

**APPLICATION FOR SUBDIVISION, CONSOLIDATION,
REZONING, CONSENT USE & REMOVAL OF
RESTRICTIVE CONDITIONS:**

**LOT 266 & A PORTION OF REMAINDER OF LOT 21,
RIVERSDALE SETTLEMENT, HESSEQUA MUNICIPALITY**



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1. APPLICATION

Planserv (Pty) Ltd has been appointed by the directors of Belladonna (Pty) Ltd [Reg. No. 1965/003575/07], the registered owner of Lot 266 and Remainder of Lot 21 Riversdale Settlement to submit a land use application to the Hessequa Municipality for the following:

- Subdivision of Remainder of Lot 21 Riversdale Settlement in terms of Section 15(2)(d) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, into:
 - 1) Portion A: ±54.4 ha (north of the N2 road); and
 - 2) Remainder: ±22.9 ha (south of the N2 road)
- Rezoning of Lot 266 Riversdale Settlement from Business Zone VI to Agricultural Zone I in terms of Section 15(2)(a) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015;
- Consolidation of Lot 266 Riversdale Settlement and Portion A in terms of Section 15(2)(e) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015;
- Rezoning of the consolidated Lot 266 and Portion A from Agricultural Zone I to Subdivisional Area in terms of Section 15(2)(a) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015;
- Phased subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, into:
 - 1) 27x Agricultural Zone II erven;
 - 2) 159x Single Residential Zone I erven;
 - 3) 3x General Residential Zone II erven;
 - 4) 1x Business Zone III erf;
 - 5) 3x Open Space Zone I erven;
 - 6) 7x Transport Zone II erven;
 - 7) 1x Transport Zone III erf; and
 - 8) 1x Utility Zone erf
- Consent Use in terms of Section 15(2)(o) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, for a retirement resort on the General Residential Zone II erf (shown as Erf no. 29 on Plan No. 217/P4);
- Consent Use in terms of Section 15(2)(o) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, for a supermarket on the Business Zone III erf (shown as Erf no. 191 on Plan No. 217/P4);
- Removal of restrictive conditions in respect of the land units in terms of Section 15(2)(f) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, as follows:
 - a) Condition IV.A.(b) of Deed of Transfer No. T52144/2018
 - b) Condition C of Deed of Transfer No. T47023/2022

Please find attached - Annexure A: Application form



1.1 BACKGROUND INFORMATION

A land use planning application for subdivision and rezoning of Remainder of Lot 21 Riversdale Settlement was submitted in 2008. The proposed development entailed a mixed land use application including different residential densities and school and business sites. The former land owner did not proceed with the development and withdrew the application.

The Remainder of Lot 21 Riversdale Settlement was included in the urban edge in terms of the Hessequa Municipality Spatial Development Framework of 2006. The application for rezoning and subdivision that served in 2008 was in line with the principles of the SDF at the time. The Hessequa SDF was adopted by the Hessequa Council in 2013 and reviewed in 2017. Remainder of Lot 21 Riversdale Settlement was not included in the urban edge of the 2013 SDF Spatial Proposals Plan but was indicated as a proposed extension area (future development area). The property was also excluded from the urban edge in the Hessequa Municipality Spatial Development Framework of 2017, mainly because the urban edge was delineated around the existing urban built area.

Belladonna (Pty) Ltd bought Remainder of Lot 21 Riversdale Settlement in 2018 with the intention to develop the property. A request for inclusion of Remainder of Lot 21 Riversdale Settlement in the urban edge was submitted to the Hessequa Municipality. Council approved the request for inclusion in 2021, as confirmed in the enclosed letter dated 3 June 2021. The inclusion of Remainder of Lot 21 Riversdale Settlement in the urban edge was addressed in the Local Spatial Development Framework for Riversdale, which was adopted by Council on 28 May 2021, as confirmed in the attached notice that was published in the Western Cape Government Gazette on 4 June 2021. The SDF is currently under review and the property is proposed to be included in the urban edge in the draft report.

In 2003, land use rights were granted for a filling station on Lot 266 Riversdale Settlement. The zoning applicable at that time was Business Zone V. The zoning has been migrated to Business Zone VI (service station) in the current zoning scheme. However, SANRAL refused to grant access from the N2 road to the site since Riversdale already contains too many access points from the N2 (see Annexure E for more information). Developing the filling station on Lot 266 Riversdale Settlement is therefore not viable. The cadastral boundaries of Lot 266 Riversdale Settlement negatively affected the layout of the proposed development on Remainder of Lot 21 Riversdale Settlement. The directors of Belladonna (Pty) Ltd were advised by their consulting Town Planner to approach the owner of Lot 266 Riversdale Settlement to buy the land. The developer bought Lot 266 Riversdale Settlement in 2022 to form part of the development area.

Please find attached - Annexure B: Approval of inclusion of RE/21 in the urban edge
- Annexure C: Government Gazette notice
- Annexure D: Approval Letter of Lot 266
- Annexure E: Letter from SANRAL

1.2 PRE-APPLICATION CONSULTATION

Following several meetings with officials of the Directorate: Development Planning as well as the Directorate: Technical Services of Hessequa Municipality, a pre-application was submitted to the Town Planning department. The minutes of the meeting of the pre-application is attached herewith.

