

THE HILL

situated on
Remainder of Portion 82
of the farm Ruygte Valley
205 and Remainder of Erf
1638 Sedgefield

REZONING & SUBDIVISION MOTIVATION REPORT



February 2016



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1. INTRODUCTION

VPM Planning has been appointed by Garden Route Chalets (Proprietary) Limited, the owner of the Remainder of Portion 82 of the farm Ruygte Valley 205 and the Remainder of Erf 1638 Sedgefield (hereinafter referred to as “The Hill ”) to prepare and submit the following applications to the relevant authorities (See Power of Attorney and Company Resolution attached as **Annexure A**).

- Application in terms of Section 17 (1) of the Land Use Planning Ordinance (Ordinance 15 of 1985) for the rezoning of Erf 1638 Sedgefield from “Agriculture ” to “Sub-divisional Area” and the rezoning of Portion 82 of the Farm Ruygte Valley from “Agriculture 1” to “Sub-divisional Area”;
- Application in terms of Section 24 (1) of the said Ordinance for the subdivision of the consolidated property into 130 “Single Residential” erven, one “Group Housing” site consisting of approximately 110 units, one “Business zone” site and one “Private Open Space” Erf, in accordance with a proposed subdivision layout (Plan Nr: SUB/THE HILL/ Layout 11 dated July 2013);
- Application in terms of Section 24 (1) of the said Ordinance for the re-alignment of an Servitude Right of Way 9.45m wide over the consolidated property in favour of the owners of the Remainder of Portion 92 as indicated Plan Nr: SUB/THE HILL/ Layout 11 : July 2013);
- Application in terms of Section 24 (1) of the said Ordinance for a Pipeline and Access Servitude Right of Way over the consolidated property in favour of the Knysna Municipality to gain access to Portion 151 of the farm Ruygte Valley 205 and to allow water pipes to traverse over the property, as indicated on Plan Nr: SUB/THE HILL/ Layout 11 : July 2013);
- Application in terms of Section 24 (1) of the said Ordinance for Electrical servitude over the consolidated property in favour of the Knysna Municipality as indicated on Plan Nr: SUB/THE HILL/ Layout 11 : July 2013);
- Council’s consent to request the de-proclamation of the portion of Minor Road 6914 as Provincial Road and to accept it as a municipal street, as requested by the Provincial Roads Authority.

In “parallel” with the abovementioned applications the following additional statutory applications will also be submitted to the relevant authorities:

- Application for Environmental Authorization in terms of the National Environmental Management Act (Act No 107 of 1998) to the National Department of Environmental Affairs;
- Application in terms of The Subdivision of Agricultural Land Act (Act 70 of 1970) to the National Department of Agriculture;
- Application in terms of the National Heritage Resource Act of 1999 to the Heritage :Western Cape;
- Application in terms of the the South African National Roads Agency Limited And National Roads (Act No 7 Of 1998) to SANRA;
- Application in terms of the Advertising on Roads and Ribbon Road Development Act, 1940 (Act 21 Of 1940) to the Provincial Roads Engineer;

2. BACKGROUND

2.1 POSITIVE RECOMMENDATION FOR THE AMENDMENT OF THE THEN KNYSNA WILDERNESS PLETTENBERG BAY GUIDPLAN (1991)

Since **1991** the owners of this property engaged in negotiations with the then Sedgefield Municipality regarding the practicalities of developing the site. At a Council meeting held on 5 December 1991 the Sedgefield Council consent to the amendment of the then Guide Plan from “Agriculture/ Forestry” to “Township Development” as it was in accordance with the concept Structure Plan for Sedgefield which, at the time, earmarked the area as “Transitional Zone” suitable for residential development. A copy of this recommendation is attached as **Annexure D1**. From historical record, it appears that the then Department of Environmental Affairs (the decision making authority at the time) later refused the amendment of the Guide Plan application, mainly because of the availability of water and also because, at the time, 40% of the properties in Sedgefield were still vacant.

2.2 MUNICIPAL RESERVOIR (1999)

Negotiations were initiated again in **1999** at the time when the municipal reservoir was built on the site; the owner made the land available to the municipality, but with the undertaking that they would favorably consider a suitable development proposal on the site. Although such an undertaking does not grant any rights, it did create a legitimate expectation that a well-planned and sensitive development could be submitted for consideration. The minutes of a meeting conducted in April 1999 is attached hereto as **Annexure D1**.

2.3 WATER SHORTAGE (2006)

In 2006, the land owner decided to proceed with a formal development application. In August **2006** an application for Environmental Authorization was submitted to the Department of Environmental Affairs and Development Planning (DEADP). During 2007 the scoping process was completed and all the identified specialist assessments were available. At the time DEADP, would not issue an ROD until such time as the Knysna Municipality confirmed that they have enough potable water available for the development. Sedgefield suffered from an inadequate supply of water for many years. Even during the property boom years Sedgefield could not benefit from the growing economy in the same way Knysna did. At the time Knysna Municipality could not give the undertaking that water will be available. Subsequently the Environmental process came to a halt.

2.4 KNYSNA SPATIAL DEVELOPMENT FRAMEWORK (2008)

In **2008**, after careful consideration of the growth potential and socio economic needs of Sedgefield, the Knysna Municipality identified this site as one of few that could accommodate the future extension of Sedgefield, provided that the development could only be considered once the water supply has been upgraded. For this reason the application area was earmarked for “future development” in the Knysna Spatial Development Framework 2008.

2.5 APPLICATION FOR THE AMENDMENT OF THE THEN KNYSNA WILDRNESS PLETTENBERG BAY GUIDPLAN (2010)

The lack of available water has always been the most vulnerable aspect of the feasibility of the planned development. In 2010 the Knysna Municipality constructed a desalination plant in Sedgefield. This plant has to a large extend solved the immediate water problems that Sedgefield experienced at the time.

Bearing in mind the water supply problem, the developer’s team of engineers derived a service plan that would require minimum input from the Municipality. In a meeting held in **September 2010** Council accepted the service proposals for the Hill development and agreed to make the requested minimum daily demand for the development available. Although this agreement did not imply a tacit approval, it did, for the first time allow the developer to apply for residential development rights with the assurance that there will be services available. Council’s decision was confirmed in a letter dated 04-10-2010 (attached as **Annexure D2**). This council resolution was recently again confirmed by Technical Services in a letter dated 14-08-2015, also attached as **Annexure D2**.

In 2010, VPM Planning and a team of consultants were appointed by Garden Route Chalets (Proprietary) Limited, the property owner to prepare and submit the necessary applications to the relevant authorities to allow the establishment of a Residential Estate consisting of ±275 residential stand, as well as commercial opportunities. This application was submitted, advertised and circulated to all relevant role players.

During the stakeholder engagement process, the development concept as submitted in 2010 had to be amended to allow for lower densities and more open areas, which impacted on the financial feasibility of the project. The lower densities, combined with the expected lower property prices, due to the continued poor performance of the property market since 2008, resulted in the developer placing a hold on the development process as it became financially not feasible.

2.6 NEW APPLICATIONS

More than five years has since passed and the developer has now decided to resuscitate the application process that was started in 2010. Since the then however, the Knysna Plettenberg Bay Wilderness Guide Plan has been declared unconstitutional and the Guide Plan amendment previously submitted was no longer required.

Due to the changes in legislation, amendment to the layout and the long time lapse that has taken place since the application was submitted, the application file was closed and it was agreed in the pre-application meeting that a new application will have to be submitted. The minutes of the Meeting is attached as **Annexure E**.

The Environmental legislation has also changed since it was originally submitted and due to the long time laps, a new environmental application also has to be submitted in accordance with the new regulations promulgated in December 2014.

3. THE NEW PLANNING PROCESS

In a authority scoping meeting held on 3 March 2015 with DEADP DEA the Knysna Municipality and SANPARKS, it was agreed that the EIA process and the Town Planning Application process should attempt to run concurrent with each other. Table 1 below provides a schematic proposal of how the two processes will inform each other.





















E I A		PLANNING APPLICATION
PRE-APPLICATION MEETING WITH DEADP, DEA, KNYSNA MUNICIPALITY AND PARKS BOARD 	 	PRE-APPLICATION MEETING WITH LOCAL AUTHORITY 
REQUEST SPECIALISTS TO UPDATE PREVIOUS SPECIALIST STUDIES		REQUEST TO LOCAL AUTHORITY TO CONFIRM COMPATIBILITY OF PROPOSAL WITH FORWARD PLANNING DOCUMENTATION
STUDIES TO BE UPDATED		
Traffic Impact Assessment		
Visual Impact Assessment		
Fauna and Flora		
Heritage Impact		RECEIVED COMPATIBILITY RULING
Civil Engineering Services		
Archaeology impact assessment		
Electrical Engineering Services		
Town Planning Report		
CALL FOR INTERESTED AND AFFECTED PARTIES WHILE SPECIALIST STUDIES ARE UNDERWAY 		SUBMIT REZONING AND SUBDIVISION APPLICATION TO LOCAL AUTHORITY
PREPARE DRAFT BASIC ASSESSMENT REPORT		(only once all specialist studies as well as Draft Impact Assessment is available) 
		
		ADVERTISE BOTH THE APPLICATIONS TOGETHER 
SUBMIT APPLICATION TO DEA		SUBMIT RESPONSE TO OBJECTIONS AND COMMENT RECEIVED
(Only when all specialist studies are available All public and authority comment is available)		(More specialist studies may be commissioned at this stage and layout changes may be required)
FORMAL EIA PROCESS ITO 2014 REGULATIONS COMMENCE 		
ROD ISSUED		COUNCIL DECISION ON REZONING SUBJECT TO POSITIVE ROD FROM DEA
		SUBMIT FINAL SUBDIVISION PLAN 
APPEAL PERIOD EXPIRES		
		FINAL SUBDIVISION PLAN ENDORSEMENT AFTER ROD IS ISSUED

TABLE 1: Integrated Decision making process

4. PROPERTY DESCRIPTION

4.1 LOCALITY

“The Hill” development is situated on the remainder of Erf 1638 Sedgfield and Portion 82 of the Farm Ruygte Valley directly north of the existing Sedgfield township, as indicated on the attached Locality Plan (*Diagram 1*) and figure 1 below.



Figure 1: Locality taken from Google Map

4.2 SIZE AND OWNERSHIP

Combined development area

89.93895ha

Title Deed Description:	Portion 82 (Portion of Portion 30) of the Farm Ruygte Valley 205	Erf 1638 Sedgfield
21 Digit code	C03900000000020500082	C03900010000163800000
Title Deed Number:	T 5015/2004 (Attached as Annexure B)	T 5015/2004 (Attached as Annexure B)
SG Diagram Nr:	S.G. Diagram 8144/1954	SG 8145/1954

	(attached as Annexure C)	(attached as Annexure C)
Title Deed Restrictions:	None	None
Expropriations from Title Deed	<ul style="list-style-type: none"> - Deduction of 749m² (Portion 137) that occurred in 1993 - Expropriation: The property is subject to a Road Expropriations of 2.3443ha (unregistered Portion 162) that still forms part of the property, but will be excluded from the development area. - Municipal Erf: The municipal Reservoir Situated on unregistered Portion 151 (6 602m²) still forms part of the property but will be excluded from the development area. 	The property is subject to a Road Expropriation of (unregistered Erf 4934) that still forms part of the property, but will be excluded from the development area (2961m ²)
Property Size:	55.23955ha	34.6994ha
Property Owner:	Garden Route Chalets (PTY) LTD	Garden Route Chalets (PTY) LTD
Bonds:	None	None

Table 2: Property information

4.3 TITLE DEED RESTRICTIONS

The Title deed does not contain any conditions that will restrict the development of the property as envisaged. The Title Deed contains a number of Servitudes that need to be taken into account. (See **Annexure B: T 5015/2004** and **Annexure C: SG Diagrams**). The servitudes are depicted on Diagram 2 Cadastral Boundaries and Servitudes, attached hereto.

Diagram 2 attached hereto provides a map indicating the property boundaries as well as the relevant servitudes as depicted in the Title Deed and Diagrams relating thereto. Servitudes are described in more detail in Par 6.5.3.

4.4 ZONING AND LAND USE

Erf 1638 Sedgefield falls within the old Sedgefield Municipal areas and is zoned “Agriculture” in terms of the Sedgefield Zoning Scheme. Portion 82/205 is zoned as “Agriculture 1” in terms of the Section 8 Zoning Scheme. The zoning of the properties as well as the surrounding area are depicted on Diagram 3 attached hereto. The zonings of the surrounding area are mainly “Single Residential” and “General Residential” to the south and Agriculture to the north east and west. .

