



OVERSTRAND MUNICIPALITY

PORTION 21 OF FARM AFDAKSRIVIER NO. 575 (BETWEEN HAWSTON AND FISHERHAVEN, NORTH AND SOUTH OF THE R43 DISTRICT ROAD), A DIVISION OF CALEDON : PROPOSED SUBDIVISION, REZONING, CONSENT USE, DEPARTURE AND DEVIATION OF OVERSTRAND MUNICIPAL GROWTH MANAGEMENT STRATEGY (2010) : ARCH TOWN PLANNERS (obo AFDAKSRIVIER TRUST)

The above-mentioned application was advertised on 2 November 2017. Changes were made to the original application and additional departure applications added, therefore the application is again advertised for comments.

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 of the application mentioned below applicable to Portion 21 of Farm Afdaksvier No. 575, Division Caledon namely:

The application is to subdivide Portion 21 of Farm Afdaksvier No. 575 into a Remainder and 16 portions, and to obtain development rights on such portions to do a mixed use development including retirement villages, gated complexes, retail, flats, a school, a hospital, smallholdings, etc, and will provide for approximately 3016 residential units.

The application

- (a) Application is made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for an application in terms of Section 16(2)(d), read with Section 22, to subdivide Portion 21 of Farm Afdaksvier No. 575 into Portion A (Remainder Farm of ± 514 ha) and Portion B (± 222 ha, excluding the R43 Road Reserve).
- (b) Application is also made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for an application in terms of Section 16(2)(d), read with Section 22, and Section 16(2)(a) to rezone subdivided Portion B, from Agriculture Zone I: Agriculture to subdivisional Area Zone, to create the following portions with land uses, and the subdivision thereof:
- Portion 1 ($\pm 22,14$ ha)
General Residential Zone I : Town Housing;
 - Portion 2 ($\pm 12,36$ ha)
Residential Zone I : Single Residential; and Open Space Zone III: Private Open Space
 - Portion 3 ($\pm 20,24$ ha)
General Residential Zone I : Town Housing;
 - Portion 4 ($\pm 10,64$ ha)
General Residential Zone I : Town Housing;
 - Portion 5 ($\pm 4,16$ ha)
Business Zone II : General Business;
 - Portion 6 ($\pm 3,82$ ha)
Business Zone II : General Business; and Open Space Zone III: Private Open Space
 - Portion 7 ($\pm 17,59$ ha)
General Residential Zone I : Town Housing; and Open Space Zone III: Private Open Space
 - Portion 8 ($\pm 11,85$ ha)
Residential Zone I : Single Residential; and Open Space Zone III: Private Open Space
 - Portion 9 ($\pm 11,63$ ha)
Residential Zone I : Single Residential; and Open Space Zone III: Private Open Space
 - Portion 10 ($\pm 18,68$ ha)
General Residential Zone I : Town Housing; and Rural Zone I: Agricultural Smallholding
 - Portion 11 ($\pm 8,56$ ha)
General Residential Zone II : Town Housing;
 - Portion 12 ($\pm 11,22$ ha)
Residential Zone I : Single Residential; and Open Space Zone III: Private Open Space
 - Portion 13 ($7,23$ ha)
Community Zone I: Community Facilities
 - Portion 14 ($\pm 45,77$ ha)
Rural Zone I : Agricultural Smallholding
 - Portion ($\pm 11,26$ ha)
Transport Zone II : Road and Parking TR2 B (Public Road)
 - Portion ($\pm 4,66$ ha)
Transport Zone II : Road and Parking TR2 A (Private Road)
- (c) Application is further made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for consent use in terms of Section 16(2)(o) on the following:
- Portion 1 - consent use to establish a retirement village;
 - Portion 4 - consent use to establish a retirement village;
 - Portion 5 - consent use to establish an institution (hospital);
 - Portion 10 - consent use to establish a retirement village;
 - Portion 11 - consent use to establish flats.
- (d) Application is also made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a temporary departure (2 years) in terms of Section 16(2)(c) to allow for the existing mining activities on Portion 10.
- (e) Application is further made to depart from Section 96(2) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to exclude street names and numbers from this application.
- (f) Application is lastly made for deviation of the Overstrand Municipal Growth Management Strategy, 2010 in terms of Section 10(1) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 and in terms of the Municipal Systems Act (Act 32 of 2000) to allow a mixed used development on the said land, to allow a deviation from the prescribed densification grading to allow for a gross density (on Portion 1) of 35 units/ha in lieu of 20 units/ha, and to allow for a deviation from prescribed densification grading to allow for a gross density (on Portions 2 – 13, 15 and



16) of approximately 15 units/ha in lieu of 10 units/ha.

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus.

Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before **10 December 2021**, quoting your name, address, contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Town Planner, Mr. H. Olivier** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200
Municipal Notice No. 156/2021



MUNISIPALITEIT OVERSTRAND

GEDEELTE 21 VAN DIE PLAAS AFDAKSRIVIER NR. 575 (TUSSEN HAWSTON EN FISHERHAVEN, NOORD EN SUID VAN DIE R43 DISTRIKSPAD) 'N AFDELING VAN CALEDON : VOORGESTELDE ONDERVERDELING, HERSONERING, VERGUNNINGSGEBRUIK, AFWYKING EN AFWYKING VAN DIE OVERSTRAND GROEIBESTUURSTRATEGIE, 2010 : ARCH TOWN PLANNERS (NAMENS DIE AFDAKSRIVIER TRUST)

Die bogenoemde aansoek was geadverteer op 2 November 2017. Veranderinge was aangebring aan die oorspronklike aansoek en addisionele afwyking aansoeke was bygevoeg, daarom word die aansoek weer geadverteer vir kommentare.

Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 word hiermee kennis gegee van die onderstaande aansoeke van toepassing op Gedeelte 21 van die Plaas Afdakrivier Nr. 575, Afdeling Caledon naamlik:

Die aansoek is om Gedeelte 21 van die Plaas Afdakrivier Nr. 575 te verdeel in 'n Restant en 16 gedeeltes, en om ontwikkelingsregte van gemelde gedeeltes te verkry om 'n gemengde gebruik ontwikkeling insluitende aftreeoorde, toegangsbeheerde residensiële woongebiede, woonstelle, skool, hospitaal, kleinhowes ens. te ontwikkel wat voorsiening sal maak vir ongeveer 3016 residensiële wooneenhede.

Die aansoek

- (a) Aansoek word gedoen die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 vir 'n aansoek ingevolge Artikel 16(2)(d), gelees met Artikel 22, om Gedeelte 21 van die Plaas Afdakrivier Nr. 575 te onderverdeel in Gedeelte A (Restant Plaas van ±514ha) en Gedeelte B (±222ha, uitsluitende die R43 Padreserwe).
- (b) Aansoek word ook gedoen ingevolge die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 ingevolge Artikel 16(2)(d), gelees met Artikel 22, en Artikel 16(2)(a) om onderverdeelde Gedeelte B, van Landbousone I: Landbou na Onderverdelingsgebied Sone te onderverdeel om gedeeltes met die volgende grondgebruik te skep, en die onderverdeling daarvan:
- Gedeelte 1 (±22,14ha)
Algemene Woonsonne I: Dorpsskema;
 - Gedeelte 2 (±12,36ha)
Residensiële Sone I : Enkel Residensiël; en Oopruimtesone III: Privaat Oopruimte
 - Gedeelte 3 (±20,24ha)
Algemene Woonsonne I: Dorpsskema;
 - Gedeelte 4 (±10,64ha)
Algemene Woonsonne I: Dorpsskema;
 - Gedeelte 5 (±4,16ha)
Besigheidsone II : Algemene Besigheid;
 - Gedeelte 6 (±3,82ha)
Besigheidsone II : Algemene Besigheid; en Oopruimtesone III: Privaat Oopruimte
 - Gedeelte 7 (±17,59ha)
Algemene Woonsonne I: Dorpsskema; en Oopruimtesone III: Privaat Oopruimte
 - Gedeelte 8 (±11,85ha)
Residensiële Sone I : Enkel Residensiël; en Oopruimtesone III: Privaat Oopruimte
 - Gedeelte 9 (±11,63ha)
Residensiële Sone I : Enkel Residensiël; en Oopruimtesone III: Privaat Oopruimte
 - Gedeelte 10 (±18,68ha)
Algemene Woonsonne I: Dorpsskema; en Landboukleinhoewe Sone I: Landboukleinhoewe
 - Gedeelte 11 (±8,56ha)
Algemene Woonsonne II: Dorpsskema;
 - Gedeelte 12 (±11,22ha)
Residensiële Sone I : Enkel Residensiël; en Oopruimtesone III: Privaat Oopruimte
 - Gedeelte 13 (7,23ha)
Gemeenskap Sone I : Gemeenskapsfasiliteite
 - Gedeelte 14 (±45,77ha)
Landboukleinhoewe Sone I : Landboukleinhoewe
 - Gedeelte (±11,26ha)
Vervoersone II: Pad en Parkering TR2 B (Publieke Pad)
 - Gedeelte (±4,66ha)
Vervoersone II: Pad en Parkering TR2 A (Privaat Pad)
- (c) Aansoek word verder gemaak ingevolge die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 vir 'n vergunningsgebruik ingevolge Artikel 16(2)(o) vir die volgende onderverdeelde gedeeltes:
- Gedeelte 1 – vergunningsgebruik om 'n aftreeoord op te rig;
 - Gedeelte 4 – vergunningsgebruik om 'n aftreeoord op te rig;
 - Gedeelte 5 – vergunningsgebruik om 'n inrigting (hospitaal) op te rig;
 - Gedeelte 10 – vergunningsgebruik om 'n aftreeoord op te rig;
 - Gedeelte 11 – vergunningsgebruik om woonstelle op te rig.
- (d) Aansoek word ook gemaak ingevolge die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 vir 'n tydelike afwyking (2 jaar) ingevolge Artikel 16(2)(c) om die bestaande myn aktiwiteite op Gedeelte 10 toe te laat.
- (e) Aansoek is verder gemaak om af te wyk van Artikel 96(2) van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 om straatname en nommers nie deel te maak van hierdie aansoek nie.
- (f) Aansoek word laastens gedoen vir die afwyking van die Overstrand Groeibestuurstrategie, 2010 ingevolge Artikel 10(1) van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 en ingevolge die Munisipale Stelselwet, 2000 (Wet 32 van 2000) vir gemengde gebruiksentwikkeling op die gemelde eiendom, om 'n afwyking van die voorgestelde verdigtinggradering om die maksimum verdigting (op Gedeelte 1) te verhoog vanaf 20 eenhede/ha na 35 eenhede/ha, en om 'n afwyking van voorgestelde verdigtinggradering om die maksimum verdigting (op Gedeeltes 2 – 13, 15 en 16) te verhoog vanaf 10 eenhede/ha na 15 eenhede/ha.



Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.

Enige kommentaar moet skriftelik ingedien word in terme van Artikels 51 en 52 van die bogenoemde Verordening aan die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op **10 Desember 2021**, stipuleer u naam, adres, kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr. H. Olivier** by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200
Munisipale Kennisgewing Nr. 156/2021



UMASIPALA I-OVERSTRAND

ICANDELO 21 LEFAMA I-AFDAKSRIVIER ENGUMBOLO. 575 (PHAKATHI KWE-HAWSTON NE-FISHERHAVEN, EMNTLA NASEMZANTSI WENDELELA YESITHILI I-R43), ICANDELO LE-CALEDON: UKWAHLULWA OKUPHAKANYISWAYO, UKUTSHINTSHWA KWENJONGO YESAKHIWO, IMVUME YOKUSEBENZISA, UKUSHENXA NOKUTSHINTSHWA KWENDELELA YOKULAWULA UHLUMO (2010): ARCH TOWN PLANNERS (obo AFDAKSRIVIER TRUST)

Esi sicelo sikhankanywe ngentla apha sapapashwa ngomhla we-2 kuNovemba 2017. Kwenziwa iinguqu kwisicelo sokuqala kwaza kongezwa ezinye izicelo ezishenxileyo kwezokuqala, ngako oko esi sicelo siphapashwe kutsha ngenjongo yokuva izimvo.

Ngolu xwebhu kukhutshwa isaziso ngokuvumelana neCandelo 47 lomThetho-sihlomelo kaMasipala i-Overstrand ophathelele kukuCetywa kokuSetyenziswa koMhlaba kaMasipala, 2020 wezicelo ezikhankanywe ngezantsi apha ezisebenza kwiCandelo 21 leFama i-Afdakrivier enguNombolo. 575 kwiCandelo i-Caledon, saziwo eso sisese:

Esi saziwo sesokwahlula iCandelo 21 leFama i-Afdakrivier enguNombolo. 575 ibe yiNtsalela namaCandelo ali-16 neendlela, nokufumana amalungelo ophuhliso kuloo macandelo ukuze kwenziwe uphuhliso losetyenziso oluxutyiweyo kuquka ummandla wabadla umhlala-phantsi, iikhompleksi ezinamasango, indawo yokuthengisa, iiflethi, isikolo, isibhedlele, njl. njl. yaye iza kuthwala iiyunithi zokuhlala ezimalunga nama-3016.

Isicelo

- (a) Isicelo sifakwa ngokuvumelana nomThetho-sihlomelo woMasipala i-Overstrand ongokuCetywa kokuSetyenziswa koMhlaba kaMasipala, 2020 ukwenzela isicelo ngokuvumelana neCandelo 16(2)(d), elifundwe neCandelo 22, ukwahlula iCandelo 21 leFama i-Afdakrivier enguNombolo. 575 libe liCandelo A (iFama eyiNtsalela ezi-±514ha) neNxalenye B (±222ha, ngaphandle kwe-R43 Road Reserve).
- (b) Kwakhona isicelo sifakwa ngokuvumelana nomThetho-sihlomelo woMasipala i-Overstrand ongokuCetywa kokuSetyenziswa koMhlaba kaMasipala, 2020 ukwenzela isicelo ngokuvumelana neCandelo 16(2)(d), elifundwe neCandelo 22, ukwahlula iCandelo 16(2)(a) ukutshintsha injongo yeCandelo B elahlulweyo, ngokusuka kummandla wezoLimo: Ulimo kuMmandla owahlulweyo, ukuyila inxalenye ezilandelayo ukuze kusetyenziswe umhlaba nokwahlulwa okuhamba ngolu hlobo:
- Inxalenye 1 (±22,14ha)
INdawo yokuHlala Eqhelekileyo I : Izindlu zeDolophu;
 - Inxalenye 2 (±12,36ha)
INdawo yokuHlala I : Indawo yokuHlala Enye; neSithuba esiVulekileyo III: INdawo yaBucala eVulekileyo
 - Inxalenye 3 (±20,24ha)
INdawo yokuHlala Eqhelekileyo Jikelele I : Izindlu zeDolophu;
 - Inxalenye 4 (± 10,64ha)
INdawo yokuHlala Eqhelekileyo I : Izindlu zeDolophu;
 - Inxalenye 5 (±4,16ha)
UmMandla woShishino II : Ushishino Oluqhelekileyo; neSithuba esiVulekileyo III: INdawo yaBucala eVulekileyo
 - Inxalenye 6 (±3,82ha)
UmMandla woShishino II : Ushishino Oluqhelekileyo; neSithuba esiVulekileyo III: INdawo yaBucala eVulekileyo
 - Inxalenye 7 (±17,59ha)
INdawo yokuHlala Eqhelekileyo I : Izindlu zeDolophu; neSithuba esiVulekileyo III: INdawo yaBucala eVulekileyo
 - Inxalenye 8 (±11,85ha)
INdawo yokuHlala I : Indawo yokuHlala Enye; neSithuba esiVulekileyo III: INdawo yaBucala eVulekileyo
 - Inxalenye 9 (±11,63ha)
INdawo yokuHlala I : Indawo yokuHlala Enye; neSithuba esiVulekileyo III: INdawo yaBucala eVulekileyo
 - Inxalenye 10 (±18,68ha)
INdawo yokuHlala Eqhelekileyo I : Izindlu zeDolophu; neSithuba esiVulekileyo III: INdawo yaBucala eVulekileyo
 - Inxalenye 11 (±8,56ha)
INdawo yokuHlala Eqhelekileyo II : Izindlu zeDolophu;
 - Inxalenye 12 (±11,22ha)
INdawo yabaHlali I : Izakhiwo zabaHlali
 - Inxalenye 13 7,23ha)
UmMandla weeLali II : AmaZiko oLuntu
 - Inxalenye 14 (±45,77ha)
Indawo yaseMaphandleni I : IiNdawo Zolimo oluNcinane
 - Inxalenye (±11,26ha)
UMmandla woThutho II : Indlela neNdawo yokuPaka TR2 B (Indlela kaWonke-wonke)
 - Inxalenye (±4,66ha)
UMmandla woThutho II : Indlela neNdawo yokuPaka TR2 B (Indlela yaBucala)
- (c) Kanti kwenziwa esinye isicelo ngokuvumelana nomThetho-sihlomelo iOverstrand Municipality ongokuCetywa kokuSetyenziswa koMhlaba kaMasipala, 2020 sokusebenzisa imvume ngokuvumelana neCandelo 16(2)(c) koku kulandelayo:
- Inxalenye 1 - imvume yokusebenzisa ukumisela ummandla wokudla umhlala-phantsi;
 - Inxalenye 4 – imvume yokusebenzisa ukumisela ummandla wokudla umhlala-phantsi;
 - Inxalenye 5 – imvume yokumisela iziko (isibhedlele);
 - Inxalenye 10 – imvume yokusebenzisa ukumisela ummandla wokudla umhlala-phantsi;
 - Inxalenye 11 – imvume yokusebenzisa ukumisela iiflethi;
- (d) Kanti kwenziwe nesinye isicelo ngokomThetho-sihlomelo kaMasipala i-Overstrand omalunga noCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 kusenzelwa ukushenxa okwethutyana (iminyaka e-2) ngokweCandelo 16(20 ukuvumela ukuba imisebenzi ekhoyo yemigodi kwiNxalenye 10.
- (e) Kanti kwenziwe nesinye isicelo sokushenxa kwiCandelo 96(2) lomThetho-sihlomelo kaMasipala i-Overstrand omalunga nokuCwangciswa koMhlaba, 2020 ukuze kubandakanywa amagama ezitalato nenombolo zazo kwesi sicelo.



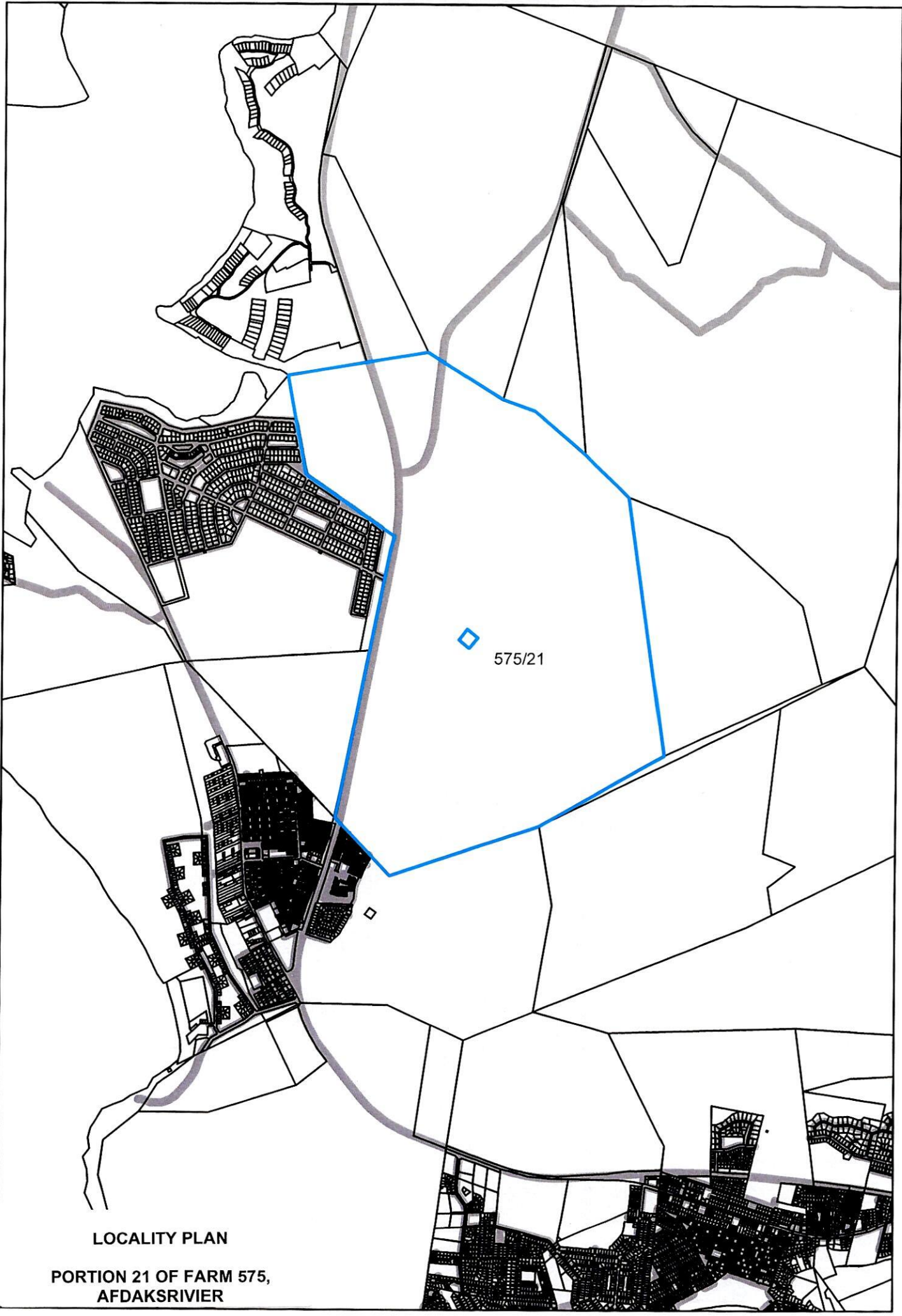
- (f) Kanti kwenziwe ekugqibeleni isicelo sokushenxa kwisiCwangciso sokuLaulwa koHlumo loMasipla i-Overstrand, 2010 ngokweCandelo 10(1) sokutshintsha isiCwangciso womThetho-sihlomelo iOverstrand Municipality ongokuCetywa kokuSetyenziswa koMhlaba kaMasipala, 2020 nangokuvumelana nomThetho weeNkqubo zikaMasipala (umThetho 32 ka-2000) ukuvumela ukuphuhliswa kokusebenzisa okuxutyiweyo kwalo mhlaba kuthethwa ngawo, ukuvumela ukuhlela ukuxinanisa nokuxinanana okumandla (kwiNxalenye 1) kweeyunithi ezingama-35/ha endaweni yeeyunithi/ha ezi-20, nokuvumela ukutshintsha kuhlelo olunconyelayo lokuxinanisa ukuvumela ukuxinanana okumandla (kwiNxalenye 2 – 13 -15 no-16) leeyunithi/ha ezi-15 endaweni yeeyunithi/ha ezi-10.