Please find attached - Annexure F: Minutes of the pre-application meeting

2. GENERAL INFORMATION

2.1 PROPERTY INFORMATION

Description:	Lot 266, Riversdale Settlement, Hessequa Municipality, Division Riversdale, Western Cape Province	Remainder of Lot 21, Riversdale Settlement, Hessequa Municipality, Division Riversdale, Western Cape Province
GPS Coordinates:	34° 5'18.14"S; 21°13'54.93"E	34° 5'12.23"S; 21°13'58.81"E
Local Authority:	Hessequa Municipality	Hessequa Municipality
Current zoning:	Business Zone VI (formerly Business Zone V for a service station)	Agricultural Zone I
Title Deed Number:	T47023/2022	T52144/2018
Property Extent:	2,0005 ha	77,8388 ha
Ownership:	BELLADONNA (PTY) LTD [Reg. No. 1965/003575/07]	BELLADONNA (PTY) LTD [Reg. No. 1965/003575/07]
Title Conditions:	Condition C should be removed from Deed of Transfer No. T47023/2022, as confirmed in the enclosed Conveyancer's certificate	Condition IV.A.(b) should be removed from Deed of Transfer No. T52144/2018, as confirmed in the enclosed Conveyancer's certificate
Servitudes:	No servitudes registered	No servitudes registered
Bondholder:	No bond	No bond

Please find attached - Annexure G: Title Deeds

- **Annexure H: Company Registration Form**
- **Annexure I: Power of Attorney & Company Resolution**
- **Annexure J: Conveyancer's Certificate**
- **Annexure K: Surveyor-General Diagrams**

2.2 LOCALITY

The development is proposed on Lot 266 and a portion of Remainder of Lot 21 Riversdale Settlement. The N2 national road runs through Lot 21 Riversdale Settlement. The application sites are located west of Riversdale, bordering an existing residential suburb. The total area of Remainder of Lot 21 Riversdale Settlement has been included in the urban edge of Riversdale, as discussed earlier in the report, but the proposed development will only take place on the portion north of the N2.



The application sites are bordered by the existing Riversdale town, the N2 road as well as farmlands. Please refer to the locality map for more details on the locations of the application sites.

Please find attached - Annexure L: Locality Plan

2.3 REGIONAL CONTEXT

Riversdale is a country town located on the N2 highway between Cape Town and George on the Agulhas Coastal Plain of the southern Western Cape Province. The town is located beneath the Langeberg mountain range, on the bank of the Vette River. The majestic Langeberg Mountain range is a predominant landmark. The beautiful Sleeping Beauty mountain peak provides a well-known backdrop to the town.

Riversdale is considered the regional node or first order town within the Hessequa Municipal area and fulfils all the higher order administrative and economic functions within the municipality. It is also an agricultural service oriented town, being a hub for shopping and other services for surrounding farming communities, smaller towns, and coastal resorts, like Witsand and Stilbaai. The economy is primarily driven by farming which includes grain, dairy, wool, fruit, nuts, grapes, honeybush tea and wild flowers for export. Riversdale is well known for its abundance of indigenous fynbos. Outdoor activities in the area include several hiking trails and walks that will take you through this magnificent floral kingdom.

2.4 ZONING & LAND USE

Remainder of Lot 21 is zoned "Agricultural Zone I" while Lot 266 is zoned "Business Zone VI" in terms of the Hessequa Municipality Zoning Scheme By-Law, 2018. Both properties are currently leased for agricultural purposes (dryland farming). The proposed development area is vacant with no structures built on the properties. The images below give an overview of the proposed development area.



FIGURE 1 - VIEW FROM THE N2 TOWARDS THE LANGEBERG MOUNTAIN RANGE (NORTH)



FIGURE 2 - VIEW FROM THE EASTERN CORNER OF THE APPLICATION AREA TOWARDS THE N2 (SOUTH-WEST)



FIGURE 3 - VIEW FROM THE REST STOP NEXT TO THE N2 TOWARDS THE URBAN BUILT AREA (NORTH-EAST)

*Please find attached - Annexure M: Zoning Plan
- Annexure N: Land Use Plan*

2.5 EXISTING AND PROPOSED DEVELOPMENT IN THE SURROUNDING AREA

Most of the immediate surrounding properties are zoned Single Residential Zone I and Agricultural Zone I in terms of the Hessequa Municipality Zoning Scheme By-Law, 2018. The main land uses in the vicinity are dwelling units and agriculture. The proposed development area is bordered by an existing residential extension of Riversdale to the east and is further surrounded by agricultural properties.

The total area of the Remainder of Lot 21 Riversdale Settlement is included in the urban edge of Riversdale. It should be noted that Remainder of Lot 22 Riversdale Settlement owned by the Hessequa Municipality has also been included in the urban edge. A low density residential development of approximately 8 hectares is proposed on Remainder of Lot 22 Riversdale Settlement. This portion was recently sold to a private developer by the Hessequa Municipality.

According to the Local Spatial Development Framework of Riversdale, approximately 50 ha is needed to meet the estimated low and medium density housing needs for the next 10 years if the projected growth rate were to be realized. The proposed developments of approximately 62 hectares (including the smallholding area) on Remainder of Lot 21 and Remainder of Lot 22 Riversdale Settlement are considered sufficient to address the low and medium density housing needs for the next 10 years.

