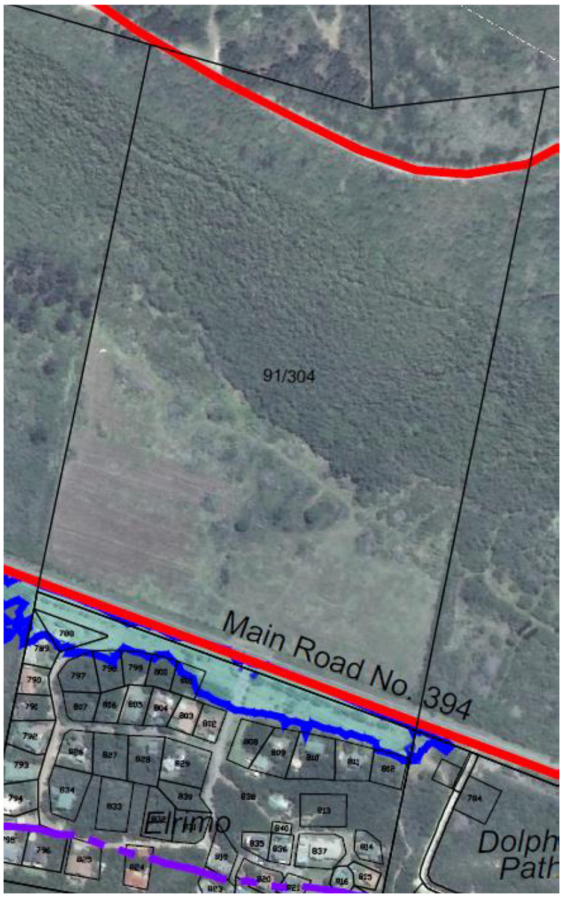

Figure 3: 1:100-year flood line.

2.4.2 ESTUARINE FUNCTIONAL ZONE (EFZ)

The Keurboom Bitou Estuarine Management Plan includes the mapping of an Estuarine Functional Zone. An Estuarine Functional Zone is defined in the NEMA Regulations as "the area in and around an estuary which includes open water areas, estuarine habitats, and the surrounding flood plains.

The mapped Estuarine functional Zone is however roughly identified as any area below 5m above mean sea-level, which does not accurately identify the Estuarine Functional zone as defined above. The ground truthing of the site by an Aquatic Specialist Dr. Jackie Dabrowski (Ph.D., Pr.Sci.Nat. Aquatic Science) from Confluent Aquatic Consulting and Services, confirmed that there are no aquatic features present on the site and the Geotechnical Report prepared by Outeniqua Lab confirmed that the water table is 2m below the surface and that there are no hydromorphic indicators in the soil. As mentioned in par 2.4.1 above, according to the Keurboom -Bitou Estuary

Management Plan the property is located above the 100-year flood line, so there is also no flood risk associated with the property. The Aquatic Assessment Statement is attached as Annexure D.

Figure 4: Position of the site in relation to the Estuary and other developments.

The only aquatic feature identified on the site is a small natural spring. Water flowing from the spring is stored to a minor extent in a small, excavated pond. The aquatic study recommends a buffer of 10 m around this feature .

From the available scientific assessment, it is reasonable to conclude that the identified development footprint will not impact on the functionality of the estuary.

Figure 5: Position of the natural spring and pond.

2.4.3 VEGETATION

According to scientific literature (Driver et al., 2005; Mucina et al., 2006), the entire site is identified as Garden Route Shale Fynbos which is assessed as "Endangered". The Western Cape Biodiversity Spatial Plan (WCBSP) shows that the entire northern 60% of the site (except the road) is within a CBA1 area, while the rest of the site is in a transformed area.

A qualified Botanist, Dr David Hoare was appointed to conduct a Plants, Animals & Terrestrial Biodiversity Assessment to determine whether vegetation of the listed ecosystem occurs on-site or not. The Study is attached as Annexure E.

Based on a field survey to verify conditions on site, a detailed landcover and habitat mapping exercise were undertaken for the site. This identified three main habitats that occur on site, shown in Figure 610m below. These are mapped as **Forests, Secondary vegetation,** and **Pastures**. There are also **transformed areas** associated with roads, localised patches of **alien trees**, and residual individual **milkwood trees.**

Pastures occur in the entire southern part of the site in areas that were historically cultivated. The pastures have a low sensitivity rating and can be developed as they will not be able to recover to a natural state.

The steep-sided southern slopes in the northern half of the site contain indigenous forest that has a high sensitivity and may not be developed. Between the forest and the pastures is an irregularly shaped band of vegetation that contains a mixture of shrubs and weeds that indicates that it is in various stages of post-disturbance development. Historical aerial photographs show that this entire area was once cultivated but has gone through various iterations of being cleared and then recovering somewhat. This area has a medium sensitivity.

The proposed development is entirely within areas mapped as secondary vegetation or pasture that has low biodiversity value and sensitivity. The development is therefore supported by the specialist assessment on condition that steps are taken to protect forest habitats on the remaining parts of the site. The report recommends a buffer area between the forest and the development and that steps should be taken to rehabilitate these areas and encourage the growth of forest species. Ongoing alien clearing will also be a requirement.

The proposed Layout 1 makes provision for a 10m buffer along the forest margin and also incorporated portions of the secondary vegetation area to form part of the open space system within the development, which will link up with the forest area. Layout 3 makes provision for a wider 20m buffer along the forest and foothill to not encourage the rehabilitation of the secondary vegetation , but also to encourage animal movement along the foothill of the ridge.

