

**AGENDA of the  
Portfolio Committee : Infrastructure and Planning  
21 August 2018  
(Also the agenda for the Mayoral Committee Meeting : 29 August 2018)**

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**3.  
ERF 728, BOBBIE ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA :  
PROPOSED SUBDIVISION : MESSRS DIESEL & MUNNS ON BEHALF OF  
C TREURNICHT AND SE DAWNING**

**728 KPRB (2948)**

**H van der Stoep**

**18 June 2018**

**(028) 313 8900**

**Hermanus Administration**

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**1. Executive Summary**

To consider an application received on 23 June 2015 from Messrs Diesel & Munns on behalf of C Treurnicht and SE Dawning, the owners of Erf 728, Pringle Bay, to subdivide the property into three (3) portions (two (2) residential erven and one (1) Open Space Zone I : Nature Reserve).

A Locality Plan of the property concerned is attached as Annexure A. The proposed Site Plan is attached as Annexure B, and the Motivation Report from the applicant in support of the proposal is attached as Annexure C.

**2. Service Delivery and Budget Implementation Plan - IGNITE**

Infrastructure and Planning  
Town- and Spatial Planning

**3. Compliance with Strategic Priority**

Provision of democratic, accountable and ethical governance

**4. Delegated Authority**

Executive Mayor

**5. Legal Requirements**

Section 17 of the Ordinance 15 of 1985

**6. Background/Discussion/Evaluation**

**Background**

Registered notices were sent to surrounding potentially affected property owners, and two (2) objections were received against the proposal. Cape Nature has requested the applicant to amend the sub-divisional plan to ensure safeguarding the sensitive natural area.

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The application was also circulated to all relevant municipal departments, and one (1) objection was received.

**Discussion:**

Objections

Objections were received from Ms MJ Manson, the Pringle Bay Ratepayers Association, Cape Nature and Municipal Engineering Department.

Ms MJ Manson has during the process sold her property and the objection is not applicable anymore. The Pringle Bay Ratepayers Association has withdrawn their objection after discussions with the applicant.

Cape Nature requested that the applicant scale down the subdivision from the original three (3) portions and a remainder, to two (2) portions and an open space to accommodate the sensitive dune system. The applicant complied with the request.

The Municipal Engineering Department, in their comments dated 1 July 2016, did not support the application due to the non-availability of sewer tanks. The applicant was informed as such and discussions took place between the relevant department and the applicant. In a letter dated 17 November 2016 from Messrs Warnich Attorneys (attached as Annexure F) on behalf on the applicant, they responded as follows:

- ❖ The objection is not in accordance with the Overberg Spatial Development Framework vision, mission and priorities.
- ❖ Page 38: The Overberg Municipality Integrated Development Plan (IDP 2016/2017) vision is to totally be: “Committed to Serve the Overberg, to Render Sustainable Client Directed Services and to be the Preferred Provider of Shared Services within the Overberg”.
- ❖ Page 192: Undertook to prioritise the upgrading of Pringle Bay’s sanitation infrastructure and listed the construction of a new bulk pump station and rising mains at the Buffels River as a priority project.
- ❖ Page 212: the Overberg also undertook to encourage growth in existing communities through infrastructure, urban renewal and densification.

Further comments from the applicant relates to the following:

The applicant has other erven in the area, which he intends to develop in the near future.

In 2010 the Overstrand Municipal Growth Management Strategy (OMGMS) indicates the densification of the Village Centre in Pringle Bay,

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but due to the lack of infrastructure the Municipality is unable to accommodate a mere two (2) additional erven.

The following proposals were put forward namely:

- to upgrade the present infrastructure;
- go into a third party agreement with providers such as waste tech, etc. or
- to establish its own waste water treatment plant.

The Engineering Department did reply on 18 December 2017 and indicated that they do not support third party and/or small private waste water treatment works in the urban areas.

It is our contention that the objection is unreasonable and all the objections have been addressed.

**Planners comment**

The comment will be applicable to Messrs Warnich Attorneys' reply dated 17 November 2016:

Firstly, the reference to the Overberg Municipality is incorrect and should read Overstrand Municipality.

Various erven are still vacant in the Pringle Bay area, which will have to be serviced by the tanker services when developed. Therefore to eliminate the extra burden of additional erven created through subdivision, the application cannot be recommended.

The OMGMS clearly indicates that there is no sewerage services and capacity availability.

The policy documents are guidelines and can only be fulfilled if an application is in line with the proposed development parameters and services availability. Existing rights must be honoured, however the application for the subdivision is additional rights and the Municipality by virtue of capacity may not support such an application.

It is unclear why the applicant indicates that the Municipality is unreasonable in its non-approval of the application. If there is no service capacity, why exacerbate the situation and create unreasonable financial constraints on the Municipality?

In the applicant's response he clearly indicated that he has existing undeveloped erven in Pringle Bay. It is thus advisable for the applicant to develop his erven in Pringle Bay where the Municipality is obliged to provide a service.

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The applicant bought the property as a single residential property due to its locality in a pristine area with full knowledge that it's reliant on conservancy tanks. Thus the Municipality is not in a position to service more than the approved township erven of Pringle Bay. The only beneficiary of the subdivision is the applicant to the detriment of the community.

The private small waste water treatment plant creates an operational nightmare for the Municipality. Firstly, it needs to engage in administrative monitoring with limited personnel. Further, should the applicant not comply, the system can pollute the area, which is a highly sensitive environmental area. The cumulative effect of such small waste water treatment plants, if not managed properly, will adversely affect the Ridge and surrounding area. The management of a third party at the municipal sewerage works will add to an additional administrative burden.