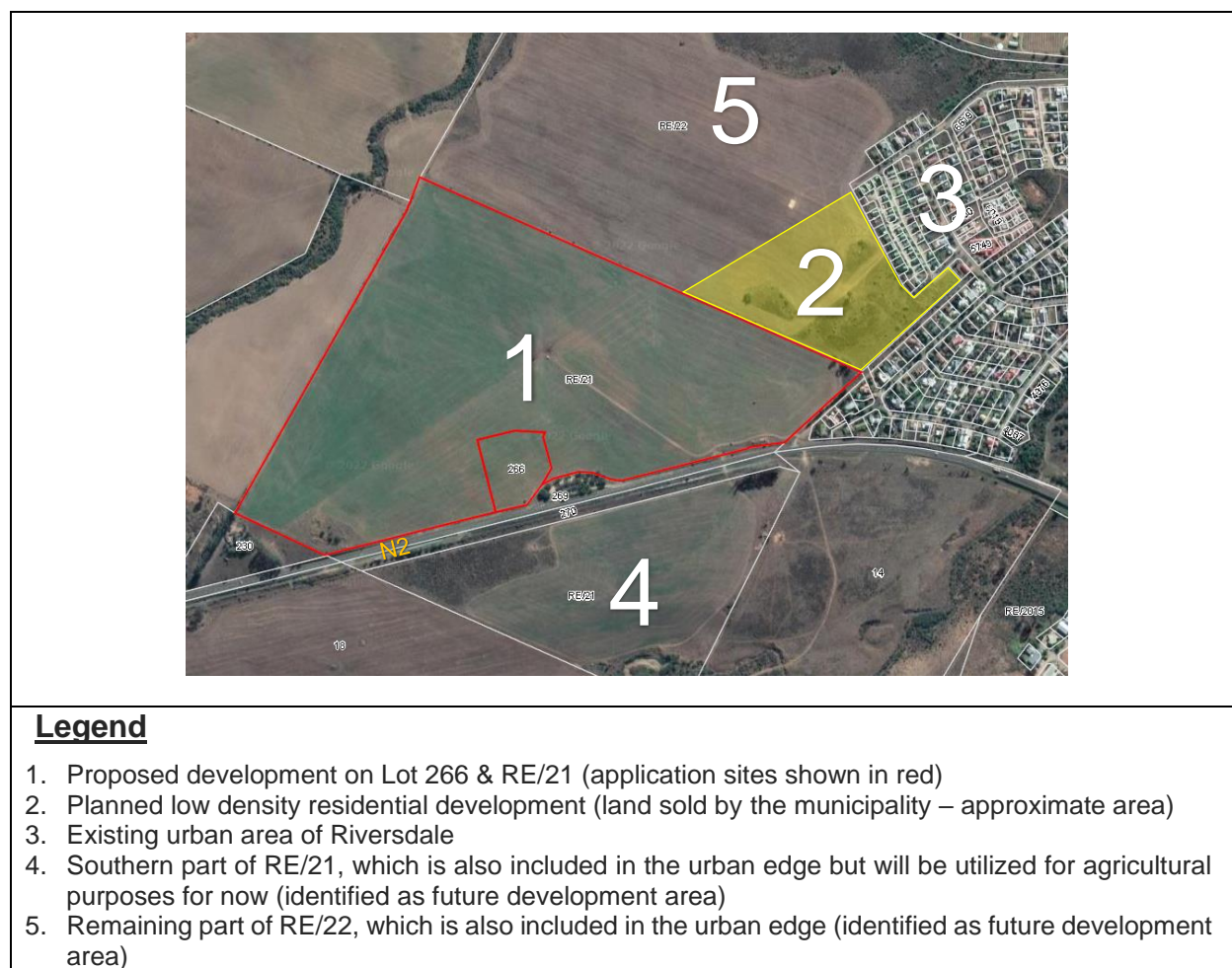


FIGURE 4 - PLANNED DEVELOPMENTS IN THE SURROUNDING AREA

3. DEVELOPMENT PROPOSAL

3.1 DEVELOPMENT SPECIFICATIONS

The proposed development on Lot 266 and a portion of Remainder of Lot 21 Riversdale settlement will consist of the following:

Zoning	Erf number	No. of stands	Area (ha)
Agricultural Zone II	1-27	27	27.5
Single Residential Zone I	32-190	159	10.4
General Residential Zone II	29-31	3	10.4
Business Zone III	191	1	0.7
Transport Zone II	196-202	7	3.8
Transport Zone III	195	1	1.9
Utility Zone	28	1	0.2
Open Space Zone I	192-194	3	1.5
TOTAL		202	56.4

The remaining part of the Remainder of Lot 21 Riversdale Settlement, south of the N2 national road (± 22.9 ha), is excluded from the development area. The area south of the N2 will still be used for agricultural purposes, even though it has been included in the urban edge.

The following table describes the proposed land uses:

Land use	Description
Agricultural Zone II	The intention is to develop 27 smallholdings within a gated estate to provide exclusive lifestyle properties, including a dwelling unit that is primarily a place of residence, on which limited small scale agricultural activities may take place. The smallholdings will obtain access from a private road. The rules and restrictions will be laid down in the Architectural Guidelines and Home Owners Association Constitution. The architectural style will contribute to the country town's character. Smallholding unit sizes of between 1 and 1,5 hectares are proposed. The proposed smallholdings will be located on the urban fringe in a tranquil environment with farming or country life characteristics. Agricultural landscaping and a view of the Sleeping Beauty mountain peak will contribute to the rustic ambiance.
Single Residential Zone I	A total number of 159 single residential erven is proposed. The average erf sizes of the single residential erven range between 600 m ² to 850 m ² . The proposed density is 15 dwelling units per hectare. These erven will obtain access from public roads and will not form part of the gated estate.
General Residential Zone II	Three group housing sites are proposed. The purpose of the two smaller group housing sites is to provide opportunities for residential development of a medium density, with a coordinated design, and to accommodate group housing where special attention is given to aesthetics, architectural form and the interrelationship between components of the group housing scheme. Application is made for consent use for a retirement resort on the largest General Residential Zone II erf, shown as Erf no. 29 on the layout plan (Plan