Iinkcukacha eziphathelele esi siphakamiso sokuhlola ebudeni beentsuku zeveki phakathi kuka-08:00 no-16:30 kwiSebe : UkuCetywa kweDolophu e-16 Paterson Street, eHermanus.

Naziphi na izihlomlo ezibhaliweyo zimele zifakwe ngokuvumelana namalungiselelo eCandelo 51 nelama-52 alo mThetho-sihlomelo kuthethwa ngawo kuMasipala (16 Paterson Street, Hermanus/ 028 313 2093(f) / loretta@overstrand.gov.za) ngoLwesihlanu, 10 Disemba 2021 okanye ngaphambi koko, ucaphule igama lakho, i-adilesi, iinkcukacha zoqhagamshelwano, inzuzo kwisicelo nezizathu zokuhlomhla. Ukubuza efowunini kunokwenziwa **kuMcebisi weDolophu, uMnu. H Olivier** ku-028-313 8900. UMasipala unokwala ukwamkela izihlomlo ezifunyenwe emva komhla wokuvala. Nawuphi na umntu ongakwazi ukufunda okanye ukubhala unokutyelela iSebe lokuCeba iDolophu apho igosa likamasipala liya kubanceda balungelelanise izihlomlo zabo.

UmPhathi kaMasipala waseOverstrand, P.O. Box 20, **HERMANUS**, 7200

INombolo yeSaziso sikaMasipala. 156/2021



LOCALITY PLAN
PORTION 21 OF FARM 575,
AFDAKSRIVIER

1. EXECUTIVE SUMMARY

1.1 Background information

The Afdaksrivier Farm, Remainder Portion 21 of Farm Nr. 575, Caledon (hereafter referred to as the application site) lies within the Overstrand Municipal Area, east of Fisherhaven and the R43 which connects Hermanus to the N2. There are currently limited farming activities on the farm due to a lack of water and the land is mainly used for grazing (sheep) with a limited area under irrigation. The owners of the farm decided to subdivide the farm into two portions, Portion A (the remainder of the farm) to be kept as an agricultural farming unit and Portion B to be made available for development. The majority of Portion B lies within the Hermanus urban edge (excluding Portion 16 which will be kept as a farming unit, please refer to the subdivision plan) and has also been identified as the area of the farm which has the least agricultural potential. The proposed subdivision will make more water available to the remainder farm, Portion A, which will improve the agricultural potential of the remainder farm. The proposed subdivision will also help to unlock the development potential of Portion B (the land falling within the urban edge), in line with the municipal structure plans.

The proposed development will entail the subdivision and rezoning of Portion B into 14 portions for township development and one portion (referred to as Portion 14) which will be kept as agricultural land, to be rezoned to Rural Zone 1 (small holding). The intention is that the current land owner will sell each individual portion to future developers. The development of these portions will have to adhere to a phasing plan to be agreed on between the current land owner and the Overstrand Municipality. Future developers will then submit and obtain approval for the detail subdivision of each portion, and will service and develop each portion in line with the allocated zoning and land use parameters as well as any conditions of approval stipulated by the Overstrand Municipality and the Department of Environmental Affairs and Development Planning. Each portion will have to comply with the open space requirements applicable to that zoning category.

The proposed Afdaksrivier development will be a mixed use development with a gross residential density of approximately 17 units/ha with a total of approximately 3 016 units which are anticipated to be rolled out over a long term period. It will provide a mix of residential typologies and will include flats , townhouses and group housing with average erf sizes ranging between 200m² (35units/ha) and 350m² (20 units/ha) as well as single residential erven with average erf sizes of 700m². It also provides for 3 retirement villages to accommodate the current and anticipated future need for retirement villages in the Hermanus and surrounding area. The proposed development will move from higher densities along the R43, to lower densities at the foot of the Onrus Mountains. This mix of residential densities and typologies will ensure that the proposed development provides for a wide range of income groups as well as differing age profiles. It will also provide for a range of amenities to be established on the General Business sites, which could include uses such as a hospital, offices and retail facilities, as well as a site set aside for educational purposes.

To summarize, *the proposed development will be an integrated development, providing different housing options for a range of income groups within close proximity to employment opportunities and amenities.*

1.2 Current Approvals

1.2.1 Approval for Subdivision of Agricultural Land, Act 70 of 70

Arch Town Planners submitted an application to the **National Department of Agriculture, Forestry and Fisheries**, to obtain approval for the subdivision of the Afdaksvier Farm in terms of the Subdivision of Agricultural Land Act, (Act 70 of 1970). Please refer to Annexure B for **their support and approval of the subdivision**, subject to the municipal approval of this application.

1.2.2 Environmental Authorization from DEA&DP

Please refer to Annexure C for a copy of the Environmental Authorization (EA), dated 21 July 2020 for the proposed development. Please note that for purposes of the EA the existing sand mining area on Portion 21 of the Farm Afdaksvier No. 575 were excluded from the development layout subsequent to a discussion and recommendations made by DEA&DP during a meeting held on 4 December 2017 (please see the e-mail correspondence between the Environmental Specialist (Mari de Villiers) and Dmitri Matthews from DEA&DP also included in Annexure C).

At the time of the DEA&DP approval, the mining area was 21.4 ha in extent, and was comprised of two sections: Portion A and Portion B, 15.85 ha (see **attached mining area in Annexure C**). The Department of Mineral Resources (DMR) recently approved the closure of Portion A. Cornerstone Environmental Consultants subsequently applied for an Amendment of the EA to include Portion A for development. From discussions with DEA&DP we believe the approval of the EA Amendment is imminent and Portion A has therefore been included in this Land Use Application, now incorporated into Portions 9, 12 and 13. Sand mining activities on Portion B will cease during 2024, after which the Mine Closure Plan for that portion will be submitted to the DMR. The amended EA will be submitted within due course.

1.2.3 Confirmation from DEA&FP on LUPA Application

The **Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)** confirmed in writing that the proposed development does not require an application in terms of the Western Cape Land Use Planning Act (Act 3 Of 2014). Please refer to Annexure D for a copy of this letter as well as the pre-application forms submitted to DEA&DP for their consideration.

1.2.4 Heritage Western Cape Approval

A Heritage Impact Assessment was submitted as part of the EIA process. Please see attached Annexure E for a copy of the letter of approval for the proposed development from Heritage Western Cape (dated October 2019). Please also refer to Annexure K for a copy of the HIA.

1.3 Amendment to Previous Layout

The proposed layout submitted with the Land Use Application dated October 2017 has been slightly amended to allow for the recommendations made as part of the EIA process. Due to the requirements specified in terms of the EIA process, the proposed layout has been amended as follows:

- Two conservation corridors (to be zoned Open Space 3) has been included in the layout.
- The size and location of the area to be zoned for General Business has been reduced and amended slightly to accommodate the conservation corridors.
- The proposed number of units has been reduced from 3 267 to 3 016
- The overall density has been slightly reduced from approximately 19 to 17 units/ha;

It is therefore argued that the impact of the proposed development will be less than that previously applied for.

1.4 Planning Brief

In light of the above, Arch Town Planners (Pty) Ltd, has been appointed by the Afdakrivier Trust, current owners of the application site, to submit and prepare an amended application to the Overstrand Municipality for their approval. Please refer to Annexure A for the Application Form and Power of Attorney.

1.5 Application

Arch Town Planners (Pty) Ltd hereby officially submits the following applications in terms of Section 16 of the Overstrand Municipality By-law on Municipal Land Use Planning to allow for the proposed development of Remainder Portion 21 of Farm Afdakrivier Nr 575, Caledon:

- i. Application for the Subdivision of Remainder Portion 21 of Farm Afdakrivier Nr. 575, into Portion A (Remainder Farm of ± 514 ha) and Portion B (± 222 ha – excluding the R43 Road Reserve) in terms of Section 16(2)(d) of the By-law;
- ii. Application for the Rezoning of subdivided Portion B from Agriculture to Sub-divisional Area to establish a mixed use development with a gross residential density of approximately 17 units/ha, in terms of Section 16(2)(a) of the By-law;
- iii. Application for the subdivision of Portion B into 16 Portions (including private and public road) as indicated on Rezoning Plan: Rez -003-11 in terms of Section 16(2)(d) of the By-law;
- iv. Application for a deviation of the Growth Management Plan in terms of Section 10 of the By-law to allow for a mixed-use development as indicated on the proposed rezoning plan, Rez -003-11;
- v. Application for a deviation of the Growth Management Plan (Hawston) in terms of Section 10 of the By-law to allow for a deviation from prescribed densification grading to allow for a gross density (on Portions 2 – 13, 15, and 16) of approximately 15 units/ha in lieu of 10 units/ha;

-
- vi. Application for a deviation of the Growth Management Plan (Fisherhaven) in terms of Section 10 of the By-law to allow for a deviation from prescribed densification grading to allow for a gross density (on Portion 1) of 35 units/ha in lieu of 20 units/ha;

 - vii. Application for the following consent uses, in terms of Section 16(2)(o) of the By-law:
 - a. Consent Use for a Retirement Village on Portion 1;
 - b. Consent Use for a Retirement Village on Portion 4;
 - c. Consent Use for an Institution (Hospital) on Portion 5;
 - d. Consent Use for a Retirement Village on Portion 10;
 - e. Consent Use for Flats on Portion 11.

 - viii. Application to allow for a temporary departure (two years) in terms of Section 16(2)(c) of the By-law, to allow for the existing mining activities on Portions 10.

 - ix. Departure from Section 96(2) to exclude street names and numbers from this application;

Please note that a phasing plan will be submitted for approval at a later stage once we have the comments and feedback from all the relevant role players on the applications as submitted above.

This report serves as motivation for the above-mentioned applications. The official application form is attached as Annexure A with supporting documents also attached as Annexure.

2. Property detail

2.1 Ownership details

The application site is currently owned by the Afdaksvier Trust, as confirmed in Deed of Transfer, T2453/2004. Please refer to Annexure F for a copy of the Title Deed as well as Annexure E for an extract of the Trust Deed.

2.2 Locality

The application site is situated at the foot of the Onrust Mountains, between Hermanus and Kleinmond in the Western Cape on the R43. It is situated 16km from Hermanus, 43 km from Grabouw and approximately 92km from Cape Town International Airport. A portion of the site lies between Bengula Cove and Fisherhaven, west of the R43 bordering on the Botrivier Lagoon. The majority of the site lies east of the R43, between Hawston and Fisherhaven. Please refer to Figures 1 and 2 below for the regional and local context.

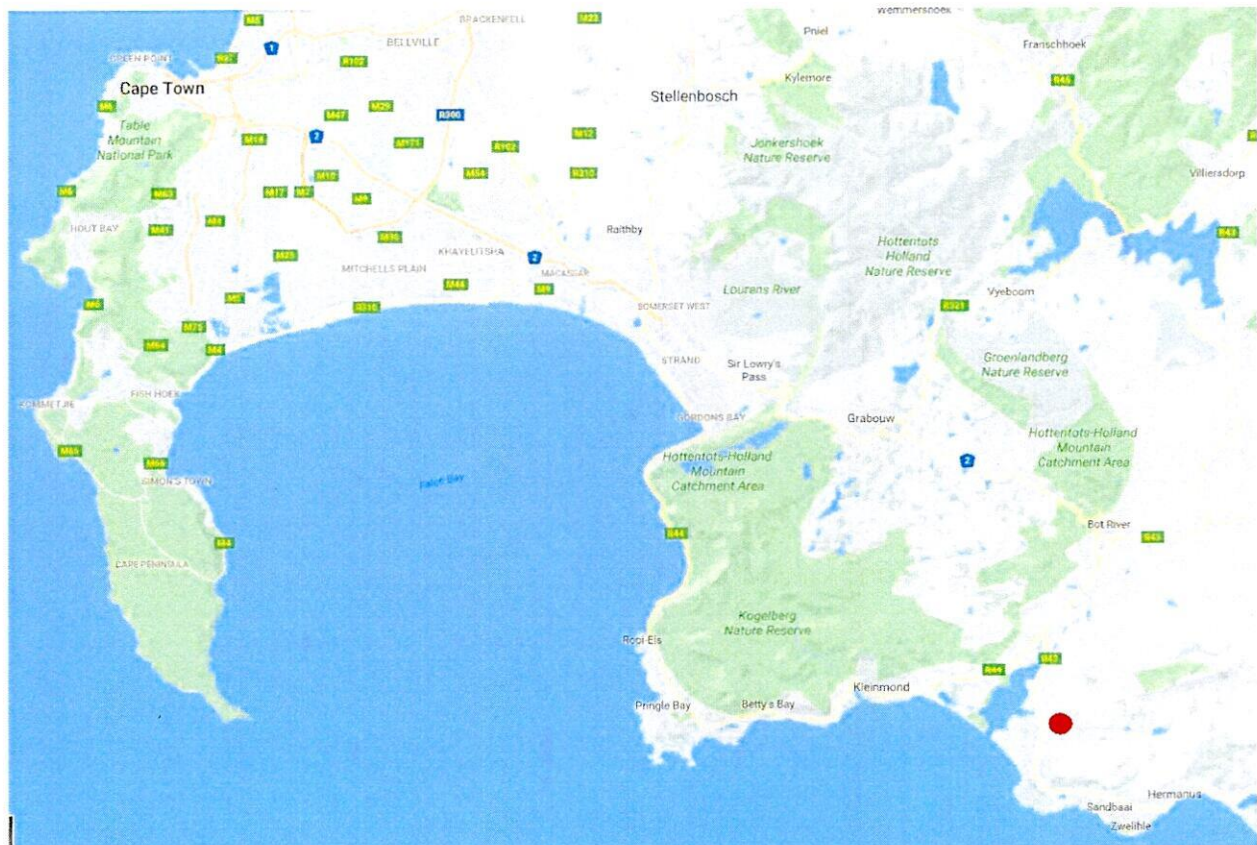


Figure 1: Regional context: Remainder Portion 21 of Farm Afdaksvier Nr. 575, Caledon



Figure 2: Local context: Remainder Portion 21 of Farm Afdakrivier Nr. 575, Caledon

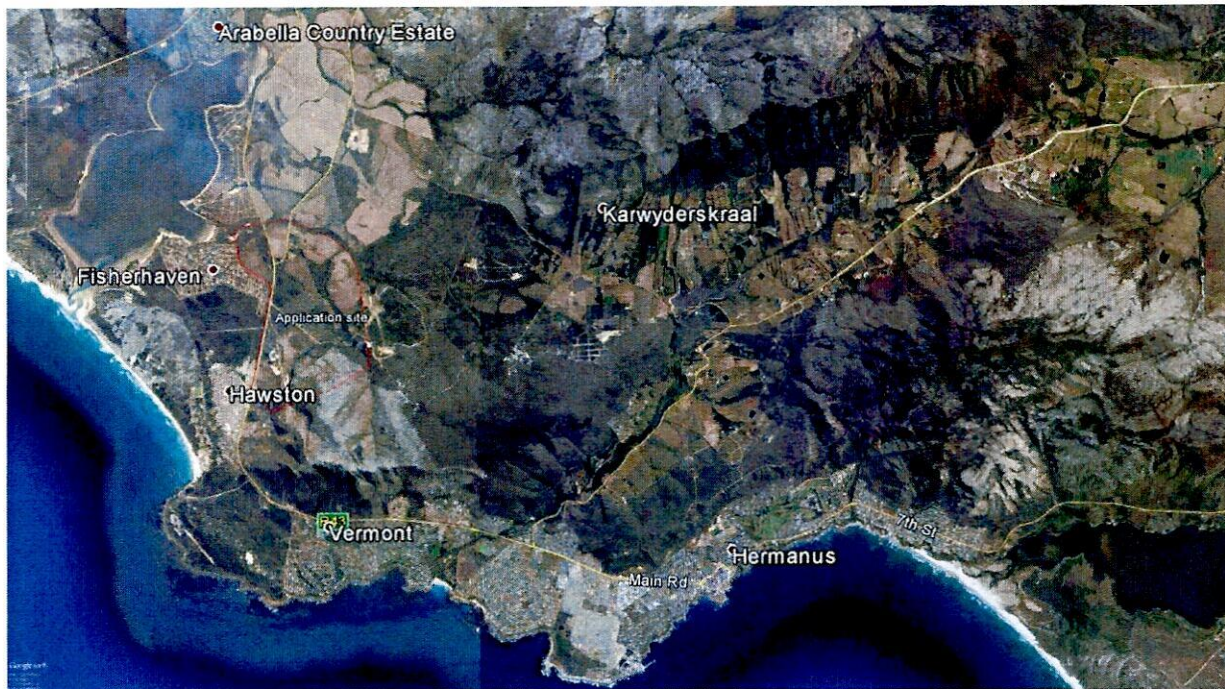


Figure 3: Local context: Remainder Portion 21 of Farm Afdakrivier Nr. 575, Caledon

2.3 Current zoning

The application site is zoned Agriculture 1 in terms of the Overstrand Municipality Zoning Scheme, 2013 which allows for the following.

Primary uses: agriculture, dwelling house, day care centre, guest rooms, home occupation;

Consent uses: additional dwelling units, agricultural industry, animal care centre, aquaculture, crèche, farm shop/stall, guest house, hotel, institution, intensive animal farming, intensive horticulture, mining, place of assembly, place of entertainment, place of instruction, plant nursery, riding stables, rooftop base station, service trade, tourist accommodation, tourist facilities, transmission tower, utility services, wellness centre, 4 x 4 trail.

Please refer to the zoning certificate and zoning map attached as Annexure G.

2.4 Restrictive title conditions

There are no restrictive title deed restrictions on the application site as confirmed in the conveyancer certificate attached as Annexure F.

2.5 Physical characteristics, existing and surrounding land uses

According to the Title Deed the total size of Remainder Portion 21 of Farm 575, Caledon is 654.09 ha. The SG diagram, diagram 4506-89 (please refer to Annexure H) indicates the total extend of the application site as being 655,09 ha, which still includes the 1ha area which was subdivided from the application site to form Portion 23 of Farm 575 for the Fisherhaven LL reservoir. (The Fisherhaven LL Reservoir lies almost in the middle of the application site along a gravel road. Please refer to Figure 16, the Bulk Water Layout for the position of the Fisherhaven LL reservoir.) However, if one calculates the size according to the most recent cadastral information, the total extend of the application site is 736.06ha. From discussions with the land surveyor it is understood that the discrepancies between old title deeds and the latest cadastral information, obtained by using modern technology is a normal occurrence and that for the purpose of our application we should use the size as calculated using the cadastral information. For purposes of this application, we will therefore use the size of Remainder Portion 21 of Farm 575, Caledon as 736.06, and all calculations are based on this.

About 80% of the application site has been heavily disturbed by various forms of agriculture and mining. Extensive areas continue to be seriously impacted by invasive alien vegetation. Large sections of the previously cultivated land have been fallow for decades.

The application site can be divided into the area falling within the urban edge (approximately 271ha) and the area falling outside of the urban edge. Please refer to Figure 3 below for locality of the approved

urban edge. The area within the urban edge is relatively flat with a slight slope towards the R43. Of the area falling within the urban edge, only 221.68ha are included in the proposed development. The area between the trunk road and the urban edge, east of the R43, is excluded from the development area and will form part of the remainder farm. The Onrus Mountains forms the eastern boundary of the application site.

As discussed under Section 1.2.2 above, there is an existing sand mine on Portion 10 of the site. At the time of submission of the original application the mining rights on the application site has or was about to expire. However, the owner of the mine applied for an extension of the mining right and it was agreed with the land owner, that the mine could continue to operate until 2024 (subject to all required approvals being in place) whereafter all mining operations need to be concluded and the area needs to be rehabilitated in line with the environmental authorization of the mine. The mining area will therefore only initially impact on Portion 10 (up until 2024 whereafter it will be closes and rehabilitated). The quarry is clearly visible on the aerial photo in Figure 3 below.

There is a small existing waterbody/wetland area west of the quarry which will be discussed in more detail under Section 2.8.1. Wetland Study. This wetland area attracts a variety of bird species to the area and has the potential to form an attractive feature as part of the proposed development. This portion of the site is accessed by a gravel road which runs from the R43 south-eastwards towards the Onrus Mountains. The R43 cuts through the application site, alienating approximately 70ha of land situated west of the R43, between Fisherhaven and Benguela Cove. A portion of this area, approximately 22ha, lies within the urban edge. A large area of the portion falling outside of the urban edge forms part of a wetland area which feeds into the Botrivier Lagoon.

The remainder of the farm, the area outside the urban edge which lies east of the R43 is the area of the farm which has been used for limited farming activities, mainly for grazing, leased out to a livestock farmer. The Afdakrivier forms the northern boundary of the application site and terminates in the Botrivier Lagoon. The Karwyderskraal Road crosses over a small section of the farm, with the homestead and relating outbuildings situated directly east of this road. The Afdakrivier Nursery is situated next to the homestead.

Surrounding land uses include agriculture related activities north and east of the application site with a chicken farm on Portion 4 of Farm 575, directly east of the application site. As mentioned the Onrus Mountains form the south eastern boundary of the application site. The remainder of the site is predominantly bordered by residential development including Benguela Cove, Fisherhaven and Hawston with very little commercial activities. The Overstrand Municipality recently approved an industrial park development on a portion of Portion 5 of Farm 575 directly west of the R43.

The majority of the open area west of the R43 situated between Fisherhaven and Hawston forms part of a dune system and the Middelvlei Wetland Area which has been identified by the 2006 SDF as a natural open space and environmentally sensitive areas which should be protected from development, with limited development to be allowed.

The Afdakrivier, forming the northern boundary of the application site, flows into the Botrivier lagoon which has been ranked 8th in importance out of more than 250 estuaries around the South African coastline (please refer to Annexure I for the Wetland study for more details.)



Figure 4: Application site: Remainder Portion 21 of Farm Afdakrivier Nr. 575, Caledon

2.6 Servitudes

There are a number of servitudes crossing over the application site as indicated on the Subdivision Plan, Plan Subd-002. These servitudes include the following:

- a) Servitude 4505_1989 : 3m wide Pipeline Servitude and a 9m wide access servitude
- b) Servitude 729_1994 : 11m wide Electrical Power Transmission Servitude
- c) Servitude 9093_1995 : 3m wide Pipeline Servitude
- d) Servitude 2316_2001 : 4m wide Pipeline Servitude
- e) Servitude 1840_1999 : 8m wide Servitude Road (servitude right of way in favor of Remainder Portion 4 of Farm 575 and Remainder of Farm Belsvlei Nr. 830.
- f) Servitude 3403_1969 : Dam servitude, an area servitude for a "drukbreedbak", a 25 feet access and pipeline servitude and a 30 feet access servitude.
- g) Servitude 4145_1947 :

The proposed development will include the repositioning of the 25 feet access and pipeline servitude, Servitude 3403_1969 to run along the new proposed 20m road reserve along the western boundary of proposed portions 5, 11, 12 and 13.