### **Evaluation**

Erf 728 is located within Extension 3 and the minimum erf size of this area is 1000m<sup>2</sup>, as stipulated in the Hangklip-Kleinmond Spatial Development Framework. The document has since lapsed and is the OMGMS applicable. In terms of the latter, the status of the residential component of Pringle Bay is status quo.

Erf 728 is located in an area known as The Ridge. In the early 2000's an open space corridor was determined by the then Nature Conservation Department of the Municipality. The latter document is the basis on which subdivisions are evaluated. The applicant has taken the document into consideration and has scaled down the subdivision from three (3) portions and a remainder to two (2) portions and an open space erf. The amendment complies with the minimum required erf size of 1000m<sup>2</sup> and the open space corridor. Thus, from a town planning perspective, the application complies with the planning principles and parameters.

However, the application cannot be recommended due to the insufficient capacity of tankers to serve conservancy tanks in the area. The Municipality is obliged to render a tanker service to the existing approved township of Pringle Bay. However it has no obligation to provide a tanker service for additional rights as per the application of services are not available. The applicant did engage with the Municipal Engineering Department to look at a small individual private waste treat treatment plant.

The Engineering Department does not support such private treatment systems in the urban edge due to the cumulative effect it might have on the environment and on the Municipal Treatment Works in terms of operational requirements.

The monitoring of water samples, management of a third party at the sewage works and administrative action due to possible default by the third party, do

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place an additional administrative and financial burden on the Municipality. The latter is not to the benefit of the community and or the Municipality.

**Conclusion**

The application is not recommended for approval.

**7. Financial Implications**

None

**8. Staff Implications**

None

**9. Comments from other Departments, Divisions and Administrations**

**Engineering Services Department**

The Department does not support the application for approval, since it has not the capacity to service conservancy tanks. It also does not support any small individual waste water treatment systems in the urban area.

**Traffic Department**

Supported

**Building Control Department**

Supported

**Environmental Officer**

No objection

**Ward Councillor**

No comment received.

**10. Annexures**

Annexure A: Locality Plan

Annexure B: Proposed Site Development Plan

Annexure C: Motivation Report

Annexure D: Services Report

Annexure E: Comments from Cape Nature

Annexure F: Letter dated 17 November 2016 from Messrs Warnich Attorneys

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**RECOMMENDATION:**

1. that the application for a subdivision of Erf 728 Pringle Bay in terms of Section 24(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) **not be approved**; and
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

<b>RESPONSIBLE OFFICIAL :</b>	<b>H VAN DER STOEP</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>12 SEPTEMBER 2018</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>12 SEPTEMBER 2018</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

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**3.**

**ERF 728, BOBBIE ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA :  
PROPOSED SUBDIVISION : MESSRS DIESEL & MUNNS ON BEHALF OF  
C TREURNICHT AND SE DAWNING**

**728 KPRB (2948)**

**H van der Stoep**

**18 June 2018**

**(028) 313 8900**

**Hermanus Administration**

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**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON  
22 AUGUST 2018, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

**RECOMMENDATION:**

1. that the application for a subdivision and rezoning of Erf 728, Pringle Bay into three (3) portions being two (2) single residential erven of  $\pm 2238\text{m}^2$  and  $1796\text{m}^2$  and an Open Space Zone I : Nature Reserve being  $\pm 1724\text{m}^2$  in extent **be approved** in terms of the provisions of Sections 16 and 25 of the Land Use Planning Ordinance (LUPO), subject to the following conditions:
  - (a) that the Open Space Zone I erf be transferred to Overstrand Municipality at the applicant's cost;
  - (b) that services be provided according to a Service Agreement to be entered into between the owner and Overstrand Municipality;
  - (c) that the Overstrand Zoning Scheme parameters be applicable, together with any conditions contained in the Title Deed; and
  - (d) that bulk services be paid by the applicant as set out in the Service Agreement.
  
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

**RESPONSIBLE OFFICIAL :**

**H VAN DER STOEP**

**TARGET DATE FOR IMPLEMENTATION :**

**12 SEPTEMBER 2018**

**TARGET DATE TO INFORM APPLICANT :**

**12 SEPTEMBER 2018**


**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

ANNEXURE A



**LEGEND:**

 THE PROPERTY



**LOCALITY PLAN OF**  
**ERF 728 PRINGLE BAY**

Overstrand Municipality  
 Administrative District of Caledon  
 Province Western Cape.

**NOTES:**

1) ALL AREAS AND DIMENSIONS ARE APPROXIMATE  
 2) COMPILATION SHEET: AH-480 / X43 (250)  
 3) ZONING: SINGLE RESIDENTIAL ZONE 1 (SR1)