	No. 217/P4), in order to provide group housing for retirees/ pensioners/a family of which at least one member is a retiree or pensioner, with a full spectrum of frail care and other facilities reasonably associated with a retirement resort. The proposed density of all three group housing sites is 35 dwelling units per hectare.
Business Zone III	A neighbourhood shop is proposed for the retail sale, principally, of convenience goods to the public and providing service almost exclusively to the inhabitants of a specific neighbourhood and its surrounding area. The main purpose of the proposed neighbourhood shop is to provide a shop or convenience store that serve the needs for daily fresh produce for the surrounding residential areas. The business erf is centrally located at the main entrance to the proposed new development. Application is made for consent use for a supermarket in order to provide a shop having a total floor space in excess of 400 m ² , in which a range of goods, including foodstuff and household goods, is offered for sale on a predominantly self-service basis. The spacious erf size of approximately 6 500 m ² is proposed in order to develop a neighbourhood shop with supplementary land uses, if needed, and also provide sufficient parking bays to the satisfaction of the local municipality.
Open Space Zone I	Three public open spaces are proposed, including a park or public garden of approximately 2 400 m ² next to the proposed business site, to enhance the aesthetic appearance of the area and/or provide recreational areas. Portions of the open spaces may be improved with soft and hard landscaping, including street furniture such as benches. The parks may also have recreational equipment such as children's swings, jungle gyms and a kick-about area. A 10 m wide green belt is proposed along the N2 road reserve to provide space for vegetated buffers to reduce visual intrusion from the N2.
Transport Zone II	Seven public street parcels, including infrastructure associated with such streets, are proposed as public thoroughways for vehicles and pedestrians. These street parcels will be transferred to the Hessequa Municipality.
Transport Zone III	One private road is proposed to provide vehicle access to the smallholding erven in the gated estate. A private road includes a gatehouse, guardhouse, refuse room and utility room. This road will be privately owned and managed by the Home Owners Association and will not vest in the Hessequa Municipality.
Utility Zone	One Utility Zone erf is proposed to reserve land for infrastructure that is required to provide engineering and associated services for the proper functioning of urban development. The erf will be used to develop a water reservoir and also provide a communal refuse area for the gated estate. The refuse will be transported from this erf to the municipal landfill site.

The intention of the application is to create low and medium density residential erven that is high in demand. Land subdivision should not occur in a vacuum but is largely influenced by the surrounding natural features as well as the existing adjacent settlement structure. The proposed layout design relates well to the specific site and its wider urban and rural context. In general, this includes planning within a framework of simplistic yet functional and economic design. The layout has been amended numerous times to honor the environmental informants, infrastructure services and to mitigate possible visual impacts. A preferred and alternative layout has been prepared. Please refer to Annexures O and P for the two layout plans.



The preferred layout plan differs slightly from the final plan shown in the specialist studies because the open space erf was moved adjacent to the business site to accommodate stormwater runoff. The public open space (Erf 193) will be utilised as a recreation area as well as a stormwater detention area where the concentration of stormwater runoff will be minimized through the application of landscaping techniques, i.e. by creating grass lined swales, undulations and depressions, as mentioned in the Civil Engineering Service Report. The change will have minimal impact on aspects such as visibility, traffic and services.

***Please find attached - Annexure O: Preferred Layout Plan
- Annexure P: Alternative Layout Plan***

3.2 STATUTORY SPECIFICATIONS

A land development application consisting of the following is lodged in terms of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, to achieve the desired outcome:

3.2.1 SUBDIVISION

The Remainder of Lot 21 Riversdale Settlement is to be subdivided in terms of Section 15(2)(d) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, into:

- 1) Portion A: ±54.4 ha (north of the N2 road); and
- 2) Remainder: ±22.9 ha (south of the N2 road)

As part of the integrated process, Portion A will be consolidated with Lot 266 and rezoned to Subdivisional Area. Phased subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, into the following is proposed:

- 1) 27x Agricultural Zone II erven;
- 2) 159x Single Residential Zone I erven;
- 3) 3x General Residential Zone II erven;
- 4) 1x Business Zone III erf;
- 5) 3x Open Space Zone I erven;
- 6) 7x Transport Zone II erven;
- 7) 1x Transport Zone III erf; and
- 8) 1x Utility Zone erf

Please find attached - Annexure Q: Subdivision Plan

3.2.2 CONSOLIDATION

Consolidation of Lot 266 and Portion A (a portion of Remainder of Lot 21 Riversdale Settlement) in terms of Section 15(2)(e) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, is proposed to include both properties in the development area.

Please find attached - Annexure R: Consolidation Plan

3.2.3 REZONING

Application is made for rezoning of Lot 266 to Agricultural Zone I as well as rezoning of the consolidated Lot 266 and Portion A (a portion of Remainder of Lot 21 Riversdale Settlement) from Agricultural Zone I to Subdivisional Area in terms of Section 15(2)(a) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015.