Please refer to Annexure M with the proposed subdivision plan which indicates all the servitudes

2.7 Environmental Considerations

As discussed under Section 1.2.2, the proposed development has already obtained Environmental Authorization from the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) with an amendment application currently in process (to include mining Portion A into the development). Set out below is a brief summary of the findings and recommendations of the various specialist reports which were included in the Environmental Impact Assessment and which was considered as part of the proposed layout. Please refer to the relevant Annexures for the full specialist reports.

2.7.1 Aquatic Ecosystems Study

Liz Day Consulting was appointed to undertake a full Specialist Impact Assessment and Risk Assessment: Aquatic Ecosystems (referred to as the wetland study) of the application site. Please refer to Annexure I for the full report.

All aquatic ecosystems identified in the report on the study site should be regarded as “no go” areas for development, with the exception of artificial dam D5 and the artificially created wetlands in the sand mined areas of the site. Of these, the former has negligible ecological or functional value that cannot be replicated in a standard storm water management system, and its infilling or removal would have no ecological consequences.



Figure 5: Sensitive aquatic ecosystems (source: Site Sensitivity Analysis – Freshwater Ecosystems)

With regard to the wetlands in the sand mined area, it is recognized that these are artefacts of past mining activities. While their conservation is not required from a biodiversity perspective, their occurrence as a result of exposure of a perched water table means that they cannot readily be eliminated, without substantial fill. Their incorporation into development-associated storm water treatment trains could be beneficial – in such a context, they would require setbacks of at least 15m from developed areas, to ensure sustainable management.

Of the remaining aquatic ecosystems, key systems that should be regarded as strictly outside of any development proposals comprise the following areas, mapped in **Figure 4** above:

- The Afdaks River and estuary (W3) (all in any case outside of the urban edge) – development setbacks of up to 50m should be assumed to ensure the protection of these systems and their valuable role as ecological corridors through a highly disturbed landscape;
- The watercourse into the Afdaks Estuary comprising W1, D4 and W2 – of these, parts of W1 lie within the urban edge. It is noted moreover that the mapped extent of W1 has been carried out with low confidence, and the extent of functional wetland is likely to expand if the associated alien vegetation is removed.
 - Development setbacks of 100m from the mapped extent of W1 should be allowed for in the planning stage, to provide for such expansion. More accurate delineation activities should however be carried out once initial alien vegetation clearing has been achieved, and the area is more accessible, and such delineations should inform the extent of development encroachment in this area;
 - Development setbacks of 50m should be allowed for from the **W2** watercourse and dam **D4**, as well as from the mapped perched wetlands included with **W5** – it is acknowledged that such setbacks are generous. However, they attempt to take cognizance of the likely increase in wetland areas that would occur with the (legally required) removal of alien vegetation from the surrounding area;
- The system including D1 and D2, linked by channels W4 and W5, also lies outside of the urban edge, and it is assumed that subdivision proposals would not affect this area. However, setbacks of 50m on either side from the mapped watercourses would be recommended for planning purposes – again, providing for the likely effect of significantly increased water levels in the system as a result of alien plant removal, rather than because these degraded systems have intrinsically high functional value. Maintenance of channels as open systems rather than pipes is however also considered an important attribute.
- The artificial canalized offtake system leading to D3 would require minimum ecological setback areas of 15m on either side;

-
- The channelised system including D6 lies, at least in its lower reaches, within the urban edge. While the channel appears to have a relatively small catchment and is moreover considered permanently degraded, it would need to be adequately catered for in the context of a planned development – while changes in alignment of the system could be countenanced without undue effects on aquatic ecosystem function, these (if required) would need to take cognizance of existing or future topography, in ensuring that the watercourse remained the lowest lying part of its catchment. Allowance for the effects of alien removal on water availability, particularly during low flow periods, would also need to be considered. A setback of 20m from either side of the watercourse should be considered at present.

- Stormwater management considerations

Any subdivision and subsequent development of the study area would need to include consideration of stormwater management approaches. In this regard, the aquatic ecosystems described in this report would need to be considered with regard to the impact of increased stormwater runoff and/ or an associated deterioration in water quality as a result of long-term likely receipt of stormwater runoff from a developed area on the site. While the setback areas outlined in Section 3.1 would go some way to ensuring protection of these systems from such impacts, specific measures to address the impacts of stormwater runoff into affected watercourses would need to be developed during the initial design phases of the project, with a view to mitigating effectively against the potential negative impacts of stormwater runoff in terms of both quality and quantity, and taking notice of the fact that large areas of the site downstream of the developable urban edge may be vulnerable to erosion.

- Alien clearing requirements

Impacts to the condition of most of the watercourses on the site, as described in this report, have been identified as generally revolving around the extensive invasion of the site by invasive alien plant species. These reduce natural biodiversity through shading and water uptake, as well as promoting channelization and incision as a result of the concentration of natural flows through vegetated areas.

Removal of most of the alien plant species highlighted in this report is required by law from the landowner in terms of the recently revised National Environmental Management: Biodiversity Act (Act 10 of 2004) (NEMBA) and the sale of land on which listed alien species occur would also potentially be affected by the need for the landowner to render land up for sale free of listed aliens, prior to initiation of development activities.

2.7.2 Botanical Impact Assessment

Nick Helm Botanical Surveys did a Botanical Impact Assessment of the application site, please refer to Annexure J for a full copy of the report. The following is a summary of the conclusions and recommendations of this study:

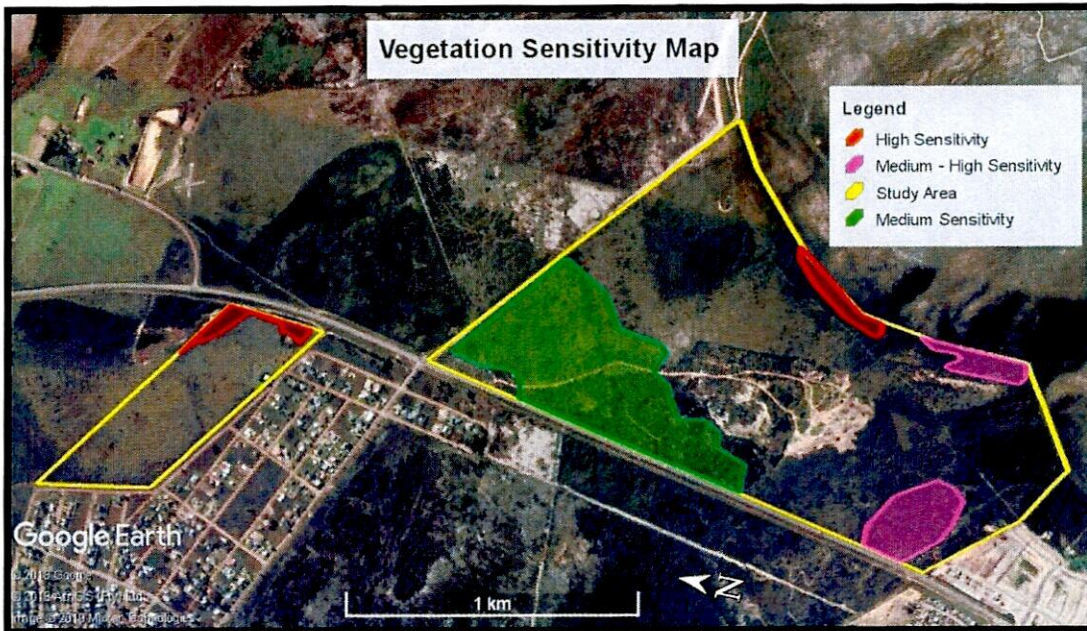


Figure 6 : Areas of Botanical Sensitivity (source: Botanical Impact Assessment)

- About 75% (490ha) of the total study area is of Low botanical sensitivity and presents no constraints to possible development. These areas have been heavily disturbed and correlate fairly well with the mapped CBAs for the area. No significant populations of plant Species of Conservation Concern are likely to be present in these areas.
- About 32ha (4% of site) is mapped as being of Medium botanical sensitivity. These areas have been previously disturbed but have passively rehabilitated to a moderate degree. A single plant Species of Conservation Concern was recorded in this area. These areas could be considered suitable for development, although the loss of these areas would probably result in an assessment of Medium negative botanical significance, depending on mitigation.
- The High and Very High sensitivity habitats make up about 20% of the study area, although the bulk of this (>100ha) lies above the 130m contour on the Onrus Mountain, and is presumably not considered part of the potential development envelope. All but one of the at least 18 plant Species of Conservation Concern recorded in the study area are restricted to the High and Very High sensitivity areas.
- No development should be considered in the High and Very High sensitivity areas, and they should have a development buffer of at least 10m. It is also strongly recommended that the

patches of High and Very High sensitivity east of Fisherhaven (spanning the R43) should be connected by an ecological corridor of habitat cleared of all alien invasive vegetation, and not subject to development.

- Drainage lines, even if currently infested with alien invasive vegetation (such as the Afdakrivier) should be considered important ecological corridors, and rehabilitated over time, which will include key management interventions such as alien plant clearing. It should be noted that landowners are now legally obliged to clear and manage alien invasive vegetation on their property, in terms of the Conservation of Agricultural Resources Act.
- All alien invasive vegetation within the High and Very High sensitivity areas should be cleared as a matter of priority, starting in the lowest lying areas and working uphill towards the mountain. Appropriate DWAF approved methodology should be used, notably the cutting of stems at near ground level, followed by immediate application of dye treated herbicide to the cut stumps to prevent resprouting. No heavy machinery should be allowed in these areas, as the soil disturbance caused would facilitate further alien plant invasion. No herbicide should be sprayed in these areas, due to the risk of damage to non-target plants. It is acknowledged that this will be a costly process, but development of low sensitivity areas can and should help pay for

As part of the Botanical Impact Assessment, the specialist required that one major and one minor ecological corridor should be included to connect the upper slopes of the site to the lower areas adjacent to the R43. This has now been included in the amended layout as indicated on the proposed Rezoning Plan.

2.7.3 Heritage

From the review of the Municipal SDF and the GMS (2010), it is confirmed that there are no significant heritage issues relating to the application site. The application site does not fall within any municipal heritage overlays. A Heritage Impact Assessment was undertaken and submitted to Heritage Western Cape (HWC) for their comment. As discussed under Section 1.2.4 above HWC approved the proposed development. In their letter of approval, DEA&DP also concluded that the proposed development will not have any negative impact on heritage resources. Please refer to Annexure K for the full HIA report.

Despite the over-arching rural context of the subject site, its location is such that longer distance scenic panoramas are likely to remain largely unaffected. This is because of the site's low visual profile in the broader landscape, a consequence of its undulating topography and swathes of vegetation, significant amounts of which will need to be retained for botanical reasons. As one approaches the site moving south towards Hermanus on the R43, one's eye is drawn to the distant Onrust Mountains on the one side and the lagoon on the other, rather than the site itself. As one moves in the opposite direction, i.e. northward towards the site from Hermanus, one's eye is drawn towards the lagoon rather than the site. As one moves into the more immediate context, the scenic quality of the landscape reduces and the site is obscured by natural vegetation along the R43.

Despite the site's location within a broad scenic rural context, its significance therefore relates primarily to its botanical significance and possibly archaeological potential. Visual impacts are likely to be of lesser concern, although still of some relevance, particularly with regard to the new rural/urban interface, overall scale, roofscape, and overall development density, particularly as viewed at closer quarters along the R43.

2.7.4 Agricultural Potential

Freddie Ellis was appointed to undertake a soil survey study to determine the agricultural potential of Portion B of the applicant site. The study, dated August 2016, determined the soil classification of Portion B, the physical soil limitations and the suitability of the soil types for crop production. The study also used the criteria as set out in the Schoeman Report (Schoeman 2004) where the National Department of Agriculture set out the criteria for the evaluation of agricultural land potential. Both these methods found that Portion B of the application site does not have a high agricultural potential as summarized below. Please refer to Annexure L for full study.

In the Western Cape, the growth of perennial crops can only be done under irrigation as there is not enough annual rainfall. From the Soil Survey Study, dated August 2016, it is clear that there is not enough available water and/or access to water to have the whole farm (Remainder Portion 21 of Farm 575 Afdakrivier, Caledon) under irrigation. The available water is currently used for irrigation on proposed Portion A of the farm. The Soil Survey Study indicated that the soil suitability for perennial crops on the majority of Portion B is only conditionally and marginally recommended, if there is enough water available, which there clearly is not. It is therefore motivated that in terms of agricultural potential, the remainder of the Farm (Portion A) would in effect benefit from the proposed subdivision as the available water can then effectively be used for the Remainder (Portion A) only. It is also considered that the remainder of the farm (Portion A) with an approximate size of 373.22ha can effectively function as an economic farm unit.

It is important to note that the existing water rights for the Farm (Remainder Portion 21 of Farm Afdakrivier Nr. 575, Caledon) will stay in place for the proposed Portion A of Remainder Portion 21 of Farm Afdakrivier Nr. 575, Caledon. The newly created Remainder Farm Portion B will be located within the urban edge of the Overstrand Municipality. Upon approval of the subdivision and the rezoning of this portion (Portion B), water provision to this site will be the responsibility of the Overstrand Municipality.

2.7.5 Socio Economic Impact Assessment

The Environmental Impact Assessment application process, required for the proposed Afdakrivier development, commenced in May 2016; with the Draft Scoping Report (DSR) being submitted to the Western Cape Department of Environmental Affairs and Development Planning (DEADP) in December of 2016.

Subsequent to the submission of the DSR, the need for a Socio-Economic Impact Assessment (SEIA) was identified by DEADP. Applied Science Associates (Pty) Ltd was appointed to address the need for a SEIA. Please refer to Annexure R for a copy of the SEIA.

3. Development Proposal

3.1 Proposed development

This section should be read with the Proposed Subdivision and Rezoning Plans included as Annexures M and N. *Please review these plans before continuing to read this section.*

The proposed development will entail the following:

- i. Application for the **Subdivision of Remainder Portion 21 of Farm Afdakrivier Nr. 575**, into Portion A (Remainder Farm of ± 514 ha) and Portion B (± 222 ha – excluding the 9.68ha forming the R43 road reserve) in terms of Section 16(2)(d) of the By-law.

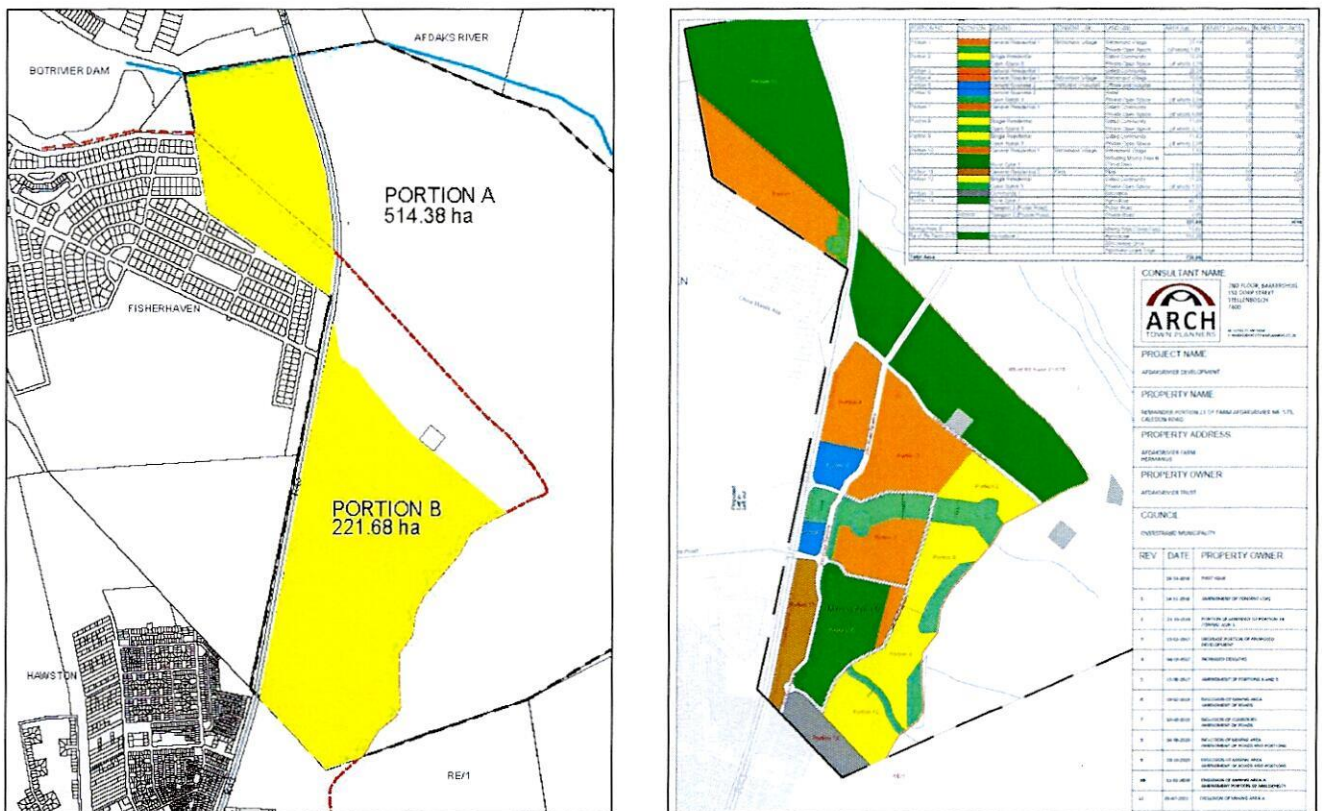


Figure 7: The Proposed Subdivision and Rezoning of the Application Site

The remaining farm portion (referred to as Portion A in Figure 7 above and as per the proposed subdivision plan attached as Annexure M) will be kept and managed as a functioning farm. A portion of Portion A falls within the urban edge. However, it has been excluded from the development proposal as the National Department of Agriculture, Forestry and Fisheries did not support alienating this portion from the remainder farm.

- ii. Application for the **Rezoning of subdivided Portion B from Agriculture to Sub-divisional Area** to establish a mixed use development with a gross residential density of approximately 17 units/ha. This density is determined based on the number of proposed residential units within the urban edge, divided by the total developable area of Portion B, calculated as follows:

Total Area of Portion B:	222.42 ha
Excluding Portion 13:	45.77 ha
Total Developable Area of Portion B:	176,65 ha
Number of proposed residential units:	3 016units
Gross density of units /ha:	17 units/ha

Portion B will be subdivided into 14 separate portions (excluding the public and private roads) as indicated on Figure 7 above and the proposed Subdivision Plan, Plan Sub-002-04. The intention is that the current landowner will sell each individual portion/portions to future developers. The development of these portions will have to adhere to a phasing plan to be agreed on between the current landowner and the Overstrand Municipality. Future developers will then submit and obtain approval for the detailed subdivision of each portion, and will service and develop each portion in line with the allocated zoning and land use parameters as well as any conditions of approval stipulated by the Overstrand Municipality and the Department of Environmental Affairs and Development Planning. Each portion will have to comply with the open space requirements applicable to that zoning category.

The proposed Afdakrivier development will provide a mix of residential typologies and will include flats (proposed on Portion 11 with a height of no more than 2 storeys), townhouses and group housing with average erf sizes ranging between 200m² (35units/ha) and 350m² (20 units/ha) as well as single residential erven with average erf sizes of 700m². The proposed development also provides for 3 retirement villages to accommodate the current and anticipated future need for retirement villages in the Hermanus and surrounding area. The proposed development will move from higher densities along the R43, to lower densities at the foot of the Onrus Mountains. This mix of residential densities and typologies will ensure that the proposed development provides for a wide range of income groups as well as different age profiles. The proposed development allows for a total of approximately 3 016 residential units of which a maximum of approximately 1 327 (44%) could be developed as retirement villages (including facilities such as frail care centers), which is anticipated to be rolled out over a long term period. The proposed development also provides for a range of amenities to be established on the two General Business sites, which could include uses such as a hospital, offices and retail facilities as well as a site made available for community and/or educational purposes such as a church, school or a tertiary establishment.

It is proposed to have the development north of the proposed 30m parallel road (parallel to the R43), thus portions 2, 3, 7, -10, 12, 13 as one large gated development, where all internal roads will be private roads. The proposed gated development will have three possible access points. It will allow for the two ecological

corridors to be shared, used by all future residents of these areas and to be maintained by one large HoA. These ecological corridors can not be fenced off in each individual portion, therefore, for security reasons and to allow for better use and shared access to all future residents of these portions these portions will function as part of one larger security estate. The portions directly bordering onto the R43 will not form part of this estate and will each function individually. To summarize, ***the proposed development will be an integrated development, providing different housing options for a range of income and age groups within close proximity to employment opportunities and amenities.***

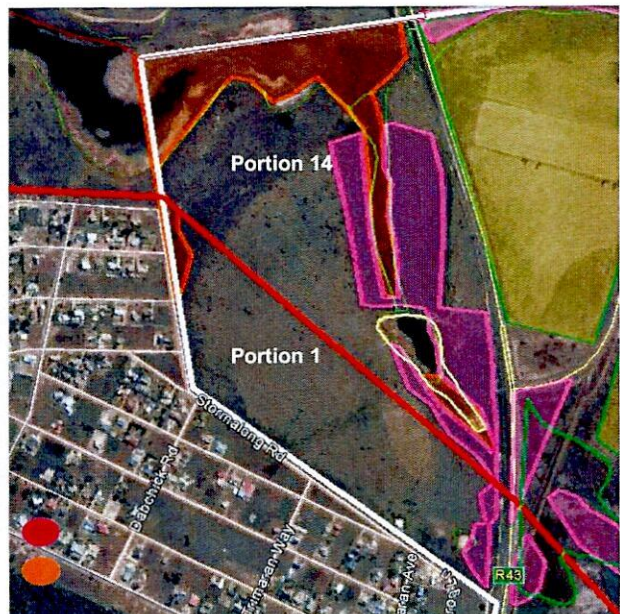
Please note that as part of the revised layout, two ecological corridors have been include in the proposed layout. This will function as private open space linking the open space areas of the proposed gated community. The following sections will look at each proposed development Portion in more detail:

3.1.1 Portion 1

Portion 1 is a total of 22.14 ha, with a proposed General Residential 1 zoning and a consent use for a retirement village. It is proposed to have a maximum density of 35units/ha which will allow for a maximum number of 775 residential units, which could include group housing, town houses and a retirement village(including a frail care center). It is considered that this area is ideally situated between Fisherhaven and Benguela Cove overlooking the wetland areas on Portion 14 and the Botrivier Lagoon. Access to this site will be from Stormalong Road, which will give it easy access to the R43 and the proposed offices and hospital site on Portion 5 (please refer to Section 3.1.5 below) as well as the proposed community retail center on Portion 6.