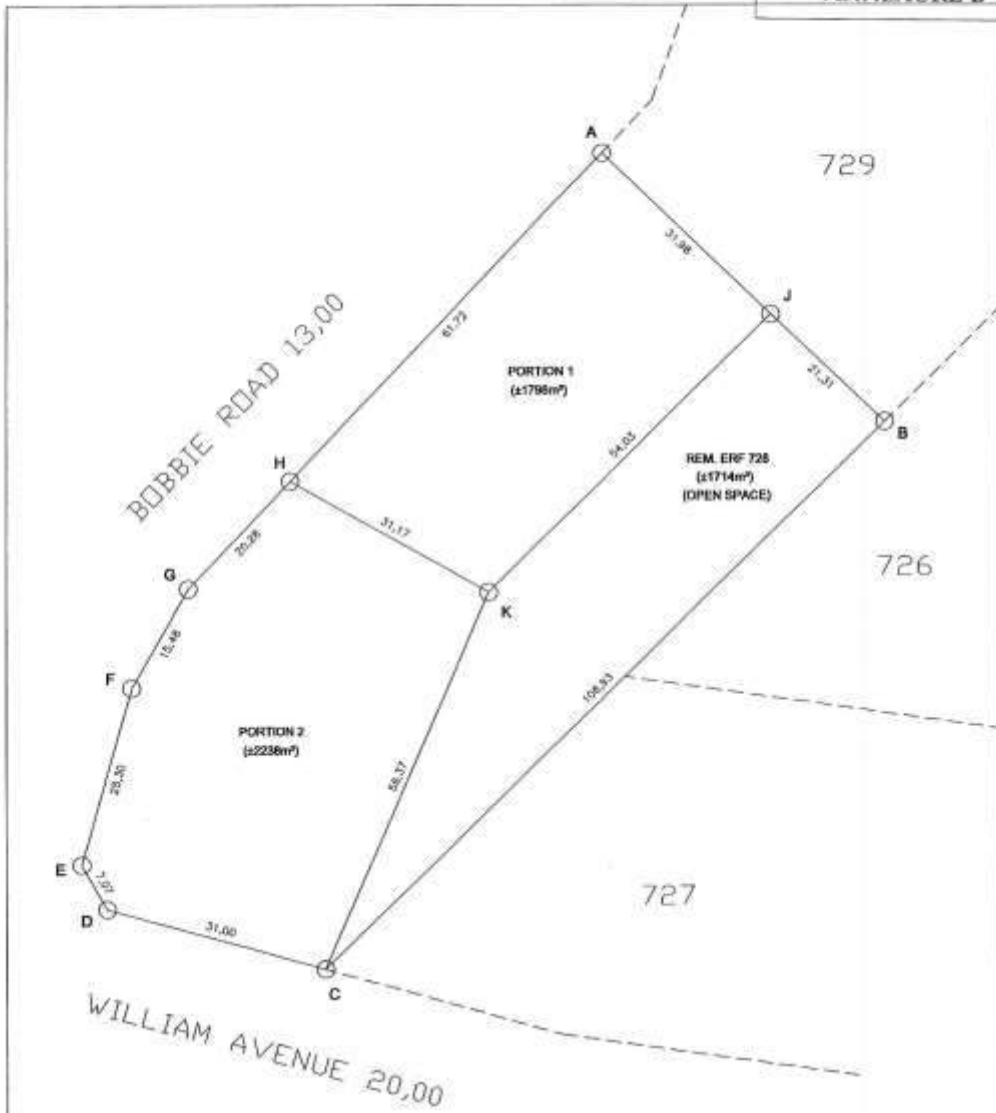
SCALE 1/s 000  
 DATE : MAY 2015  
 PLAN NO: C6478/Loc

 **DIESEL & MUNNS Inc.**

PROFESSIONAL LAND SURVEYORS : TOWN AND REGIONAL PLANNERS  
 PROFESSIONAL LANDSCAPE ARCHITECTS : STAFF - CIVIL ENGINEERS  
 ARCHITECTS : ENVIRONMENTAL ENGINEERS AND TOPOGRAPHICAL SURVEYORS  
 COLLECTED INFORMATION : INFORMATION ON TOPOGRAPHICAL CHANGES

22 DE AARDE STRAAT - P O BOX 4000 475 - SANDHURST WEST 7130  
 TEL : (021) 852-3800/852-2158 FAX : (021) 893-4988

ANNEXURE B



**LEGEND:**

ABCDEFG	—	ERF 728 PRINGLE BAY
JBCK	—	REMAINDER ERF 728
AJKH	—	PROPOSED PORTION 1
HKCEFG	—	PROPOSED PORTION 2



**SUBDIVISION PLAN OF  
ERF 728 PRINGLE BAY**

Overstrand Municipality  
Administrative District Caledon  
Province Western Cape.

**NOTES:**

- 1) ALL AREAS AND DIMENSIONS ARE APPROXIMATE
- 2) COMPILATION SHEET: AH-4BC / X43 (356)
- 3) ZONING: SINGLE RESIDENTIAL ZONE 1

SCALE 1/750 (A4)

DATE : APR. 2016

PLAN NO: C6472/Subs

**DIESEL & MUNNS Inc.**

PROFESSIONAL LAND SURVEYORS : TOWN AND REGIONAL PLANNERS  
 PROFESSIONAL LANDSCAPE ARCHITECTS : SURVEYORS - IN STRONG DECLARATION  
 REGIONAL TREE CONSULTANTS : ENGINEERING AND TOPOGRAPHICAL SURVEYORS  
 DESIGN CONSULTANTS : SURVEYORS ON TOPOGRAPHICAL OPERATIONS

28 DE JAMES STREET (CORNER) - P. O. BOX 100000 - SANDHURST WEST 7201  
 TEL : (021) 852-3800/852-3700 FAX : (021) 852-4886

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## **MOTIVATION REPORT**

### **PROPOSED SUBDIVISION OF ERF 728, PRINGLE BAY, OVERSTRAND MUNICIPALITY, ADMINISTRATIVE DISTRICT OF CALEDON**

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#### **1 PROPERTY DESCRIPTION**

The property in question is Erf 728, Pringle Bay, Overstrand Municipality, Division of Caledon, Western Cape Province (Hereafter referred to as **The Property**).