The subdivisional area overlay (SAO) zoning designates land for future subdivision with development rights by providing development directives through specific conditions as approved in terms of this By-law. The SAO zoning confirms the principle of development and acceptance of future subdivision of land; but not the detailed layout, which will be determined when an actual application for subdivision is approved. Land zoned as a subdivisional area may be subdivided as contemplated in the Municipal Planning By-law.

3.2.4 CONSENT USE

Application is made for consent use in terms of Section 15(2)(o) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, for the following:

- A retirement resort on the General Residential Zone II erf (shown as Erf no. 29 on Plan No. 217/P4);
- A supermarket on the Business Zone III erf (shown as Erf no. 191 on Plan No. 217/P4);

The abovementioned land uses are not primary rights in the respective zoning categories and should therefore be applied for. The land uses are considered supplementary to the primary uses and fit in with the character of the particular zonings.

3.2.5 REMOVAL OF RESTRICTIVE CONDITIONS

Title Deed conditions take precedence over the zoning scheme. A zoning scheme does not override, supersede or absolve compliance with any restrictive title deed condition. Application for removal of the abovementioned restrictive title conditions is required.

The process includes an application for the removal of restrictive conditions in respect of the land units in terms of Section 15(2)(f) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, to remove Condition IV.A.(b) from Title Deed No. T52144/2018 as well as Condition C from Title Deed No. T47023/2022.

Condition IV.A.(b) of Deed of Transfer No. T52144/2018 states that the property may not be subdivided without the Minister of Agriculture's consent. An application for the Subdivision of Agricultural Land in terms of Act 70 of 1970 is exempted since the application site is located within the urban edge. However, the title condition still needs to be removed from the title deed.

In terms of Condition C of Deed of Transfer No. T47023/2022, the property may only be utilized for a filling station (Business Zone V). Because SANRAL did not grant access to the site from the N2, a filling station could never have been developed and is not viable on Lot 266 Riversdale Settlement. The parcel of land is impractical if the land use is restricted to a filling station. Even if used for agricultural purposes, as it currently is, the land use is in conflict with the title condition. In order to rezone and consolidate the property to form part of the proposed development, removal of said condition is required.



According to Section 33(5) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, when the municipality considers the removal, suspension or amendment of a restrictive condition, it must have regard to the following:

- a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement

Conditions IV.A.(b) of Deed of Transfer No. T52144/2018 and C of Deed of Transfer No. T47023/2022 are both forms of land use. If these conditions are removed, the Hessequa Zoning Scheme Bylaw will still determine use rights and development parameters on the properties. The land owner as well as the local authority will benefit financially if these conditions are removed as it will enable rezoning and subdivision to realize the proposed development.

- b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition

The Department of Agriculture enjoys no benefit with the restrictive conditions, seeing that the area is earmarked for urban expansion and not considered prime agricultural land. The Hessequa Municipality already included the properties in the urban edge and the proposal is in line with the SDF. The removal of the condition to restrict land use on Lot 266 as a filling station will not have a negative impact, since the municipal bylaws and SDF will determine which land use may be carried out on the property.

- c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed;

There is no intention to develop a filling station on Lot 266 or any other land use that is in conflict with the proposals made in the MSDF (especially the draft 2024/2025 report). The property is too small to be an economic agricultural unit and due to its location, it is inaccessible, making it unusable for any kind of development on its own. By removing the restrictive condition, the property can form part of the development area and be used for purposes other than a filling station but in line with the proposed character of the area. The property owner will benefit from the removal of both restrictive conditions as it will enable subdivision, rezoning and consolidation, among other processes, to establish a residential development.

- d) the social benefit of the restrictive condition remaining in place in its existing form

There will be an unfair social benefit if the conditions remain in place. If it remains in place, development on both properties is prevented. These properties are identified for urban expansion and if it can't be developed, the housing shortage can't be addressed. All similarly zoned properties should be controlled by the same development parameters. Properties located inside the urban edge should be exempt from the provision of Act 70 of 1970.

- e) the social benefit of the removal, suspension or amendment of the restrictive condition

Removal of the condition is required to ensure that the same regulations are applicable to all similar zoned properties in the area. Removal of the condition will allow the proposed development which in turn have a positive socio-economic impact on Riversdale and the greater Hessequa region.



- f) whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.

The removal of the conditions will not result in uncontrollable deviations from the prescribed development parameters of the zoning scheme. The proposal for removal of the conditions will contribute towards achieving a uniform set of development parameters applicable to erven with the same zoning and/or land uses.

3.3 PHASING OF THE PROPOSED DEVELOPMENT

The intention is to develop the township in four phases. The enclosed phasing plan shows the different phases of the proposed development. The planned phases are summarized in the table below:

Phase	Erf numbers	Description	Proposed timeframe (from date of approval)
1	1–28, 195 & 196	Agricultural Zone II (smallholdings), Utility Zone, Transport Zone III (private road) and Transport Zone II (public street)	6 months
	31, 32–43, 52–75, 197	General Residential Zone II (group housing), Single Residential Zone I and Transport Zone II (public street)	6 months
2	44–51, 113–190, 191–193, 198, 199	Single Residential Zone I, Business Zone III, Open Space Zone I and Transport Zone II (public street)	12 months
3	30, 76–112, 194, 200, 201	General Residential Zone II (group housing), Single Residential Zone I, Transport Zone II (public street) and Open Space Zone I	24 months
4	29	General Residential Zone II (retirement resort)	36 months

Please find attached - Annexure S: Phasing Plan

4. PROFESSIONAL TEAM

4.1 LAND SURVEYING

The site was surveyed by La Cock Surveying in December 2021. CDJ Land Surveyors will attend to the professional land surveying services after approval of the application process.