Figure 8: Portion 1 and 14: Locality and Environmental Constraints



According to the 2011 statistics there were about 4.2 million people older than 60 years in South Africa. The number is anticipated to grow to approximately 6.8 million by 2030, thus an average of 140 000 per year. According to market research, including discussions with estate agencies, developers and retirement

village management companies, there is a current shortage of approximately 85 000 retirement units in the Western Cape alone. And from discussions with retirement villages in Hermanus town, regarding the number of people on their waiting lists, it is clear that there is a high need for retirement villages in the Overberg area and this development could serve the needs for Fisherhaven, Benguela Cove, Kleinmond, Caledon Botrivier and the wider Western Cape.

The Botanical Study referred to in Chapter 2, found a very small portion of high botanical sensitivity vegetation on the eastern boundary of Portion 1 as well as a small area with a very high botanical sensitivity on the north western boundary of the site. No development will be allowed in this area and it should be utilized as open space. It is also recommended to have a 10m development buffer around these areas. There are no other environmental or development constraints on this portion. Please refer to Figure 8 above for the locality of this portion and the environmental constraints on the site.

3.1.2 Portion 2, 8, 9 and 12

These portions, to be zoned Residential Zone 1: Single Residential (SR1) is the highest lying portions of the proposed development, situated at the foot of the Onrus Mountain, between the mountain and the 60m contour line. These portions have spectacular views towards the ocean, the Botrivier Lagoon and Arrabella and it is proposed that the lower density single residential housing is situated on these portions. As per the Overstrand Zoning Scheme there are no prescribed minimum erf sizes and it is considered that the erf sizes will be in line with what the market dictates at the time of development. Based on a maximum density of 10-20units/ha, a total of 664 single residential units can be provided. It is considered that these portions might well be developed as gated communities. These portions will be accessed via a 20m (road reserve) internal road, which links with the trunk road on the northern boundary (linking with China Marais Road in Fisherhaven) which leads to the R43. These portions are also within close proximity and walking distance (less than 1km), from the proposed educational, retail and the hospital sites.

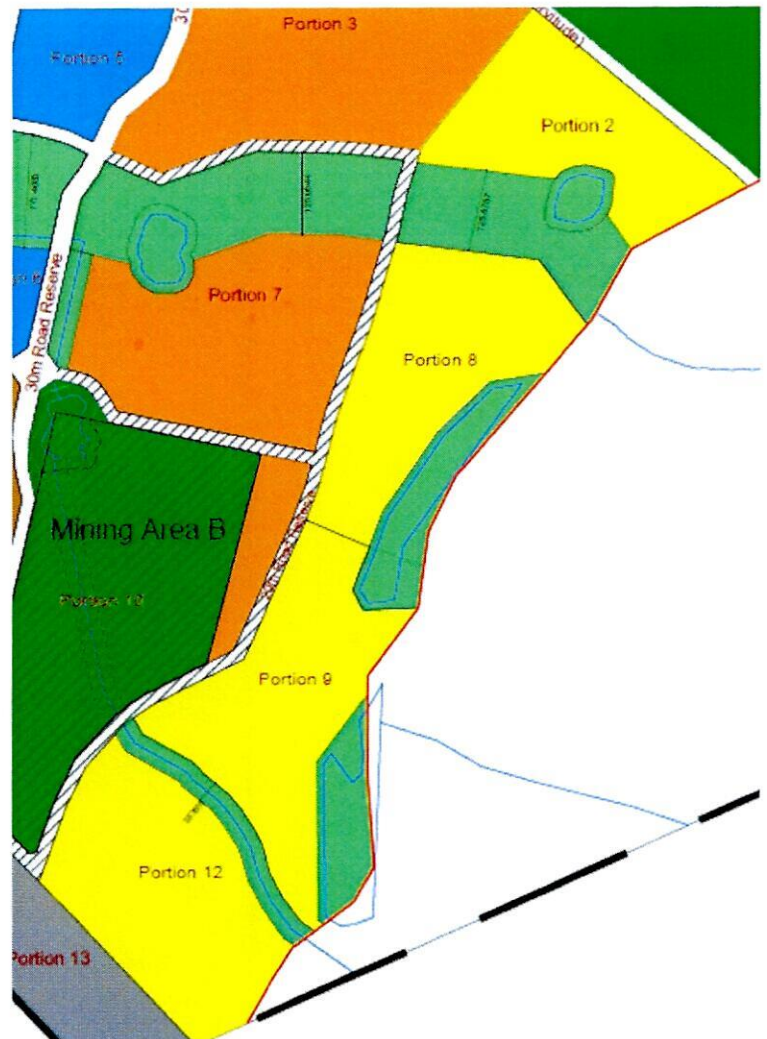


Figure 9: Portions 2, 8, 9 and 12:Locality

Servitude 3403_1969, a water pipeline servitude, runs over all of these portions. This servitude will be re-aligned/re-positioned to fall within the proposed 20m road reserve as part of the development of these portions. The need for the proposed re-alignment of this servitude will be confirmed as part of the process of this application and if so required will be dealt with in a separate application.

There is an existing dam on Portion 2 which can be used as an open space feature within the development. The Botanical Study identified areas of high botanical sensitivity on the higher lying areas of Portions 8 and 9. As per the recommendations of the Botanical Study, no development should be considered within these areas and they should have a development buffer of at least 10m. There are no other environmentally sensitive areas on any of these portions.

These portions fall within the Mountain Management Zone and as indicated in the GMS (2010) any development within this area should be sensitive to the mountain views and the typology of the area, and development within this zone should complement and support the scenic character of the area.

3.1.3 Portion 3

Portion 3 is approximately 20.24 ha and is to be zoned General Residential zone 1, with a density of 20 units/ha, which would allow for a maximum of 405 residential units. This portion is easily accessible via the trunk road linking with the R43. It is also within close proximity and walking distance (less than 1km), from the proposed educational, retail and the hospital sites.

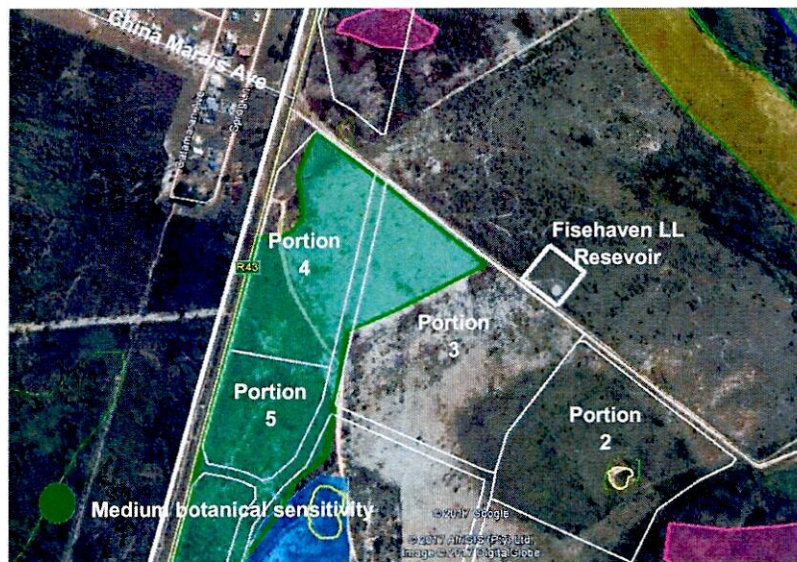


Figure 10: Portion 2 - 5: Locality and Environmental Constraints

The Botanical Study identified an approximate 4ha area in the north western corner of this portion as having a medium botanical sensitivity; however the botanical study concluded that these areas have been previously disturbed and have passively rehabilitated to only a moderate degree and that this area could be considered suitable for development. There are no other environmental constraints which could impact on the future development of this site. Please refer to Figure 9 above for the environmental constraints.

3.1.4 Portion 4

Portion 4 lies next to the R43 and the proposed entrance to the development area with a high visibility. Please refer to Figure 10 above. This portion has an approximate area of 11ha and with a prescribed density of 35units/ha it can provide for a maximum of 372 residential units. This application also includes for a consent use for a retirement village on this site and it is proposed that no more than 50% of this site should be used for retirement purposes. As mentioned in Section 3.1.1 above, there is a high need for retirement villages in the Overberg area and this portion could serve the needs for the Fisherhaven, Hawston, Benguela Cove, Kleinmond, Caledon Botrivier and surrounding areas, including Hermanus.

The high density general residential zone will allow for smaller and more affordable erven/houses, for which there is a great need in the area as confirmed with discussions with the Overstrand Municipality and also the local estate agents.

The majority of the site has been identified as an area with medium botanical sensitivity. However the botanical study concluded that these areas have been previously disturbed and have passively rehabilitated to only a moderate degree and that this area could be considered suitable for development. There are no other environmental constrains which could impact on the future development of this site.

As this portion lies next the R43 (which is an identified scenic route), a 20m setback line is proposed where no development will be allowed. This area is to be landscaped to support and enhance the visual appearance of the scenic route, the visual character of the area and protect the views towards the mountains.

3.1.5 Portion 5

Portion 5 has a total area of approximately 4.2 ha and is situated east of the R43 and north of one of the proposed entrances to the development. As the R43 has been identified as a scenic route, a 20m setback line from the R43 has been allowed for. This area will be landscaped to support the visual appearance and views towards the mountains. It is proposed to rezone this portion General Business 2, which could potentially accommodate a 72 bed hospital and related uses, such as a pharmacy, coffee shop, medical consulting rooms (approximately 8 consulting rooms) and offices (with a maximum GLA of 2 500m²). From market research, it seems that there is a high need for a hospital/clink in the Overberg District Municipality for a rehabilitation and/or pain treatment center and aftercare facilities for patients being released from hospital. An example of this is cancer patients who might receive treatment at the newly established Oncology unit at the Hermanus Medi-Clinic who could then receive pain treatment/after care at the proposed hospital. There is also a high need for a psychological institution in the greater Overstrand areas, which could potentially also be accommodated on this portion. This portion is highly visible and within easy access from the R43 and easily accessible to the surrounding existing and proposed residential areas, including the proposed retirement villages.

As mentioned, this portion will also make provision for offices, which could possibly support the hospital

and could provide office space for the future residents of the proposed development, as well as people from the surrounding areas such as Hawston, Fisherhaven, Benguela and Arrabella. This portion is not intended to be used for any retail development. The land uses associated with this portion will also provide for employment opportunities to surrounding areas, including nearby Hawston.

The majority of the site has been identified as an area with medium botanical sensitivity (please refer to Figure 10 above). However, the botanical study concluded that these areas have been previously disturbed and have passively rehabilitated to only a moderate degree and that this area could be considered suitable for development. There are no other environmental constraints which could impact on the future development of this site.

3.1.6 Portion 6

Portion 6 is strategically located east of the R43, situated between 2 of the proposed entrances to the Afdakrivier development area. As with Portions 4 and 5, a 20m setback line has been proposed for where no development will be allowed. This area will be landscaped to support the visual appearance and views towards the mountains.

It is considered that this portion is ideally situated for retail facilities such as a small neighborhood centrum. This portion lies between the R43 and the proposed internal parallel road in the center of the proposed Afdakrivier Development. It is also situated between the major entrances to the proposed Afdakrivier Development, which will in future also link with the recently approved industrial area west of the R43 and Hawston, which will increase accessibility to this site for all surrounding areas.. As there are quite a number of existing and proposed retail facilities along the R43 it is intended that the proposed retail facilities on this portion will be of a much smaller scale (with a maximum GLA of approximately 4 500m²) to serve the basic retail needs of the immediate surrounding area, predominantly the future occupants of the proposed development. The majority of the site has been identified as an area with medium botanical sensitivity (please refer to Figure 11 above). However the botanical study concluded that these areas have been previously disturbed and have passively rehabilitated to only a moderate degree and that this area could be considered suitable for development. There are no other environmental constraints which could impact on the future development of this site.

3.1.7 Portion 10

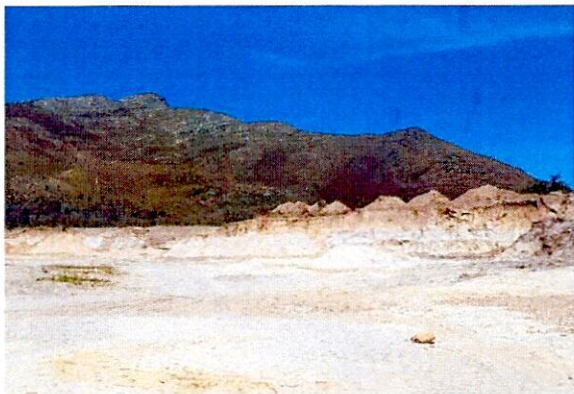
Portion 10 lies in the heart of the proposed Afdakrivier Development with an approximate area of 18ha. The site is easily accessed via the two proposed entrances from the R43. The majority of the site is being occupied by an active sand mine (referred to as Mining Area B).

As explained in Section 1 above, Mining Area B has been excluded from the EA however, this area was assessed as part of the EIA process for the Afdakrivier Development and was included in the specialist studies (for example the Botanical and Freshwater Ecology Impact Assessments), since it is completely

surrounded by the Afdakrivier development area. As confirmed by both the Environmental consultants and the DEA&DP officials, no additional listed activities, in addition to those already approved in the EA for the proposed Afdakrivier Development, will in future be triggered by including Portion B of the mining area into the development footprint, after Mining Portion B has been issued with Mine Closure Certificates by the DMR. However, until such time as a closing permit has been issued, this mining area cannot be included for development. For purposes of this application Mining Area B will therefore not be included for development purposes, however, as per the conditions of the Act 70 of 70 approval, the land needs to be rezoned from Agriculture to another zoning category. The most relevant zoning category is considered to be Rural zone 1 with a temporary departure for a sand mine.



Figure 11: Existing Mining Area B on Portion 10



Figures 12 - 13: Existing sand quarry and wetlands on Portion 10

It is considered that the future development on Portion 10 will only be rolled out as one of the later phases of the development at which time the mine would have been formally closed. This area will then be available for inclusion in the development and it is anticipated that it will also be general residential to tie in with the

currently proposed development. A small portion of the site is however already available for development and will be rezoned to General Residential 1. Portion 10 is within proximity to the proposed hospital, office, retail and educational sites which means that all basic needs can be accommodated within the immediate surrounding area.

3.1.8 Portion 11

Portion 11 lies directly east of the R43, opposite the recently approved industrial park directly north of Hawston. This site has a high visibility and borders onto the proposed entrance road from the R43 which will also link this site via the proposed future road to Hawston and the industrial site. It has a total area of approximately 8.56ha, which with a maximum density of 50 units/ha can allow for up to 428 residential units. It is proposed to rezone this portion to General Residential 2 (GR2) with a consent use for flats. Market research has shown that there is a high need for higher density, smaller scale units in the Overstrand Municipal area and it is considered that this site is ideally situated to provide for higher density (such as flats and group housing) typologies for different income groups. The closely located industrial area as well as the proposed General Business sites could provide employment opportunities within close proximity to this site.



Figure 14: Portion 11: Locality and Environmental Constraints

As this portion lies next to a scenic route, the R43, and as stipulated in the Overstrand Growth Management Strategy, it is also proposed that the maximum height of buildings on this site may not exceed two storeys. As with all the other portions along the R43, a 20m setback line is proposed where no development will be allowed. This area is to be landscaped to support and enhance the visual appearance of the scenic route, the visual character of the area and protect the views towards the mountains.

A small area on the western boundary of this portion has been identified as an area with medium botanical sensitivity. However the botanical study concluded that these areas have been previously disturbed and have passively rehabilitated to only a moderate degree and that this area could be considered suitable for development. There are no other environmental constraints which could impact on the future development of this site.

3.1.9 Portion 13

This portion is a 7.2ha site which is made available for educational purposes. The high number of residential units proposed for this development proposal, justifies the proposed community site which could either be used for a school or alternatively a tertiary institution and/or a church. From discussions with the local municipality it is understood that Boland College did approach them at some stage to inquire about the

availability of land within Hermanus to establish a college, which serves as an indication that there is a need for such a facility in the area. This is also in line with the proposals made in the Growth Management Strategy (GMS) (May 2010) for the Hawston area. It is anticipated that the need for this use will only realize when the bulk of the residential units are developed.

3.1.10 Portion 14

Portion 13 lies outside the urban edge and it is not included for development. The intention initially was to keep this as part of the Remainder Farm. However, in discussions with the National Department of Agriculture, Forestry and Fisheries (NDAFF), they indicated that it is clear that there can only be very limited agriculture activities on this site, specifically due to the environmental sensitivity of this site. Based on this, NDAFF requested that this portion be zoned out of Agriculture. We therefore propose that this area should be rezoned from Agriculture 1 to Rural Zone 1 (Agricultural Small Holding) with a minimum subdivision size of 45.78ha to prevent this site from being subdivided into smaller portions. In doing so, this area can be taken out of agriculture, as requested by NDAFF but can still have a rural use. Please note that the primary and consent uses for Agricultural 1 and Rural Zone 1 are the same and the allowed land use of this portion will therefore be the same as the current status quo.

Please refer to Figure 8 above for the location and environmental constraints.

3.2 Proposed Road System

Access to the portion of the property within the Urban Edge to the east of the R43 is currently obtained via the R43 opposite its intersection with China Marais Avenue (access to Fisherhaven) (staggered intersection, \pm 30 metres). Access to the portion to the west of the R43 can be obtained via China Marais Avenue and Stormalong Road. Access will also be possible from the extension of Karwyderskraal Road (parallel route to the R43), via George Viljoen Road and via the industrial development-access to the R43. Please refer to Figure 15 below.

Future access will remain via the R43, but will be provided at the following positions (in line with Draft Overstrand Transport Plan):

- a) The R43/China Marais Avenue intersection (at-grade, access opposite China Marais Avenue with the existing staggered access to the property to be closed) which should be signalized when warranted as determined by the individual TISs;
- b) The left-in/left-out access north of the industrial development;
- c) The R43/Industrial development-access (at-grade) which should be signalised when warranted as determined by the individual TISs; and
- d) The R43/George Viljoen Street intersection (at-grade);

Please refer to proposed Subdivision plan for the location of the proposed intersections and the TIA (Annexure O) for detail on future access points and road classifications.



Figure 15: Current access points to the proposed Afdakrivier Development

As explained above, the proposal allows for a system of public and private roads.

As far as could be established no formal public transport facilities exist in the vicinity of the proposed development. Provision for public transport will be made in the vicinity of the retail component as well as at the outbound legs of the intersections along the parallel road. It is also suggested that public transport embayments be considered along the R43 at the outbound legs of the major intersections (as currently exists along the R43 towards Hermanus).

According to the Draft Overstrand Transport Plan, previous studies with focus on public transport concluded that the R43 between Hawston and Hermanus should be viewed as an important public transport route. It is suggested that NMT-facilities be provided along both sides of the parallel route and along at least one side of the remaining internal roads (currently indicated on the **Subdivision Plan**) on the subject property. The Department of Transport *Pedestrian and Bicycle Facility Guidelines* requires 1,5 metres minimum for pedestrian walkways and 1,5 metres minimum to accommodate bicycles. The City of Cape Town *Minimum Standards for Civil Engineering Services in Townships* was also consulted, which suggests a minimum width of 2,5 metres for low volumes and 3,0 metres for Class 3-shared (pedestrian/cyclist) facilities. A typical cross-section is thus suggested to consist of 2,5 metre NMT- facilities with at least 1,0 metre landscaping between the roadway and NMT-facility, as indicated in Diagram 1 below. Sport cyclists can be accommodated in the shoulders of the roadway, with commuters utilising the shared NMT-facilities.

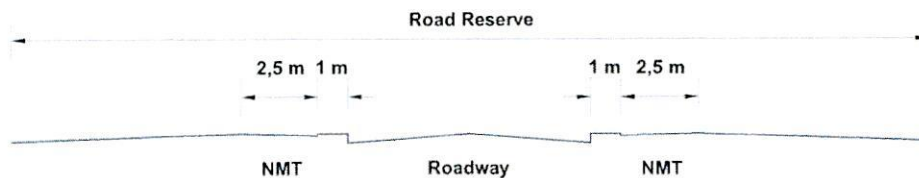


Figure 16: Proposed cross-section to accommodate NMT

3.2 Traffic Impact Assessment

iCE Group conducted a Traffic Impact Assessment (dated 4 October 2017) to determine the impact that the traffic generated from the proposed development would have on the current and future road networks. An amended TIA was done in 2019 to exclude the mining area from the proposed development. A Draft Overstrand Transport Plan was recently completed which includes access management along the R43 (TR 2801) in the Fisherhaven/Hawston area. These access points were taken into consideration in the TIA.

As explained in Section 1 above, a portion of the mining area (mining area A) has recently been closed and the EA is being amended to include this area into the development proposal. For purposes of this application, we will revert to the October 2017 study which considered the traffic impact of a total of 3 267 residential units. Though the 2017 layout is slightly different from the layout as currently proposed and the number of residential units is now less than that proposed in 2017, it is argued that the access points to and from the R43 stayed unchanged and the same road upgrades are required for the slightly less number of residential units. This is also confirmed in the letter received from the WC Department of Transport and Public Works: Roads, dated 24 March 2021, which confirms their support for 3 016 residential units (please refer to Annexure O for a copy of this letter). Set out below is a summary of the findings of the TIA. Please refer to Annexure O for the full report which states:

- 1) The TIA is in support of the application for Subdivision and Rezoing of Farm 575 Portion 21 (Afdaksvier), situated to the east of the R43 between Fisherhaven and Hawston;
- 2) That access will be obtained from the R43 via accesses based on those suggested in the Draft Overstrand Transport Plan which are from the R43/China Marais Avenue intersection (initially priority-controlled/signalled and ultimately grade-separated if/when warranted), from a left-in/left-out north of the industrial development (Hawston) and across the R43 via bridge at the industrial-access position as well as directly to Hawston via George Viljoen Street (ultimately via underpass);
- 3) That the proposed development has the potential to generate 3 037 AM trips and 3 008 PM trips without considering internal or pass-by trips, that the trips of 2 332 residential units can be assumed to be included in the background traffic and that the proposed development can thus be expected to generate 1 555 new AM trips (605 in, 950 out) and 1 373 new PM trips (889 in, 484 out);
- 4) That phasing has not yet been addressed and that a TIS should be conducted for every Portion as to

determine the upgrades required prior to the development thereof;

- 5) That the R43 in the vicinity of the proposed development should be dualled by 2035 as a result of background traffic, that the link opposite China Marais Avenue between the R43 and the parallel route should be dualled to accommodate the full development and that the internal roads should operate sufficiently as two lane roads;
- 6) That roundabouts are proposed at internal road-intersections as well as the accesses to the Portions along the internal roads and that grade separation at the R43/China Marais Avenue intersection is not yet considered necessary from a capacity point of view;
- 7) That the parallel route can be classified as a Class 3-road (32 metre road reserve) from Karwyderskraal Road up to the proposed bridge, from where it can be classified as a Class 4-road (20 metre road reserve), and that the remaining internal roads can be classified as Class 5-roads (20 metre road reserves);
- 8) That refuse removal, details on internal layouts and parking should be addressed at Site Development Plan submission stage (individual TISs should be compiled for each Portion);
- 9) That provision for public transport is suggested at the retail component and at the outbound legs of the intersections on the parallel route and that public transport embayments also be considered along the R43 at the outbound legs of major intersections; and
- 10) That 2,5 metre wide shared non-motorised transport facilities be provided along both sides of the parallel route and along at least one side of the internal roads.