#### **2 REGISTRATION DETAILS**

Registered Owners: Charles Treurnicht and Sophia Elizabeth Downing

Area: 5478 square meters

Title Deed: T60969/2014

Zoning: Single Residential Zone 1 (SR1)

#### **3 THE APPLICATION**

Application is hereby made on behalf of the registered owner for the following:

- i) The subdivision of Erf 728, Pringle Bay into three portions and a remainder in terms of Section 24(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

#### 4 LOCALITY

The property is located in the town of Pringle Bay within the Overstrand Municipal Area in close proximity to the parking area for the main beach of Pringle Bay. It is located at the corner of William Avenue and Bobbie Road and is bordered on the eastern side by erven 726 and 727 and on the northern side by erf 729. Photo 1 below is an aerial image indicating the regional locality of the property, and photo 2 is an aerial image indicating the location of the property within the surrounding neighbourhood.



*Photo 1: Image indicating the regional locality of the property.*



*Photo 2: Image indicating the location of the property within the Pringle Bay area.*

## **5. LAND USE AND ZONING**

The property is currently zoned for Single Residential purposes, and is currently standing vacant. The majority of the surrounding properties are also zoned for single residential purposes. The property is one of a few larger residential properties (erven 721, 724, 726, 727, 728, 729 and 730) that are still standing vacant in this area of Pringle Bay. Erf 725 that formed part of the same development node has in the past also been subdivided creating erven that are similar in size to what is being proposed by this application. The majority of the surrounding residential properties are being utilised according to their zonings, with a few still remaining vacant. Photo 2 above clearly indicates the level to which the surrounding properties have been developed.

## **6. FORWARD PLANNING**

The Provincial Spatial Development Framework (PSDF) promotes the densification of the existing urban areas in order to facilitate a more effective urban fabric. The Local Authority has a minimum erf size of 1000m<sup>2</sup> prescribed for cadastral subdivisions of single residential properties in this area.

The proposal is in line with these policy criteria.

### **6.1 Provincial Spatial Development Framework (PSDF)**

The WCPSDF was adopted in 2005 and is aimed at guiding development within the Western Cape province, and is a broad spatial policy that will inform more detailed district and local Spatial Development Frameworks.

The Provincial Spatial Development Framework (PSDF) also identifies an appropriateness for increased densities through urban restructuring which would allow (denser) urban areas to function in a more efficient manner (the PSDF identifies an average of 25 dwelling units per hectare as a density above which an urban area will perform adequately). The establishment of the Urban Edge supports this need for the increased densification of the existing urban areas, which in turn would facilitate the protection of the natural mountain slopes of the area from further development. As this property is far larger than any of the surrounding residential properties, the subdivision

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of the property will serve to facilitate this desired increase in urban densities within the Urban Edge whilst at the same time allowing the area to retain its existing medium density residential character and sense of place, as the proposal is still in line with all the relevant forward planning policies applicable to the area.

The main objective of the PSDF in promoting increased densities within the existing urban areas is to halt the phenomenon of urban sprawl into the surrounding environmentally sensitive areas (such as up mountain slopes and onto agricultural land). The proposed subdivision of the property is in line with this principle of halting the further erosion of the scenic beauty of the area by creating increased housing opportunities within the existing Urban Edge. This will help to prevent the further need for future peripheral housing located outside the established urban boundaries, by providing such housing options within the existing Urban Edge boundary. The PSDF promotes the utilisation of subdivisions as a means to achieve the increased (appropriate) densification of the urban areas.

The property is located in an area that is characterised by a range of property sizes, where many of the surrounding properties are far smaller than Erf 728. There is a fair mix of erf sizes within the surrounding area, with many erven in close proximity being far smaller than the proposed portions that this application will create. The property is currently standing vacant and can thus be considered to be underdeveloped and/or underutilised. Thus it is in a position where it can accommodate the desired increased densification of the urban fabric, whilst at the same time having no significant impacts on the existing medium density residential character of the surrounding neighbourhood. It is proposed that the property be subdivided into three portions and a remainder as indicated on the subdivision plan that has been attached in **Annexure A** (Plan No. C5472/Sub).

As the PSDF places a strong emphasis on the prevention of the phenomenon of urban sprawl, the development of the property for single residential housing purposes can be seen to be in line with this proposal, as it is providing for an essential need in a manner that will help to integrate land-use and transport and infrastructure planning, which in turn will ensure that the provision of essential services will be more affordable and sustainable. This can be seen as the main reason why the PSDF calls for the increase in the densities of the existing low density urban areas, as the provision of services to these urban areas becomes more cost effective the higher the densities.

This proposed subdivision of the property is also key to the efficiency and urban restructuring of the public transportation system, as smaller denser areas are easier to service than larger sprawling suburban areas. There are aspects to urban restructuring other than densification that have also been identified, such as the efficient geographical location of activities in order to minimise the need for vehicular transportation. The location of additional housing stock in close proximity to essential services and infrastructure is extremely important with regard to the delivery of services. The subdivision of the properties will generate housing that is located within the existing urban framework situated in close proximity to many essential services. This densification and development of the urban areas should also occur with due regard for the environmental and heritage concerns of the specific area. Policy UR2 of the PSDF makes the short to medium term achievement of this urban densification target (25 dwelling units per hectare) mandatory.

#### **7. RESTRICTIVE CONDITIONS OF TITLE**

There are no restrictive conditions contained within the title deed that prohibit the subdivision of the property. This is confirmed in the copy of the Title Deed that has been attached in **Annexure C**, as well as the conveyancer's certificate that has been attached in **Annexure H**.

#### **8. MOTIVATION**

##### **8.1 Subdivision**

The property is approximately 5748m<sup>2</sup> in extent and is far larger than many of the surrounding single residential properties within the surrounding neighbourhood. The single residential properties that are located to the south of the property (directly opposite William Avenue) are all in the region of 600m<sup>2</sup>. Erf 725 has also previously been subdivided creating properties that are similar in nature to what is being proposed by this application. The sizes of the surrounding properties can be seen on the locality plan attached in **Annexure A**.