The properties have been subject to forestry activity in the past, but have not been cultivated or maintained for several years. The property is currently undeveloped as can be seen on the Aerial Photograph attached as Diagram 4. The only improvements on the property are the access roads over the property and the Municipal Reservoir situated on the unregistered Portion 151/205. The surrounding area is mainly characterised by urban development to the south and rural occupation to the west and north and plantations to the east.



Fig.2: Municipal Reservoir



Fig 3: Existing “Cloud 9 Road”

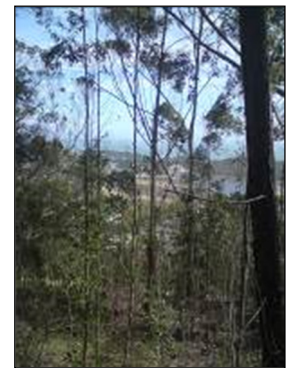


Fig 4: Invasive Alien trees

4.5 SANRAL BUILDING LINE

The southern boundary of the property consists of expropriated SANRAL land. Building lines along this boundary will automatically change with the rezoning to 10m for residential, 20m for commercial and 30m for other uses. The building line will be taken up in the application to SANRAL. The layout will not be affected by the building lines as stipulated.

5. BIOPHYSICAL SITE ANALYSIS

5.1 TOPOGRAPHY

To illustrate the topography of the site, a contour plan and slope analysis is attached as **Diagram 5**. The property is situated on the southern slope of a fixed dune that stretches in an east west direction. The Northern boundary of the property is situated on the crest of the hill, from where the property has an undulating south sloping gradient towards the future N2 expropriation that forms the southern boundary of the property. The crest is characterised by two distinct protrusions, separated by valleys. The high lying areas along the ridgelines has been identified as visually sensitive (See Visual Sensitivity Analysis attached as **Annexure K**).

A slope analysis has been undertaken to identify areas with gradients suitable for development (less than 25%). The Slope Analysis indicates that the higher lying area, has a more gentle gradient, but the gradient becomes steeper as it descends towards the town. These steep slopes below the road have also been identified as visually sensitive. Approximately 45ha ($\pm 51\%$) of the property is suitable for development in terms of gradient.

The proposed development footprint exclude slopes steeper than 25% and also exclude ridgeline in order to minimize the visual impact of the proposal.

5.2 VEGETATION

In 2006 Eileen E. Campbell (PhD, Pr.Sci.Nat. MSAIE&ES) from the Department of Botany at the Nelson Mandela Metropolitan University was appointed to conduct a Vegetation Sensitivity Analysis.

Recently Simon Todd (Pr.Sci.Nat 400425/11) was appointed to prepare an Ecological Sensitivity study that details the ecological characteristics of the site and provides an assessment of the likely ecological impacts that may be associated with the construction and presence of the housing development.

The previous specialist studies conducted was used to inform this study and the concerns raised by the authorities regarding the previous development plans were also considered as part of the scope of the study. The Fauna and Flora Impact Assessment Report is attached as **Annexure F**.

The study concur with the previous vegetation study done by Eileen Campbell and confirmed that the majority of the site is heavily invaded by a variety of woody aliens, especially Pine, Black Wattle and Eucalyptus and the level of invasion suggests that the extent and severity of invasion has increased

significantly since the original specialist studies about 10 years ago. The majority of the site, which is highly degraded and invaded by woody aliens, is considered low sensitivity.

A single area of near-natural vegetation of less than 2ha was identified at the site. This is considered high sensitivity on account of the high threat status of the Knysna Sand Fynbos, but the report concluded that on its own, the intact remnant is not considered functional and with time the Fynbos elements would be lost and would give way to coastal thicket or forest.

The Garden Route Biodiversity Sector Plan also identified the entire site as "Heavy Alien Degradation" and the areas has not been identified as a critical Biodiversity Area or an Ecological Support Area " (See Critical Biodiversity Areas map attached as Diagram 6).



Fig 5: The eucalyptus stands on Sedgefield Erf 1638,



Fig 6: Small pockets of pine and black wattle trees among the eucalypt stands on Sedgefield Erf 1638

5.3 FAUNA

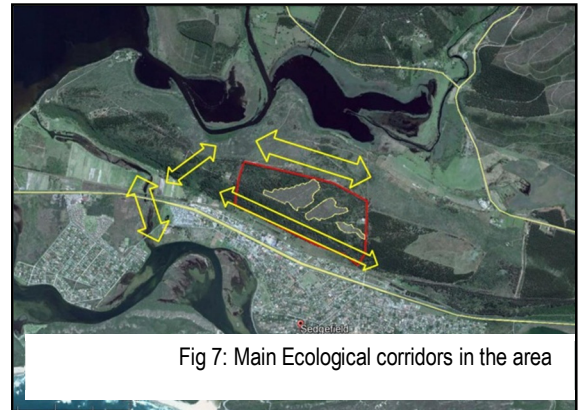
In 2006 a faunal impact evaluation was carried out by Ken Coetzee of *Conservation Management Services*. The study concluded that the area does not contribute significantly to the long-term conservation of any Red-listed fauna species and does not contain any critically threatened or special faunal habitat that needs to be protected.

Recently Simon Todd (Pr.Sci.Nat) was appointed to prepare a Fauna and Flora Impact Assessment Report that details the ecological characteristics of the site.

The previous specialist study conducted was used to inform this study and the concern raised by the authorities regarding the previous development plans were also considered as part of the scope of the study. The Ecological Sensitivity Report is attached as **Annexure F**.

The Report agree with the previous study done by Ken Coetzee and concluded that, given the location of the site along the fringe of Sedgefield and the relative lack of rare or important mammal habitat within the site, it is not considered to the highly sensitive from a faunal perspective.

With regard to ecological corridors, the study states that it is not likely that there are large faunal movement paths through the site, directly over the hill. The major ecological corridors would be along the drainage systems of the area as well as in an east-west direction along the lower slopes of the hills as indicated on Figure 7 above.



5.4 GEOLOGY

The substrates are reported to be sandy and the underlying geological structures consist of metamorphic rock covered by more recent quaternary deposits (mostly sand). Based on available site geological data, Kantey and Templar Consulting Engineers confirmed that that whilst the near surface soils typically occur as low density material of marginal capacity, the soils at depth generally form a competent founding medium allowing for safe support of single to double storey buildings provided with conventional foundations. Taken into account the slope of the land, it is however recommended that the final design of infrastructure be based on a detailed geotechnical investigation which should include at least machine dug trial holes, penetrometer testing and laboratory analysis of the various site soils. The Geological Statement is attached as **Annexure G**.

5.5 SOIL

Bennie Schloms was appointed to conduct a detail soil survey. The study concluded that the property has a low agricultural potential, due to its low clay content (less than 5%). This has a negative effect on the potential of the soil to store water and nutrients. The National Department of Agriculture accepted this report and supported the application to remove these two properties from the agricultural register. The soil report is attached as **Annexure H**. The letter of consent from the Department of Agriculture is attached as **Annexure I**.

5.6 ARCHAEOLOGY & HERITAGE

An Archaeological Impact Assessment was conducted by Peter Nilssen (PhD in archaeology, UCT 2000). The Report is attached as **Annexure J**. It was reported that the dense, often impenetrable vegetation cover rendered most of the study area inaccessible. The report confirms that they did not find any archaeological remains of either the historic or pre-historic periods and that it is unlikely that any built structures of historic value exist on the properties. The study recommend that, from an archaeological standpoint, the proposed residential development of The Hill should be approved, provided that archaeological monitoring is

conducted by a suitably qualified professional archaeologist during vegetation clearing and earthmoving activities associated with the construction phase of development.

In addition to the above, Perception Planning was appointed by Liberty Trading 111 (Pty) Ltd to compile and lodge an Integrated Heritage Impact Assessment (HIA) in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act 25 of 1999) to Heritage Western Cape (HWC). Basic historic background research did not identify or highlight any significant historic or other heritage-related themes, which may be negatively impacted through the proposed development.

5.7 THE SURROUNDING AREA

Sedgefield is a small seaside town, surrounded by the Groenvlei Lake, the Swartvlei Lagoon, and Swartvlei Lake, and the Indian Ocean on the south side. This amazing setting in the heart of the lakes area of the Garden Route makes it very popular among both local and international tourists.

The town originally developed around the banks of the estuary towards the Swartvlei Lake. In more recent years development occurred along the coastline (Myoli Beach and Cola Beach). Today the town consists of approximately 3235 erven. The prime beach front and view properties are very popular and are almost fully developed.

The urban area of Sedgefield is divided by the N2 and the railway line north of the N2. The majority of the urban development is situated to the south of the N2. The section to the north of the N2 can be described as a mixed use area consisting of Residential uses, Industrial uses and Service trades.

The application area is situated directly north of the existing urban area. The Ruygte Valley between the town and the Swartvlei area has a rural character although very few of the properties engage in actual agricultural activity. The land uses are mainly that of low density rural occupation with property sizes that varies between 5ha to 80ha.

The “Claude 9” Road traverses through the Property. This is a public road that gives access to the Swartvlei. It has been identified as a scenic route. This road is popular among cyclist hikers and Paragliders.

6. DEVELOPMENT PROPOSAL

6.1 THE DEVELOPMENT CONCEPT

The development concept aims to create a unique low density residential estate nestled within a natural setting. A compact nodal layout with relatively small Erf sizes, rather than a scattering of larger units over the landscape is proposed. It is the intention to design a safe and tranquil living environment for families, holiday makers and retired people. The development consists of 130 single residential erven, as well as a group housing stand with 110 units. The intention is to develop this “Group Housing” stand into a Retirement village.

The development footprint calculates to ± 18.16 ha which is approximately 20% of the property. The proposed development density calculates to 2.6 units per ha. Diagram 8 attached hereto indicate the development footprint.

The development concept also includes one property of approximately 3 000m² that can be used for business purposes. It is envisaged that this site could be used as a boutique hotel, restaurant / coffee shop or craft centre that could add to the tourist amenities in town.

All the sensitive or un-developable areas will be contained in an “Open Space” property that will be owned and maintained by the Home Owners Association. The open space will be equipped with low key tourist amenities such as trails, lookout point, gazebo's, bird hides, water features etc.

6.2 LAYOUT OPTIONS

Plan Nr The Hill Layout 11 dated July 2013 is the preferred layout and the subject of this application. The Site Development Plan is attached as Diagram 9.

Previous layouts considered included Layout 4 which was the subject of the previous application and Layout 9 which is a low density option with 50 large plots. Layout 9 was not accepted by the client as this layout is not financially viable as the service cost would demand unrealistic property prices.

Layout 4 is the preferred option for the client as this layout is the most financial viable option with 275 residential opportunities and 2 commercial sites. This layout was not acceptable to SANPARKS and CAPE NAURE who requested a Layout that will achieve a better conservation outcome. More open areas along the northern boundary as well as wider ecological corridors. Many of the public also felt that the density was too high.