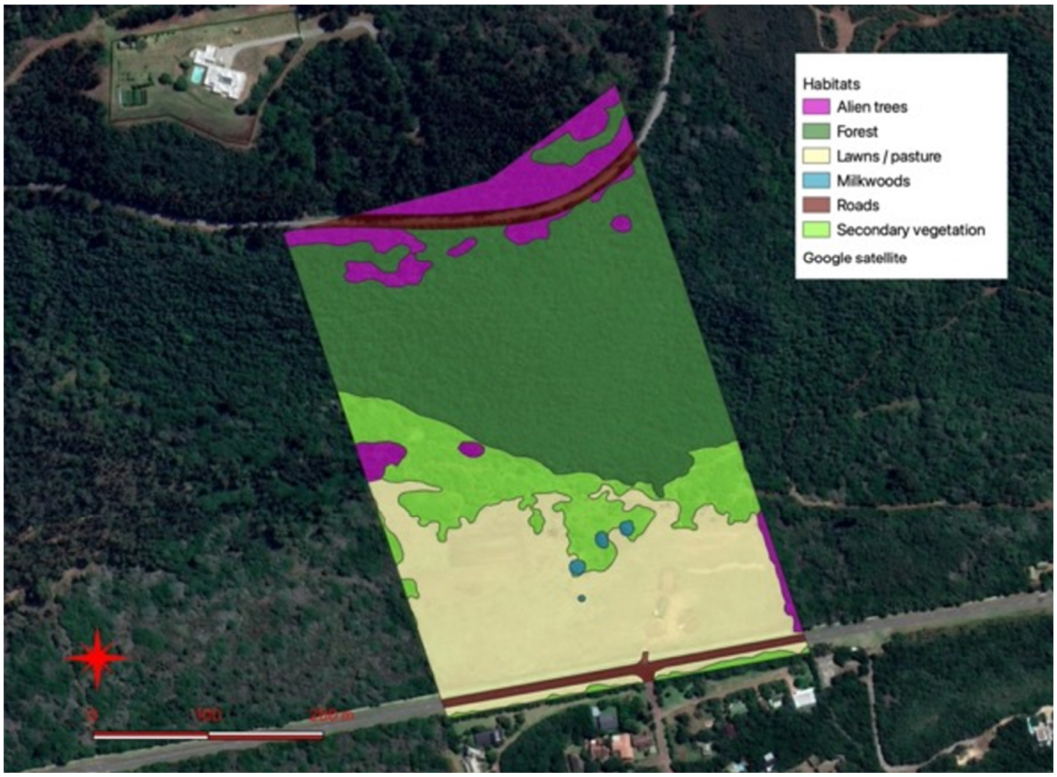

Figure 6: Vegetation Map of the Site

The Aquatic study also confirms that the sensitivity of aquatic biodiversity on Portion 91/304 can be regarded as Low.

2.4.4 SOIL

The soil conditions of the site were investigated by Outeniqua Lab. The site was mapped according to the site class designations provided in SANS10400-H. Due to the broadly consistent conditions observed in the investigation, the majority of the proposed development footprint area was mapped as a single geotechnical terrain with the site class designation of S1 (potentially compressible sandy soils). The report also provides detailed information on the soil drainage features and level of groundwater at the site.) The investigations have indicated that the site was potentially suitable for the proposed development but there were some moderate geotechnical constraints which required consideration during the structural design phase. The scope of the Geotechnical investigation was extended on a request from the Department of Environmental Affairs and Development planning to excavate additional trial pits along the northern boundary of the development area to determine depth of any water tables in this area. Five additional pits were

excavated, and no water were found in any. The original and extended Geotechnical Reports is Attached as Annexure H.

2.4.5 IMPROVEMENTS

The property is presently used as a riding school and some horse paddocks and other informal structures associated with the riding school are present on the site. There are not any permanent buildings on the site.

Figure 7: Horse paddock.

2.4.6 SERVITUDES AND OTHER RESTRICTIONS

The property is not encumbered by any servitudes, but 2 public roads traverse the property that must be accommodated in the layout as per requirement from the Provincial Roads Authority.

3. Proposal

3.1 DEVELOPMENT CONCEPT

Presently there are 3 development concepts available for assessment.

Layout Alternative 1: See Diagram 8 attached hereto.

The first development concept includes ± 73 group housing stands with average erf sizes of ±375m². The houses will vary in size but will be built in a similar style that will create a harmonious

development. The vision of this development concept was to create an affordable and sustainable housing product specifically targeting the middle-income group. The aim is to create a pleasant yet affordable residential neighbourhood where the average person can own a home and live with dignity. There were several objections from the local residets that express their concern about the density of the development .

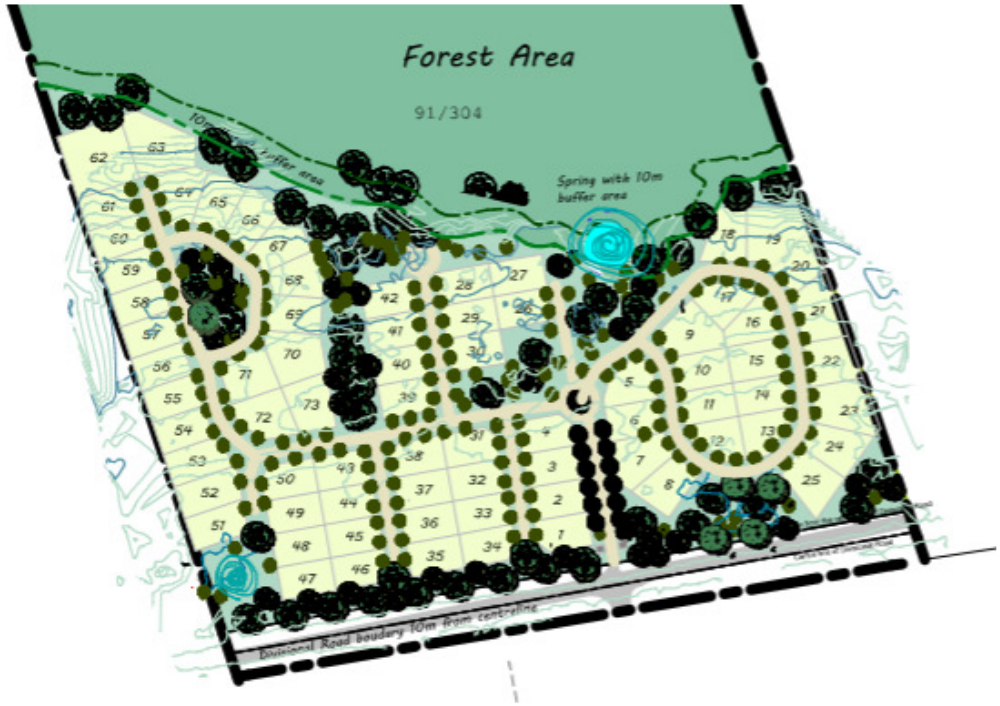

Figure 8: Layout 1 with 73 erven.