As the property is still standing vacant, there are no existing structures that would dictate the location of the proposed subdivision lines. It is thus being proposed that the property be subdivided according to the subdivision plan (Plan No.: C5472/Sub) attached in **Annexure A**. It is being proposed that the property be subdivided into three

portions and a remainder, where proposed portions 1, 2 and 3 will be approximately 1000m<sup>2</sup> in extent, thus meeting the minimum erf size prescribed for this area. The remaining extent will be larger than the proposed three portions (±2747m<sup>2</sup>). The owners of the property are planning to develop this remaining extent themselves, so there is little chance that it would be subdivided any further. Thus only three additional properties will be created as a result of this application. Photo 3 below is a view of the property as taken from the intersection of Bobbie Road and William Avenue looking in a north-easterly direction.



*Photo 3: View of the property from the intersection of Bobbie Road and William Avenue.*

The property is located within a well established urban residential neighbourhood, and is quite a bit larger than many of the surrounding residential properties. A copy of the Surveyor General Noting Sheet and Locality Plan have been attached hereto, which indicates the extent of the surrounding properties. The Local Authority prescribes a minimum erf size of 1000m<sup>2</sup> for cadastral subdivisions in this area, and as it can be seen on the attached proposed subdivision plan, all of the proposed properties will be larger than this required minimum erf size. They will thus be in line with the established residential densities (character) of the neighbourhood due to many of the surrounding properties being smaller than the erven proposed by this application. Although this subdivision will lead to a slight increase in the residential densities of the area, the proposed properties that will be generated as a result of this application will not be totally out of character with what already exists within the area. This proposal is seen to be in line with the PSDF in that it provides for a slight variety in residential options within

the area, whilst at the same time not being seen as an inappropriate development (that is totally out of character with the existing built form).

The proposed development of the property can thus be seen as a prime example where the development potential of underutilised residential land located within the urban fabric will be utilised/developed to its fullest potential, whilst at the same time not being contrary to the established residential character of the area.

## 8.2 Character of the surrounding area

The majority of the surrounding properties are still currently zoned for single residential purposes, and their uses are primarily in line with their zonings. As the proposed subdivision of the property will lead to the creation of properties that are larger in size to many of the surrounding single residential erven in the neighbourhood (and will only lead to the creation of three additional dwellings), the proposal will have a minimal impact on the existing residential character and densities of the area. The additional properties that are being created will be able to accommodate similar (if not larger) residential dwellings as to what are located on many of the surrounding single residential properties, and thus will not create properties that will be significantly different in terms of their bulk and massing. Thus it can be argued that the proposal will have no significant impact on the existing character of the area at all. Photo 4 below is a view of typical houses located on the adjoining properties.



*Photo 4: Typical houses located on the surrounding residential properties.*

Subdivision: Erf 728, Pringle Bay, Overstrand Municipality, Administrative District of Caledon

It is envisaged that the dwellings that will be located on the proposed subdivided properties will tie directly into this established residential character. The proposed subdivision of the property will thus in no way affect the value of the surrounding properties at all.

The properties will also be developed according to the Building Guidelines and Requirements Applicable to Owners and Builders in Ecologically Sensitive Areas. A copy of these guidelines have been attached in **Annexure E**. This will further ensure that the impact of the proposed development of the property is minimised to its fullest extent.

### **8.3 Services**

No problems are foreseen with regard to the provision of services to the proposed development, as the property is located within a well established urban area. The proposed subdivided portions will be linked into the services network in the same manner as the surrounding/adjoining properties have been. It is envisaged that the slight increase in the residential densities will not lead to any unacceptable levels of additional strain being placed on the services within the area.

### **8.4 Parking and Access**

Access will be gained to all of the proposed portions directly from the adjoining road (Bobbie Road) in the same manner as all of the other single residential properties located along the road. All of the proposed properties will be large enough to adequately accommodate the required on-site parking when developed for single residential purposes. No problems are foreseen with regard to traffic generation, as the proposal will lead to the creation of only three additional single residential properties. Thus the amount of additional traffic will be negligible.

### **8.5 Other Applications**

The the National Heritage Resources Act (Act No. 25, 1999) states that any development or activity that will change the character of a site exceeding 5 000 m<sup>2</sup> in extent will require the submission of an application in terms of the act. As the property is 5748m<sup>2</sup> in extent and the proposal is for the property to be subdivided into four portions, the proposal does constitute a listed activity in terms of this act, and therefore a Notification of Intent to Develop application in terms of Section 38 of the National Heritage Resources Act (Act No. 25, 1999) was submitted for approval. A copy of the report as submitted to Heritage Western Cape has been attached in **Annexure G**. The ROD will be submitted once it has been received.

## 9. DESIRABILITY

Section 36(2) of the Land Use Ordinance (Ordinance 15 of 1985) indicates a number of factors that need to be considered in the process of evaluating an application. These factors include:

- the safety and welfare of the community;
- the preservation of the natural and developed environment; and
- the effect of the application on the existing rights concerned.

Taking into account all of the above it is clear that the proposed development will have no impact on the surrounding environment which can be construed to be undesirable in respect of the safety, welfare and amenity value of the specific site conditions and the preservation of the surrounding built and natural environment.

## 10. CONCLUSION

The proposed subdivision of Erf 728 Pringle Bay is considered to be a compatible use in the specific area and it will result in the optimal utilisation of the property. It will constitute a desirable development in terms of the Land Use Planning Ordinance (Ordinance 15 of 1985). With this in mind, it is therefore honourably considered that the proposed application will be endorsed with Council's consent.