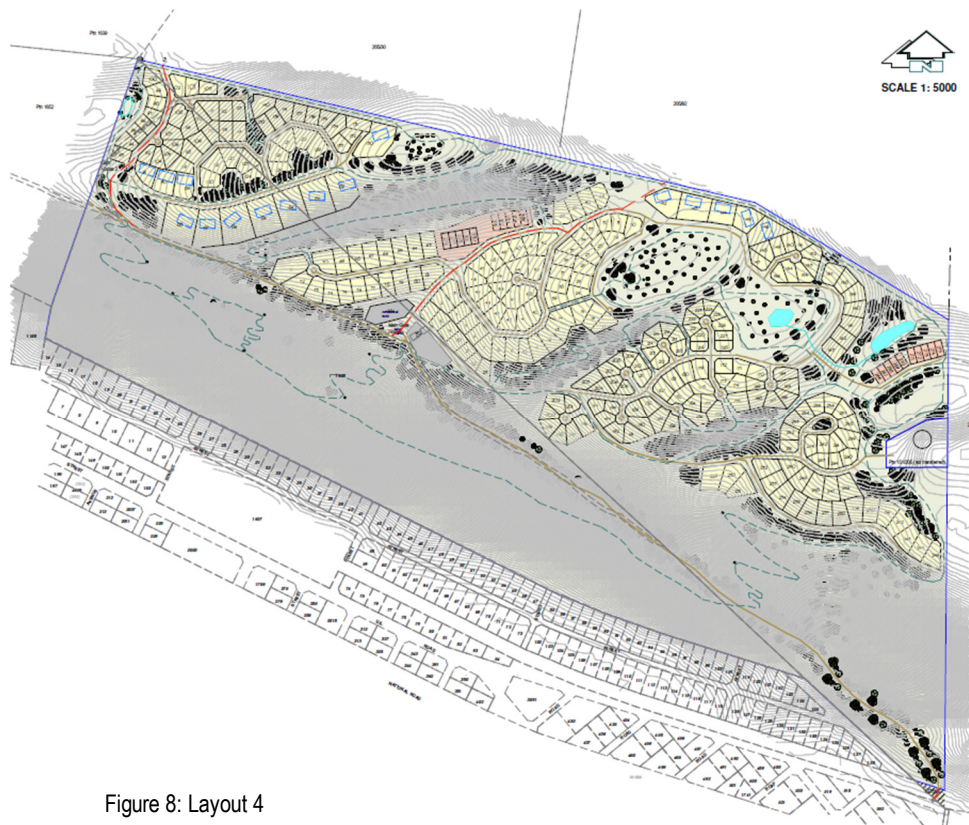


Figure 8: Layout 4

Layout 11 attempts to take all the identified site constraints into account and is the layout that has been assessed by all the specialists as the preferred alternative. As a result, the footprint and scale and density of the development have been significantly reduced.



Figure 9: Layout 11

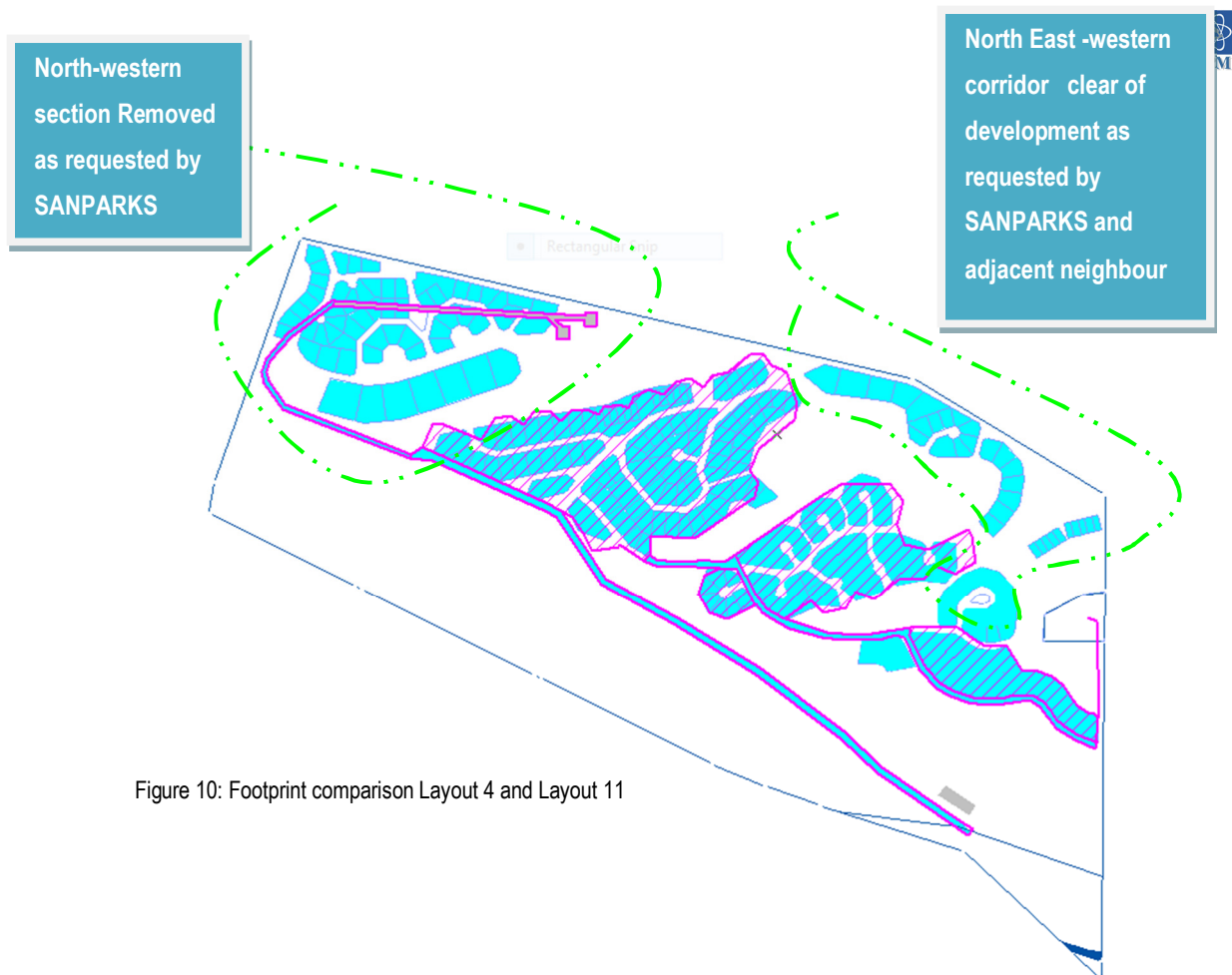


Figure 10: Footprint comparison Layout 4 and Layout 11

6.3 LAND USES

The Preferred Alternative, The Hill Layout 11, consists of the following:

- 130 single residential erven between 400m² -1200m²
- Group-housing (30 large, 40 medium & 40 small) (medium density housing/Retirement Village);
- One commercial site;
- Membrane Bio-Reactor (MBR) sewerage package plant;
- Upgrade of the main access road, from Egret/N2 intersection to the development;
- Two water storage reservoirs (700kl each);
- Dual water supply system (for treated water & potable water);
- Associated service infrastructure (water, electricity, storm water, road network etc.); and
- Private Open Space, with recreational amenities (hiking/walking trails, lookout points etc.).

6.4 ENVIRONMENTAL CONSTRAINTS

The layout has to a large extent been dictated by the site characteristics as depicted in the Site Constraints Map attached as Diagram 7. Steep slopes, the visibility of the site from the N2, and the identified ecological corridors are the most significant informants that determined the development footprint.

6.4.1 STEEP SLOPES

The southern portion of the site, below the existing public access servitude, is very steep and also highly visible from Sedgfield and the N2. No residential development, will take place below the road or on any other area that has been identified as having a gradient of steeper than 1:4. The Sewer package plant will have to be constructed in an area where the slope is steeper than 1:4 as it has to be placed at a low point on the development.

The necessary retaining structures will be designed by the project engineer.

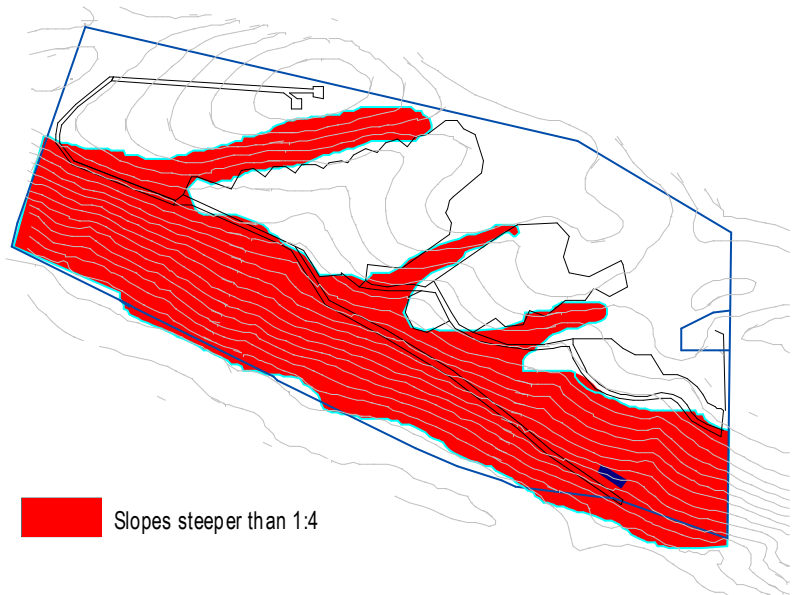


Figure 11: Slope Analysis (Also See Diagram 6)

6.4.2 AREAS OF HIGH VISUAL SENSITIVITY

Megan Anderson Landscape Architect was appointed in 2009 to conduct a visual assessment of and was recently appointed to update the study.

In the Preferred Alternative Layout 11, the visibility and resulting visual impact of the proposed development has been mitigated to an extent by limiting the development footprint to areas of low and moderate visually sensitive sites. However, there are still elements such as the new reservoirs that had to be placed on a high lying and subsequently highly visually

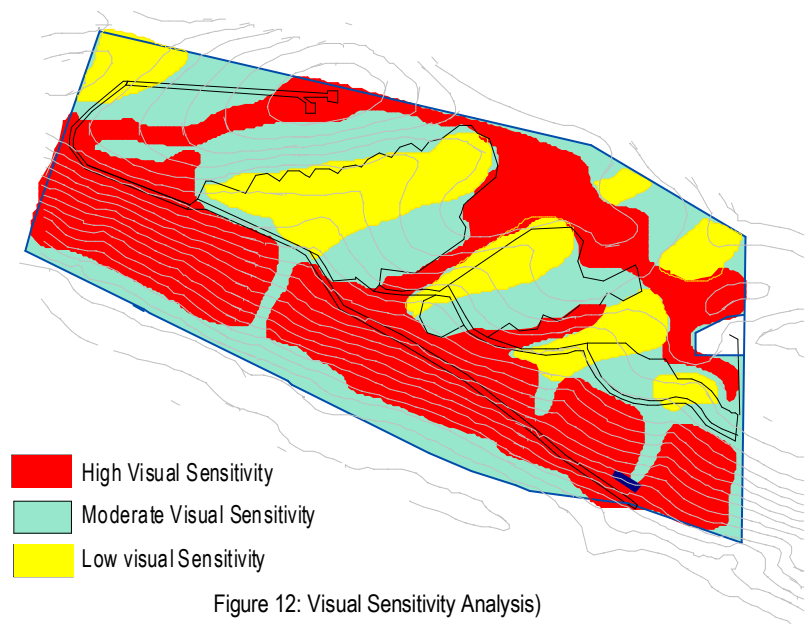


Figure 12: Visual Sensitivity Analysis)

sensitive area. The reservoirs will be sunken into the ground and will be screened by vegetation. These high lying areas will be incorporated into the open space system and will be enjoyed by all the owners collectively.

6.4.3 ECOLOGICAL CORRIDORS

The proposed layout consists of three nodes with some space between them, designed to act as ecological corridors. According to the **Fauna & Flora Specialist Report** submitted by Simon Todd (pg. 25 and 30) the nodes of development are not likely to be within the major routes of faunal movement which are likely to be lower down the slopes of the hill, and little ecological pattern to drive movement north-south over the top of the hill. As it stands, the site may allow for movement of fauna, but as the habitat quality is very poor for most species, it represents only a transition

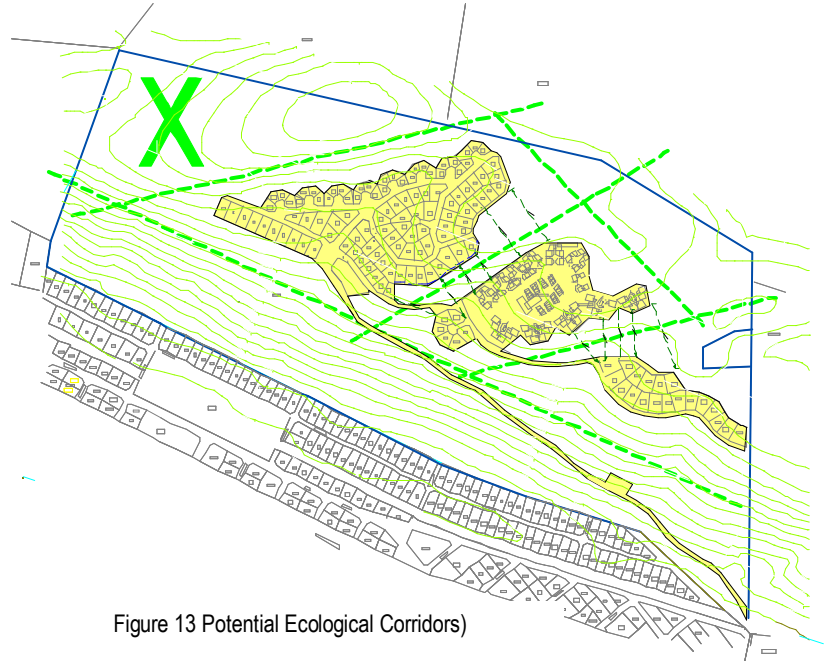


Figure 13 Potential Ecological Corridors)

zone with little offered in the way of favourable habitat to allow for resident populations. Furthermore, the site is currently open access and extensive woodcutting, dumping and probably poaching are take place within the site, which calls its current value as faunal habitat into question. The ecological corridors are thus not so much a current environmental constraint as a possible conservation constraint, which should be considered.