Layout Alternative 2: See Diagram 9 attached hereto.

The second layout option was created in an attempt to comply with the urban edge position being above the 4,5m Contour line and the density of 19 unit as proposed in the KELASP. Property sizes are approximately 800m². This option is not financially viable for the landowner and will not reach the affordability levels for the intended target market. It has been scientifically proven through specialist studies that the area below the 4,5m contour line is not subject to flooding and plays no role in the functionality of the wetland. There is thus no sound reason why this area should be excluded from the development. This layout has not been further considered as a viable alternative.

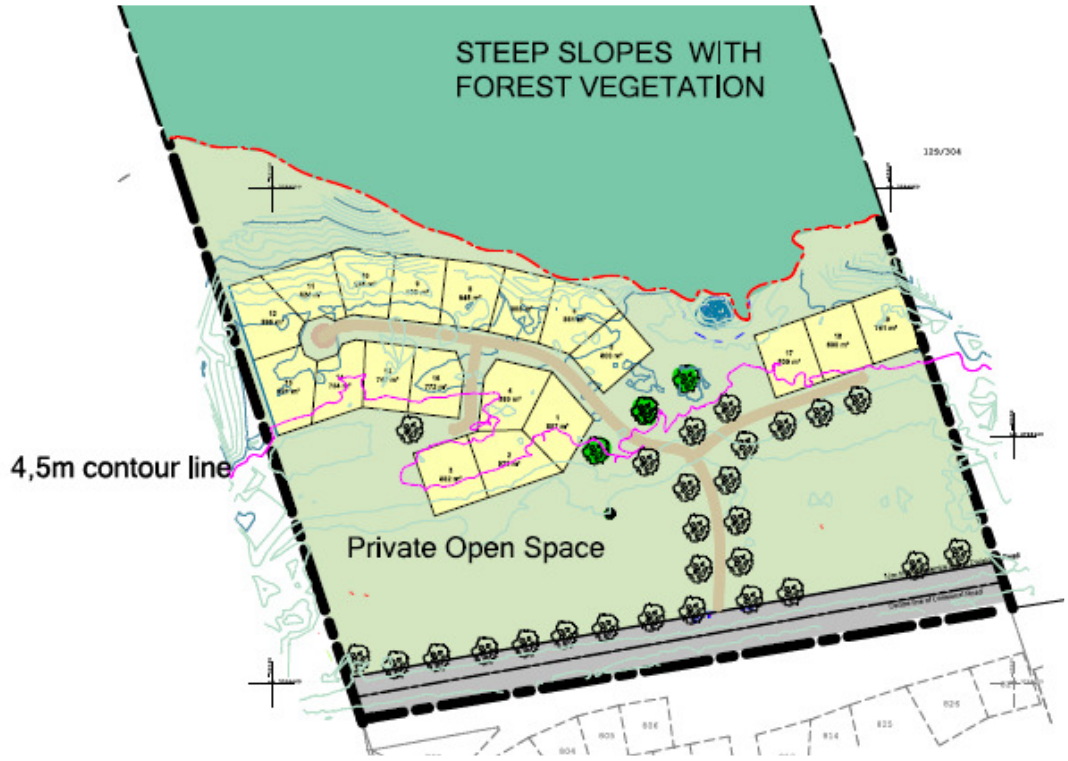

Figure 9: Layout 2 with 19 erven.

Layout Alternative 3: See Diagram 10 attached hereto.

Layout 3 is currently the layout option that is the preferred option. The density has been reduced from 73 to 60 to accommodate concerns raised by the local community . Property sizes has increase from average of 375m² to 450m², to be more in line with surrounding property sizes. Further specialist assessment has also revealed that an animal corridor of at least 20m along the foot of the hill would be more suitable than the previously proposed 10m buffer from the forest vegetation. This 3rd option accommodates 20m corridors along the foot of the hill.

The layout makes furthermore provision for on-site storm water retention and a private sewer treatment plant.

Figure 10: Layout 3

3.2 LAYOUT DESIGN CONSIDERATIONS

3.2.1 BIOPHYSICAL SITE CONSTRAINTS AND OPPORTUNITIES

The biophysical site characteristic described in Section 2.4 determined the development footprint. In summary the following site contrains were identified and excluded from the development footprint (See constraints map attached as Diagram 7)

- Steep slopes
- Sensitive forest vegetation
- 20m ecological corridor along the foot of the hill
- Fountain /pond with 10m buffer
- Mature Milkwood trees
- 20 Provincial Road Reserve along southern and northern boundary

- 10m Vegetation buffer along the Keurbooms Road

3.2.2 ACCESS

EAS Consulting Engineers was appointed to assess the extent and nature of the traffic generated by the proposed development, assess the impact of this traffic on the operation of the existing road network, and devise solutions for any problems identified. The following key elements, inter alia, are addressed in this traffic impact assessment:

(i). The suitability and safety of proposals for access to and egress from the site;
(ii). The capacity of the existing and future road network within the influence radius; and
(iii). The road upgrading measures required to accommodate traffic generated by the proposed development.

The site access for all three layouts will be off Keurboom Strand Road MR395. The access point to the proposed development is proposed at the existing access point to Portion 91 of Farm 304, directly opposite the existing access to Milkwood Glen. The alignment of the road in this section is flat and straight. There will be an access control at the entrance gate , which will be set back with at least 10m from the road edge to accommodate any stacking. The Traffic Impact Assessment confirmed that this access point is safe given that the available sight distance from the proposed access exceeds 200m in both directions.