3.3 Services Report

GLS Consulting Engineers, the consulting engineers updating the engineering master plans for the Overstrand Municipality, calculated and reviewed the services needs of the proposed development and conducted a capacity analysis of the bulk water and sewer services. Set out below is an extract from their report, please refer to Annexure Q for the full report, figures and tables referred to and findings. Please note that as with the TIA above, the GLS report was based on a total of 3 267 residential units and a slightly different layout. Though the 2017 layout is slightly different from the currently layout (an additional internal access road is proposed which divides previously referred to Portion 7 now into Portion 7 and 10) and the number of residential units is now less than that proposed in 2017, it is argued that the service upgrades required is the same as that indicated in the 2017 GLS report.

This document should inter alia be read in conjunction with the Water Master Plan (performed for the Overstrand Municipality) dated June 2016 and the Sewer Master Plan dated June 2016.

Future development areas GH1, GH2 and GH5.1, which include the proposed development area, was conceptually taken into consideration for the June 2016 master plans for the water and sewer networks.

3.3.1 Water Distribution System

3.3.1.1 Distribution zone

The existing erven in Hawston, east of the R43 Main Road, are currently accommodated in the existing Fisherhaven High Level (HL) reservoir zone. The Master Plan indicates that the proposed developments (portions 2-12) should also be accommodated in the existing Fisherhaven HL reservoir zone. The connection to the existing system should be done on the existing 200 mm diameter pipe and the future 315 mm diameter pipe, as shown on Figure 1a attached.

The development west of the R 43 Main Road (portion 1) falls within the existing Fisherhaven Low Level (LL) reservoir zone. The connection to the existing system should be done on the future 160 mm diameter pipe as shown on Figure 1a attached.

The proposed developments are situated inside the water priority area.

3.3.1.2 Water demand

The original water analysis for the master plan was performed with a total annual average daily demand (AADD) for the proposed development areas of 2 306,0 kℓ/d.

For this re-analysis, the AADD and fire flows for the proposed development were calculated as follows:

Development west of R43 Main Road

- Portion 1 775 Retirement units @ 0,5 kℓ/day/unit = 387,5 kℓ/d.

Developments east of the R43 Main Road

Developments east of the R43 Main Road

- Portion 2: 128 Group housing units @ 0,6 kℓ/day/unit = 76,8 kℓ/d
- Portion 3: 390 Group housing units @ 0,6 kℓ/day/unit = 234,0 kℓ/d
- Portion 4: 455 Retirement units @ 0,5 kℓ/day/unit = 227,5 kℓ/d
- Portion 5: Hospital (@ 15 kℓ/day/ha) = 66,0 kℓ/d
- Portion 6: Business & commercial (@ 15 kℓ/day/ha) = 39,2 kℓ/d
- Portion 7: 715 Retirement units @ 0,5 kℓ/day/unit = 357,5 kℓ/d
- Portion 8: 106 Residential units @ 1,0 kℓ/day/unit = 106,0 kℓ/d
- Portion 9: 112 Residential units @ 1,0 kℓ/day/unit = 112,0 kℓ/d

- Portion 10: 124 Residential units @ 1,0 kℓ/day/unit = 124,0 kℓ/d
- Portion 11: 462 Flats @ 0,4 kℓ/day/unit = 184,8 kℓ/d
- Portion 12: Education (@ 12,5 kℓ/day/ha) = 90,0 kℓ/d

Total = 1 617,8 kℓ/d

- Fire flow criteria (Moderate risk) = 25 ℓ/s @ 10 m
-

3.3.1.3

Present situation

a) Network conveyance

The existing 200 mm Ø supply pipe from the Fisherhaven LL reservoir has sufficient capacity to accommodate the proposed development. Master plan items are however required to connect the development to the existing system and to improve network conveyance in the Fisherhaven LL network.

The existing 200 mm Ø supply pipeline from the Fisherhaven HL reservoir to the proposed development has spare capacity available to accommodate new developments with a total AADD of up to 980 kℓ/d. Various master plan items are required to accommodate the total development, as shown on Figure 1a.

b) Reservoir capacity

The criteria for the total reservoir volume used in the Overstrand Water Master Plan, is 48 hours of the AADD (of the reservoir supply zone).

The Fisherhaven LL reservoir has sufficient storage capacity to accommodate additional developments with an AADD of up to 290 kℓ/d. There is thus sufficient capacity to accommodate portion 1 of the proposed development in the existing Fisherhaven LL reservoir zone.

According to the Water Master Plan there is reservoir storage capacity available in the Fisherhaven HL reservoir to accommodate additional developments with a total AADD of up to 282 kℓ/d, after which additional storage capacity will be required.

Therefore there is insufficient capacity available at the Fisherhaven HL reservoir to accommodate the total development of portions 2-12.

c) Bulk supply

In the existing Greater Hermanus water system, bulk water is currently supplied from the Preekstoel Water Treatment Plant (WTP) through a series of bulk supply pipes to the existing reservoirs.

Table 1 attached is a summary of the capacity of the existing bulk supply system from the Preekstoel WTP to the Fisherhaven LL and Fisherhaven HL reservoirs. The routes of the bulk pipelines are shown on Figures 1a, 1b and 1c attached. The results can be summarized as follows:

Pipes with sufficient capacity:

- The bulk pipe segments from the Preekstoel WTP to the draw off point of the Vermont reservoir (segment OHW.B23, segment 1 & segment 2) have sufficient capacity to accommodate the proposed development.
- The segment from the Fisherhaven LL reservoir to the Fisherhaven HL reservoir (segment OHW.B4) has capacity to accommodate development with a total AADD of $\pm 1\,806,5$ kℓ/d. This is just enough capacity to accommodate the proposed development, any further development will result in the pipe having insufficient capacity.

Pipes with insufficient capacity:

- The 250 mm diameter pipe between the Vermont reservoir draw off point and the Hawston reservoir draw off point (segment OHW.B19) only has spare capacity for developments with a total AADD of $\pm 824,7$ kℓ/d.
- The 250 mm diameter segment between the Hawston reservoir draw off point and China Marais Avenue in Fisherhaven (segment 3) has spare capacity for developments with a total AADD of $\pm 1\,570,9$ kℓ/d.
- The 200 mm diameter pipe from China Marais Avenue to the Fisherhaven LL reservoir (segment OHW.B22) only has spare capacity for developments with a total AADD of $\pm 746,2$ kℓ/d.

Any additional water demand through these pipes will result in insufficient supply during the summer months.

d) *Pumping stations*

The existing Fisherhaven HL pumping station (capacity = 5 ℓ/s @ 47 m head) has spare capacity for developments with a total AADD of up to 157 kℓ/d. The pump station therefore has insufficient capacity to accommodate the total development.

(Note: The capacity of the Fisherhaven HL pump station should be verified by the Overstrand Municipality)

e) *Long term bulk supply upgrades*

In the Overstrand Municipality Water Master Plan it is proposed that bulk water supply to the Greater

Hermanus area is augmented from the Theewaterskloof dam as an alternative water source in the future. In the planning allowance was made for a water supply to the existing Fisherhaven LL reservoir of 10 M ℓ /d from this source.

It is proposed that bulk water is pumped in the future (when supply from the Theewaterskloof water source is commissioned) from the Fisherhaven LL reservoir to the Fisherhaven HL reservoir, and that bulk water is then distributed from the Fisherhaven HL reservoir to the existing Greater Hermanus bulk water system through a 315 mm \emptyset bulk pipeline, that connects to the existing system at the Hawston reservoir. Allowance should be made for pipeline servitudes to accommodate these infrastructure in the future.

f) Minimum items required

The minimum bulk supply items required to accommodate the total development are master plan items OHW.B3a, OHW.B17, OHW.B19 and OHW.B22 in order to provide sufficient water to the Fisherhaven LL and Fisherhaven HL reservoirs and master plan item OHW.B30 to provide sufficient reservoir storage capacity.

The minimum network requirement to accommodate portion 1 of the proposed development is master plan item OHW1.3 in order to connect the development to the existing water network and to provide adequate pressures to the development.

In order to accommodate the developments to the east of the R43 (portions 2-15), the following master plan items will be required: Items 1-5, OHW1.3, OHW13.1, OHW13.2, OHW13.3 and OHW13.4.

3.3.2 Sewer Network

3.3.2.1 Drainage area

The development to the west of the R43 (portion 1) falls within the future pump station (PS) GH2 drainage area. From the proposed future PS GH2 it is proposed that sewage is pumped to the existing Fisherhaven PS1, from where sewage is pumped to the Hawston Wastewater Treatment Plant (WWTP). New bulk sewer infrastructure will be required to connect onto the existing sewer system, as shown on Figure 2 attached.

The developments to the east of the R43 (portions 2-12) fall within the existing Hawston Gravity drainage area. There is currently no sewer infrastructure in the proposed development area to connect to the Hawston WWTP and several master plan items should be implemented in order to connect to the WWTP.

The developments are inside the sewer priority area.

3.3.2.2 Sewer flow

In the original sewer master plan, the peak day dry weather flow (PDDWF) for the proposed development area was calculated at 1 640,0 kℓ/d.

For this re-analysis, the PDDWF for the proposed development was calculated as 1 403,7 kℓ/d.

3.3.2.3 Present situation

There is currently no existing bulk sewer infrastructure near the proposed development area. New bulk sewer infrastructure is required to connect the proposed development to the existing Hawston WWTP.

3.3.2.4 Minimum requirements

The minimum requirements to accommodate portion 1 of the development are master plan items OHS1.4, OHS3.2, OHS3.3 and OHS3.4 in order to connect the development to the existing infrastructure of the Fisherhaven PS1 drainage area.

The minimum requirements to accommodate portion 2-12 are master plan items 7-10 and items OHS8.2, OHS8.3 and OHS8.7 in order to connect the developments to the existing Hawston WWTP

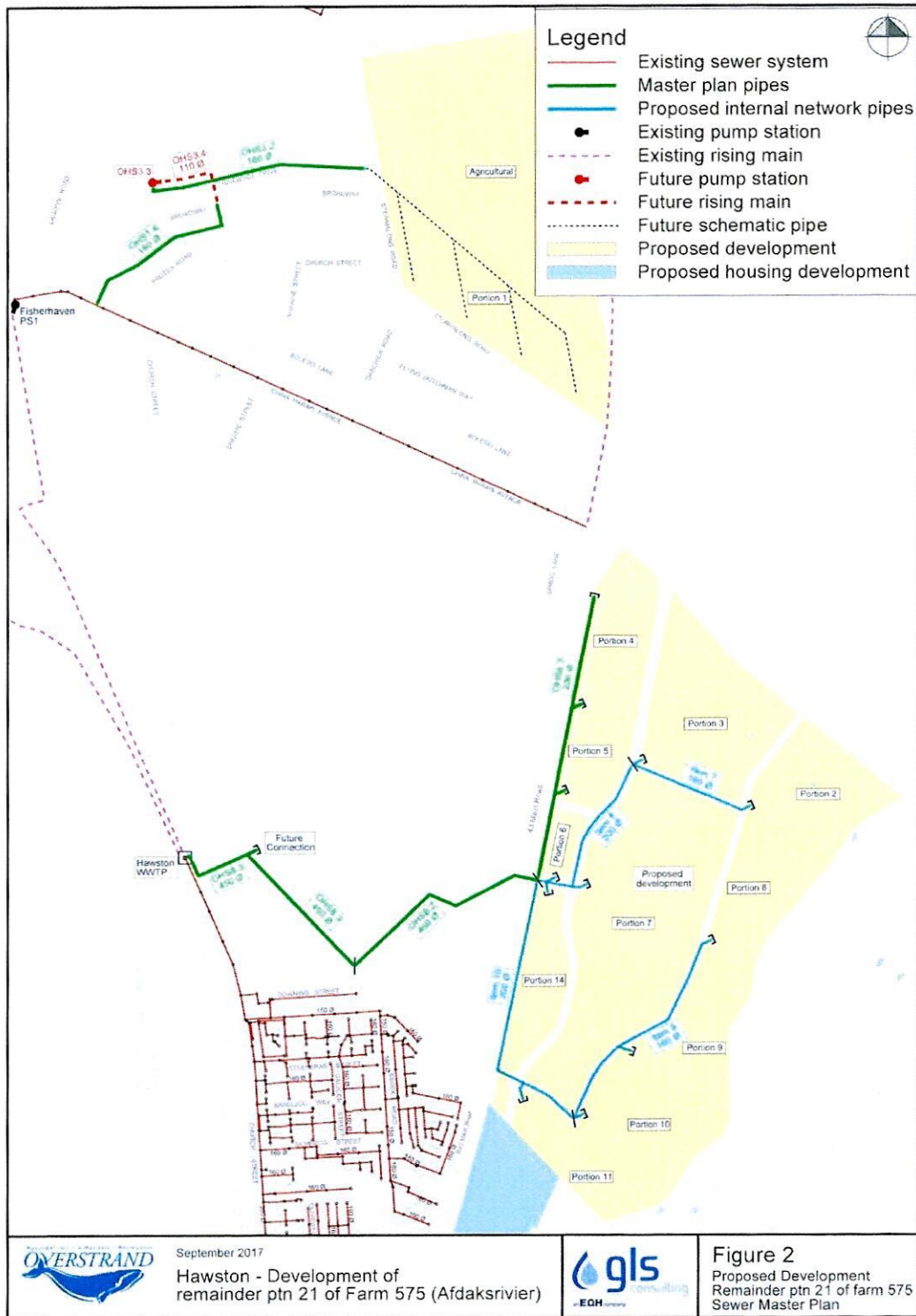


Figure 19: Sewer Master Plan

ICE Engineering compiled an Engineering Services and Storm Water Management Report (dated September 2017) for the proposed development. Their calculations for the water and sewer demand are much more conservative as they used the prescribed 'red book' calculations to determine demand. As GLS acts on behalf of the municipality and as they use actual measured flows and up to date information, it is motivated that the flows and demand calculated by GLS should be used as discussed above. The

stormwater demand was however determined by iCE as set out below. Please refer to Annexure P for the full report.

3.3.3 Stormwater

The proposed development is located at the foot of a mountain. The topography above the development is noted for its steep slopes. Moderate slopes are encountered within the proposed development and flatter slopes below the development towards Hawston. There are significant catchments above the development and the runoff from these catchments must be accommodated in the stormwater management plan of the development. The most significant catchment is 112 ha in size and flows towards and through the existing sand mine located within the development site. The runoff from this wetland presently flows into ponds created by the sand mining activities. From the ponds there are no formalized flow routes but the general flow is in the direction of the wetland area below the R43.

3.3.3.1 Proposed Stormwater Management Plan

The proposed stormwater management plan is shown on drawing no TT111000 SW1. The main principle of the stormwater management plan is to reduce the runoff impacts to pre-development levels. Accordingly, detention ponds are proposed within each precinct. The detention ponds must be sized to limit the outflows to pre-development levels. This will ensure that the peak runoffs of the 50 yr events do not exceed the pre-development levels.

The existing wetland within the sand mining area plays a significant role in buffering the runoff from the 112 ha upstream catchment and therefore it is recommended that this be retained as a feature within the development. It is also recommended that a servitude be registered along the defined drainage route for this drainage area to ensure that overland escape routes are maintained. The drainage route, which is roughly indicated on the drawing, will be accurately defined during the detail design stage. It is also likely that erosion protection measures will have to be implemented along this route.

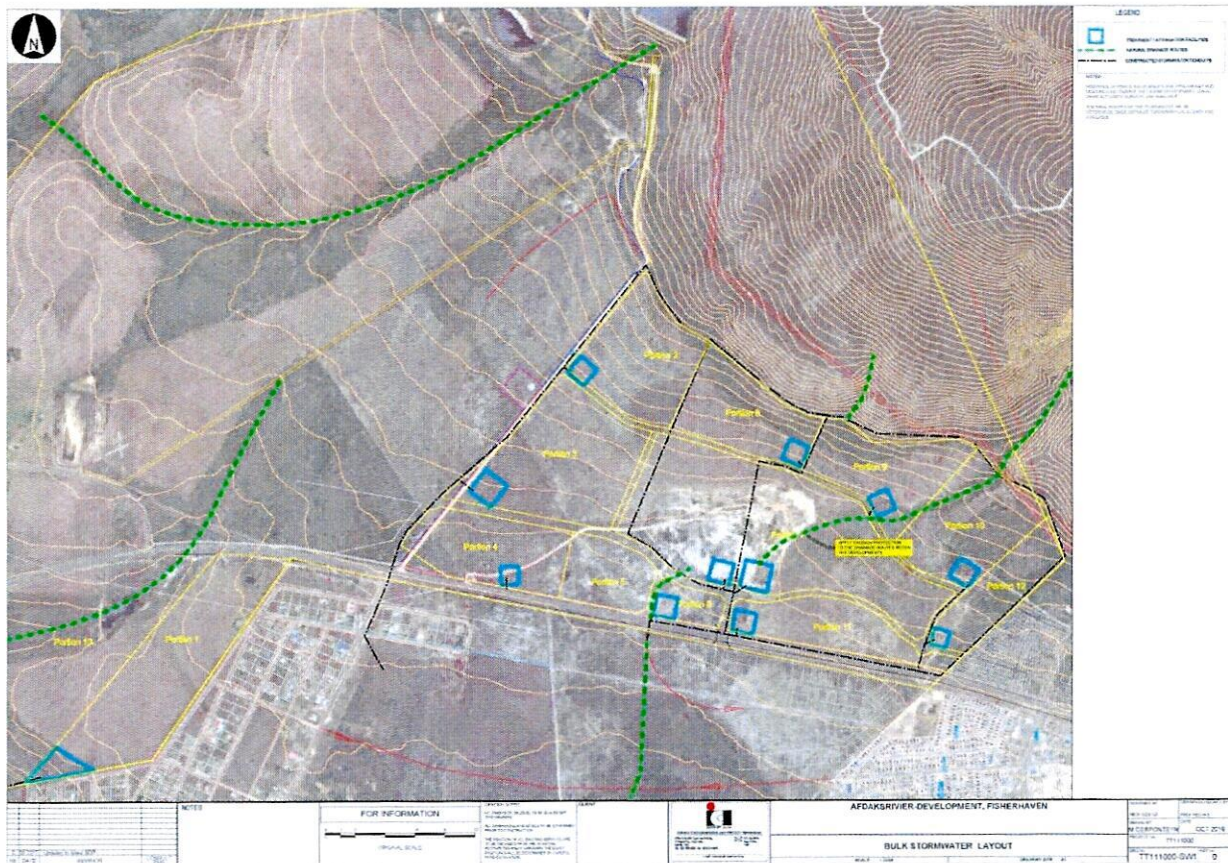


Figure 20: Bulk Stormwater Layout

3.3.4 Electricity

There is presently not sufficient infrastructure to provide for this demand and accordingly significant infrastructural upgrades will be required. Eskom advised as follows:

- The supply available for the initial phase of the development is 1700 kVA. This is sufficient for 450 – 500 dwelling units.
- For the outstanding balance of approximately 12 300 kVA [12.3 MVA] the existing network shall have to be strengthened [upgraded]. The different options of achieving this will be discussed and decided on at a later date when more detailed information becomes available.

The upgrading or strengthening of the existing network and bringing supply to the development may be in the form of extending the MV overhead line to a certain point. From this point the supply to the development will be in the form of an underground MV cabling network.

3.4 Phasing Plan

A phasing plan will be submitted to the municipality for their approval at a later stage as more certainty regarding development contributions are obtained from the Municipal Engineers once they have reviewed the application. It is however anticipated that the lower lying portions of the proposed development will be rolled out first and will be Phase 1 of the proposed development, followed by the higher density residential developments along the R43, Portions 7 and 11, Phase 2. and the single residential portions will be the last phase (Phase 4) of the development. It is anticipated that the education facility on Portion 13 and the retail on Portion 6 will only be developed once the bulk of the development has been established. Portion 5 can be developed as and when the market dictates.

4. Legislative and Policy Review

The following section identifies and briefly summarizes the applicable national, provincial and municipal legislation and policies which should be complied with /adhered to and which the proposed development should take into consideration. Each section then ends with an indication of how the proposed development complies with the relevant legislation and policies.