According to the **Ecological Sensitivity Report** submitted by Simon Todd (pg. 25) , the major ecological corridors in the area would be along the drainage systems of the area as well as in an east-west direction along the lower slopes of the hills, as indicated on Figure 7.

Layout 11 provide for the movement of small mammals along the dune slope on the east-west axis. This corridor is more than 200m wide and when rehabilitated, will serve, as a connecting corridor for wildlife, if it could be rehabilitated to, and maintained as a functioning and connected ecosystem.

Although the north-south corridors is not of major importance for the area, SANPARK has never the less recommend that these corridors be at least 100m wide. They have further more confirmed in an email dated 17/01/2012 that they could support the development provided that the north-western corner is kept free of development in order to achieve a conservation outcome. They layout has been amended accordingly and more than 75% of the site can now be rehabilitated. Since the topography of the site is undulating the corridors has been designed according to the slope of the land with a view of having an average width of 100m. The planned north south corridors are between 70m and 130m wide and will be rehabilitated, in accordance with recommendations made in the Ecological Sensitivity Report.

6.4.4 FIRE BREAK

Portion 101 of the farm Ruygte Vally 205 is being used for commercial planation purposes. The owners has during the previous process requested a 15m fire break between the two properties, Layout 11 allow for a 15m fire break along the eastern boundary.

6.5 ACCESS ROADS AND SERVITUDES

6.5.1 MINOR ROAD 6914 - “CLOUD 9” ROAD

The development will gain access from the existing “Cloud Nine (Minor Road 6914) that extends from the N2/Egret Road intersection across the railway line into the property. This Road is currently under the authority of the Provincial Department of Transport and Public Works. In a letter dated 16 February 2011 (attached as **Annexure P**) this Department stated that they do not have an objection to the development, subject to Knysna Municipality applying in writing to the said Department for the closure of the portion of road that traverses the property and to accept it as a municipal street.

This road will require upgrading by the developer. The envisaged upgrade comprises mainly of a slight widening of the existing gravel road from 5-6 meters to 6,5 meters and providing a brick paved driving surface from the existing railway crossing to the main entrance to the development.

The access of Egret Street onto the N2 was the subject of a Traffic Impact Assessment and was found to be inadequate for the proposed development, see the Traffic Impact Assessment (attached as **Annexure O**). The intersection onto the N2 as well as the railway crossing will subsequently require upgrading.

SANRAL as well as Transnet has previously agreed to the development proposal, subject to certain conditions. There previous correspondence is attached as Annexure Q and R.

6.5.2 INTERNAL ROADS

The proposed internal road layout curves along the contours of the site and follow, where possible, the alignment of the existing logging roads. The width of internal roads will vary between 4,5m and 5,5m, built in 11m and 12m wide road reserves. The roads will have brick paved surfaces and will be designed to allow overland flow as far as possible to ensure un-concentrated storm water flows.

6.5.3 SERVITUDES

The property is subject to a number of servitudes (See Diagram 2 and Annexure C).

- The East West Right of Way servitude 6m wide over Portion 82 (line ab on SG Diagram 8144/54) and extending on to Erf 1638 (line ab on diagram 8145/54) in favour of the General Public will remain as is. The development will gain access of this road at one point. The portion of this road leading to this access point will be upgraded to a suitable standard. This access Road is also known as the “Cloud 9” road.
- The north east /south west Right of Way (9.45m wide) over the middle Erf 1638 (line Op on SG. Diagram 8145/54 and extending to Portion 82 (line gF on SG Diagram 8144/54) is in favour of the owner of the Remainder of Portion 92/205. There is an existing gravel road that traverses over the properties which currently provides access to this portion. This road does however not follow the exact alignment of the servitude road. This road will be realigned to follow the final position of the planned road layout of the development, which follows the existing road. This is considered to be a minor re-alignment and will be beneficial to the owner of Ptn. 92 as the road to his property will be up-graded and maintained.
- Servitude road 6m wide over the north western corner of Erf 1638 (line ab on Diagram 6468/85 and extending on to Portion 82 (line ab on Diagram 6470/85) in favour of Erf 1639, Portion 92 and Portion 30 will not be affected by the development.
- The Municipal Reservoir is situated on an unregistered portion of land (Portion 151/205) on the eastern the development property. Presently the municipality enjoy access to this site via an existing farm road over the site. This access is however not formalised and need to be protected by a servitude right of way in favour of the Knysna Municipality. The application includes the registration of access servitude in favour of the Knysna Municipality.
- There is a main water lines traversing along the eastern boundary of the property from the reservoir. This line will also have to be protected by pipe line servitude. The exact position of these will be determined during final survey.
- There is also an existing electrical line that traverses through the south eastern section of the property where the municipal line connects to the Sedgfield East Substation. This line will be protected by a electrical servitude. The exact position of the servitude will be determined during final survey.
- Any other new municipal pipe lines or electrical lines that may be required to serve this development will also be protected by servitude.

These servitudes will be dealt with when the General plan for the development is created.

6.5.4 FUTURE N2 RE-ALIGNMENT

In the long term, the N2 may be realigned to the north of the Spoornet Railway line and therefore eliminating the access onto Egret Road. The alternative access via a Servitude Road in an easterly direction to the planned Karatara Interchange may be necessary, but the detail alignment is not yet available, SANRAL confirmed that there is no time frame to this future planning and it is something that may have to be deal with at a later stage. The layout allow for open ended access roads that could be connected to future roads to the east.

6.5.5 TRANSNET LEVEL CROSSING

Transnet has previously agreed to the development proposal, subject to certain conditions. Their previous correspondence is attached as Annexure R. The level crossing is not operational at present, but should it ever become operational in the future, there will be an upgrade required which will include flash lights and a boom.

6.6 REZONING AND SUBDIVISION

It is proposed that the two properties be consolidated and that the consolidated properties be rezoned from “Agriculture 1” and “Agriculture” to “Sub-divisional Area”. The individual erven will be subdivided and zoned “Single Residential”, “Group Housing” and “Business”, but will be subject to a special set of development parameters that will form part of the Architectural Design Guide Line Documents. The Remainder of the Property will be zoned “Private Open Space”. When the new Knysna Zoning scheme bylaw became operational, the property would assume a “Residential Estate” zoning.

6.7 ARCHITECTURE AND LANDSCAPING

The Architectural vision that will be adopted for The Hill Estate is the integration between architecture and nature as a way to achieve a high quality of life while enhancing the site’s natural assets. The architecture will be of simple and elegant lines, recessive in character and will observe the highest design standards.

The development will be subject to an Architectural Guideline Document as well as a Landscape Plan that will be compiled by suitable qualified professionals. The purpose of a design guidelines manual is to formulate a set of rules to be applied in the design of buildings so that a certain composite image and form that is envisaged for the development is achieved. The design guidelines will follow the recommendations made in the Visual Impact Assessment and will serve as mitigation measure to reduce the visual impact of the development.

Of importance to visual impact aspects will be height, finishes and form, with grouping of components in separate but linked forms providing a better visual impact than one larger component. Orientation, materials, low pitch roofscape will all contribute to visual mitigation.

The use of dark non-reflective materials, wide roof overhangs and the fragmentation of building mass will form the basis of the Architectural Guidelines. In addition to this, the sloping nature of the site will require terraced architecture that will follow the natural topography of the site and balanced cut and fill.

Boundary fences will be designed to blend in with the landscape, using visually permeable materials and “camouflage” planting where possible. Individual erven will not be allowed to be fenced around the perimeter, only small section for the keeping of pets will be allowed. The interface with individual property and the nature area will be resolved by a soft landscaped edge rather than a straight boundary line.

6.8 ENGINEERING SERVICES

Kantey and Templar Consulting Engineers were appointed to investigate the demand and supply requirements relating to the proposed development. As part of the previous application, Kantey and Templar prepared a Services Report and Council considered this report at a meeting held in November 2010. Council accepted the proposals contained in the report and agreed to make the requested services available.

Recently Kantey and Templar updated the Services Report to reflect the new layout. This report is attached as **Annexure L**. The Director: Technical Services confirmed again, in a letter dated 14 August 2015 that Council decision to support the Service proposal still stands.

The proposals contained in the report can be briefly summarised as follow:

6.8.1 WATER

Water demand for the proposed development is estimated at 272 kl/day. The development will use alternative methods of water supply to reduce the demand on municipal supply.

The engineers proposed dual water supply systems where on-site treated sewage is used to supply baths, showers, garden taps and toilet systems while potable municipal water supply is connected to wash hand basins and kitchen zincs only. It is estimated that this will reduce the potable water requirement with at least 50%, i.e. 50% of 272 kl/day = 136 kl/day. The Knysna Municipality committed to make 180 kl/day potable water available to the development of (see letter dated 14 August 2015 attached as Annexure L). This is well within the calculated requirement as noted in the report.

Additional water demand management measures that will be implemented are the compulsory installation of a 5000l rain water tank at each house. This water can further augment the “treated sewage” domestic supply.

The Engineering proposal includes a reservoir to be constructed at the highest point on the site to provide a 48 hour storage volume. This equates to a reservoir of size $\pm 400 \text{ m}^3$ and is proposed as a round reinforced concrete

structure 13 meter in diameter and 3 meters high. To minimise visual impact it is proposed that the reservoir be half buried and landscaped.

6.8.2 SEWER

The Knysna Municipality advised that the Sedgefield Municipal Sewage Treatment Plant (STP) cannot currently accept any new sewer connections. The STP is due for an upgrade but until such time as this happens, any new developments must treat their own sewage to the required standards.

Based on the water demand, the estimated sewage flow will be 80% of 272 = 218 kl/day. This equates to a peak flow of 7, 24 l/s. It is proposed to install an MBR (Membrane Bio Reactor) sewage package plant on site for the development. This package plant will be positioned below the lowest contour for the residential houses as shown on the attached plan (G4680-CE-101 rev A to the Civil Engineering Report), in order to utilise gravity flow to collect all the sewage flow at the plant. The position as shown is approximate and the final position of the plant will consider topographical contours, distances from main roads, distance from the nearest houses as well as the importance of a visual screen from general public view.

The on-site MBR package plant is seen as a temporary sewage treatment solution until the upgrade/expansion of the municipal treatment plant has been completed and produces effluent of the required standard. At that stage sewage from the development will be discharged at the municipal works via the newly installed municipal infrastructure. This principal has been confirmed with the local authority. The cost of the planned package plant will be for the developer.

6.8.3 STORM WATER DISPOSAL

Due to the steep slopes and soil conditions, storm water management will form a very important part of the development. Storm water infrastructure will be provided by the developer as proposed in the attached plan G4680-CE-102 rev A attached as Annexure L and will be according to recommendations contained in the Red Book i.e. Guidelines for Human Settlement Planning and Design as compiled by the CSIR.

A dual drainage system is proposed where the minor flood with 1:5 year or less recurrence intervals will be carried in a formal system comprising swales, the streets and conduits, while the major flood with 1:50 year recurrence interval will be carried in the streets and the formal system mentioned above and only where the latter capacity is exceeded, then in overland open or piped channels and infiltration into the sandy surface material and natural watercourses.

During the detail design phase, minor storm runoff from catchment areas will be calculated and kerb inlets will be positioned and sized to match runoff volumes. The capacity of road kerbs will also be checked against major runoff volumes. Storm water servitudes will be provided between residential erven where necessary to accommodate

overland open channels with sufficient capacity to carry major storm runoff from the edge of the road to the nearest natural watercourse.

Various measures will be incorporated to mitigate increased flow velocities like:

- Energy dissipaters and stilling basins at storm water pipe outlets.
- Reno mattress aprons with stilling basins where appropriate will be provided at all culvert outlets and mitre drain outlets.
- At selected mitre drain outlets, large stones will be effective as energy dissipaters.
- Lining of open channels with grass and or stone pitching where required.
- Utilisation of invader tree logs to act as flow speed calming structures places across flow paths and anchored properly.