The internal road network will be privately owned and will consist of landscaped lanes. A great neighbourhood has safe and friendly streets where people can walk without fear of crime or being threatened by traffic. The streets in this neighbourhood will be private with low volume and speed and will function more like open spaces than traffic ways. The main road reserves are 12m wide which will allow for enough space to accommodate a road surface(±5.5m), services, sidewalks, and landscaping. All secondary road reserves measure 10m in width.

3.2.3 FINANCIALLY VIABLE DENSITY

The developer wants to provide a high-quality yet affordable housing product. To make this project financially viable and responsive to the target market, the cost of land, services and build cost need

to be limited and in order to do so, a certain economy of scale needs to be attained. The most relevant design aspect to achieve this, is through development density.

The property is 14.7ha in size and **LAYOUT 1** proposed 73 units of approximately 375m², which calculates to a gross density 5 units per ha. The nett density is calculated excluding the undevelopable steep slopes and forest vegetation to the north of the site. The identified development area measures approximately 6ha and 73 units will calculate to a net density of 12 units per ha, which is not regarded as high density. This density correlate with the proposed density profile of 12 units per ha of the identified transformed development nodes as set out in the Local Spatial Plan.

To bring the above density into perspective, medium-density housing is generally characterized by a density of 30 to 40 dwelling units per hectare (gross), while high-density residential areas, typically situated in inner urban locales with high-rise structures and mixed-use components, can exhibit densities ranging from 40 to 100 units per hectare.

Based on the objections received during the initial public participation phase conducted as part of the Basic Assessment process, it is evident that the local community is predominantly concerned about the perceived high density of the development and the potential demographic it might attract, and how this may impact on their own property values. In an effort to address the concerns of neighbouring residents, the original development concept has been revised by reducing the density from 73 to 60 units, concurrently increasing property sizes from approximately 375m²to approximately 500m². As a result, the development's gross density now stands at approximately 4 units per hectare, while the net density is approximately 10 units per hectare. These adjusted figures align more closely with the surrounding neighbourhood densities while is still allows for enough units to be financially viable and affordable to the end user.

The proposed density is high enough to be financially viable, yet low enough to fit into the surrounding area.

3.2.4 ENERGY EFFICIENT ORIENTATION AND DESIGN

The houses will be equipped with solar systems which require maximum exposure to the sun. In the Southern Hemisphere, houses should be orientated to face north. The layout design has as far

as possible orientated erven, especially the smaller ones, in such a way that houses can be places with their longer frontages to the north.

House designs will be elaborated on in the Architectural Design Guidelines. Energy efficient guidelines will include elements such as having appropriate areas of glazing, correct orientation, suitable levels of shading, insulation and thermal mass. The use of local building materials and renewable energy applications such as solar water heaters, rainwater harvesting etc. will be encouraged.

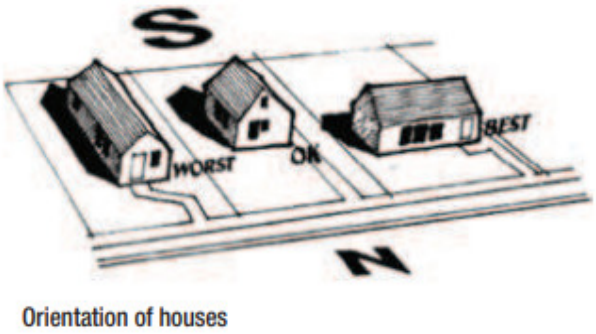

Figure 11: House Orientation

3.2.5 A CONNECTION WITH NATURE

The proposed open space system corresponds to the position of indigenous vegetation. These areas will be part of the landscaping plan of the development and will provide an opportunity for recreational areas such as walking trails, lookout points etc. These facilities will be formally laid out to avoid unnecessary informal path formation in the sensitive forest habitat. A play park and picnic area are planned under the Milkwood trees and the small dam can be equipped with a bird hide or benches where the resident can enjoy the greenery.

3.2.6 SECURITY

Crime is a South African reality and must be a consideration in any new development. The development will be a gated security complex. The development will be fenced around the development footprint, but special attention will be given to unobtrusive fencing and animal movement. There will only be one gatehouse that will control access.

3.2.7 AESTHETICS

The Keurboom Road is a scenic route and as such, the visual quality along the way is a relevant consideration. Both Layout 1 and 3 makes provision for a 10m wide open space system proposed along this road. This strip of land will be densely vegetated to obscure the development. This vegetation buffer will allow for a visual barrier between the development and the Road, which will reduce the visual impact of the development, and reduce noise levels emanating from the Road. A Visual Impact Assessment was conducted by Paul Buchholz (Visual Impact Assessment Specialist) and concluded that the well-positioned and designed development allows for it to blend in very well with its surroundings and create minimal contrast in the landscape. The development will also be subject to an Architectural Design Guideline that will be informed by the recommendations contained in the Visual Impact Assessment.

3.3 PROPOSED ZONING AND SUBDIVISION

LAYOUT 3:

The proposal includes rezoning the property to a "Subdivisional Area". The consolidated stand will then be subdivided into :

- 60 Residential II (Group Housing) erven;
- 1 Open Space II erf (communal open space that will include private streets and services and landscaped gardens);
- 1 Open Space III erf (conservation area which will include the sensitive forest area and buffer zones);
- 2 Transport II erven (Public Road to accommodate the existing divisional road that traverses the southern boundary of the property and the old National Road that traverses the northern section of the property).

3.4 ENGINEERING SERVICES

Poise Structural and Civil Engineering Design Consultant have been appointed to investigate the services supply and demand for the proposed development. The Report is attached as Annexure K.

3.4.1 WATER:

The development will aim to be as self-sufficient as possible. There are municipal water sewer and electrical networks available in the area as can be seen on the attached Engineering Services (Diagram 11).

The GLS Capacity Analysis Report confirms that the existing reticulation system and reservoir has sufficient capacity to service the development. There is however insufficient capacity in the bulk water mains serving the reservoir, to maintain the required reservoir storage during peak seasonal periods. The Bitou Municipality have confirmed that Master planning is in place for the necessary upgrades to the bulk supply system. However the implementation of upgrades is entirely dependent on the availability of finance, and no time frame can be guaranteed for such implementation.