4.1 National Legislation

4.1.1 National Environmental Management Act (NEMA) (Act 107 of 1998)

Approval obtained

4.1.2 Subdivision of Agricultural Land Act (Act 70 of 1970)

Approval obtained

4.1.3 Spatial Planning and Land Use Management Act (Act 16 of 2013) (SPLUMA)

The SPLUMA came into effect on 1 September 2014. One of the main objectives of this act is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances. The act sets out the following 5 main development principles applicable to spatial planning, land use management and land development which the proposed development should take into consideration/comply with:

1. Spatial justice (improved access to and use of land with an emphasis on informal settlements and disadvantaged communities);
2. Spatial sustainability (protection of prime and unique agricultural land, development in locations that are sustainable, limit urban sprawl and creation of viable communities);
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

4.1.4 Compliance with National Legislation

Table 1 below will indicate how the proposed development complies with the SPLUMA principles:

SPLUMA and LUPA Principles	Response to and Compliance with Principles
Spatial Justice	<p>i. The proposed development will be an integrated development to allow for a mix of housing densities and typologies to accommodate a wide range of income groups and families from different age- and demographic profiles as well as the provision of retail and business sites and educational facilities all within walking distance from the different development portions and within close proximity to Hawston and Fisherhaven. The different housing opportunities will provide for a 'housing ladder' where people/families can move upwards/downwards as their needs and/or economic circumstance change over time. The proposed development will be linked with Hawston and Fisherhaven to increase access to opportunities through infill development, thereby combating urban sprawl. Please refer to Section 4.2.4 below for more details on land available for urban development within the Hawston and Fisherhaven areas. As will be indicated and motivated below, the proposed development is in line with all Provincial and Municipal policies, and structure plans.</p>
Spatial Sustainability	<p>ii. The proposed development will require the upgrading of various services (electrical, water, storm water, sewerage and roads) and it is considered that this will be to the benefit of the surrounding areas as well as the Overstrand Municipality. Fisherhaven is in need of the upgrading of the sewerage system and it is considered that the upgrading of the sewerage system which would be required to provide for the proposed development will also address the current need in Fisherhaven. As set out in the TIA, the Provincial Department of Public Works (Roads) are planning various upgrades to the R43, including access points from the R43, as well as a parallel road east of the R43 which will be partially funded from the proposed development. Though a considerable amount of services upgrades are required for the proposed development, it is considered that the development will still optimise and add value to the existing infrastructure. It is considered that there are not other land of this scale available within the urban edge, within close proximity to existing services, and where there are no environmental sensitive areas which could accommodate the future growth of the Greater Hermanus and surrounding areas.</p> <p>iii. As confirmed in the Agricultural Potential Study, the proposed development area has not been classified as a area of prime, unique or high agricultural potential, and it will not place pressure on the surrounding agricultural areas. As mentioned in Section 3, the provision of the three agricultural portions (Portions 2, 3 and 4) will form a transition area between the urban development and the agricultural areas and in this way help to reduce pressure for development on high potential agricultural land. It is also important to note that the proposed development area lies within the demarcated urban edges, which was determined to help protect high potential agricultural resources.</p> <p>iv. The proposed development area is not classified as a Provincial landscape or scenic assets. This is confirmed in the Overstrand Municipal SDF where it was found that the development area has no significant heritage value and does not fall within a heritage overlay zone. This was also confirmed in the Heritage NID. A portion of the proposed development area does however border on the R43, which is considered to be a scenic route, and allowing have accordingly be made for a 20m development set-back (to be landscaped) from the R43.</p> <p>v. The specialist studies (Botanical, Freshwater Ecosystems and Heritage NID) confirmed that there area very limited environmentally sensitive areas on the application site which would prohibit the proposed development. As set out in Section 3 above, the development proposal took Cognicase of the recommendations of the environmental specialists and incorporated this into no-go areas and allowed for the required buffers/set-backs. The development area does not fall within an area susceptible to sea level rise, storm surges or flooding.</p> <p>vi. The Overstrand Municipal policies and structure plans (please refer to Section 4.3) have identified the proposed development area as the future growth area of the municipal area, to accommodate this expected growth. Though the Overstrand SDF includes other areas of vacant land within the urban edge (please refer to Figure 11 below), the majority of these open sites are classified as environmental sensitive land, open space systems, falling within critical biodiversity areas or being located on sensitive dune areas. It is therefore motivated that the proposed Afdakrivier development area is one of the limited green field sites within the urban edge of the Greater Hermanus area available to accommodate future development, especially as the specialist studies found that there are very limited environmental constrains which would prohibit development of the site.</p>

Table 1: SPLUMA Compliance

SPLUMA and LUPA Principles	Response to and Compliance with Principles
Efficiency	vii. Please refer to ii above viii. The proposed development will allow for a mix of housing densities and typologies to accommodate a wide range of income groups and families from different age- and demographic profiles. The higher density housing are proposed adjacent to the R43 and school site, opposite the proposed retail and business (possible hospital and offices) areas as well as the recently approved industrial area which supports accessibility to amenities and employment opportunities. The different housing opportunities will provide for a 'housing ladder' where people/families can move upwards/downwards as their needs and/or economic circumstance change over time. The proposed development will be a mixed use development providing for housing, as well as retail and business sites and educational facilities all within walking distance from the different development portions. As described in Section 3.2, it is proposed to allow for designated non-motorized transport (pedestrian and/or cycle lanes) along all the internal roads of the development to support the use of such transport. The proposed development will be linked with Hawston and Fisherhaven to increase access to opportunities which will support productive activities and reduce levels of exclusion from opportunities.
Good Administration	This principle will have no direct bearing on the application, however, the Overberg Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.

Table 2: SPLUMA Compliance (continues)

4.2 Provincial Legislation and Policies

4.2.1 Western Cape Provincial Spatial Development Framework (PSDF) (2014)

The Western Cape PSDF was approved in 2014 by the Western Cape Parliament and serves as strategic spatial planning tool that "communicates the province's spatial planning agenda". The main spatial principles of the PSDF are the following:

- i. **Spatial Justice**
A socially just society is based on the principles of equality, solidarity and inclusion.
- ii. **Sustainability and Resilience**
Land development should be spatially compact, resource-frugal, compatible with cultural and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromising eco-systems.
- iii. **Spatial Efficiency**
Efficiency relates to the form of settlements and use of resources - compaction as opposed to sprawl; mixed-use as opposed to mono-functional land uses; and prioritisation of public transport over private car use.
- iv. **Accessibility**
Improving access to services, facilities, employment, training and recreation, including improving the choice of safe and efficient transport modes (e.g. public transport, private vehicle, bicycle, walking and wheelchair) is essential to achieving the stated settlement transitions of the NDP and OneCape 2040.

v. **Quality and Livability**

The quality of an environment directly contributes to its livability. A good environment is one that is legible, diverse, varied and unique. The legibility of a place is contributed to by the existence of landmarks such as notable buildings and landscaping or well defined public space as well as the legibility and structure of its street networks.

The Provincial settlement agenda is holistic and covers five interrelated spatial themes, namely; settlement morphology and sense of place, access, land use and density, facilities and social services, and informality and housing (see Diagram 1). As a transversal instrument the PSDF embraces the concept of sustainable and integrated human settlements. The Provincial settlement policy objectives are to:

1. Protect and enhance sense of place and settlement patterns
2. Improve accessibility at all scales
3. Promote an appropriate land use mix and density in settlements
4. Ensure effective and equitable social services and facilities
5. Support inclusive and sustainable housing

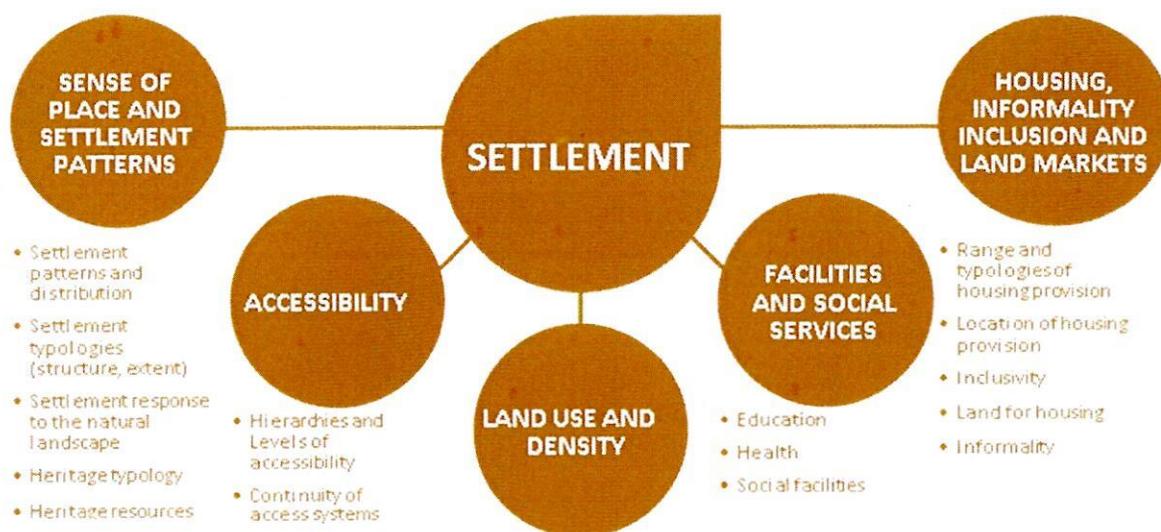


Figure 21: MIND MAP OF INTEGRATED AND SUSTAINABLE SETTLEMENTS THEME

The PSDF also sets out key Policies, relating to Resources, Space Economy and Settlement to guide spatial planning, as summarized in Diagram 2 below. Of these policies, the following have the most bearing on the proposed development:

1. Resources:

- **Policy R1:** Protect Biodiversity and Ecosystem Services
- **Policy R3:** Manage, Protect and Sustainable Use of Provincial Agricultural and Mineral Resources.

Record unique and high potential agricultural land in municipal SDFs, demarcated urban edges to protect these assets and adopt and apply policies to protect this resource.

- **Policy R5:** Protect and Manage All Provincial Landscape and Scenic Assets

Scenic and Landscape character considerations must have explicit input on Land Use Management and infrastructure development in the Western Cape. The protection and enhancement of regional landscapes and scenic assets rely on appropriate responses to the heritage, biodiversity, agricultural and scenic assets of the province. It is important that heritage and scenic assets are not undermined through inappropriate development land use change.

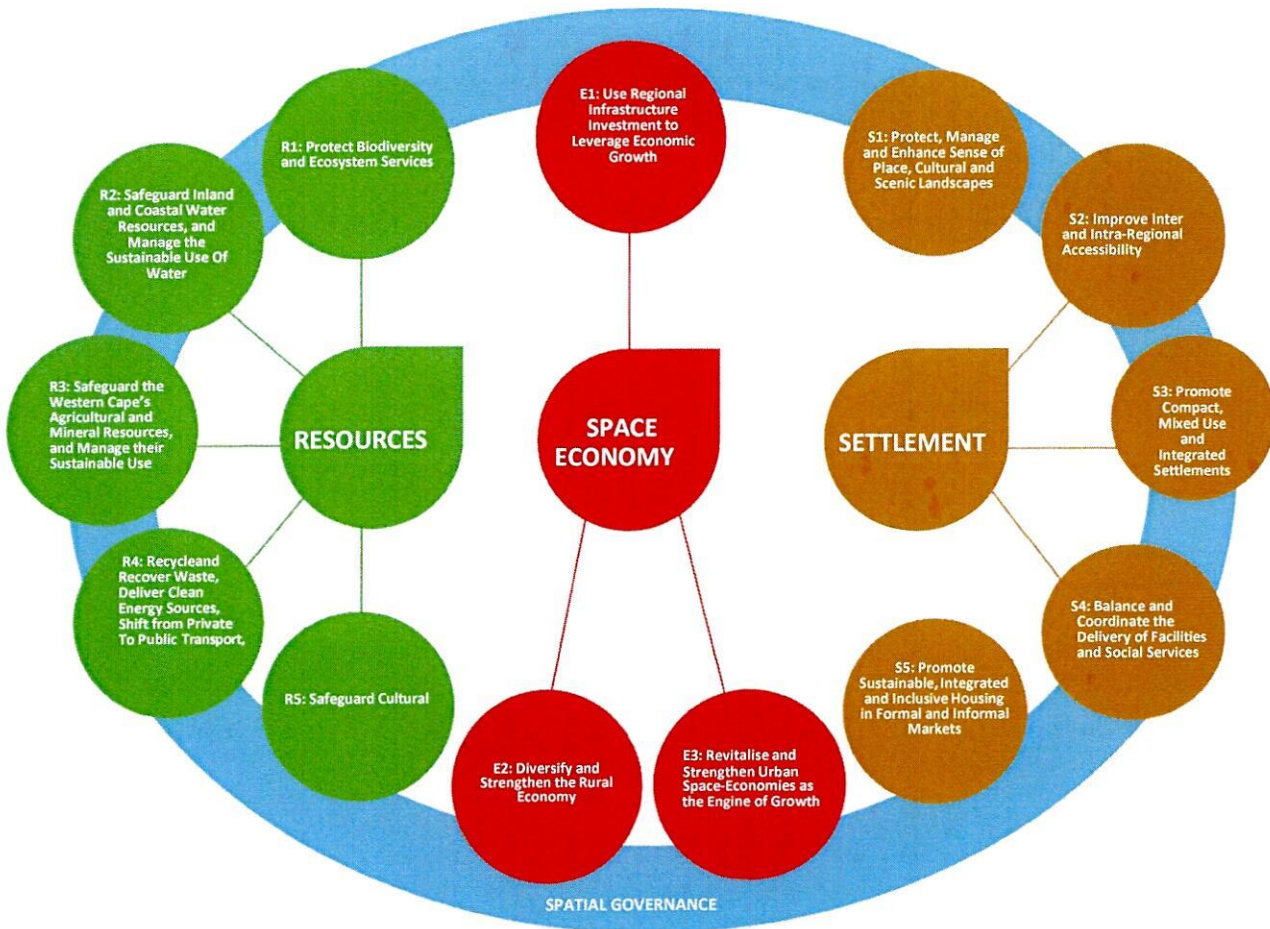


Figure 22: A SUMMARY DIAGRAM OF THE POLICIES RELATING TO EACH OF THE THREE THEMES

2. Space Economy

- **Policy E2:** Diversify and strengthen the rural economy

The 2009 PSDF draft Rural Land Use Planning Management Guidelines set out policies to be taken into consideration when assessing consistency with this policy:

- Environmental Authorisation
- Compatibility with land use activities suitable in the CBA it is situated in, and subject to an EIA
- Does not alienate unique or high value agricultural land or compromise existing farming activities.
- Does not compromise the current or future possible use of mineral resources.
- Is consistent with the cultural and scenic landscapes within which it is situated

3. Settlement

- **Policy S1:** Protect, Manage and Enhance the Provinces Sense of Place, Heritage and Cultural Landscape.

Prevent settlement encroachment into agricultural areas, scenic landscapes and biodiversity priority areas, especially between settlements, along coastal edges and river corridors;

- **Policy S3:** Promote Compact, Mixed Use and Integrated Settlements

Municipal SDFs to include growth management tools to achieve SPLUMA's spatial principles. These could include: a densification strategy and targets appropriate to the settlement context; an urban edge to protect agricultural land of high potential and contain settlement footprints; and a set of development incentives to promote integration, higher densities and appropriate development typologies.

- **Policy S5:** Promote Sustainable, Integrated and Inclusive Housing in Formal and Informal Markets

The following policies must guide planning, project prioritisation, budgeting and performance management at a Provincial scale. These relate to housing delivery, planning and design, urban land markets and informality.

- Provide households with the residential environments, mobility and access to opportunities that support productive activities and reduce levels of exclusion from opportunity;
- Increase densities of settlements and dwelling units in new housing projects;
- Prioritise investment in community facilities, public infrastructure and public space, rather than an

exclusive focus on housing or top structures.

- Promote more mixed-income, mixed-use, inclusionary forms of development through incorporating various scales of economic opportunities within housing projects;
- Achieve a wider range of housing opportunities with regards to diversity of tenure, size, density, height and quality in order to promote a ladder of upward mobility for households to progress as economic circumstances change over time

4.2.2 Western Cape Land Use Planning Act (LUPA) (Act 3 of 2014)

The Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) (LUPO) placed a significant proportion of decision-making power for spatial planning and land use management within the provincial sphere of government. With the advent of the Constitution of the Republic of South Africa, 1996 (the Constitution), decision-making for municipal spatial planning and land use management became a municipal competency, making provincial decisions on municipal land use matters unconstitutional.

One response to this situation was the drafting of LUPA, which has been assented to by the Premier of the Western Cape. LUPA now provides for each local municipality to be responsible for municipal spatial planning and land use management within its respective municipal area. This responsibility brings with it the need for a municipality to make administrative decisions which are lawful, reasonable and procedurally fair, in order for the municipality to avoid its decisions being unnecessarily taken on judicial review.

Section 2(2)(d) of LUPA states that **a municipality must regulate the criteria for deciding on land use applications**. Such criteria should therefore be determined in the relevant Municipal Land Use Planning Bylaw of a municipality within the Western Cape. Chapter V, Section 65 (1) (a) to (s) of the proposed Western Cape Standard Draft Bylaw on Municipal Land Use Planning sets out the general criteria that must be considered when deciding on a land use application.

4.2.3 Western Cape Growth Potential Study (2014)

One of the objectives of the Department of Environmental Affairs and Development Planning (DEA&DP) is to undertake spatial planning that promotes and guides the sustainable future development of the province and redresses spatial inequalities. This goal led to the development of the Provincial Spatial Development Framework (PSDF), which identifies the areas of growth in the province and the areas where, in terms of the sustainable development paradigm (or responsible development paradigm), growth should be emphasised in the future. It also addresses the form that this growth or development should take and further emphasises the restructuring of urban settlements to facilitate their sustainability.

The Growth Potential Study, which was done as part of the PSDF, determined the growth potential and socio-economic needs of settlements in the Western Cape outside of the Cape Town metropolitan area to give guidance as to where development should be focused and also what type of developments/investments should be focused on. It is critical to understand that the indices provide an overall perspective of growth potential and socio-economic needs in the Western Cape, with its primary application to inform and guide strategic and cross-cutting decisions at a provincial level. These composite indices are, however, not the only decision support tool available for more detailed applications such as informing specific programmes within individual departments. According to this study, Hermanus, Hawston and Onrus have been identified as towns with a very high growth potential and high socio economic needs. Please refer to Figure 21 below

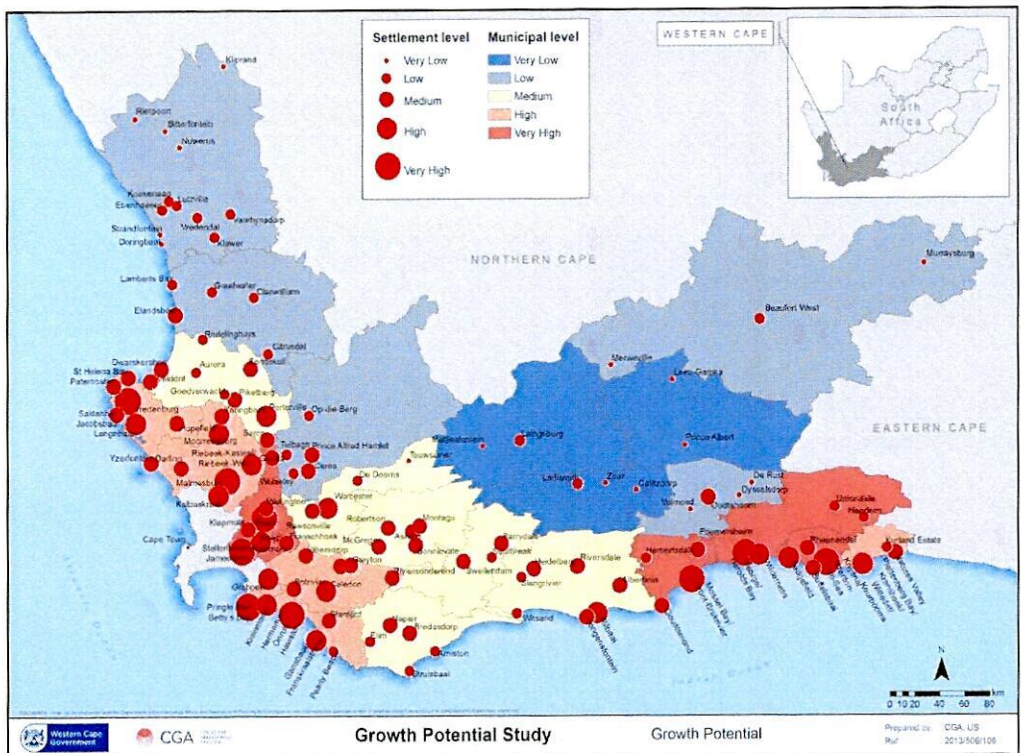


Figure 23: Spatial representation of the Growth Potential Index at settlement and municipal level

4.2.4 Compliance with Provincial Policies:

Please refer to Table 3 below for the motivation of compliance with the PSDF.


Applicable PSDF Policies	Response to and Compliance with Policies
Resources	
Policy R1	i. The various specialist studies confirmed that there are no (heritage) to very few environmentally sensitive (botanical ecosystems) areas which needs to be protected from development. The proposed development took cognisance of the sensitive areas and the recommended buffer areas have been allowed for.
Policy R3	ii. As confirmed in the Agricultural Potential Study, the proposed development area does not have any agricultural potential and lies within the demarcated urban edges, which was determined to help protect high potential agricultural resources. The proposed development falls within the area earmarked by the Overstrand Municipality for future mixed use development.
Policy R5	iii. The proposed development area is not classified as a Provincial landscape or scenic assets. This is confirmed in the Overstrand Municipal SDF were it was found that the development area has no significant heritage value and does not fall within a heritage overlay zone. This was also confirmed in the Heritage NID. A portion of the proposed development area does however boarder on the R43, which is considered to be a scenic route, and allowing have accordingly be made for a 20m development set-back (to be landscaped) from the R43.
Space Economy	
Policy E2	iv. A formal application process is being undertaken to obtain Environmental Authorisation for the proposed development. The proposed development area has not been identified for land reform purposes and falls within the demarcated urban edge. The proposed development would not alienate unique or high potential agricultural land or compromise existing farming activities or use of mineral resources and as mentioned above, it does not fall within a cultural or scenic landscape.
Settlement	
Policy S1	v. Please refer to ii. and iii. above
Policy S3	vi. The proposed development area has been identified in the Overstrand Municipal SDF, GMS and IDF as the future growth area of the municipality. The proposed gross density for the development area is in line with the recommendations for the overall density for the Hawston and Fisherhaven areas. The proposed development is in line with the Overstrand Municipal SDF and falls within the demarcated urban edge. Please also refer to vii below.
Policy S5	vii. The proposed development will allow for a mix of housing densities and typologies to accommodate a wide range of income groups and families from different age- and demographic profiles. The higher density housing are proposed adjacent to the R43 and school site, opposite the proposed retail and business (possible hospital and offices) areas as well as the recently approved industrial area which supports accessibility to amities and employment opportunities. The different housing opportunities will provide for a 'housing ladder' where people/families can move upwards/downwards as their needs and/or economic circumstance change over time. The proposed development will be a mixed use development providing for housing, as well as retail and business sites and educational facilities all within walking distance from the different development portions. As described in Section 3.2, it is proposed to allow for designated non-motorized transport (pedestrian and/or cycle lanes) along all the internal roads of the development to support the use of such transport. The proposed development will be linked with Hawston and Fisherhaven to increase access to opportunities which will support productive activities and reduce levels of exclusion from opportunities.

Table 3: PSDF Compliance

Please refer to Table 1 and 2 for a summary of compliance with SPLUMA which are the same principles set out in LUPA. It is motivated that the proposed development is in line with all the principles set out in SPLUMA and therefore LUPA.

The Western Cape Growth Potential Study identified Hermanus, Hawston and Onrus as towns with very high growth potential and high socio economic needs. The Overstrand Municipal policies and structure plans (please refer to Section 4.3) have identified the proposed development area as the future growth area of the municipal area, to accommodate this expected growth. Though the Overstrand SDF includes other areas of vacant land within the urban edge (please refer to Figure 22 below), the majority of these open sites are classified as environmental sensitive land, open space systems, falling within critical biodiversity areas or being located on sensitive dune areas. It is therefore motivated that the proposed Afdakrivier development area is one of the limited green field sites within the urban edge of the Greater Hermanus area available to accommodate future development, especially as the specialist studies found that there are very limited environmental constrains which would prohibit development of the site.