**Loretta Gillion - Fwd: Re: ERF 728, PRINGLE BAY**

**From:** Ricardo Andrew  
**To:** Loretta Gillion  
**Date:** 18/12/2017 12:27 PM  
**Subject:** Fwd: Re: ERF 728, PRINGLE BAY  
**Cc:** Dennis Hendriks; Miliswa Mantyi

Good Day

The Engineering Services Department have no additional comments.

It was decided during a meeting with Legal Services that the comments by Engineering Planning and Operational Services (Community Services) will be utilized.

The following comments were received from the Deputy Director : Engineering Planning on 17 September 2017.

*Good day Ricardo and Hanneen*

*Herewith the comments of the Engineering Planning Department:*

*The establishment of small individual private waste water treatment plants in developed urban areas where there is no alternative service available can not be supported.*

Regards

**Hanré Blignaut**

Deputy Director: Engineering Planning

Overstrand Municipality

M: 082 497 9169 | T: 028 313 5047 | E: [hblignaut@overstrand.gov.za](mailto:hblignaut@overstrand.gov.za)

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 Manager: Engineering Services  
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 Fax: (027) 313 0700  
 E: [ricardo.w@overstrand.gov.za](mailto:ricardo.w@overstrand.gov.za)



**Overstrand Municipality**

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T: +27 (0) 313 8000 | F: +27 (0) 312 1894

E: [enquiries@overstrand.gov.za](mailto:enquiries@overstrand.gov.za) | W: [www.overstrand.gov.za](http://www.overstrand.gov.za)

Philosophy: *"To be a centre of excellence for the community"*

>>> Extra Email (017/12/18 11:23)>>>

Morning

The e-mail below refers. Kindly confirm whether you have any feedback regarding this matter.

**Loretta Gillion - Erf 728, Pringle Bay - Subdivision**

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**From:** Miliswa Mantyi  
**To:** Loretta Gillion  
**Date:** 01/07/2016 02:45 PM  
**Subject:** Erf 728, Pringle Bay - Subdivision

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Hi Loretta,

For the above-mentioned subject, No sewer tanker services are available and the application is therefore not supported.

Regards;

Miliswa

For:

Dennis Hendriks

## ANNEXURE E



## SCIENTIFIC SERVICES

**postal** Private Bag X5014 Stellenbosch 7599  
**physical** Assegaaibosch Nature Reserve Jonkerhoek  
**website** www.capenature.co.za  
**enquiries** Rhett Smart  
**telephone** +27 21 866 8017 fax +27 21 866 1523  
**email** rsmart@capenature.co.za  
**reference** SSD14/2015/1/772/728\_subdivision\_Pringie Bay  
**date** 19 July 2016

Overstrand Municipality; Hermanus Administration  
 P.O. Box 20  
 Hermanus  
 7200

Attention: Hanneen van der Stoep  
 By email: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

Dear Hanneen

**Additional Information: Application for Subdivision of Erf 728, Bobbie Road, Pringle Bay**  
 (Overstrand Municipality ref: 116/2015)

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.

CapeNature commented on the application for subdivision, in which we indicated that we preferred that the proposed three residential erven rather be changed to two erven. The basis of our comments was that the site can be considered sensitive as it is designated as an NFEPA wetland, Ecological Support Area and contains natural vegetation. However the site is located within an urban area where the other erven have similar conditions and have dwellings on them.

A site scan for applicability of listed activities was undertaken by an environmental practitioner who identified two disturbance footprints. CapeNature therefore recommends that the two footprints would be suitable for construction of houses and allowing for two erven as opposed to three would be more appropriate for a sensitive environment.

Subsequent to this a revised layout has been provided in accordance with our comments and we do not have any objection to the revised proposal.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely

**Rhett Smart**  
**For: Manager (Scientific Services)**  
 cc: Barry Blount, Diesel & Munns

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Prof Gavin Maree (Chairperson), Mr Carl Lotter (Vice Chairpersons), Mr Mervyn Bator, Prof Denver Hendricks,  
 Dr Colin Johnson, Dr Bruce McKenzie, Ms Merle McCombing-Hodges, Adv Manda Mafuthi, Mr Dennis Nel, Prof Audrey Redinghuis,  
 Mr Paul Slack, Prof Kamilla Swart-Arnes

**WARNICH ATTORNEYS**

39 CROWN RD, DURBANVILLE, CAPE TOWN, SOUTH AFRICA 7550

**OVERSTRAND MUNICIPALITY**Email: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)  
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e-mail: [mar@legalselect.co.za](mailto:mar@legalselect.co.za)  
[marwarnich@gmail.com](mailto:marwarnich@gmail.com)Fax: +27 86 520 9175  
Date: 17 November 2016**"Without Prejudice"****"BY EMAIL"**

Dear Engineering Department

**RE: TREURNICHT, C & DOWNING SE // OVERSTRAND MUNICIPALITY  
APPLICATION FOR THE SUBDIVISION OF ERF 728 PRINGLE BAY (2948)**

1. The abovementioned subject matter and your email dated 17 August 2016 refer.
2. We act on behalf of Dr Charles Treurnicht and Dr SE Downing ("the Applicants") in this matter and we confirm our instructions as follow:
  - 2.1. On or about April 2015 the applicants made application to your department to support their proposed subdivision of Erf 728 situated at Bobbie Road, Pringle Bay;
  - 2.2. On or about 17 August 2016 you objected to the aforesaid subdivision stating that there are no sewer tanker services available and therefore the application is not supported.