6.8.4 SOLID WASTE DISPOSAL

Knysna Municipality will dispose of the solid .Collection of the waste will be the subject of an agreement between the Developer and Local Authority and as contained in a signed Services Agreement. On site collection to a central transfer station will be the responsibility of the developer/HOA

6.8.5 ELECTRICITY

De Villiers and Moore Consulting Electrical Engineers were appointed to investigate the electrical demand and supply requirements relating to the proposed development. The Report is attached as **Annexure M**.

The Report confirms that the network in the area belongs to Knysna Municipality. There are two 11kV overhead lines traversing the site, which will be replaced with underground cable.

The developer will be responsible for the cost of the internal reticulation. The internal 11kV network will be supplied from the from the existing 66/11kV substation. It was confirmed by the Knysna Municipality's Master Planner, Messrs BDE Electrical Consultants that the substation has sufficient capacity to accommodate the load which is estimated at 750kVA, once fully developed.

Energy efficient measure will also be encouraged in individual homes. These would include:

- Architectural design Guidelines to encourage passive solar design and house orientation
- Solar assisted water heating devices or heat pumps
- CFL Lamps where advantageous, etc.

7. MOTIVATION

According to Section 36 (1) of the land Use Planning Ordinance (Ordinance 15 of 1985), any application under Chapter II or III of the said Ordinance shall be refused solely on the basis of a **lack of desirability** of the contemplated utilisation of land concerned including the guideline proposals included in a relevant structure plan in so far as it relates to desirability, or on the basis of its effect on existing rights concerned (except any alleged right to protection against trade competition).

Where an application under Chapter II or III is not refused by virtue of the matters referred to in subsection (1) of this section regard shall be had, in considering relevant particulars, to only the safety and welfare of the members of the community concerned, the preservation of the natural and developed environment concerned or the effect of the application on existing rights concerned (with the exception of any alleged right to protection against trade competition).

The National Environmental Management Act, 107 of 1998, also states that when considering an application, the decision making authority must have regard to a number of specific considerations including specifically having to consider **“the need for and desirability of the activity”**.

7.1 COMPATIBILITY WITH FORWARD PLANNING DOCUMENTS AND POLICIES

The strategic context for informing need & desirability should be evaluated against National, Provincial and Local & Spatial Development Frameworks (“SDFs”) and policy guidelines applicable in the area.

7.1.1 NATIONAL DEVELOPMENT PLAN (NDP), (2011)

The two key objectives of the NDP are to eliminate income poverty and reduce inequality by 2030. According to the NDP, the main challenges to national development include unemployment, inadequate infrastructure, exclusive spatial patterns, resource consumptive economy, poor quality of education, disease and poor services, poor quality of public service and corruption. The proposed responses to these challenges are:

- Create jobs & livelihoods
- Expand infrastructure
- Transform urban & rural spaces
- Transition to a low carbon economy
- Improve education & training
- Provide quality health care
- Build capable state
- Fight corruption & increase accountability
- Nation building

The proposed development on the Hill will contribute to job creation and eradication of poverty on a local level and is therefore in line with the NDP.

7.1.2 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 ACT NO. 16 OF 2013

The Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) is a national Act that was passed by Parliament in 2013. SPLUMA aims to develop a new framework to govern planning permissions and approvals, sets parameters for new developments and provides for different lawful land uses in South Africa. SPLUMA is a framework law, which means that the law provides broad principles for a set of provincial laws that will regulate planning. At the time of submitting this application, the Knysna Municipality Planning by law has not yet been promulgated and the application procedure is still in terms of LUPO. The principles of the act do however apply.

Section 7 of the Act describes a set of development principles that need to be considered when evaluating any development application. These can be summarised as follow:

SECTION 7 DEVELOPMENT PRINCIPLES	
(a) The principle of spatial justice, whereby—	Compliance
(i) past spatial and other development imbalances must be redressed through improved access to and use of land;	The location of the study areas is not relevant to spatial reform.
(ii) spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation;	Applicable to the preparation of Spatial Development Frameworks.
(iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;	Applicable to preparation of Zoning Schemes and planning mechanisms.
(iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;	Applicable to Management systems.
(v) land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and	Applicable to informal and disadvantaged areas.
(vi) a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of	Applicable to tribunals not in operation yet.

its discretion solely on the ground that the value of land or property is affected by the outcome of the application;	
b) the principle of spatial sustainability, whereby spatial planning and land use management systems must—	Compliance
(i) promote land development that is within the fiscal, institutional and administrative means of the Republic;	The site is situated within the Knysna Municipality. The local authority has the institutional and administrative capacity to consider the development. The availability of the supply of Infrastructure has been confirmed. The developer will be responsible for financing the development.
(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;	The land under consideration is not prime or unique agricultural land and the Department of Agriculture has accepted the soil report confirming this.
(iii) uphold consistency of land use measures in accordance with environmental management instruments;	The available environmental Instruments such as the Nema Regulations, The Garden Route Environmental Management Framework, BGIS maps, has been an integral component of the Environmental Impact Assessment.
(iv) promote and stimulate the effective and equitable functioning of land markets;	The development proposal includes a wide variety of different housing types that will address different income groups and also different age groups, from young first time buyers to retired people.
(v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;	The provision of Infrastructure will be to the cost of the developer and will be supplied as set out in par. 6.8. According to CSIR Guidelines for the Provisions on of Social Facilities in South African Settlements the scale of the project would not put additional load on the social services currently available in the area.
(vi) promote land development in locations that are sustainable and limit urban sprawl; and	The proposal is adjacent to the existing urban area and is compatible with the SDF.
(vii) result in communities that are viable;	The proposal includes a mixture of housing typologies and also allow for a commercial component.
(c) the principle of efficiency, whereby—	Compliance
(i) land development optimises the use of existing resources and infrastructure;	The development is situated adjacent to the existing urban infrastructure and facilities. Presently the land represents a unutilised agricultural land directly adjacent to an urban area that has potential to be rehabilitated and to improve economic activity.
(ii) decision-making procedures are designed to minimise negative financial, social, economic or environmental	The Environmental Impact Assessment Report has considered all possible impact and is available to assist

impacts; and	decision making by local and provincial authorities.
(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties;	Applicable to application procedures
d) the principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks; and	
Not applicable	
(e) the principle of good administration, whereby—	
(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;	Applicable to Government
(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;	Applicable to Spatial Development Frameworks
(iii) the requirements of any law relating to land development and land use are met timeously;	Applicable to Government
(iv) the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and	The application procedure will comply with Land Use Planning Ordinance 15 of 1985, and will follow duly advertised as prescribed in the Ordinance.
(v) policies, legislation and procedures must be clearly set in order to inform and empower members of the public	Applicable to Government

7.1.3 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK 2014

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

- i. Gives spatial expression to the National and Provincial development agendas;
- ii. Serves as basis for coordinating, integrating and aligning 'on the ground' delivery of national and Provincial Departmental programs;
- iii. Supports municipalities to fulfill their municipal planning mandate in line with the national and Provincial agendas; and
- iv. Communicates government's spatial development intentions to the private sector and civil society.

The sustainable use of provincial assets is one of the main aims of the policy. The protection of the non –renewable natural and agricultural resource are achieved through clear settlement edges for towns by defining limits to settlements and through establishing buffers/transitions between urban and rural areas.

The urban fringe must ensure that;

- urban expansion is structured and directed away from environmentally sensitive land and farming land;
- agricultural resources are reserved;
- environmental resources are protected;
- appropriate levels of services are feasible to support urban fringe land uses;
- and land use allocations within the urban fringe are compatible and sustainable.

Unlike the previous PSDF 2009, development outside the urban edge or no longer completely unacceptable. The document state that "compatible and sustainable rural activities (i.e. activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate) and of an appropriate scale and form can be accommodated outside the urban edge (except in bona fide wilderness areas). (WCPSDF2014 p.66)

The Document stipulate the following criteria that should be applied in assessing consistency with this policy:

CRITERIA	COMMENT
I. Environmental authorisation	• The planning application process will require that an environmental authorisation be obtained. This process is currently underway;
II. Compatibility with land use activities suitable in the CBA it is situated in, and subject to an EIA	• The CBA maps identified the site as "Heavy Alien Degradation". The site is not situated in a "Critical Biodiversity Area", "Ecological Support Area", "Protected Area" or "Other Natural Areas" categories (See

	Diagram 6) and as such has been identified as favourable for development;
III. Does not alienate unique or high value agricultural land, or compromise existing farming activities.	<ul style="list-style-type: none"> The agricultural value of the land has been determined by a Soil Study conducted by Bennie Schlomps. The soil conditions, steep slopes and size of the property renders it to be of no agricultural value. For these reasons, the Department of Agriculture has agreed to zone these properties out of Agriculture;
IV. Does not compromise the current or future possible use of mineral resources.	<ul style="list-style-type: none"> There are no known mineral resources in the area or on the property;
V. Is consistent with the cultural and scenic landscapes within which it is situated.	<ul style="list-style-type: none"> According to the Heritage and Scenic Resource Specialist study that accompanied the PSDF, the area has not been identified as a formally protected heritage and scenic resource; This section of the N2 has been identified as a scenic route and by following the recommendations in the visual impact assessment, the visual impact from the N2 will be significantly reduced; As recommended in the Heritage and Scenic Resource Specialist Study the development will avoid infrastructure and structures on crests or ridgelines because of the high visibility and the visual sensitivity of the skyline; It will also not allow development or infrastructure on land steeper than 1:4 for environmental and visual reasons. Visual problems include erosion and scarring, and unsightly cut/fill; The application will require approval from Heritage Western Cape;
VI. Does not involve extensions to the municipality's reticulation networks (i.e. served by off-grid technologies)	<ul style="list-style-type: none"> The development will make use of off-grid technologies, and combine these with available municipal supply. The municipality will not have to increase bulk supply of reticulation The developer will provide internal services at their own cost
VII. Does not impose real costs or risks to the municipality delivering on their mandate.	<ul style="list-style-type: none"> There is no cost or risk for the Municipality;
VIII. Does not infringe on the authenticity of rural landscapes.	<ul style="list-style-type: none"> The Heritage Impact Assessment considers the cultural landscape defined as the Ruigtevlei Valley as moderate to high local historic and aesthetic cultural significance (Grade 3B). The layout has been sympathetic to this by removing all the properties along the northern slope from the layout.

Extract from from: (WCPSDF2014 p.66)

7.1.4 KNYSNA SPATIAL DEVELOPMENT FRAMEWORK NOVEMBER 2008 (KSDF)

The Knysna Spatial Development Framework: November 2008 was adopted by Council and is the most recent document as far as forward planning strategy in Knysna is concerned. There are currently a team of consultants employed to prepare a new Integrated Spatial Development Framework, but at the time of writing this report the document was not yet available.

The Knysna SDF has identified Sedgefield as a secondary node, or a second order settlement in the context of the Municipality, making it the most significant 'small town (KSDF;Pg 18)'.

The SDF recommends that growth and investment in Sedgefield should be focussed on developing its role as:

- A major tourist and holiday destination;
- A secondary, yet important centre for administrative and public services functions;
- A location for limited low income / affordable housing provision;
- Job creation and socio-economic development of the poorest groups of its population;
- Significant investment in the tourism and related industry (KSDF;Pg19)

The planned development will be able to contribute toward achieving these overarching goals. It will result in private investment in the town and will provide a wide range of housing option from young first time buyers to discerning holiday makers, or people who choose to retire in this area. It will provide, employment opportunities and an indirect financial spin offs to the Sedgefield economy.