The Developer's intent is to lower demand by optimising the use of rainwater harvesting for domestic use and the use of treated greywater for irrigation purposes, within economic feasibility. Detailed solutions will be addressed in the detailed design stage and will be to Bitou Engineering Department approval.

3.4.2 SEWER RETICULATION

The Development falls within the drainage area of the Keurboom strand main pump station. Effluent from this pumpstation is routed to the Municipal Ganse Valley wastewater treatment plant through the Matjiesfontein and Aventura pump stations and their respective rising mains.

The GLS Capacity Analysis report confirms that the pump stations have sufficient capacity to accommodate the Development. However certain rising main upgrades are required, and the wastewater treatment plant is currently at full capacity.

The Bitou Municipality have confirmed that Master planning is in place for the necessary upgrades to the bulk sewerage system. However the implementation of upgrades is entirely dependent on the availability of finance, and no time frame can be guaranteed for such implementation.

Depending on the above timelines, the Developer's intent, as an alternative, is to adopt an on- site package plants that can be designed to treat wastewater for reuse. Treated wastewater can be used for purposes like irrigation, which reduces the demand on freshwater sources. Detailed solutions will be addressed in the detailed design stage and will be to Bitou Engineering Department approval.

3.4.3 STORMWATER MANAGEMENT

There is not any formal stormwater system in the area. The permeable conditions of the site allow that in the current undeveloped state all rainwater falling on the site discharges through infiltration within the defined area of the site. Currently there is insignificant overland discharge of runoff from higher lying densely vegetated areas to the lower lying areas of the site. Since there is no development planned on the higher lying areas. This situation will remain.

The stormwater on the planned development footprint will be managed such that developed erven will generally discharge to the road surfaces which in turn will discharge through permeable paving to one of three retention ponds which have been provided in the layout. Because the development footprint has a very even gradient, underground stormwater pipes will not be feasible. The positions of the ponds are however such that the road surfaces will have sufficient capacity to contain the runoff on surface and discharge it to the ponds without flooding. From the ponds the water can discharges through infiltration .

3.5 HOMEOWNERS ASSOCIATION

The development will be managed by a Homeowners Association that will own all the Open Space properties, communal building, and private infrastructure. The HOA will be responsible for the maintenance of the communal open space and services, including the sewer package plant.

3.6 PLANNING PERMISSIONS REQUIRED

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

The proposal will require the following planning approvals from the Bitou Municipality:

(i) **Rezoning in terms of Section 15 (2)a of the said Bylaw:** The property is currently zoned "Agricultural I" in terms of the Bitou Zoning Scheme By-Law applicable to the area. To facilitate the development of the land the property will have to be rezoned to a "Sub-divisional Area".

(ii) **Subdivision in terms of Section 15 (2)d of the said Bylaw:** The current subdivision plan indicates the subdivision of the property into 60 individual General Residential I (Group Housing) erven with average erf sizes of ±500m² as well as roads and private open spaces.

It is the intention to submit theses applications once the Final Basi Assessment Report has is available.

3.6.2 NATIONAL HERITAGE RECOURSES ACT 25 OF 1999

The rezoning of more than a hectare of land requires approval in terms of Section 38 of the Heritage Resources Act. A Notice of Intent to Develop (NID) has been submitted to Western Cape Heritage. This matter was discussed at the Heritage Officers' Meeting held on 12 June 2023 and they have concluded that there is no reason to believe that the proposed rezoning, subdivision and housing development on Portion 91 of Farm 304, Matjes Fontein will impact on heritage resource, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required (Letter from Western Cape Heritage date 30 June 2023 attached hereto as Annexure L.

3.6.3 SUBDIVISION OF AGRICULTURAL LAND ACT 70 OF 1970

The property was originally earmarked in the Knysna Wilderness Plettenberg Bay Guide plan for "Recreational" purposes. This means that although the property has farm portion numbers and is zoned for agricultural purposes, it is exempt from the provisions of the Subdivision of Agricultural Land Act (Act 70 of 70). An exemption certificate from the Department of Environmental Affairs and Development Planning has been issued to confirm the above (See Annexure M).

Figure 12: Extract from the KWP Guide Plan

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

The property is 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.

3.6.5 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 property borders two Provincial Roads, the PO394 and DR1888 and will therefore require approval from the Provincial Roads Authority.

There are also Conditions in the Title Deed That prevent the subdivision of the property without the consent of the controlling authority in terms of Act 21 of 1940.

3.6.6 OUTENIQUA SENSITIVE COASTAL AREA REGULATION

Certain areas have been designated as sensitive in terms of these regulations and require approval from the local municipality should activities such as clearance of vegetation and earthworks be undertaken. The property falls within the identified OSCAE area.

3.6.7 NATIONAL WATER ACT, 1998 (ACT 36 OF 1998) (NWA).

The proposed development may trigger the requirement for a water us use licence in terms of Section 21 (c) & (i) of the National Water Act, 1998. This will need to be confirmed.

4. Need & Desirability

In terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) ("PAJA") all administrative action must be based on the "relevant considerations". NEMA and the EIA Regulations highlight specific considerations which include specifically having to consider "**the need for and desirability of the activity.**"

4.1 NEED

4.1.1 THE NEED FOR AFFORDABLE HOUSING

The first question that needs to be asked when any development is considered is whether there is a need for the contemplated land use. This is normally a question that the potential investor would answer before he embarks on a long and expensive application process. Development, like any other business, is about supply and demand.

It is a well-documented fact that the Garden Route is becoming increasingly popular among people who want to seek a quieter lifestyle and move out of the cities.

According to the 2021 Socio Economic Profile of the Bitou Municipality prepared by the Western Cape Provincial Government, the population of Bitou is 69 321 people in 2021, making it the most populated municipal area in the Garden Route District (GRD). This total is expected to grow to 77 243 by 2025, equating to an average. annual growth rate of 2.7 per cent. Statistics show that historically most people moving to the Bitou area are from the Eastern Cape. Most of these people are poor, low-skilled individuals who are searching for employment opportunities. Although most of the population growth and subsequent housing needs are in the poorer communities, there is also a known need for middle-income properties in Plettenberg Bay.