Director:  
MM. Warnich BA LLB (US)

## ANNEXURE F 2/8

3. We respectfully submit that your objection is not in accordance with your own vision, mission and priorities as stipulated in The Overberg Spatial Development Framework, as will be set out hereunder:
  - 3.1. At page 38 thereof, Overberg Municipality ("Overberg") presents the Overberg District Integrated Development Plan (2012/2016) ("IDP"), which provides the vision of Overberg, undertaking to be "Totally Committed to Serve the Overberg";
  - 3.2. In respect of its mission, Overberg undertakes "To Render Sustainable, Client Directed Services and to be the Preferred Provider of Shared Services within the Overberg";
  - 3.3. Overberg also undertook to prioritise "... the health and safety of communities and visitors in the Overberg District through the provision of efficient basic services and infrastructure in terms of disaster management, municipal health, environmental management and waste disposal services";
  - 3.4. At page 192 thereof, Overberg undertook to prioritise the upgrading of Pringle Bay's sanitation infrastructure and listed the construction of a new bulk pump station and rising mains at Buffels River as a priority project; and
  - 3.5. At page 212 of the said report, Overberg states that in order to achieve its IDP it undertook to employ Smart Growth Principles ("SGP"). In terms of SGP, Overberg undertook to create a variety of housing opportunities in terms of function, form and availability. Overberg also undertook to encourage growth in existing communities through infrastructure upgrade, urban renewal, new amenities, and densification.
4. In view of the above, it is clear that your objection to the subdivision of our client's erf is in direct conflict with your own policies and undertakings and we therefore suggest that you remove your objection in order to fulfill your obligations as set out above.

Director:  
MM. Warrich BA LLB (US)

## ANNEXURE F 3/8

5. Additionally, your objection is unreasonable and without merit and only causes our client's application to be unnecessarily frustrated for the following reasons:
  - 5.1. Our client is the owner of several other undeveloped erven situated in Pringle Bay which he proposes to develop in due course;
  - 5.2. There are also several other undeveloped erven situated in Pringle Bay also to be developed in the near future; and
  - 5.3. In March 2010 Overberg published a Draft Technical Report proposing the densification of the Village Centre in Pringle Bay. Overberg proposed to develop 18.4 dwelling units per hectare, a library, worship center, pre-primary and primary school.
6. In light of the aforesaid, it is impossible to fathom how Overberg will be able to deliver sanitary services to the above future developments if the current infrastructure is unable to accommodate a mere two additional erven.
7. Therefore, we have been instructed to make the following suggestions in order to provide adequate sanitary services to our client and for the greater Pringle Bay community as a whole, namely:
  - 7.1. To upgrade the current infrastructure and acquire the services of an additional sewer tanker; or
  - 7.2. To enter into a special agreement with a third party service provider, in terms of section 60 of the Overstrand Municipality Water Supply and Sanitation Services By-Law of 2009, such as Waste Tech, Enviroserv or Wasteman; or
  - 7.3. Alternatively, and as last resort, our client is amenable to have his own Waste Water Treatment Plant constructed and maintained by a certified engineer. To make the subdivision of the erf conditional upon the construction and proper maintenance of same. A

Director:  
MM. Warnich BA LLB (US)

## ANNEXURE F 4/8

copy of the technical report of the proposed Waste Water Treatment Plant is annexed hereto, marked "A".

8. In further support of our contention that your objection is unreasonable as aforesaid, Applicants' application for the subdivision of Erf 728 conforms to the relevant provisions of the Overstrand Municipality's By-Law on Municipal Land Use Planning of July 2014.
9. Furthermore, applicants, and at great expense, also addressed every objection and suggestion made by the various parties involved, being, the Pringle Bay Rate Payer's Association, Mr Mike Manson-Smith, Department of Environmental Affairs & Development Planning, Cape Nature, etc., after which all the aforesaid parties support our client's application.
10. We therefore kindly request that you reconsider your decision and make allowance for our client's reasonable proposal under paragraph 7 above and support our client's application, which support will be in accordance with your own policies and undertakings as alluded to above.
11. We trust the above is in order and look forward to hearing from you.

Yours sincerely,

**WARNICH ATTORNEYS**

Per



**MARI WARNICH**

Director:  
MM. Warnich BA LLB (US)

"A"



***biozone***  
purifiers

**BIOZONE SEWAGE AND WASTE WATER  
TREATMENT AND RECLAMATION  
SYSTEMS**

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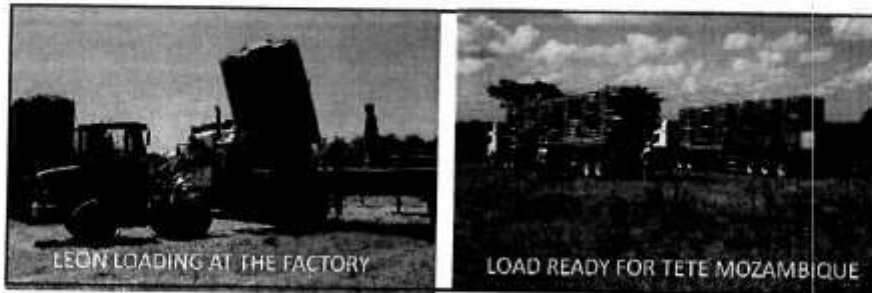
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Leon du Casse, the developer of the Biozone systems has developed the technology ("4 Shin") over the last 15 years during which time he has been building and supplying plants treating sewage.

Several of his plants are operational throughout Southern Africa and even in faraway places such as Cook Islands.

Leon joined Ozone Services Industries Pty Ltd (OSI) in October 2009 and operates from his farm in Cullinan where the plants are built.