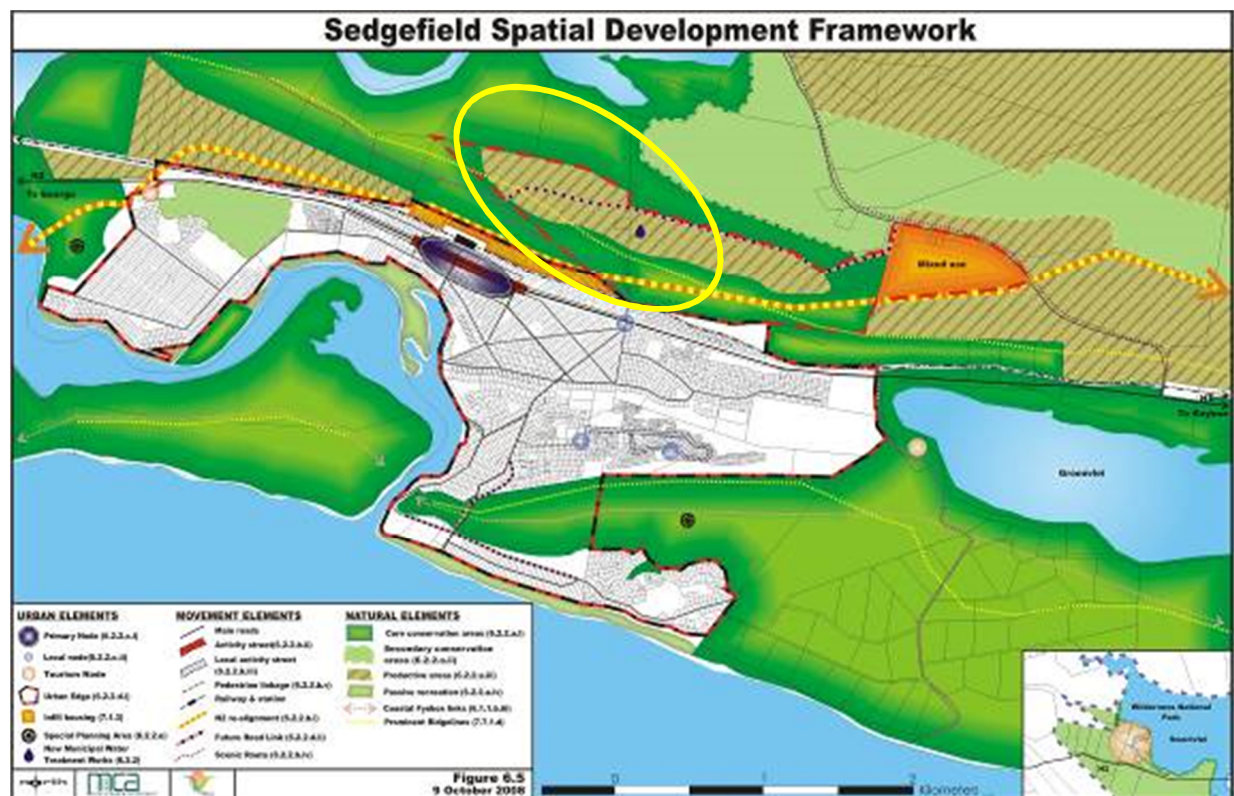


Fig 14: Sedgefield Development Framework

As indicated Fig. 14 above, **the Remainder of Ptn. 82** of the Farm has been earmarked as a **“Core Production Area”** but has been included in an area that has been identified as **“Future Development Direction”**. The bulk of the proposed development is situated on the Remainder of Ptn. 82.

The “Core Production Area” designation could have been assigned due to the historical forestry activities that occurred on the site. The forestry activity came to a halt many years ago when forestry became financially unviable in the area. The size of the properties, in isolation to the surrounding former plantation areas, cannot deliver the yield to function as an economic unit.

The Agricultural potential of the site has been investigated by an Agricultural Soil expert, Bennie Schloms. The soil report identifies that the soil has a low agricultural potential. Furthermore, the property is relatively steep and only 15% of the combined property size is situated on slopes that is suitable for agricultural practice. A 12% gradient is used as norm by the Provincial Department of Agriculture, as steeper slopes would lead to erosion and poor crop yield.

The National Department of Agriculture agreed with these findings and in a letter dated 5 February 2013 confirmed that they have no objection to the creation of the township. The letter is attached as **Annexure I**.

From the KSDF map it appears that **Erf 1638** has been excluded from the “Future Development Areas”. Ironically Erf 1638 was included in the urban area of the old Municipal town allotment area of Sedgefield. Erf 1638 has been identified as **“Core Natural Area”**. This is not based on any facts and is contradictory to the information provided further in the Spatial Development Framework documentation. The Core Conservation Areas have been described in the SDF document as *“areas that have a unique natural character and contributes to the uniqueness and character of Sedgefield... and have important ecological functions”* (KSDF 2008, pg 38). According to the Map containing the Spatial Information, this area does not contain any unique features that need protection. The specialist studies conducted as part of this application also confirm that this property does not have any conservation value. Furthermore, it was also not identified as a “Critical Biodiversity Area” in the CBA maps. It must be assumed that this category was assigned due to the steep slopes prevalent on Erf 1638. Be that as it may, the larger part of Erf 1638 property will not be developed, for the same reason and once rehabilitated it could become a functional habitat for indigenous fauna and flora.

“The Spatial Development Framework confirms that there is limited opportunity for **urban extension** in Sedgefield. The document does nevertheless states that:

“The establishment of a sustainable village at Ruigtevlei should, however, be investigated, owing to the presence of existing facilities (school and church). In order to avoid a segregated dormitory village, consideration is to be given to extending the urban edge to include properties to the north of the N2 through which a road link can be created to link the proposed Ruigtevlei integrated village with Sedgefield without having to use the N2. Care would need to be taken

in the form and placement of development along the ridgeline north of the N2. Formalisation of the railway crossing and construction of the roadway need to be attended to as part of the development process” (KSDF2008, p 43).

The proposed Ruygte Valley Village has not yet been materialized, but that in itself does not render the rest of this statement irrelevant. The proposed development complies with the ridgeline protection requirements and we have already received confirmation from Transnet regarding formalising the Railway crossing.

Spatial Development Framework further more identified the **‘Cloud 9’ Road** as a scenic drive used by both vehicles and cyclists and which should be kept in good condition by the relevant authorities (Provincial Transport Branch) and promoted by the local tourism bureau. The proposed development will result in the upgrade of a portion of this road as a cost to the developer (KSDF, 2008, pg 41).

It is submitted that the proposed Hill Development is in line with the vision of the SDF and is situated in an area identified for development. In a letter dated 25 May 2015, The Knysna Municipality confirmed that the planned residential development is in broad strategic terms in line with the Knysna Spatial Development Framework (See **Annexure T**).

7.2 DESIRABILITY OF THE LAND USE

The desirability of the development proposal is directly linked to the suitability of the site to accommodate the proposed development. In this instance the biophysical site conditions need to be considered and the best practicable environmental option need to be determined.

According to NEMA the “best practicable environmental option ” means the option that provides the most benefit and causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term. In determining the best practicable environmental option, adequate consideration must also be given to opportunity costs of different land use options.

7.2.1 AGRICULTURAL POTENTIAL

The property is zoned for Agricultural purposes, but has no agricultural value due to low soil potential and limited area with favourable gradient. The Agricultural Soil potential study concluded that the property has a low Agricultural Potential, due to inability of the sandy soil to store water and nutrients. The size of the usable land parcels is also too small to facilitate an economy of scale that will ensure a sustainable agricultural practice. The rezoning out of Agriculture will therefore not result in lost opportunity for food production or employment. In conclusion, the current zoning of the property does not have any short or long term benefits to the owner, the environment or society.

7.2.2 CONSERVATION POTENTIAL

The natural vegetation has been transformed by previous forestry practice and has a low potential for rehabilitation to natural Sand Fynbos. The conservation value of the development area has been identified as poor. Since the previous vegetation study was conducted in 2006, it was reported in the latest Fauna study that the extent of alien invasion has actually increased. The site is not within a CBA which relates to the fact that the site is not considered intact on account of the heavy alien invasion. This is the status quo on the property and it does not have any short or long term benefits to the owner, the environment or society if it remain in the same unattended state and degraded state.

The Vegetation Report recommended that although there is potential to rehabilitate parts of the site to increase the extent of Fynbos vegetation at the site, the property would still be isolated within a larger surrounding area dominated by aliens and transformed farmland. As a result, restoring a functional Fynbos-fire driven ecosystem at the site is not considered a practical reality and would be of limited ecological benefit compared to some alternative rehabilitation options. The Ecological Sensitivity Report recommended from a functional perspective, that coastal thicket would be of similar value to Fynbos and as it would be significantly easier to restore and maintain.

A “nature conservation” land use option could therefore be realized, but it would however entail an extensive rehabilitation effort. Rehabilitation on this site would be an expensive and continuing process with no financial benefit to the owner or the wider community, as this is still private land. This option does not comply with the criteria of sustainable development as it is not economically viable. It should be kept in mind that conservation is a communal responsibility and that the burden thereof cannot be carried by a single land owner, to the benefit of all.

The option to conserve and rehabilitate the land would be ideal if the area could be expropriated, and the required funding for rehabilitation and maintenance be provided through some form of government initiative. Unfortunately, this property has not been identified by the CAPE project as a priority area and funding for conservation cannot be expected in the near future.

7.2.3 LOW DENSITY RESIDENTIAL ESTATE

The main asset of the property is that it has beautiful views over the Sedgefield Village, lagoon, ocean and mountains which greatly enhance its desirability as a life style investment. The site has developable slopes and is ideally located at the edge of an urban area. Being adjacent to existing urban infrastructure, the development will be cost effective to service and easy to access. The site is ideal for urban development.

It is proposed to develop a low density Residential Estate, where a balance between development and conservation can be achieved. The proposal includes the development of approximately 25% of the property and the rehabilitation of approximately 75% of the land.

The proposed residential development will result in generating capital for continued rehabilitation of more than 75% of the site to a natural state. It is submitted that this is the best practicable environmental option as it provides the most benefit to the environment, at a cost acceptable to the land owner.

This option will also have social and economic benefits to the larger community. As it will result in a capital injection into the local economy that will stimulate job creation and spending patterns.

7.3 THE PROPERTY MARKET

One of the most important questions that need to be asked when any development is considered is whether there is a **need** for the contemplated land use in the market place. This is normally a question that the potential investor would answer before embarking on a long and expensive application process. Development, like any another business is also about supply and demand.

The property market in South Africa has been on a roller coaster ride along with that of the rest of the world in the recent past, thanks to the global economic recession, amongst other things. Although global recovery from the recession will take time, property analysts are positive that it will begin to impact positively on the South African property market.

As one of the hardest hit areas during the economic meltdown of 2007/8, the Garden Route property market has been making steady gains over the last few years. According to a recent news article in Property 24 (<http://www.property24.com/articles/garden-route-property-for-every-buyer/22056>), up until early last year, the local property market was largely characterised by a massive oversupply of stock, often at unrealistic prices, but the tide has since turned. This is according to Seeff's branches in Mossel Bay, George, Knysna and Plettenberg Bay, who have reported, that amid a general uptick in activity across the region, they have seen the best summer trade since pre-2007/8.

Almost without exception, the Deeds Office data, as recorded by Lightstone, for last year compared to the preceding year tell of a market on the up. Activity in Mossel Bay, for example, is up by 17% in unit terms (from 879 in 2013 to 1030 in 2014) and 40% in value (from R574 million in 2013 to R807 million in 2014).

The picture for Knysna is even better, with units sold up by 37% (from 432 to 593) and 28% more value (R549 million to R702 million) recorded for the year.

The bounce-back amid what is a still challenging economic backdrop is not all that surprising. Property Specialists claim that although the recovery will be much slower in non-primary sales which include buy-to-let sales and leisure market sale, prime leisure properties on the coast, with their magnificent sea views and close proximity to beaches and other attractions will always be in demand. Not only is it an aspirational lifestyle for many, but also offers an exceptional long term investment opportunity. These types of property are becoming increasingly popular as a result of the improved investment status of property, while people are increasingly feeling the need to get away from busy

urban lifestyles over weekends and during holiday seasons. The demand for retirement homes in smaller coastal towns is especially strong, with buyers coming mostly from the major metropolitan areas, especially Johannesburg and Cape Town.

According to the Sedgefield Valuation role of 2014, Sedgefield have approximately 420 vacant stands. This is however not an indication that the market is still overstocked. One need to have an in depth looks at why these properties are vacant.

Most of these vacant stands (65%) are situated in middle income areas such as Meeding Ride, Groenvlei and Sedgehill, that does not offer the same product as what The Hill will offer. They are close to the highway and informal settlements and offer no security, lifestyle or views.

In the more upmarket areas of Cola Beach and Myoli beach there are approximately 150 vacant stands, but only about 80 of these are presently listed for sale. Many of the properties in upmarket areas like Cola beach have been purchased for investment purposes or for future usage.