Figure 24  Overstrand Municipality Urban edge (Greater Hermanus Area)

4.3 Municipal (Overstrand) Legislation and Policies

4.3.1 Overstrand Municipality Spatial Development Framework (SDF) (2006)

The Overstrand SDF, including the revised urban edge, was approved in 2006. As part of the SDF, the whole Overstrand Municipality was classified according to Spatial Planning Categories. The application site, as per the SDF (please refer to Figure 23 below) is classified as a *core urban area* which lies within the approved urban edge. Core Urban Areas can include land uses such as commercial, infrastructure and services, social facilities, housing and industry.

The application site falls within the Fisherhaven and Hawston local planning area of the SDF. The Fisherhaven / Hawston area is viewed as having the potential to become a significant growth area within the context of Greater Hermanus and the sub- region. The challenge forward, is to provide for an integrated, sustainable urban settlement, which respects the existing historical and social development patterns and the biophysical constraints of the area.

The growth management strategy for the Hawston / Fisherhaven area is to provide for the extension of the Hawston / Fisherhaven urban area at a scale and in a manner which ensures *that the area becomes the growth and development focus point of the greater Hermanus area*. Greater Hermanus, the existing urban area between Fisherhaven in the west and Kleinrivier in the east. Figure 23 below provides more details on the specific proposed land uses and classifications for the Hawston/Fisherhaven area including the application site. The application site is clearly included in the approved urban edge and earmarked for urban development. The application site does not fall within a heritage overlay zone and according to the SDF, does not have any environmental sensitive areas or Provincial, Local or Archeologically Sensitive Areas which would prohibit future development.

The SDF sets out the following development principles and strategies applicable to the application site and the Fisherhaven and Hawston area:

- Promote the development of the area as a sub-regional growth area for sustainable integrated development, conservation of the surrounding natural environment, including the system of inland waterways, Botriver Nature Reserve, Milkwood groves, the dune system, sandy coastline and mountain backdrop and conservation of the cultural environment. Also promote the spatial integration of the residential areas and the provision of employment opportunities through the allocation of space for appropriate commercial and service industrial activities;
- Maintain the open space corridors created by the natural drainage and wetland system.
- Contain the urban footprint of Fisherhaven / Hawston within a clearly demarcated urban edge.
- Encourage the provision of employment opportunities through the allocation of areas for appropriate commercial, industrial and tourist development.
- Development should be discouraged in environmentally sensitive areas where it poses a threat to the ecological integrity of the area.
- Given the shortage of suitable developable land in Hermanus, it is proposed that the future growth of the Greater Hermanus should be addressed in the Fisherhaven/Hawston area in an integrated manner.

In order to ensure a sustainable development pattern, a range of housing types for all income groups must be provided for in the planning.

-
- The detailed planning of the urban extension area should make adequate provision for commercial and service industrial uses. The commercial precinct should be located centrally within the extension area with good direct accessibility to the R43. Internal direct access between this CBD to Hawston and Fisherhaven must be a pre- requisite of this planning.
 - Well planned pedestrian linkages should be created between the different land use precincts. It is vital that appropriate safe pedestrian linkages are created between the areas on either side of the R43.
 - Should the Hawston / Fisherhaven area extend on either side of the R43, it is proposed that a detailed investigation be done to compile landscape plans for the verges along the northern and southern entrances. Land abutting these entrances should be reserved for public open space purposes to retain the scenic route experience of the important R43 tourist route.
 - Sensitive areas of the biophysical environment should be managed with conservation objectives in mind, and should be protected from urban development. In this regard, the following areas are of particular importance:
 - The urban edge areas immediately adjacent to the Hermanus mountain range.
 - The urban edge areas immediately adjacent to the Bot River Estuary.
 - The coastline and areas immediately adjacent thereto.
 - The Bot River Estuary and areas immediately adjacent thereto.
 - Any dune systems, particularly any frontal dunes, along the coastline.
 - The estuarine environment of the Bot River.

4.3.2 Overstrand Municipality Integrated Development Framework (IDF) (2014)

Overstrand Towards 2050 – an Integrated Development Framework (IDF) sets the strategic direction for the Overstrand's growth and development for the next 30-40 years by amalgamating the current five year planning cycle with a long term integrated spatial vision. It outlines a broad set of principles, spatial directions, policies, frameworks, plans and actions and in addition visually illustrates the potential future development of Overstrand. This document is used as an overall strategic guide for land use planning, service infrastructure planning and environmental management for the area. The Development Framework provides the strategic spatial direction for development and conservation in the long term. Spatial form has a profound impact on the sustainability, economic performance, manageability, functionality, livability and attraction of a region.

The Development Framework addresses the Overstrand's urban, rural and natural environments on a strategic level, but also focuses on the local level, where it is required, as result of key challenges identified. It address these environments in an integrated fashion, taking into consideration how land use, transportation planning, infrastructure, services, housing and facility provision should be coordinated to contribute positively to a sustainable, prosperous, livable, and memorable environment.

The IDF strives to transform the current policy framework into one summary document that is integrated, coherent, strategic and user friendly. The IDF formulates the Overstrand long term integrated spatial vision that is integrated with the current five year IDP planning processes. The IDF identified strategic key actions for each area within the municipal boundary and indicated these actions on Plans. Due to the extensive nature of the Overstrand Municipal area, the plans/maps individually reflect the main Overstrand settlements, with the rural settlements collectively illustrated on a single plan/map. Set out below is the action plan for the Fisherhaven/Hawston area with the key policies to direct future management and development of this area.

★	Lagoon Promenade Beach Pavilion & Beach Meerensee Resort Boat Launch Jetty	Ensure an appropriate interface between the estuary and urban development
<i>Industrial</i>		
■	Industrial Development	Compile
<i>Open Space / Linkages</i>		
Open Space Linkages		Protect and enhance open space corridor and linkages between the coast and the mountain.
<i>Key Improvements</i>		
R43 Scenic Drive		Views along the R43 scenic route should be preserved.



Figure 27: Action Plan for Application site and surrounds (source: IDF)

Key policies directing future management and development of the Fisherhaven and Hawston areas:

- Encourage the development of natural open space systems within urban and rural settlements.
- Ensure that environmentally sensitive areas, significant cultural landscapes and heritage sites are protected and enhanced. EO 2 (ii) Ensure that development is confined within urban edges and growth is managed based on sustainable densification principles
- Encourage and support the development of networks of open space that sustain and enhance eco-system functioning, connect fragments of vegetation, protect waterways and regenerate the natural environment
- Encourage natural dune processes to occur where appropriate and pro- actively work towards reducing coastal erosion.
- Encourage mixed use and high density residential development within and adjacent to urban, suburban and rural centres.
- Promote urban, suburban and rural centres as the primary commercial areas within settlements and suppress and limit commercial development outside of these centres.
- Neighbourhood nodes and the CBD should become the nucleus of business/commercial and other public infrastructure/services, ultimately becoming focused clusters of facilities and services/multi-purpose centres.
- Create a network of well-designed public spaces that support participation in social, recreational and cultural events.
- Maintain or improve the comfort and safety of pedestrians and cyclists on main pedestrian and cycling routes, routes connecting schools and centres, by means of adequate road space allocation, the management of traffic speeds and volumes.

4.3.3 Overstrand Municipal Growth Management Strategy/Plan(GMS)(2010)

The potential of using densification as an integral part of a growth management strategy to positively redress and counteract the effects of urban sprawl is recognized, by the Overstrand Municipal Council, as a necessary and positive step to promote the longer term sustainability of the Overstrand Municipality and its sub-regions 'environmental quality.

In this regard, the Overstrand Municipal Council compiled the GMS which was approved as a structure plan in January 2011. The objective of this strategy being to:

- Integrate, update and rationalise service provision, infrastructure planning and budgeting, as well as implementation, as part of a sustainable cohesive growth management strategy *for* the Overstrand Municipal IDP (Integrated Development Plan).
- Guide the Overstrand Municipalities Planning Committee's decision making processes.
- Inform the Spatial Development Framework (SDF) with an integrated densification policy that is area specific and sensitive to the character, heritage and environmental conditions unique to the Overstrand.
- Provide an integrated policy framework that will guide the detailed planning and design of market driven development initiatives and inform the compilation of more detailed precinct plans, *for* specific areas *or* identified opportunities .
- Align density patterns, trends and proposals with the land use management/ zoning regulations and infrastructural capacity and future provision.
- Identifying pragmatic mechanisms and processes (area-wide to local level) to facilitate and support the appropriate planned implement action and management of higher densities.

The GMS document defines and explains densification as a growth management tool. It sets out the importance of the densification process as a key component of the growth management strategy and proceeds to identify and discuss the local area-specific factors that affect densification. Following this, the preferred strategy and associated policies are outlined and potential local area densification interventions are identified based on a multi-disciplinary analysis to determine the maximum overall appropriate limit to urban densification. On a broad level, this strategy will provide an overall average maximum gross density *for* the Overstrand area based on a local area specific assessment of the propensity of the various areas to densify. The overall maximum appropriate limit to development being based on a detailed integrated assessment and synthesis of the various factors, which together affect the propensity *for* densification within specific existing urban areas, infill sites and future urban extension areas. The objective ultimately being to achieve a balanced level and *form* of densification within the Overstrand without negatively impacting on the natural and built character of various areas, in co- ordination with available and planned infrastructural capacities.

From the Hawston and Fisherhaven proposals indicated on Figures 26 and 27 below, it is indicated that the areas lying north of Fisherhaven and north of the Trunk Road are earmarked for housing development with gross densities of between 10 – 20 units/ha, and the remainder of the proposed development site is earmarked for housing development with densities of up to 10 units/ha.

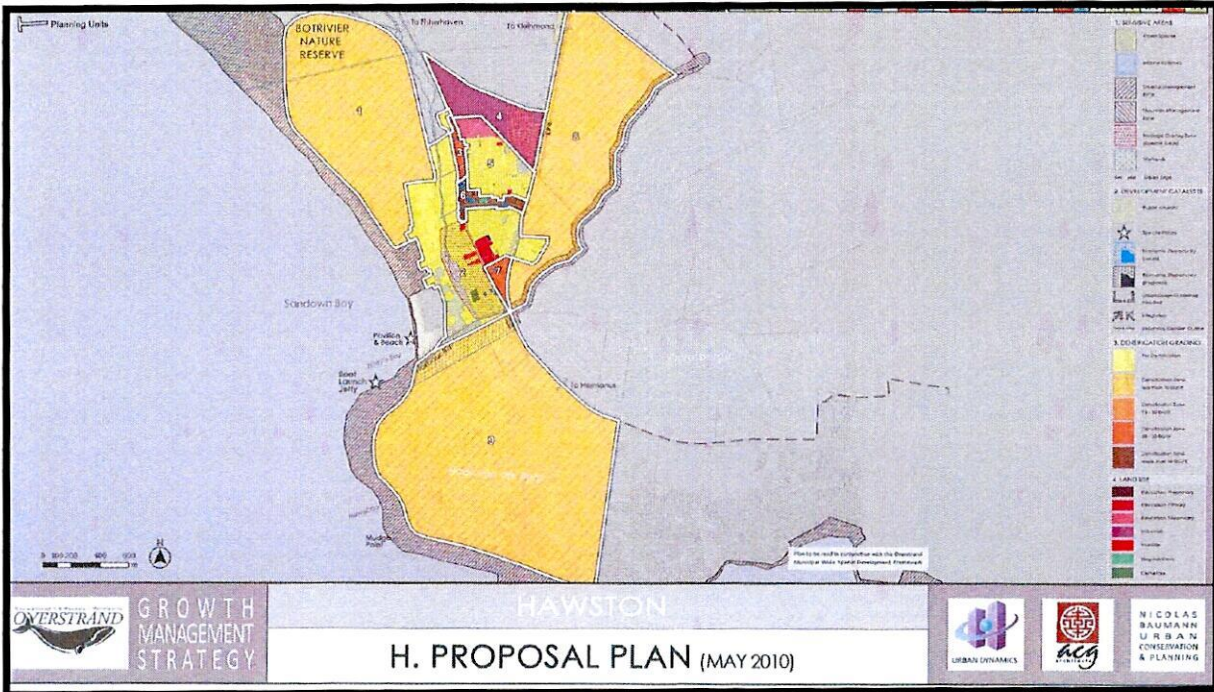


Figure 28: Hawston Proposal Plan (source: Overstrand Municipality Growth Management Strategy, 2010)

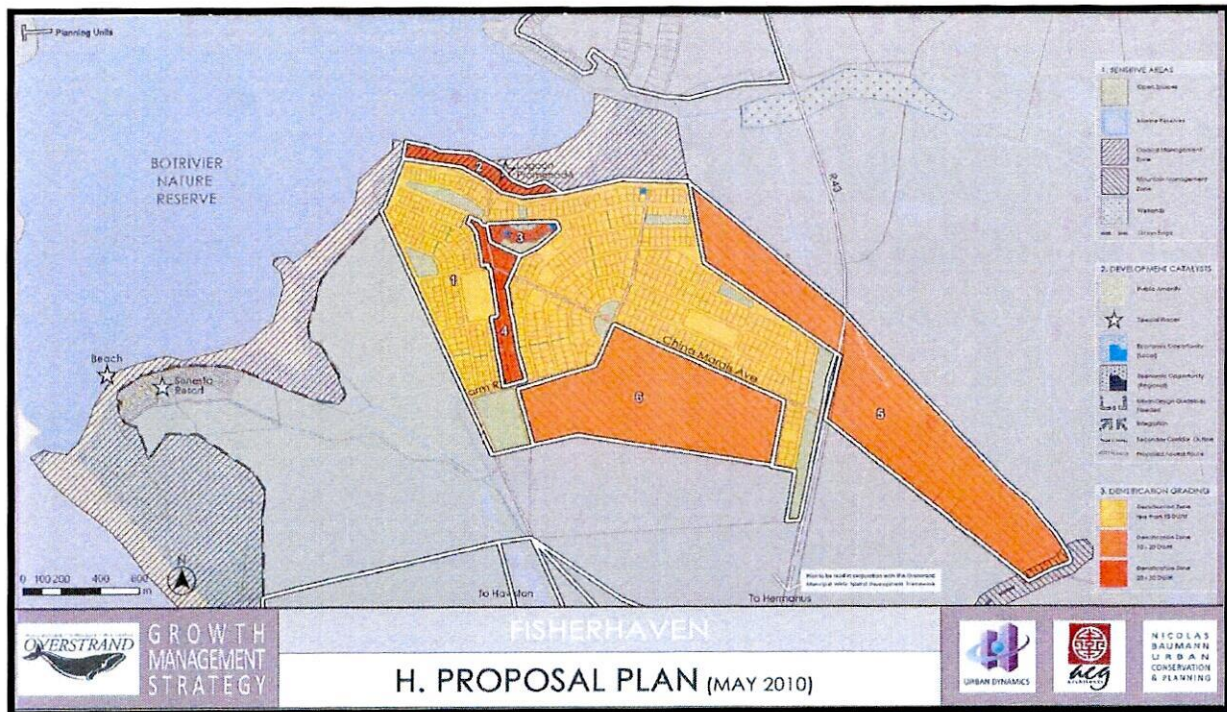


Figure 29: Fisherhaven Proposal Plan (source: Overstrand Municipality Growth Management Strategy)

4.3.4 Compliance with Municipal Policies

The following section will show how the proposed development is in line with the municipal policies and serves as a motivation for the approval of the application:

- a) The proposed development area falls within the designated urban edge on land earmarked by all municipal policies for future township development;
- b) The application site (Portion B of the proposed subdivision) falls within the natural growth direction of the municipality and links this area with Botrivier, Grabouw, Kleinmond and Hermanus. The OSDF, GMS and IDF have all earmarked the development area as a core urban development area and the future growth area of Greater Hermanus. If one looks at the land included within the urban edge of the Greater Hermanus, please refer to Figure 22 above, it appears that there are quite a lot of infill areas available for development, however, it is considered that the majority of the larger vacant sites identified for future development (with specific reference to Hoek van die Berg and the Botrivier Nature Reserve) have environmental constraints which will prohibit development to the extent allowed for in the GMS (please refer to Figures 23 and 24 and points o. below for more details on this). It is motivated that the proposed development area (with very little/no environmental constraints) is the most suitable to accommodate current and future development needs of the Greater Hermanus.
- c) It is also motivated that the application site is large enough to accommodate the anticipated future growth of the Greater Hermanus area for a long term period (next 20 years +) and will therefore help to reduce any pressure on the urban edge in other areas of the Overstrand Municipality. As the future growth of the municipal area can be accommodated on this site, in line with all the policies and strategies of the Overstrand Municipality, there would be no need to extend the urban edge in other areas of the Municipality, therefore reducing possible future pressure on high potential agricultural land outside of the urban edge.
- d) The proposed development area is not classified as a Provincial landscape or scenic asset. This is confirmed in the Overstrand Municipal SDF where it was found that the development area has no significant heritage value and does not fall within a heritage overlay zone. This was also confirmed in the Heritage NID. A portion of the proposed development area does however border on the R43, which is considered to be a scenic route, and allowance has accordingly be made for a 20m development set-back (to be landscaped) from the R43.
- e) There are no designated open space corridors on the application site and there are very little wetland areas on the site worthy of protection. The Freshwater Ecosystems report identified the wetland areas worthy of protection and indicated relevant buffer areas around these wetland/dam areas. The Botanical study also found very little environmentally sensitive areas on site, there are a few areas of medium botanical sensitivity (as highlighted in Sections 2 and 3 of the report) but this would not

prohibit development of these portions. The proposed development will comply with the proposals and recommendations made in these studies. To conclude, there will be no development in environmentally sensitive areas which could pose as a threat to the ecological integrity of the area;

- f) The proposed development will allow for a mix of housing densities and typologies to accommodate a wide range of income groups and families from different age- and demographic profiles. The higher density housing is proposed adjacent to the R43 and school site, opposite the proposed retail and business (possible hospital and offices) areas as well as the recently approved industrial area which supports accessibility to amenities and employment opportunities. The different housing opportunities will provide for a 'housing ladder' where people/families can move upwards/downwards as their needs and/or economic circumstance change over time. The proposed development will be a mixed use development providing for housing, as well as retail and business sites and educational facilities all within walking distance from the different development portions.
- g) As described in Section 3.2, it is proposed to allow for designated non-motorized transport (pedestrian and/or cycle lanes) along all the internal roads of the development to support pedestrian linkages between each development portion and the surrounding areas;
- h) The proposed development will be linked with Hawston and Fisherhaven to increase access to opportunities which will support productive activities and reduce levels of exclusion from opportunities.
- i) Detailed landscape plans will be submitted to the Overstrand Municipality for their approval upon future subdivision of each development Portion.
- j) The IDF did not identify any of the areas within the proposed development area as being protected areas, this was confirmed by the specialists undertaking the site specific environmental studies.
- k) The IDF did identify a small area of the site as falling within a Critical Biodiversity Area (CBA). The mapping of these CBDs was largely an automated process, with no groundtruthing, and thus includes many areas densely invaded by alien invasive vegetation, and old lands that support some secondary natural vegetation. The Botanical Scoping Study done as part this application did an on-site, site specific evaluation and found that there were no significant botanical sensitive areas which would prohibit the proposed development. The small areas where there are high to medium sensitivity areas have been identified and will have the recommended buffer areas where no development will occur. Please refer to Section 3 for details on each specific development portion.
- l) As referred to in point a. above, it is important to note, that the majority of the areas situated west of the R43, between Hawston and Fisherhaven has been classified, in terms of the IDF, as either falling within a CBA area or as being part of a critical Open Space Linkage. It is considered that as most of these areas fall either within a wetland area or on a sensitive dune system, this classification is more correct and it is unlikely that development would happen in these areas as provided for the in GMS. It is also considered that the IDF is more recent than the GMS and can therefore be seen as more

relevant. It is therefore motivated that there are very limited areas within the Fisherhaven and Hawston precincts available for infill and/or greenfield development and that the application site is one of the few areas that is actually appropriate to provide for the future growth of the Greater Hermanus Area.

- m) The GMS assumed that only 50% of Planning Unit 8 (please refer to Figure 26 above) would be developable. However, from specialist studies it was confirmed that the majority of the application site is suitable for development. For purposes of calculating the allowable number of residential units in terms of the GMS, it is therefore proposed to use the prescribed gross densities as indicated in the GMS. Based on the proposed density (please refer to Figures 26 and 27) of 10 units/ha on the area south of the trunk road (indicated as Planning Unit 8 on Figure 26), being a total of 153.76 ha, a total of 1 538 residential units could potentially be developed south of the trunk road. Based on a prescribed density of 20 units/ha for Planning Unit 5 of the GMS, as indicated in Figure 27, situated north of the trunk road and north of Fisherhaven (with a total area of 71.55 ha), a total of 1 431 residential units could be accommodated in this area. Thus, according to the GMS a total number of 2 969 residential units could be provided on the proposed development area. The proposed development allows for 3 267 residential units, thus only 298 units more than proposed for in the GMS. It is motivated that the GMS is outdated with regards to densification policies as it came into effect in 2010, before the SPLUMA (2013) and the WCPSDF (2014) which supports and motivates for increased densities especially in highly accessible areas where there are no environmental constraints and where there will be no loss of high potential agricultural land. Please also take note of point n. below.
- n) There is a current proposal at the Overstrand Municipality for residential development on the Hoek van die Berg site (Farm 572), indicated as Planning Unit 9 on Figure 26 of the Hawston proposals. Though the GMS initially indicated that this site could potentially accommodate up to 1 762 residential units, the environmental studies as part of the EIA process found that a maximum of 200 – 250 units could be accommodated on this site, thus there are approximately 1 521 units which could be accommodated somewhere else in an area with less environmental constraints. It is considered that the same situation will occur when development proposals for Botrivier Nature Reserve are considered, which means that the potential for infill development initially anticipated in these two areas has been drastically reduced. As part of the EIA studies conducted for this application, it has already been confirmed that there is no/very limited environmental sensitive land on Portion B of the application site. If one considers the infill development for the Fisherhaven area, there is limited infill land available suitable for residential development. It is therefore argued that some of these housing opportunities allowed for in the GMS (for the Hoek van die Berg site and the Botrivier Reserve) should rather be accommodated on this application site where it has been confirmed that there are very little environmental sensitive issues.
- o) Though the GMS proposes to have the higher density development north of the trunk road, it is motivated that the higher densities (more affordable units) should be situated along the easily accessible R43 and Hawston which will allow easy access to employment opportunities, amenities

and transport routes. The development cost on this relatively flat area will also be less than the higher lying areas at the foot of the mountain being portions 2, 8, 9 and 10. It is therefore proposed that the densities decrease from the higher density development areas along the R43 to the lower density development areas on the eastern border of the proposed development.