Please find attached - Annexure T: Layout Plan with contours

4.2 ENVIRONMENTAL ASPECTS

Kapp Environmental Consultants was appointed to undertake the necessary environmental process in terms of the Environmental Impact Assessment Regulations under NEMA. The process to be followed is in the form of a Basic Assessment. The EAP will submit the Basic Assessment Report as well as the Environmental Management Programme to the Department of Environmental Affairs and Development Planning (DEA&DP) for consideration.



The following studies were also completed in support of the proposed development:

- Terrestrial Biodiversity Compliance Statement by Nick Helme Botanical Surveys in support of the proposed development;
- Aquatic Biodiversity Impact Assessment & DWS Risk Assessment by DDK Consulting
- Animal Species Compliance Statement by Prof Jan A. Venter & Mr Willem Matthee
- Site Sensitivity Verification and Agricultural Compliance Statement by Johann Lanz Spoil Scientist

Enclosed document - Annexure U: Basic Assessment Report

- ***Annexure V: Environmental Management Programme***
- ***Annexure W: Terrestrial Biodiversity Compliance Statement***
- ***Annexure X: Aquatic Biodiversity Impact Assessment***
- ***Annexure Y: Animal Species Compliance Statement***
- ***Annexure Z: Agricultural Compliance Statement***

4.3 GEOTECHNICAL ASPECTS

Terra Geotechnical has been appointed to conduct an engineering geological investigation on the property. The aim of this investigation was to identify and evaluate any possible engineering geological problems before commencement with the proposed development. The results of the study reveal that the site exhibits geotechnical characteristics that may require the implementation of specific design and precautionary measures to reduce the risk of structural damage due to adverse geotechnical conditions. However, these characteristics do not disqualify the site from being used for the proposed development but rather require the implementation of site-specific precautionary measures. Please see the report for more details.

Enclosed document – Annexure AA: Engineering Geotechnical Investigation Report

4.4 CIVIL ENGINEERING

Hessequa Consulting Engineers CC has been appointed by Belladonna (Pty) Ltd for the planning of civil engineering services for the proposed development. Please see the enclosed Civil Engineering Services Report for more information. Civil engineering services will be provided per the guidelines and requirements of the Guidelines for the Provision of Engineering Services and Amenities in Residential Township Development as published by the CSIR and that of the Hessequa Municipality. On 30 July 2024, the Hessequa Municipality confirmed the availability of municipal engineering services for the proposed development, subject to certain conditions. The letter is attached to the Civil Engineering Services Report.

Enclosed document - Annexure AB: Civil Engineering Services Report

4.5 ELECTRICAL ENGINEERING

Clinkscales-Maughan Brown Consulting Engineers was appointed as the electrical consultants for the project. The purpose of the Electrical Engineering Services Report is to provide the necessary information on the proposed electrical supply to this development and the connection to the main infrastructure in the area to obtain approval from the Supply Authority. Please see the enclosed Electrical Engineering Services Report for more information.

Enclosed document - Annexure AC: Electrical Engineering Services Report

4.6 TRAFFIC IMPACT ASSESSMENT

A Traffic Impact Assessment has been undertaken by Urban Engineering, which assessed the effect that the proposed development will have on the transportation network. Based on the findings of the report, the proposed development is supported, subject to the following recommendations:

1. Short Term (immediate) Improvements

- The current 4-way STOP controlled intersection of Bauhinia Street and Protea Street should be converted into a 2-way STOP controlled intersection with priority movement along the Bauhinia Street approaches to the intersection.

2. Long Term (5 to 15 years) improvements

- The Lobelia Street extension should be completed in order to provide a more direct, mobility orientated route from the Lot 21 development towards TR83/1. In order to increase safety and mobility, direct property access onto the extension road should not be allowed.

3. All new road infrastructure should be designed by Professional Engineers with adequate experience and should comply to the standards and requirements of the local road authority.

4. The cost for all new road infrastructure (Both Short Term and Long Term) required as a result of the proposed Lot 21 development, should be borne as per the services agreement between the developer and the Hessequa Municipality.

Due to changes made to the layout plan to reduce visual impacts, an addendum was added to the Traffic Impact Assessment Report. Even though the revised SDP will lead to an increase in the trip generation potential of the development, it is assumed that the increase will not influence or change the recommendations of Urban Engineering Report, dated April 2022, for the following reasons:

- The additional trips are distributed across an integrated road network consisting of various junctions and linkages.
- The SIDRA analysis of the 2022 SDP returned excellent Levels of Service with low levels of Saturation (v/c) at the analysed intersections. The intersections therefore have sufficient capacity to absorb the additional trips.
- The long-term road network improvements specified in the report are required to create a mobility corridor providing a direct link between the development and TR83/1.

The findings and recommendations of the April 2022 TIA are therefore still deemed relevant and applicable.