The proposed Hill development will consist of 130 prime properties, in close proximity to beach, lakes, rivers, mountains and forests, with a picturesque sweep of coastline, lakes and the Outeniqua Mountains. To appeal to a wide variety of potential home owners, different housing typologies will be available at different price ranges. The proposal will also address the growing need for retirement homes. There will always be a market for a well-priced investment with good returns. There is no other development in Sedgefield that can offer the same lifestyle and views that this development will offer.



Fig 15: Beautiful views from the property will ensure a high demand for the planned properties

7.4 SOCIO –ECONOMIC NEED OF THE SEDGEFIELD COMMUNITY

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

The SDF states that in order to reduce the current unemployment and poverty levels by half, 1500 jobs need to be created each year for the next 10 years. It is doubtful that this has ever happened. A large part of Sedgefield’s previously disadvantaged communities are characterised by large-scale poverty and unemployment. Over 31.5% of the population earned below the poverty line for household income. The document states that although Sedgefield is mainly a holiday destination, there is a definite need to create employment.

“Growth and Equity “is one of the key spatial principles of the SDF. Growth and equity are related to the economic well-being of the population and the municipality. The SDF clearly states that Economic Growth and development should be promoted across the municipality. The SDF has included land for large-scale developments that could create an economy of scale that will have a real impact on the socio-economic circumstances of those communities that are in need. Apart from ‘normal’ growth, the growth in the more upmarket areas also has to be provided for because it is in this market where the greatest potential is to alleviate poverty and allow “capital” to be created for the poorer and less privileged part of the community.

This development and other similar development could play a major role in the economic prosperity of the region. The local economy of Sedgefield is very small and is dependent on trade and retail activities as this is the largest contributor to the GGVA of the Sedgefield Municipality. The local population will benefit greatly from any new job creation activities. The development will also aim in attraction more permanent people to Sedgefield and thereby increasing local buying power. More properties will also increase the rate base of Sedgefield to pay towards upgrading services in the medium term.

In support of the above statements, it can be mentioned that during the previous application process, the development was supported by 74 letters of support received from the local business communities and 13 letters of support that came from community leaders,

7.5 IMPACT ON THE SURROUNDING AREA

Any proposed development must be “contextualised” within the bigger area. The introduction of a residential development on the Hill above Sedgefield will affect the larger area in some way or another.

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

The following potential impacts has been identified during the scoping process and mitigation measures have been investigated and reported on the Draft Scoping Report attached hereto as Annexure S

7.6.1 IMPACT ON THE CHARACTER OF THE AREA

Sedgefield is a small seaside village with a population of less than approximately 8000 inhabitants. The town has a laid-back rustic village atmosphere that is very alluring holiday makers and retired people that desires a more relaxed lifestyle. Sedgefield is the first African member of the Cittaslow movement. Cittaslow's goals include improving the quality of life in towns by slowing down its overall pace.

The planned low density development aims to build on this character by providing opportunity for people to live in an area close to nature. The proposal is not introducing an alien land use such as a large factory or nuclear power plant that will ultimately change the town's character within the regional context. It is only introducing a residential estate that will appeal to people who wants to live in a secure environment and in a natural setting.

During the previous application process and during the recent scoping exercise, it became apparent that almost all of the objectors felt that urban development has already detracted from the quality of Garden Route. The prominent green hill / dune along the National Road (albeit a privately own alien plantation) is perceived as an attractive green backdrop to Sedgefield and there is a fear that the development of this green area will have negative impact on the image and ambience of Sedgefield.

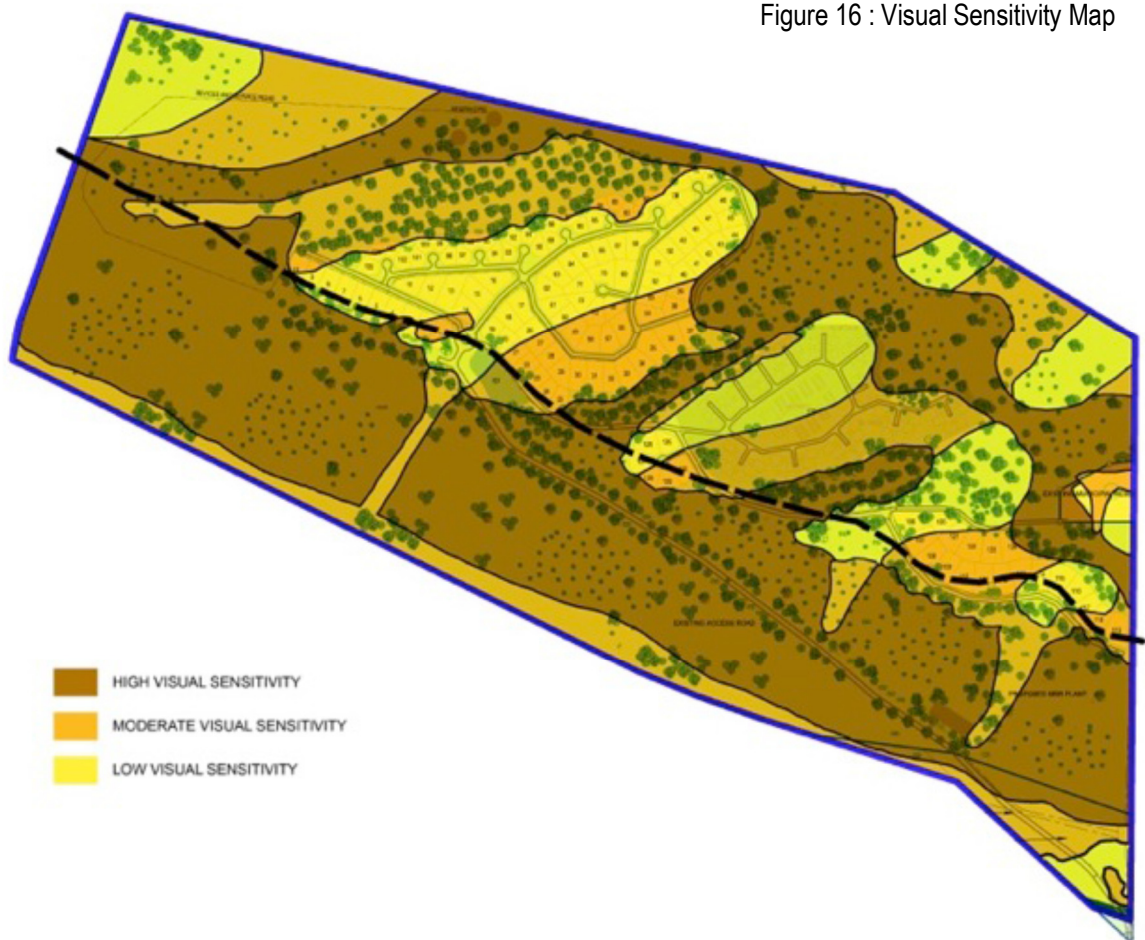
In essence the impact on the character of the area will therefore be a visual impact and secondly a cultural/heritage impact. A visual Impact Assessment as well as heritage impact assessment was commissioned to investigate and report on these issues. See Annexure K and L.

7.6.2 VISUAL IMPACT

The development is situated in the Garden Route which is regarded as one of the most scenic places in the Country. Being situated on an elevated landform, the site is visually exposed to the surrounding area and the development will be visible from the N2 and from Sedgefield village. Megan Anderson Landscape Architect has been appointed TO prepare a specialist Visual Impact Assessment for the proposed development. This Visual Impact Report is attached as **Annexure K**.

The inherent visibility of the sites' landscape is usually determined by a combination of topography, landform, vegetation cover, settlement pattern and special features. A mapping exercise was undertaken whereby each of the above elements (topography, landform, vegetation cover, settlement patterns and special features) was mapped for the site and rated from low to high. These maps have been overlaid and the combined areas have been assimilated to provide an overall sensitivity map where the visual sensitivity of the site, categorized as High, Medium and Low, is illustrated (see Figure 16 below).

Figure 16 : Visual Sensitivity Map



The potential Zone of Visual Influence has been identified as:

a) The natural areas and rural landscapes to the north

The Ruygte Vally area to the north of the development is regarded as a highly sensitive receptor. The development is however situated on the south facing slope of the property, below the ridgeline and will not be visible from the natural areas and rural landscapes to the north. The previous layout has been amended to remove all properties along the ridgeline and the northern slopes to address this impact.

b) N2 Scenic Route

While much of the south-facing slope of the site is visible from the N2 (a tourism and scenic route), the distance of exposure would tend to be limited to that of the Sedgfield urban area. Traveling from west to east, distant views of the site from this N2 corridor occur from 7kms away, between Rondevlei and Swartvlei, where the N2 curves around a ridge from the high point of an adjacent dune. As one gets closer to the site the development will become less visible. This is due to natural topographical features along the N2, which tend to limit views of the site for both east- and westbound traffic along the N2.

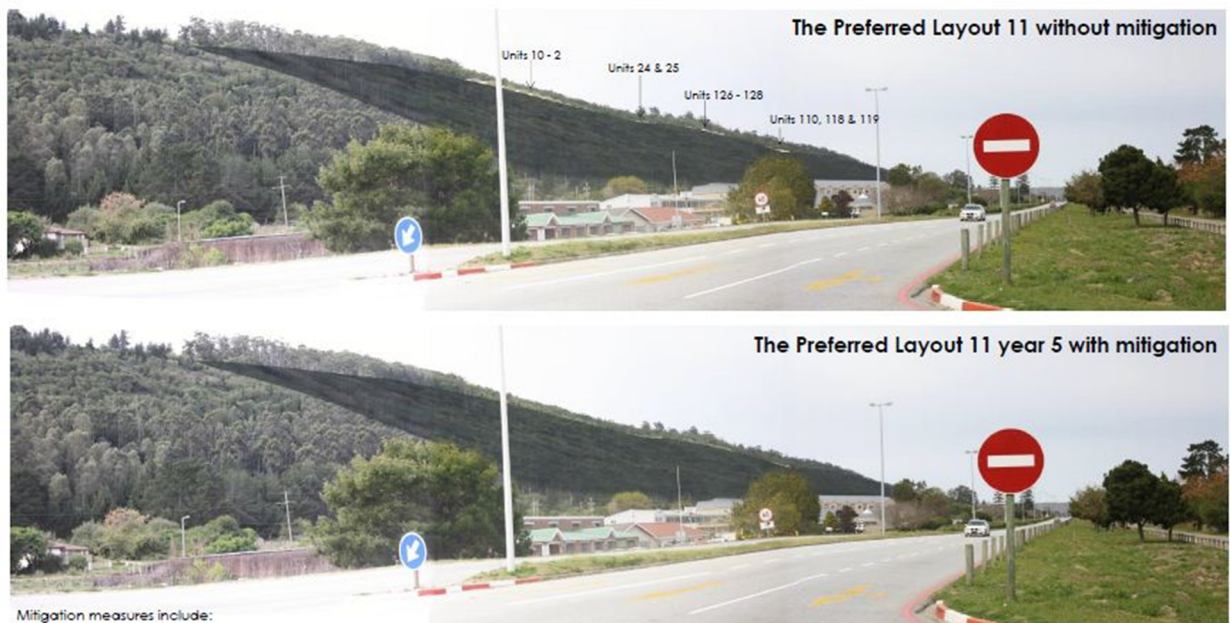


Figure 17: view of site from western direction

The lower section of the property, below the “Cloud 9” road will be visible from the N2. There is no development planned in this area. To a large extent the “green backdrop” will therefore remain intact.

From the east, views occur from approximately 1,5km away. The N2 traverses a small saddle between Groenvlei and Sedgfield at this point. The site is visible to the right side of the road. The orientation of the landform is slightly away from the road so the site is less visible from this approach than from the western approach.



Figure 18: view of site from eastern direction

Much of development proposed are concentrated on the plateau of the site, where the structures and infrastructure would not have a high level of exposure from the N2. In addition, it is our view that the severity of the above zone of exposure from the N2 would tend to be moderate to low as vehicles travelling through the urban area of Sedgefield would primarily be visually exposed to their direct (urban) environment.

c) Views from Sedgefield Village

The development will generate distant visual impact for the village of Sedgefield. However, there are a number of ways in which buildings and other structures can be treated to minimise this effect to acceptable levels (see Photo Montages attached as **Annexure K1**).



Figure 19: view of site from southern direction

Impact mitigation seeks to achieve an acceptable degree of comfort in terms of the visual appropriateness of buildings with relation to the surrounding context. The Visual Impact Assessment report states that for the preferred Alternative Layout 11, the visual impacts will be medium to high before mitigation and low to medium after mitigation.