There is currently a "semigration" trend, with many people from Gauteng and KwaZulu/Natal moving to smaller towns in the Western Cape. It seems that Covid-19 has caused a lot of people to introspect and re-evaluate their priorities, which has led to the current influx of affluent city dwellers to the Garden Route. This leads to a situation where demand, and therefore property prices, are well above national averages even though affordability is relatively low.
According to a recent Article in the Financial Mail [1], the average value for a property in Plett increased by 24% from 2020 to 2021 to R3million, a further 9% in 2022 to R3,3million and 26% to R4,2million in 2023. Entry level asking prices in Plett have increased considerably over the past 4 years. It is currently difficult to find full title homes below R3,500,000.

The Plettenberg Bay area historically has very little housing opportunities for middle-income earners. The mentioned influx of higher-income families moving to the area and subsequent sharp increase in housing prices has further exacerbated the lack of affordable housing. Many residents are displaced as property values and rentals rise to the point of unaffordability. This displacement of the middle class and lack of affordable housing has a tremendous effect on the economy of the town, as the middle-class workforce, who actively contributing to these economies, can no longer afford to live here.

[1] *This report was compiled by Steven Neufeld, Manager Principal of Lew Geffen Sotheby's International Realty Plettenberg Bay and Professional Valuer and Court Appointed Appraiser for South African Property Valuations®: 072 417 7731 (or)* steven@sapv.co.za

In the coming years it is critical that the housing shortage in the middle-income bracket be addressed to ensure the efficient functioning of the Plettenberg Bay economy. This development aims to address the housing need of the middle-income earners who lives and work in the area.

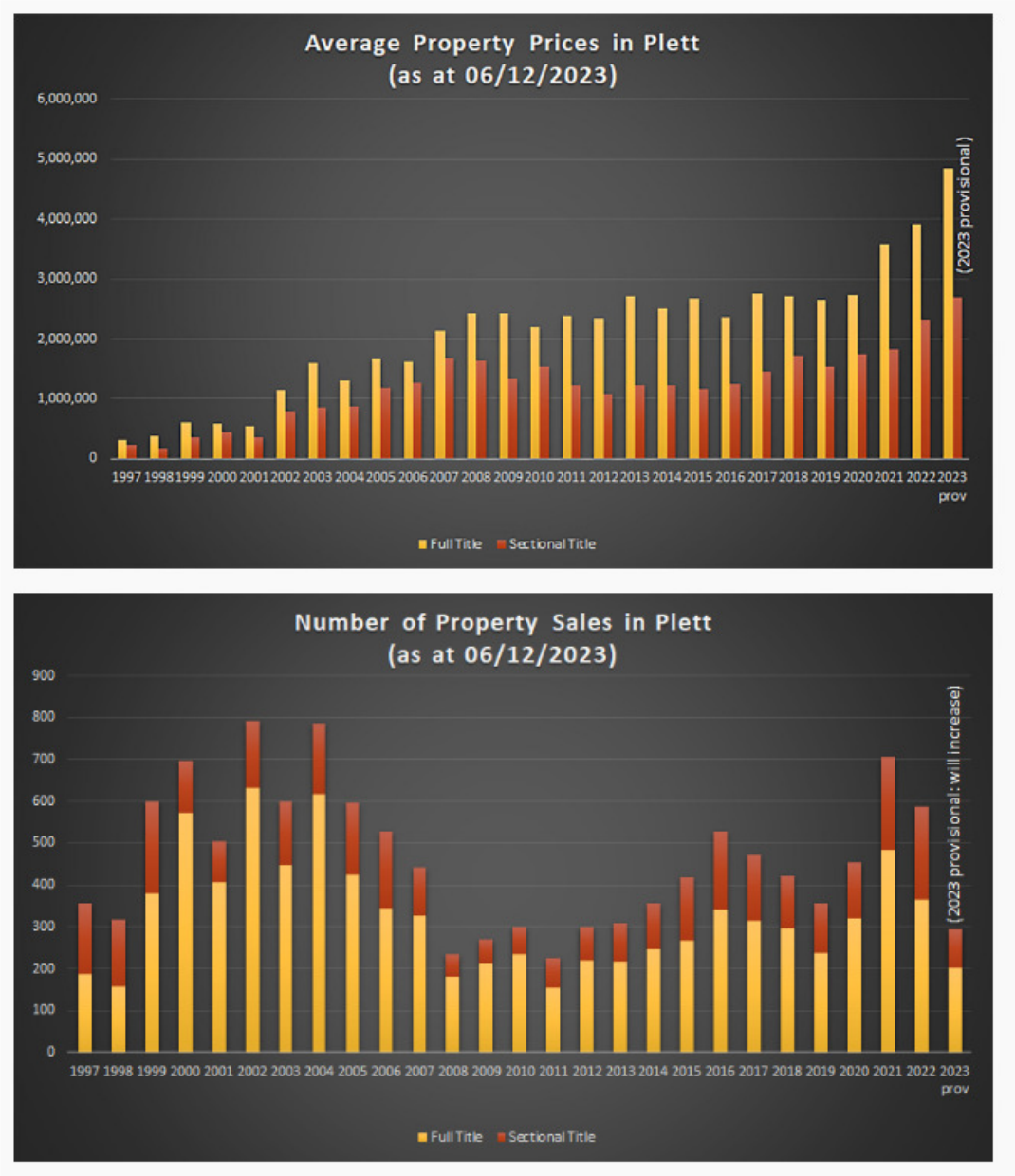

Figure 13:Property sales and prices between 1997and 2023.

4.1.2 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 reduce poverty and to cut the unemployment rate to 6% by 2030. Notwithstanding decades of legislated environmental impact assessment and integrated development planning, "*poverty remains endemic ".*

The planned residential estate stands to contribute positively to the economic growth of the area by creating job opportunities for the local community without detrimentally affecting the environment. It will create construction jobs for local contractors and 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 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 biophysical site characteristic described in Section 2.4 determined the development footprint. In summary the following site constrains were identified and excluded from the development footprint.