LEON LOADING AT THE FACTORY

LOAD READY FOR TETE MOZAMBIQUE

Prior to joining OSI, OSI had been supplying Leon with ozone generator equipment for sterilising of the final effluent in the sewage treatment plants. It turned out that the OSI sales representatives and technical staff were finding customers for Leon whilst marketing the Aquazone water purifying systems and it made sense for Leon and OSI to join forces and offer potential clients such as Game Lodges, farming ventures and remote shopping, industrial and housing complexes, turnkey systems for treating the drinking water and also the sewage.

The great attraction of the Biozone system is that the treated sewage water is safe to use for irrigation, reintroducing in to rivers or dams, or even in to the house flush systems. Obviously this can be an environmentally friendly system which can save costs and water.

We have found that on new projects such as a new Mine Housing complex, the preferred option is to go for a Package Treatment plant such as the Biozone system rather than to go for a septic tank and French drain system which pollute the earth and ultimately have to be drained to eliminate the harsh sewage odours produced.

Where septic tank/French drain systems have been used invariably these need to be replaced with a Biozone system as they have either blocked up and flooded due to badly drained soils or high rainfall. Often the services of a "Honey Sucker" (to suck out the sewage from the septic tank and transport off the property) need to be called in. The option of being able to recycle the treated water is therefore extremely attractive to the end user.

#### "4 Shin" biological treatment technology description.

Bacteria, if grown correctly, are capable of removing nitrogen from waste-water through a two step biological processes, nitrification and denitrification.

Also the organic material and nutrients are removed from the waste-water flowing past the attached bacteria growth on the biofilm whilst air is introduced (aerobic).

Bacteria colonies are grown on a submersed fixed film media where they feed on organic nutrients (sewage). Oxygen is introduced at the correct levels in to the treatment tank (bioreactor) to encourage and promote bacteria growth. In so doing COD (chemical oxygen demand) levels are reduced, nitrification and denitrification occurs and nitrates and ammonia levels are controlled rendering the water safe for recycling.

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## ANNEXURE F 7/8

Once the bacteria mature, they die and the system scours them off the media. These dead cells are then collected and recycled back to the first tank to be retreated. This allows the plant to generate zero sludge.

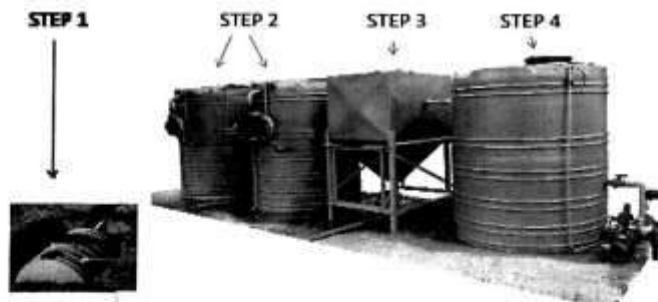
The clear water can then be sterilised by means of an ozone or ultraviolet technology. Once sterilised, the treated effluent is ready for discharge, either by means of irrigation, or to return into dams or rivers.

If required, further treatment will be necessary to make the water suitable for drinking.

**The Biozone system and process described:**

- The raw sewage is channelled to a submerged tank, ( this could be the old septic tank) where non biodegradable products are separated.
- The sewage is then pumped in to the first reactor tank which contains bacteria growing on media and where the nitrification takes part.
- From the first nitrification reactor tank, the sewage is then pumped in to the second reactor tank where denitrification occurs, also with bacteria reaction.
- Then the effluent is pumped in to the clarification tank which is cone shaped and where any solids that escape the first 2 tanks are collected and pumped back to the first tank.
- From the clarification tank, the now clean and treated water overflows in to the last tank where sterilisation occurs using ozone or Ultra violet.
- In the sterilisation tank is a submersible pump which will automatically pump the treated water to irrigation, or dams, rivers etc.

The "secret" to Leon's Biozone system and the reason we believe the Biozone plants are better than others on the market, is the amount of oxygen introduced in to the 2 reactor tanks to encourage and maintain healthy bacteria growth



**STEP 1** - (Pump station) where all sewage and waste water is collected from the settlement.

**STEP 2** - (Bioreactor tanks) where nitrification and denitrification takes place.

**STEP 3** - (Clarification tank) where sludge settles at the bottom of the tank and the clear water separated at the top.

**STEP 4** - (Sterilization tank) where the clear water is treated either by Ozone or Ultraviolet and is now ready for recycling.

The Biozone NoKak systems begin at 4000 litres per day and OSI has supplied up to 240 cubes per day plants. Should a client require more than this it is possible to replicate the system at another site for example or merely add on to the current plant.

The anticipated final effluent quality meets the **General Standards as per Government Gazette**. Requirements for the purification of Waste Water or Effluent. (Revision of general authorizations in terms of section 39 of the national water act, 1998 (act. No. 36 of 1998).

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## ANNEXURE F 8/8

Wastewater Discharge General Limits	
pH – Value at 25°C	5.5-9.5
Suspended Solids at 105°C *	<25
Nitrate as N *	<15
Chemical Oxygen Demand as O <sub>2</sub> (Total) *	<75
Faecal Coliform Bacteria / 100 ml*	<1000
Free & Saline Ammonia as N *	<6

Each Biozone plant is designed according to the specific requirement of each application. Factors such as the condition of the sewage ( e.g. the presence of a canteen or laundry), the amount of people, and peak operating periods are taken in to account in the design. Being as the Biozone plants are modular in design, they can be built and added on to in stages to cater for phases of a housing complex, for example. The smallest plant is the Biozone Flush n Spray which is a 5000 litre tank and which consists of 4 compartments inside and where the "4 Shin" procedure occurs. This plant is designed to service 1 or 2 domestic homes and can treat up to 2000 litres of sewage per day.



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