The following mitigation measures are proposed:

a) Layout Design:

The development footprint has been limited to the areas of low and moderate sensitivity which will reduce the impact to a great extent.

b) Careful land reform:

The layout has been design to minimise the physical reforming of the landscape for development, such as terracing and cut to fill for roads and buildings that can leave permanent visual scars or unattractive retaining structures. Roads follows contours and the development foot print avoid steep slopes of more than 25%.

The architectural Design Guidelines will also prescribe house structures that follow the slope of the land rather than large big structures that require extensive platforms.

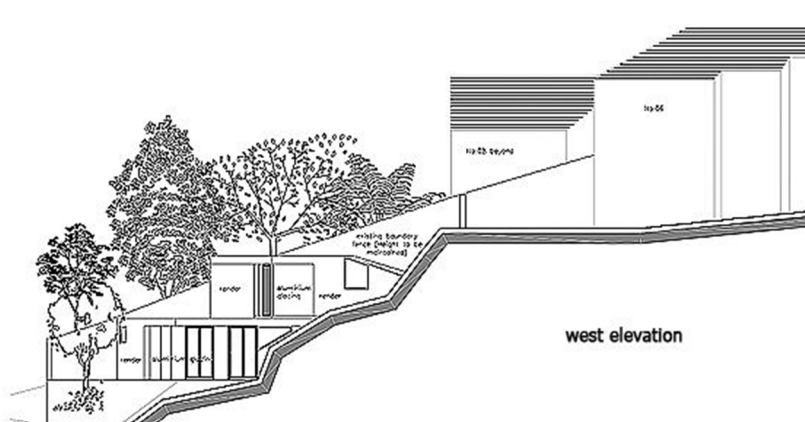


Figure 20: Terracing of houses along the slope

c) Limiting heights and footprints of units;

Visual impact can be further reduced by limiting the footprint of the building and hard landscaping as well as the heights of buildings. Limiting the footprint of units will help to provide more greening areas in between buildings which will assist with screening and visual absorption of the units. The Visual impact assessment recommends building footprints of 50% of the site but limits the height of the buildings to maximum 6,5m, with the upper storey being limited to 50% of the ground floor and terracing or stepping units up or down the slope.

d) Architectural Guidelines (see par 6.7)

Architectural Guidelines will be drawn up in accordance to the recommendations in the Visual Impact Assessment and will form part of the Home Owners Constitution. Guidelines will be written with the intention making the new dwellings 'dissolve' into the hillside.

e) Retaining Woodland

Presently the site contains large trees that will to a large extent screen the development. It is proposed that a Landscape/ Rehabilitation Plan be drawn up by a competent professional. The objective of the Landscape Plan must initially be to identify and retain existing exotic and indigenous trees and shrubs that will visually screen the development and to provide a planting plan of indigenous trees and shrubs for streets, open spaces and individual gardens that will allow for the medium – long term visual screening of the development.

The Landscape plan will also propose a long-term (20years) management plan for phasing in indigenous trees and phasing out exotic trees such that the proposed development will always be screened from sensitive receptors, by trees.

7.6.3 HERITAGE IMPACT

According to the requirements of Section 38(3) of the NHRA, the land use planning and EIA processes must be informed by and incorporate heritage informants and indicators as summarised in this attached Heritage Impact Assessment Report, attached hereto as **Annexure L**. This section aims to summarise heritage informants and indicators as set out in the report:

a) Historic context

The historical context of the site is linked to the role that forestry played in the early development of the Southern Cape. Basic historic background research did not identify or highlight any significant historic or other heritage-related themes, which may be negatively impacted through the proposed development. The overall cultural significance of this heritage informant is therefore considered of low to no local historical cultural significance.

b) Built environment issues

No comprehensive heritage inventory as required in terms of Section 30(5) of the NHRA has yet been undertaken for this area. Although no structures, ruins and/or gravesites were identified during fieldwork, site accessibility was limited due to topography and dense vegetation. Given the long-standing use of the site for forestry-purposes, the occurrence of two fires that reportedly completely destroyed former timber plantations, the site topography and lack of historic evidence suggesting the possible presence of historic dwellings on the site, it is considered highly unlikely that any historic structures of cultural significance remains.

c) Cultural landscape aspects

Traditional (Pre-Modern) cultural landscape elements alluding to early settlement patterns along the Ruigtevlei Valley north of the site are still evident within the present landscape through several historic buildings, cultivation patterns along low-lying areas bordering Swartvlei and Ruigtevlei as well as the two primary river corridors (Hoëkraal- and Karatara Rivers).

The coastal landscape south of the site has mostly been transformed through formalised urban development (Sedgefield town), which in contrast hold little, if any, cultural significance.

The cultural landscape defined as the Ruigtevlei Valley is considered of ***moderate to high local historic and aesthetic cultural significance (Grade 3B)***. The development would be faced towards the south though, and not be visible from the Rondevlei Valley cultural landscape and would therefore not impact significantly on these sensitive cultural landscapes.



Fig 17: The surrounding Landscape

7.6.4 IMPACT ON BIODIVERSITY

The GRI maps identify the property as highly degraded. The subject properties have not been listed as a Critical Biodiversity Area, Ecological Support area or a Protected Area.

Due to the high occurrence of alien vegetation the potential negative impact on biodiversity will be negligible. The development will in fact ensure the eventual rehabilitation to coastal thicket of at least 75% of the site. An Environmental Management Plan that include the eradication of invasive alien vegetation, the establishment of a suitable species and the maintenance of rehabilitated corridors for faunal dispersal will form part of the development. The careful management of the open space system will have a long term positive impact on biodiversity. The development allows for approximately 75% of the property to eventually return to its natural state.

7.6.5 IMPACT ON WILD LIFE

Presently the site may allow for movement of fauna, but as the habitat quality is very poor for most species, it represents only a transition zone with little offered in the way of favourable habitat to allow for resident populations. Furthermore, the site is currently open access and extensive woodcutting, dumping and probably poaching are take place within the site, which calls its current value as faunal habitat into question.

Provided that the habitat quality and connectivity of the landscape can be improved in the areas of the property outside of the development footprint by restoring a functional ecosystem to the site and maintaining it free of alien invasion as well as ensuring that any fencing around the site is porous and allows fauna to pass through the site, the impact of the development is considered acceptable and would not result in net biodiversity loss.

7.6.6 TRAFFIC IMPACT

The Traffic Impact Assessment found that the implementation of the proposed project is expected to have a significant impact on the traffic operations at the Egret Street N2 intersection. This significant impact will, however, be mitigated by the proposed traffic signals at the intersection of N2 and Egret Road, which has a direct bearing on the project traffic. The road improvements will have a positive effect on traffic operations by providing the necessary capacity for the development traffic and reserve capacity for other planned developments in the area.

Although the railway line is not currently operational, the expected increase of vehicles that are likely to cross the railway line at the level crossing will require upgrading to a signalised level crossing with boom controls to enhance safety if the railway line becomes operational again.

During the previous public participation process, the residents of Uil Street submitted an objection based on the increase of traffic. Uil Street will not be used as a feeder road to the development. Furthermore, Uil Street runs parallel with the existing N2 and the future N2. The properties on the south of Uil Street are approximately 20m away from the N2 which is very busy and noisy National Road. The residents directly north of Uil Street border on the new National Road Expropriation. In the light of the current impact of the existing and planned highways, on the resident of Uil Street, the increase traffic on the Cloud 9 Road will be insignificant.

The first section of the “Cloud 9” road will experience addition traffic but this will only affect the development itself. This section of the road will be upgraded by the developer to accommodate the additional traffic.

7.6.7 STORM WATER MANAGEMENT

The natural site geological conditions which comprise a highly permeable sandy overlay precludes storm water run-off from these natural areas. It is expected that the storm water runoff would increase with the introduction of a build environment and hardened surfaces. Concentration of storm water will be limited by diverting it to suitable open areas thus retaining natural storage of the catchment area. All necessary precautions will be taken to prevent erosion. These precautions will entail measures to minimize concentration of run-off by discharging storm water at regular intervals.

The Storm water management plan will be included in the Environmental Management Plan (EMP).

7.6.7 IMPACT ON MUNICIPAL INFRASTRUCTURE

Water

The local authority has confirmed that their current water rights in place are:

- Karatara River Extraction: 4 MI
- Desalination: 1, 5 MI

The current treatment capacity of the water purification plant is 2, 5 MI per day and the reservoir storage available is sufficient for 6 days. Emergencies or droughts are dealt with as they arise but additional supply is available from boreholes to the south of The Hill should the need arise. An application is in place to convert the emergency rights of these boreholes to permanent supply which will add $\pm 0, 5$ MI to the network. Current water usage in Sedgfield is $\pm 2, 1$ MI per day. There is thus sufficient municipal capacity to provide for this development without affecting the existing users.

Sewer

The Municipal sewer system will not be affected as the development will be self-sufficient in terms of sewer.

Electricity

There is sufficient bulk electrical; supply to accommodate the development, without affecting existing supply.

7.6.8 GROUND WATER POLLUTION

Groundwater is an issue that has been raised by stakeholders as the development is located upstream of the emergency boreholes located to the south of the development the following mitigation measures have been proposed in the Engineering Report:

- The MBR plant is located 176 meters away from the nearest borehole. This is well in excess of the National Water act 36 of 1998 Section 21 (g) – The Act's requirement that states that a sewerage disposal sites must be located 100 meters minimum away from a water resource or a borehole.
- The sandy nature of the sub surface soils found on site will act as a filter medium in the unlikely event of a spillage occurring.
- On site storage of minimum 4 hours will be provided at the MBR plant to facilitate response time in the case of any emergency.
- Water extracted from the boreholes undergoes a testing procedure before it is diluted in the municipal storage reservoirs, prior to distribution in the network.
- The HOA will be required to appoint a competent person to operate and maintain the MBR plant.
- The MBR plant will be installed with emergency generators to ensure power back-up in the case of a power failure from the Municipal supply. The mechanical installation will make provision for one duty and one standby pump.

- In terms of the Dept. of Health's guideline document, treated effluent will be sampled regularly (every 3 months) and records forwarded to the relevant authorities.
- Samples taken from the monitoring wells at the boreholes will act as early warning of any contamination that could occur.



7.6.9 IMPACT ON SURROUNDING PROPERTIES

The property is bordering onto the Future N2 re-alignment **to the south**, the development will not impact on value or functionality of this reservation.

To the east the property borders onto Portion 101 of the Farm Ruygte Valley. This property is used for commercial plantation purposes and the owner has previously supported the development, provided that the development makes provision for a 15m fire break between the properties and that he can gain access through the development. The layout makes provision for the 15m fire break.

Access to the property will be possible and the layout provides a link to the property. This access will however only be for private access and not for logging, agricultural or developmental purposes.

To the North the property borders onto 2 properties being Portion 30 and Portion 92 of the Farm Ruygte Vally. Both these properties gain access through the site via registered access and is used for rural/residential purposes. These owners will continue to enjoy access through the property, but through an improved road surface.

The owner of Portion 92 has previously objected to the old layout as there would have been properties right on his boundary. This would have impacted negatively on his privacy and enjoyment of his property. The new layout has taken his objection into account by removing all the properties along the northern boundary.

To the west is Erf 1652 which is also used for rural occupation purposes. There are no developments planned near the boundary of this property or in the valley overlooking this property.

8. CONCLUSION

Application is made to allow 130 residential erven and a retirement village of ± 110 units on the remainder of Erf 1638 and Portion 82 of the Farm Ruygte Valley. Being situated directly adjacent to an existing urban area, this site is easy accessible and can be serviced cost effectively. The portion of the site that will be developed is complete degraded due to previous agricultural practice. Poor soil conditions and limited arable land caused this property to be unsustainable agricultural entity. The even south sloping gradient and beautiful views makes this property ideal for residential development.

The proposal is sensitive towards the character of the area and attempts to create a unique sense of place that will blend in and compliment the ambience of the surrounding area. The site has been identified in the Knysna Spatial Development Framework as a "Future Growth Direction" and is compatible with most of the other forward planning documentation applicable in the area. It can be concluded that this development complies with the criteria for sustainable development and will have many positive impacts on the large community.

Taken into account that Sedgefield natural setting between dunes, lakes and the sea, holds very little prospect for future urban expansion, the opportunity that this uniquely situated property presents, should be embraced. It is requested that the relevant authorities support the application.