- Steep slopes
- Sensitive forest vegetation
- 20m ecological corridor along the foot of the hill
- Fountain /pond with 10m buffer
- Mature Milkwood trees
- 20 Provincial Road Reserve along southern and northern boundary
- 10m Vegetation buffer along the Keurbooms Road

It can be concluded that the development footprint identified is suitable for development without any negative impact on the surrounding natural landscape. The unique site characteristics will be preserved within the planned development.

4.2.2 COMPATIBILITY WITH THE SURROUNDING AREA

The Keurboom village is a seasonal holiday town with a homogeneous single residential holiday character. The property is about 1.8 km west of the town along a stretch of road that contains several gated residential developments. The Zoning Plan attached hereto indicate that the study area mainly consists of Single residential and Group housing zoned residential estate of varying densities. The proposal is compatible with the existing land uses.

To provide further context for this density evaluation, the following table offers a comparative analysis with other developments in the vicinity. Notably, both the development density and property sizes are lower than those of the Milkwood Glen Development, the source of most objections relating to density.

DEVELOPMENT DENSITIES IN THE AREA					
Development Name	**Property description**	**Status**	**Nr of Units**	**Property size**	**Gross Density**
Candle wood	Pt 129, 92, 16 of 304	Lapsed but intention to reapply	50	37ha	1.3dupa
Whale Haven		Implemented	17	3.9ha	4.4du/ha
Driftwood	Ptn 15/304	Implemented	5	3ha	1.7du/ha
Ptn 91/304	Ptn 91/304	Lapsed but intention to reapply	60	14.7ha	4.1du/ha
Milkwood	Ptn 14/304	Implemented	50	6.5ha	7.7du/ha
Keurbaai	Ptn of ptn 13	Implemented	11	1.3ha	8.46du/ha
Dolphin Wave	Ptn 12/304	GP approved 2016, road constructed - lapsed?	62	10,3ha	6,2du/ha
Ptn 10/304	Ptn 10/304	Rights granted in 2018 for 32 units	32	22ha	1.45du/ha
The Dunes	Re9/304	Implemented	143	11.7ha	12.6du/ha
Dune Park	Ptn 74/304	Implemented	41	2.1ha	19.5du/ha
Natures Path	Ptn 10 and 192 / 304	EIA granted 2018	98	6.8ha	14.4du/ha
Plett Manor	Ptn 3/304	Implemented	130	9.7ha	13.4 du/ha
Nautilus estate	Erf 1169	2 implemented	6	9.7ha	0.6du/ha

Many of the objectors echoed the assertion that the proposed middle-income residential development, characterised by what they perceived as high-density, is incongruous with the existing character of Keurboom strand. However, it is important to note that this development shares significant similarities with other developments in the area, such as Milkwood Glen, and is unlikely to have a profoundly adverse impact on the character of the area. The development neither introduces exceptionally high densities nor a land use that is out of sync with its surroundings; it essentially represents a continuation of the prevailing housing landscape. Furthermore, mitigation measures proposed in the Visual assessment will ensure landscaping along the road which will soften the impact of the new development .

4.2.3 COMPATIBILITY WITH APPLICABLE FORWARD PLANNING DOCUMENTS

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

4.2.3.1 National Development Plan (NDP 2030)

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

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

4.2.3.2 Western Cape Provincial Spatial Development Framework 2014

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

The Provincial SDF indicates George as the regional center for the eastern part of the province, with Knysna and Plettenberg Bay being smaller centres along the Regional Connector Route (N2). It earmarks the area along the Garden Route as a tourism route with leisure activities of provincial significance.

The sustainable use of provincial assets is one of the main aims of the policy. The protection of 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.

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, the northern section of the property is a Critical Biodiversity area, while the southern section is a completely transformed area. Development is not permitted in the CBA area but is generally permitted in transformed areas.

4.2.3.4 Bitou Spatial Development Framework 2021

The Bitou Spatial Development Framework 2021 was approved by Council in March 2022. The main objective of this development framework is to achieve a balance between development and the environment to ensure that growth is spatially just, financially viable and environmentally sustainable by working towards compact, vibrant, livable, and efficient settlements serving all communities.

The protection of natural environmental resources of the area is fundamental to future economic development in the area as the two key economic sectors of the municipality (tourism and agriculture) are both resource-based. To protect these valuable resources, the Bitou SDF has defined an urban edge aimed at containing lateral urban sprawl within the municipality.

As can be seen from the extract of the SDF map below, a portion of the property has been identified as a strategic development area within the urban edge. This proposal aligns with the proposed development nodes as identified in the Keurboom local Area Structure Plan, which provides more detail and recommendations (see par4.2.3.5 below). The urban edge has been roughly defined by the steep slopes to the north and the 5m contour line which defines the Estuarine Functional Zone to the south. The proposed development area extends beyond the identified urban edge as the Aquatic Assessment confirmed that the area contains no estuarine habitats and is below the 1:100-year flood line of the estuary.

The SDF states that the urban edge is to be viewed as a conceptual, indicative measure (growth management tool) aimed at illustrating a concept, rather than being an exact line with statutory status. The urban edge essentially makes provision for limited urban extension on this property. The SDF also explains that the urban edge is a proposed limit for expansion of any urban node beyond which development should not occur unless the land is already provided with or can connect directly to existing municipal services infrastructure. In this case available municipal water and sewer pipelines traverse the south boundary of the property so the development can connect directly to the network (chapter 4.3 action 2.2).

Figure 14: Extract from the Bitou SDF 2021

Furthermore, the SDF confirms that all land development applications for the use of land abutting an urban edge should be considered consistent with the SDF if the land has at any time in the past been

used or designated for any urban development, which includes all development of land where the primary use of the land is for the erection of structures. In this case, the land was previously approved for a resort with 50 units, this has also been acknowledged in the Keurboom Local Environs Spatial plan (see table D3) and the old regional structure plan earmarked it for "Recreational purposes".