Enclosed document – Annexure AD: Traffic Impact Assessment Report & Addendum

4.7 VISUAL IMPACT ASSESSMENT

FC Holm CC has been appointed to undertake a visual impact assessment for the proposed development. After review of local legislation and planning strategies, the study finds that the proposed development is in line with future planning for Riversdale. It is clear from the viewsheds and photomontages that the site will be noticeable from several viewpoints in the surrounding area. Changes will be brought about to the

existing visual environment should the proposed development go ahead, but such changes could be absorbed within the existing visual character of the area. Where potential visual impacts can be rated as moderate to high without mitigation, the significance of these impacts can be reduced to moderate to low if appropriate mitigation measures are put in place. It is recommended that the proposed development be approved subject to the implementation of mitigation measures, listed in the attached report, to soften the potential visual impacts and to integrate the new developments with the existing character of Riversdale.

Enclosed document – Annexure AE: Visual Impact Assessment Report

4.8 HERITAGE IMPACT ASSESSMENT

The main concern for this project is the visual impacts on the cultural landscape. It has been determined that with mitigation there will be no highly significant impacts. Importantly, the building density reduces as one moves further from the existing townscape which allows for a more gradual transition from urban to rural land. The socio-economic benefits of the project are substantial and contribute to the overall desirability of it. There are no specific areas that need avoidance or buffering, with a visual buffer already included in the design along the N2. Given that the proponent has responded to concerns raised and the final layout has been revised, it is recommended that the proposed development be authorized, subject to certain recommendations. Please refer to the attached report for more details.

Enclosed document – Annexure AF: Heritage Impact Assessment Report

5. LEGISLATION

5.1 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

Section 42 of SPLUMA prescribes certain aspects that must be taken into consideration when deciding on an application:

- a) development principles set out in Chapter 2 of SPLUMA;
- b) protect and promote the sustainable use of agricultural land;
- c) national and provincial government policies;
- d) the municipal spatial development framework; and
- e) take into account —
 - the public interest;
 - the constitutional transformation imperatives and the related duties of the State;
 - the facts and circumstances relevant to the application;
 - the respective rights and obligations of all those affected;
 - the state and impact of engineering services, social infrastructure and open space requirements;
 - any factors that may be prescribed, including timeframes for making decisions.



5.1.1 COMPLIANCE WITH SPLUMA PRINCIPLES

1) Spatial Justice:

- Past spatial and other development imbalances must be redressed through improved access to and use of land;
- 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 characterized by widespread poverty and deprivation;
- Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;
- Land use management systems should 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;
- Land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas;
- A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application.
- The right of owners to develop land in accordance with current use rights should be recognized.

Compliance:

The proposed development is considered an integrated housing development as the housing opportunities will range from lifestyle properties to group housing units. A range of income groups will have the opportunity to invest in property in the proposed development. It is expected that even rental opportunities will be made available. The supply of smaller erven and group housing units will provide more affordable housing in a town where there is a great demand. The current low supply of housing opportunities drives prices up. The housing market depends heavily on the law of supply and demand. With more demand, prices tend to rise; with more supply, they tend to fall.

2) Spatial Sustainability:

- Promote land development that is spatially compact, resource-frugal and within the fiscal, institutional, and administrative means of the relevant competent authority in terms of this Act or other relevant authority;
- Ensure that special consideration is given to the protection of prime and unique agricultural land;
- Uphold consistency of land use measures in accordance with environmental management instruments;
- Promote and stimulate the effective and equitable functioning of land markets;
- Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;
- Promote land development in locations that are sustainable and limit urban sprawl;
- Result in communities that are viable;
- Strive to ensure that the basic needs of all citizens are met in an affordable way;
- The sustained protection of the environment should be ensured.



Compliance:

The proposed development is regarded as infill development within the urban edge and is therefore spatially compact. The proposed development will contribute to the upgrading of infrastructure services and additional capital income for the municipality. Since the application sites are located within the urban edge, it is not considered prime agricultural land. The proposal will provide a range of housing opportunities, supporting the functioning of land markets in the area. It is expected that the value of surrounding properties will increase as the proposed development will enhance the area. Bulk service upgrades will be at the cost of the developer as well as the Hessequa Municipality, as per a services agreement with the local authority. The proposed development is located within the urban edge and will not result in urban sprawl. The proposed development will result in additional rate payers which will be beneficial to the Hessequa Municipality and in turn, support the existing retail businesses in town. Additional temporary and permanent employment opportunities will be created. The proposal will address a need for low to medium density housing in Riversdale and will result in the creation of a viable community. There is currently a shortage in housing opportunities and the proposal will address this need. The application to obtain environmental authorization is in process.

3) Efficiency:

- Land development optimizes the use of existing resources and infrastructure;
- Integrated cities and towns should be developed;
- Policy, administrative practice, and legislation should promote speedy land development.

Compliance:

The proposal will make optimal use of existing resources due to its location adjacent to an existing suburb and upgrading or installation of new infrastructure will be done where necessary. The proposal will result in the optimal use of existing municipal infrastructure, efficiently connect to the existing engineering services. The area is characterised by residential and agricultural land uses. The proposed development will integrate well with these uses. The proposal will provide a range of housing opportunities. The municipality should process the application within the prescribed timeframes.

4) Spatial Resilience:

- 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.

Compliance:

The proposal is considered consistent with the spatial plans, policies and zoning scheme, as motivated in this report.

5) Good Administration:

- All spheres of government should ensure an integrated approach to land use planning;
- All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;



- The requirements of any law relating to land development and land use must be met timeously;
- 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;
- The legislation, procedures and administrative practice relating to land development should be clear, promote predictability, trust, and acceptance to inform and empower members of the public.
- A spatial development framework, zoning scheme or policy should be developed in phases and each phase in the development thereof should include consultation with the public and relevant organs of state and should be endorsed by the relevant competent authority.
- Decision-making procedures should be designed to minimise negative financial, social, economic, or environmental impacts.
- Development application procedures should be efficient and streamlined and timeframes should be adhered to by all parties.
- Decision-making in all spheres of government should be guided by and give effect to statutory land use planning systems.