- p) The scale of the proposed development will justify the provision of amenities and employment opportunities within the proposed development which will benefit the surrounding areas, in line with recommendations of the municipal policies;

- q) The proposed development will require the upgrading of various services (electrical, water, storm water, sewerage and roads) and it is considered that this will be to the benefit of the surrounding areas as well as the Overstrand Municipality. Fisherhaven is in need of the upgrading of the sewerage system and it is considered that the upgrading of the sewerage system which would be required to provide for the proposed development will also address the current need in Fisherhaven. As set out in the TIA, the Provincial Department of Public Works (Roads) are planning various upgrades to the R43, including access points from the R43, as well as a parallel road east of the R43 which will be partially funded from the proposed development. Though a considerable amount of services upgrades are required for the proposed development, it is considered that the development will still optimise and add value to the existing infrastructure. It is considered that there is no other land of this scale available within the urban edge, within close proximity to existing services, and where there are no environmental sensitive areas which could accommodate the future growth of the Greater Hermanus and surrounding areas.

To conclude, from the motivation above it is clear that **the proposed development is in line with all relevant municipal policies and structure plans.**

5. Motivation

Section 66 of the Overstrand Municipal By-law sets out the criteria for the consideration of applications. The considerations can be summarized as consideration in terms of due process, need and desirability and compliance with policy frameworks. As the process is an ongoing action, compliance thereof will only be determined at the decision making stage. The motivation will therefore address the other two points as set out below. This section also motivates why this site should be considered for developed and why the land use approval should be obtained at this stage.

The following section follows on Section 4 above and should be read in conjunction with the points highlighted in Section 4:

5.1 Need

As outlined above, the Overstrand SDF, IDF and the GMS as well as the Overstrand Engineering Master Plans and the Provincial Transport Plan when compiled, took into consideration existing land uses, as well as the future development of this area, **recognized the need for mixed land use activities** and therefore earmarked this area for such uses. Therefore, from a spatial planning perspective, the proposed land uses on the subject property will contribute towards the development of this vacant area, in line with the need and provisions of all these policies and legislation.

For a number of decades, especially during the late 1990s, a vast number of South African's emigrated to other countries, which peaked in 1999 when 58 000 people left the country. In the last few years a new trend has arisen where South Africans searching for a better life aren't leaving the country, but rather moving to other parts of the country to make a new life for themselves. This trend has been dubbed 'semigration' and has seen a number of middle-class or high-net-worth individuals "emigrating" to other parts of the country. The largest 'shift' has been between people moving from Gauteng to the Western Cape. This 'semigration' has increased considerably over the last few years. Property economist at FNB, John Loos, puts the Western Cape as the province with the strongest net inflow of repeat buyers and suggests people are moving away from Gauteng for lifestyle reasons. The Greater Hermanus area has not been unaffected by this, as can be seen in the increase in activity in the property market over the last two years. As the proposed site is situated within approximately an hour's drive from Cape Town International Airport and just over an hour from Cape Town, this site becomes more attractive to people commuting between Gauteng and/or Cape Town or the outlying areas.

The 'semigration' trend has caused a rapid rise in property prices in the Cape Metropole and Boland areas and people are looking for alternative more affordable areas within easy access to the Cape Metropole.

From market research, which included discussions with local estate agencies, local residence and prominent developers in the Western Cape it is clear that there is a high need for more developable land within the Greater Hermanus area. Some of the estate agents also indicated that developers from Gauteng and other parts of the country are looking for development opportunities within this area. We also contacted eight old age homes/retirement villages within Hermanus and every single one of these establishments had a waiting list which indicates to the high need for more retirement villages especially within the area surrounding the application site as the majority of old age homes are situated within Hermanus Central. There are also currently no after care/rehabilitation facilities for patients being released from hospital in Hermanus and these people have to be accommodated in and around Cape Town. Taking consideration of the age profile of Hermanus there is clearly a need for such facilities. The proposed development will help to address this need.

5.2 Desirability

- i. The proposed development will have a positive economic and social impact on the neighbouring settlements in that it will provide for employment opportunities and amenities within close proximity to the surrounding areas.
- ii. The proposed development will require the upgrading of various services (electrical, water, storm water, sewerage and roads) and it is considered that this will be to the benefit of the surrounding areas as well as the Overstrand Municipality as motivated in Section 4 above. Income generated (in terms of development contributions) from the proposed development will also contribute towards the upgrading of the R43 as discussed in the TIA. The proposed development will also considerably increase the tax base of the municipality.
- iii. As confirmed in Sections 3 and 4 above, the proposed development would not have any negative impact on any heritage aspects or the biophysical environment. As part of the EIA study, a HIA has been undertaken and details of the study will be forwarded to the municipality for your consideration.
- iv. A TIA was undertaken to determine the impact of the proposed development on current and future traffic flows. The recommendations (with regards to access points, density, road widths) have been taken into consideration and complied with.
- v. It is considered that the proposed development will not have a negative effect on the quality of life of the immediate and surrounding residents as motivated for in point i. Above. The proposed development will not have a negative impact on views, loss of sunlight, privacy, visual impact or the character of the area to the extent to warrant refusal.

-
- vi. The application site is large enough to accommodate the anticipated future growth of the Greater Hermanus area for long term period (next 20 years +) and will therefore help to reduce any pressure on the urban edge in other areas of the Overstrand Municipality. As the future growth of the municipal area can be accommodated on this site, in line with all the policies and strategies of the Overstrand Municipality, there would be no need to extend the urban edge in other areas of the Municipality, therefore reducing possible future pressure on high potential agricultural land outside of the urban edge.

5.3 Why this Site?

This site has been identified, recognized and accepted for mixed use development purposes by the Provincial Department of Public Works (Roads) as clearly indicated in their Transport Master Plan for the Overberg Area (please refer to the TIA). The same is true for the Overberg Municipality which conducted all the required studies and concluded that the site should be included in the urban edge and then earmarked this site for a mixed use development (such as the proposed development) in all of their spatial planning and land use policies and structure plans, their recently updated Engineering Master Plan (please refer to the GLS report in Annexure Q) as well as the IDP (including the budget for master services). The proposal is in line with all these policies and structure plans.

The site specific specialist studies have also found and concluded that the application site is **not high potential agricultural land** and that there **are no environmental sensitive land/issues** identified which will prohibit the development. This is in stark contrast to some of the other areas of land currently included in the urban edge (Hoek van die Berg, sensitive dune areas and wetland between Hawston and Fisherhaven) which clearly have environmental issues and which would not be able to develop to the extent as anticipated in the Overstrand SDF (please refer to Figure 22, and Section 4.2.4 and Section 4.3.4 (l) and (o)). It is considered that this makes the application site even more appropriate for development as there are no environmental factors which would prohibit development.

It is also considered that this site, as indicated in the Overstrand GMS and IDF is the growth area of the Greater Hermanus area which should accommodate future development of the area. By developing this site, there will be less development pressure on Hermanus Central. It is considered that the increased development of Hermanus Central, or the 'old town of Hermanus' will have a negative effect on the character of town which adds to the appeal of the area, especially for tourists.

5.4 Why Now?

As explained in Section 5.3 above there clearly is a current need for development, especially for retirement villages. It is realistic to say that the proposed development will only be rolled out over the next 20 years, but the market will dictate the timeframe of the roll out. With semigration as explained above, it is anticipated that development will increase in the area, if the land and land use rights are

available. Acquiring and establishing the land use rights at this stage will provide the surrounding land owners, developers and investors market certainty regarding the type of development planned for the area, which will draw investors to this area of the Overstrand to the benefit of Hawston, Fisherhaven and the surrounding areas. It will also help to reduce the pressure on the urban edge in other areas of Greater Hermanus as this area is large enough to accommodate the anticipated future growth as indicated and desired in the GMS and the IDF. This will also then help to protect agricultural land outside of the urban edge.

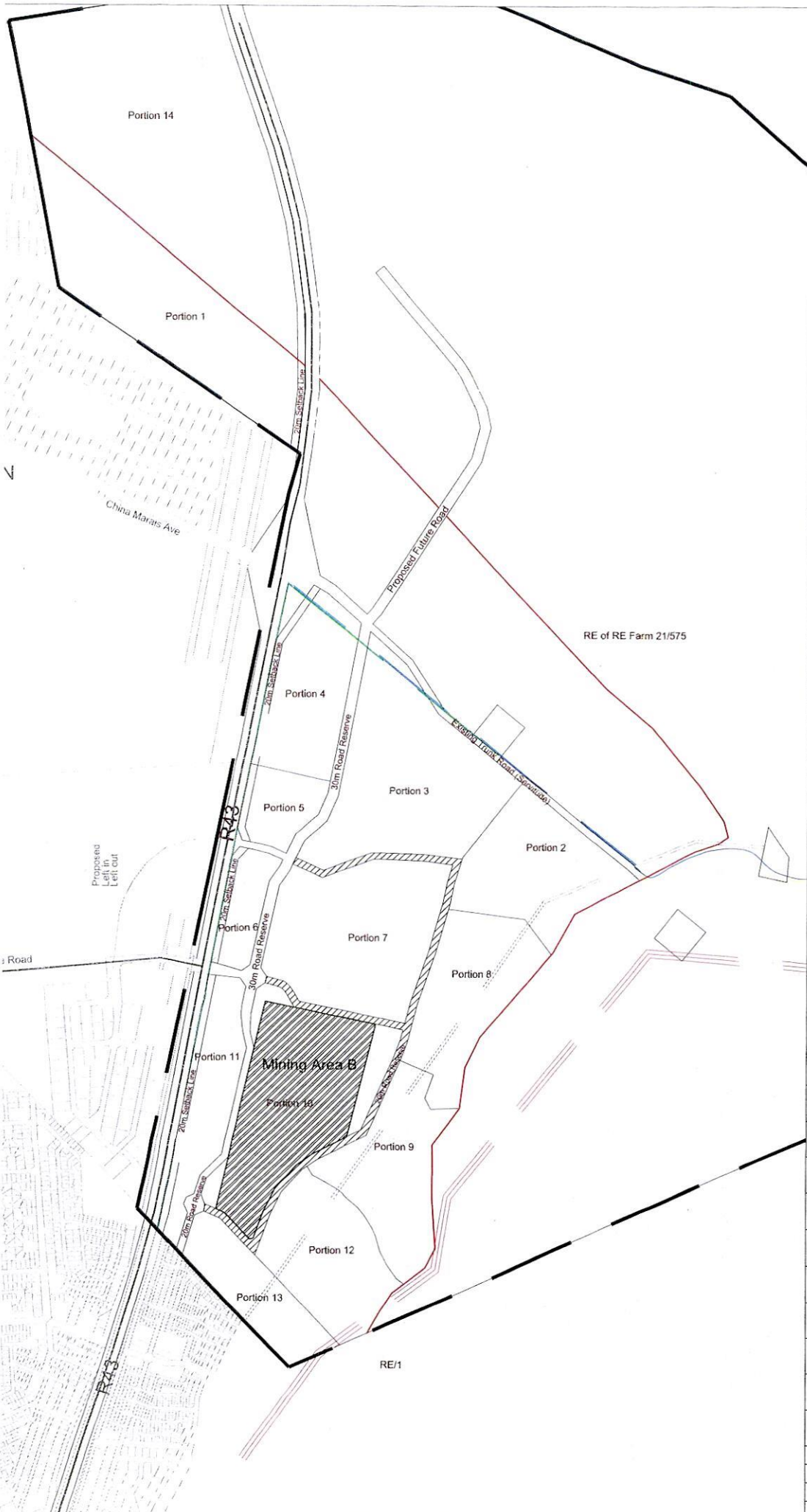
5.5 Compliance with Legislation and Policies

Section 4 above clearly indicates compliance with all relevant National, Provincial and Municipal legislation and policies and it is motivated that the proposed development is in line with all existing legislation.

6. Conclusion

In light of the above, the Overstrand Municipality is respectfully requested to favorably consider the application for the following:

- i. Application for the Subdivision of Remainder Portion 21 of Farm Afdaksrivier Nr. 575, into Portion A (Remainder Farm of ±514 ha) and Portion B (± 222 ha – excluding the R43 Road Reserve) in terms of Section 16(2)(d) of the By-law;
- ii. Application for the Rezoning of subdivided Portion B from Agriculture to Sub-divisional Area to establish a mixed use development with a gross residential density of approximately 17 units/ha, in terms of Section 16(2)(a) of the By-law;
- iii. Application for the subdivision of Portion B into 16 Portions (including private and public road) as indicated on Rezoning Plan: Rez -003-11 in terms of Section 16(2)(d) of the By-law;
- iv. Application for a deviation of the Growth Management Plan in terms of Section 10 of the By-law to allow for a mixed-use development as indicated on the proposed rezoning plan, Rez -003-11;
- v. Application for a deviation of the Growth Management Plan (Hawston) in terms of Section 10 of the By-law to allow for a deviation from prescribed densification grading to allow for a gross density (on Portions 2 – 13, 15, and 16) of approximately 15 units/ha in lieu of 10 units/ha;
- vi. Application for a deviation of the Growth Management Plan (Fisherhaven) in terms of Section 10 of the By-law to allow for a deviation from prescribed densification grading to allow for a gross density (on Portion 1) of 35 units/ha in lieu of 20 units/ha;
- vii. Application for the following consent uses, in terms of Section 16(2)(o) of the By-law:
 - a. Consent Use for a Retirement Village on Portion 1;
 - b. Consent Use for a Retirement Village on Portion 4;
 - c. Consent Use for an Institution (Hospital) on Portion 5;
 - d. Consent Use for a Retirement Village on Portion 10;
 - e. Consent Use for Flats on Portion 11.
- viii. Application to allow for a temporary departure (two years) in terms of Section 16(2)(c) of the By-law, to allow for the existing mining activities on Portions 10.
- ix. Departure from Section 96(2) to exclude street names and numbers from this application;



PORTION NO	NOTATION	AREA (ha)
Portion 1		22.14
Portion 2		12.36
Portion 3		20.24
Portion 4		10.64
Portion 5		4.16
Portion 6		3.82
Portion 7		17.59
Portion 8		11.85
Portion 9		11.63
Portion 10		18.68
Portion 11		8.56
Portion 12		11.22
Portion 13		7.23
Portion 14		45.77
Portion 15		11.26
Portion 16	///////	4.66
		221.80
Mining Area B	■	15.85
Servitude 4505/1989	--- --	
Servitude 3405/1969	--- --	
Servitude 3403/1969	--- --	
Servitude 729/1994	--- --	
Servitude 9093/1995	--- --	
Re of Re Farm 21/575		514.26
Total Area		736.06

CONSULTANT NAME:



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PROJECT NAME:

AFDAKSRIEVER DEVELOPMENT

PROPERTY NAME:

REMAINDER PORTION 21 OF FARM AFDAKSRIEVER NR. 575,
CALEDON ROAD

PROPERTY ADDRESS:

AFDAKSRIEVER FARM
HERMANUS

PROPERTY OWNER:

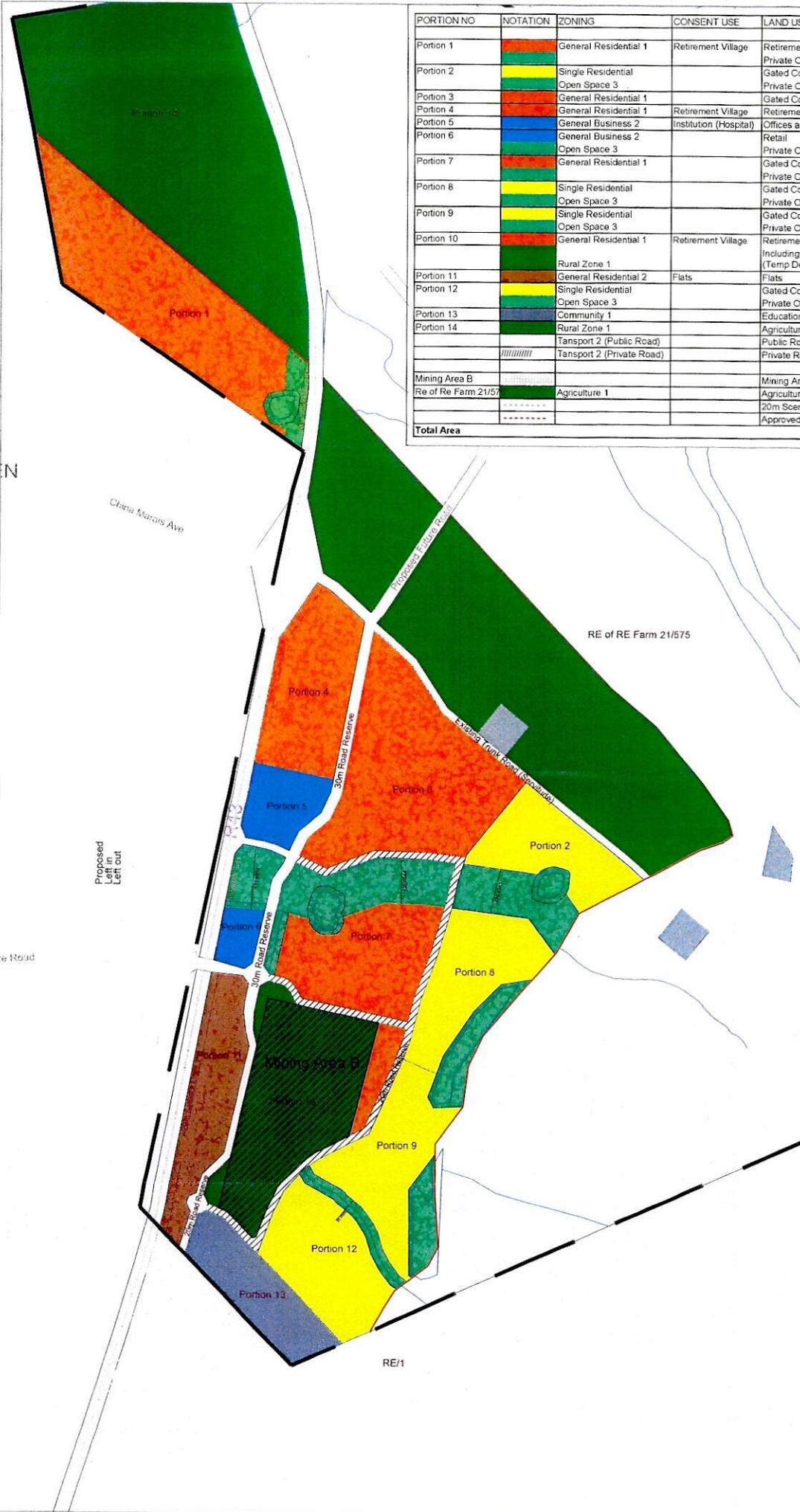
AFDAKSRIEVER TRUST

COUNCIL:

OVERSTRAND MUNICIPALITY

REV	DATE	PROPERTY OWNER:
	18-10-2016	FIRST ISSUE
1	14-11-2016	AMENDMENT OF CONSENT USES
2	22-11-2016	PORTION 18 AMENDED TO PORTION 16 ZONING: AGRI 1
3	15-02-2017	DECREASE PORTION OF PROPOSED DEVELOPMENT
4	04-19-2017	INCREASED DENSITIES
5	13-09-2017	AMENDMENT OF PORTIONS 4 AND 5
6	19-02-2019	EXCLUSION OF MINING AREA AMENDMENT OF ROADS
7	10-10-2019	INCLUSION OF CORRIDORS AMENDMENT OF ROADS
8	04-06-2020	INCLUSION OF MINING AREA AMENDMENT OF ROADS AND PORTIONS
9	19-10-2021	EXCLUSION OF MINING AREA A

DRAWN BY:	M Bolz
PLAN NUMBER:	Sub-002-04
DATE DRAWN:	19 - 10 - 2021
SCALE:	NOT TO SCALE



PORTION NO	NOTATION	ZONING	CONSENT USE	LAND USE	AREA (ha)	DENSITY (Units/ha)	NUMBER OF UNITS
Portion 1		General Residential 1	Retirement Village	Retirement Village Private Open Space	22.14 (of which) 1.93	35 0	775 0
Portion 2		Single Residential Open Space 3		Gated Community Private Open Space	12.36 (of which) 4.79	10 0	124 0
Portion 3		General Residential 1		Gated Community	20.24	20	405
Portion 4		General Residential 1	Retirement Village	Retirement Village	10.64	35	372
Portion 5		General Business 2	Institution (Hospital)	Offices and Hospital	4.16	0	0
Portion 6		General Business 2 Open Space 3		Retail Private Open Space	3.82 (of which) 2.04	0 0	0 0
Portion 7		General Residential 1		Gated Community Private Open Space	17.59 (of which) 6.99	20 0	352 0
Portion 8		Single Residential Open Space 3		Gated Community Private Open Space	11.85 (of which) 2.15	10 0	118 0
Portion 9		Single Residential Open Space 3		Gated Community Private Open Space	11.63 (of which) 2.08	17 0	198 0
Portion 10		General Residential 1	Retirement Village	Retirement Village Including Mining Area B (Temp Dep)	1.83	11	20
Portion 11		Rural Zone 1			16.85	0	0
Portion 12		General Residential 2	Flats	Flats	8.56	50	428
Portion 13		Single Residential Open Space 3		Gated Community Private Open Space	11.22 (of which) 1.53	20 0	224 0
Portion 14		Community 1		Education	7.23	0	0
		Rural Zone 1		Agriculture	45.77	0	0
		Tansport 2 (Public Road)		Public Road	11.26		
		Tansport 2 (Private Road)		Private Road	4.66		
					221.80		3016
Mining Area B				Mining Area (Temp Dep)	15.85		
Re of Re Farm 21/57		Agriculture 1		Agriculture	514.26		
				20m Scenic Drive			
				Approved Urban Edge			
Total Area					736.06		

CONSULTANT NAME:



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PROJECT NAME:
AFDAKSRIEVIER DEVELOPMENT

PROPERTY NAME:
REMAINDER PORTION 21 OF FARM AFDAKSRIEVIER NR. 575, CALEDON ROAD

PROPERTY ADDRESS:
AFDAKSRIEVIER FARM
HERMANUS

PROPERTY OWNER:
AFDAKSRIEVIER TRUST

COUNCIL:
OVERSTRAND MUNICIPALITY

REV	DATE	PROPERTY OWNER:
	18-10-2016	FIRST ISSUE
1	14-11-2016	AMENDMENT OF CONSENT USES
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8	04-06-2020	INCLUSION OF MINING AREA AMENDMENT OF ROADS AND PORTIONS
9	20-10-2020	EXCLUSION OF MINING AREA AMENDMENT OF ROADS AND PORTIONS
10	11-11-2020	EXCLUSION OF MINING AREA A AMENDMENT PORTION 10 AND DENSITY
11	01-07-2021	EXCLUSION OF MINING AREA A

DRAWN BY: M Bolz
PLAN NUMBER: REZ - 003 - 11
DATE DRAWN: 01-07-2021
SCALE: NOT TO SCALE