4.2.3.5 Keurboom and Environs Local Area Spatial Plan

A detailed Local Area Spatial Plan was compiled for the Keurbooms area in 2013 (See Diagram 12 attached).

The area has a fairly homogenous holiday/resort character. The document states that altering its character by permitting commercial and other non-residential development could detract from the area's attraction. The theme should thus be a low-density residential one. The proposal complies with this theme.

The property is situated in the Coastal Corridor which is defined by a number of smaller properties located within an approximate 1km offset from the high watermark extending from the Bitou River in the direction of the Keurboomstrand settlement. The Spatial Plan has identified development nodes for this area. For these nodes, a gross density profile of 12 units per ha of the identified transformed footprint area is proposed. The latter is based on the guideline of 15 units per hectare proposed for smaller rural settlements as contained in the Draft Bitou SDF (2013).

The extent of the proposed development nodes as conceptually indicated on the plan is based on the measured footprint of the identified transformed area. The proposed development nodes are strictly located within areas that have been identified as being transformed with no natural remnants remaining.

The entire southern portion of the site, where the development is planned, is identified as a transformed area, according to the Environmental Sensitivity Map Nr 6 and Biodiversity Map Nr 7 attached to the Keurboom and Environs Local Area Spatial Plan Report. The proposed density of the development is between 10 and 12 units per ha of the identified transformed footprint, as proposed in the document.

The document also determined "no go" development areas based on the various bio-physical constraints which determine that no development should be considered:

- below the 1:50 and 100: year flood lines;
- on any slopes with a gradient steeper than 1:4;
- below the 4,5m coastal setback line;
- within the 100m high water mark setback; and
- within the Tshokwane Wetland system.

The proposed development footprint complies with all the parameters as set out above, except for the 4,5m coastal setback line. Taking the 4.5m contour line into account, only about 1.6ha of the 6ha transformed area has been identified as being suitable for development. This calculates to a maximum of 19 units.

This 4.5m coastal setback recommendation was taken from the 4.5m swash contour and 4.5 m estuary/river flood contour that was a recommendation by the 2010 Eden District Municipality Sea level rise and flood risk model of 2010, commissioned by The Provincial Department of Environmental Affairs and Development Planning. The purpose of this model was to identify areas that are vulnerable to migrating shorelines and tidal reaches, storm associated extreme sea levels and estuary/river flooding. It is submitted that this property is not within 100m of the coastline and is not in the 100-year flood line of the estuary flood plain as defined in the Keurbooms Bitou Estuarine Management Plan 2018 and the reference to the 4.5m inland contour line are therefore less relevant to properties inland of these vulnerable areas.

4.2.3.6 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:

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 are varied and include Spatial Development Frameworks, Precinct Plans, and Urban Regeneration Plans and Policies. SPLUMA emphasises the importance of equitable access to resources, including land and infrastructure. The project will provide housing opportunities in a suitable location for a segment of the population that is not well catered for in the area. The residential development will incorporate a mix of housing types to accommodate various income levels, fostering a diverse and inclusive community.

Spatial Sustainability:

Keurbooms natural environment is a key asset that must be preserved and enhanced. Compliance with SPLUMA requires a meticulous environmental impact assessment, followed by the integration of sustainable building practices, green spaces, and conservation efforts. This residential development prioritises energy efficiency, water conservation, and the protection of biodiversity by minimize its development footprint. The proposal does not impact on scarce resources such as valuable agricultural land or conservation worthy natural environmental features.

Furthermore, traditional centralised sewage systems often require extensive infrastructure, including pipes, pumping stations, and large treatment plants. The planned on-site package plants can minimize the environmental impact associated with the construction and maintenance of such infrastructure.

Spatial Efficiency:

Spatial efficiency is a critical component of SPLUMA, emphasising the optimised use of land and resources to create a compact and functional living environment. In the case of this residential development, designing the residential layout with a focus on compactness and higher density allows for the efficient use of available land. This approach not only preserves open spaces and natural habitats but also encourages a sense of community by bringing residents closer together. Spatial efficiency extends beyond layout and design and also encompass infrastructure planning. The implementation of smart grid technologies and bio-sewer plants can minimize energy wastage and reduce the environmental impact of the development. This thoughtful approach ensures that the proposed alternative infrastructure solutions support the community's needs while promoting sustainability.

Spatial Resilience and Good Administration:

This involves designing and planning with an awareness of potential environmental risks and the changing climate, ensuring that the community can adapt and thrive in the face of uncertainties. Incorporating climate-responsive design elements into the development helps mitigate the impact of extreme weather events. This includes elevating structures to avoid flooding, implementing sustainable drainage systems for stormwater management, and using materials that can withstand climatic challenges. By proactively addressing climate considerations, the development can enhance its long-term resilience. Protecting and preserving natural features such as steep slopes and forests ecosystems not only contributes to biodiversity conservation but also acts as a natural defence against floods, storms, and other environmental risks.

5. Summary

Portion 91 of the Farm Matjes Rivier No. 304 measures 14.7ha and is zoned for Agricultural I purposes. The southern section of the property consists of pastures and has a very even gradient, while the north section has a steep gradient covered in indigenous forest vegetation. It is the vision of the landowner to create an affordable and sustainable housing product specifically targeting the middle-income group. The need for middle income accommodation in Plettenberg Bay is well documented.

The development is planned on the less sensitive southern portion while the northern section will be protected as a nature conservation area. At this stage, 3 different Layout options with 3 different densities are proposed , with Layout 3 being the preferred alternative consist of 60 group housing erven that comprises a footprint of about 4.8ha , leaving about 67% of the property available for conservation purposes.

The site is physically suitable for development and can be services through either an upgraded municipal infrastructure or through private onsite solutions.

Historical development rights allowed for the development of ±50 units on the property but these rights were not implemented and have lapsed. Both the Bitou Spatial Development Framework and the

Keurbooms Environ Local Area Structure Plan earmarked a portion of the property for development. The proposal extends beyond the identified urban edge, but the identified development area is based on the specialist study that confirmed the identified footprint does not contain any estuarine habitats or other sensitive features and is below the demarcated estuarine floodplain.