Compliance:

A public participation process will be carried out where all adjoining landowners and affected parties will be provided an opportunity to provide comments. All necessary information will be considered to make an informed decision. It is the responsibility of the Hessequa Municipality to consider the application fairly and within the prescribed timeframes. Decision making should be guided by national, provincial and local development policies.

5.2 WESTERN CAPE LAND USE PLANNING ACT (2014)

Section 19 of LUPA considers the aspects regarding the compliance or consistency with, and deviation from, spatial development frameworks or structure plans:

- 1) If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan.
- 2) If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development is not in conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being consistent with that spatial development framework or structure plan.
- 3) If the proposed utilisation or development of land in a land use application or a land development application does not comply with and is not consistent with the relevant designation for the utilisation of land in an applicable spatial development framework or structure plan, the proposed utilisation or development deviates from that spatial development framework or structure plan.



Compliance:

Considering the purpose of the proposed development and how it relates to the goals, objectives and principles of the relevant legislation, spatial frameworks and guidelines, the proposal is deemed consistent with the provisions of the Hessequa Municipal Spatial Development Framework and Riversdale Local Spatial Development Framework.

Section 59(2) states the principles of spatial sustainability, additional to the principles of SPLUMA:

- The sustained protection of the environment should be ensured by having regard to the following:
 - a) natural habitat, ecological corridors and areas with high biodiversity importance;
 - b) the provincial heritage and tourism resources;
 - c) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and
 - d) the economic potential of the relevant area or region.

Compliance:

The Basic Assessment is in process and development can only proceed once the land use planning application is approved and environmental authorization is granted. The proposed development will contribute towards the economic potential of Riversdale and the Hessequa municipal area. Riversdale is an important tourist attraction along the N2 road and it is expected that the proposed development will uplift the town and in turn, contribute positively towards business and tourism. The application sites are considered suitable for development.

- Climate change adaptation and climate change mitigation strategies should be developed and considered in land use planning.

Compliance:

North or north-east facing properties are considered the most desirable because they get the most direct sunlight through the day. The site layout allows for the positioning of many dwelling units facing north or north-east, with stunning mountain views. It is recommended that mitigation measures be implemented with building plans and construction, as provided for in the National Building Regulations & Standards Act (1977 as amended).

- The provision and conservation of, and the management of the demand for, energy should be considered in land use planning;

Compliance:

It is recommended that mitigation measures be implemented, as provided for in the National Building Regulations & Standards Act (1977 as amended). The smallholding development will not be totally off-grid, but will mainly be powered by solar power. Hessequa Municipality encourages the installation of private Small-Scale Embedded Generation (SSEG) systems, particularly Rooftop Photovoltaic (PV) systems. Some of the solar electricity generated can therefore be fed back into the electricity grid of the municipality.

- The safe utilisation of land should be ensured by taking into consideration factors such as sea-level rise, storm surges, flooding, fire hazards and geological formations.

Compliance:

This section is not totally applicable to the application due to its location. Due to the nature of the surrounding dryland grain farms, fire hazard is not a great concern. The geological aspects are addressed in the Geotechnical Service Report which accompanied the application.

- The illegal occupation of land should be discouraged with due recognition of informal land development practices.

Compliance:

This is not regarded as relevant to the proposed development.

- Development should be principle-driven and should prioritise long-term social, economic and environmental benefits over short-term benefits.

Compliance:

Considering the purpose of the proposed development and how it relates to the goals, objectives and principles of the Hessequa Municipal Spatial Development Framework and Riversdale Local Spatial Development Framework, it is considered in line with the long-term spatial proposals for Riversdale. Environmental authorization will be obtained before the development can proceed. It is noted that the larger part of the proposed development area has already been disturbed and is not identified as a Critical Biodiversity Area. The town will benefit socially and economically through the provision of low and medium density housing for the next 10 years.

5.3 HESSEQUA MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING (2015)

The general criteria for the consideration of applications in terms of this By-law are set out in Section 65 which, inter alia, includes:

- Desirability of the proposed utilization of land (see Section 7.2 of this report);
- Impact of the proposed land development on municipal engineering services (see Section 4.4, 4.5 and 7.2.7 of this report);
- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans (see Section 6 of this report);
- Relevant municipal policies (see Section 6 of this report);
- Western Cape Provincial Spatial Development Framework (see Section 6 of this report);
- Section 42 of SPLUMA (see Section 5.1 of this report);
- Land use planning principles transposed from LUPA (see Section 5.2 of this report); and
- Provisions of the applicable zoning scheme (see Section 5.4 of this report).



5.4 HESSEQUA MUNICIPALITY ZONING SCHEME BY-LAW (2018)

The proposed development will consist of the following:

- 1) 27x Agricultural Zone II erven;
- 2) 159x Single Residential Zone I erven;
- 3) 3x General Residential Zone II erven;
- 4) 1x Business Zone III erf;
- 5) 3x Open Space Zone I erf;
- 6) 7x Transport Zone II erven;
- 7) 1x Transport Zone III erf; and
- 8) 1x Utility Zone erf

The table below provides more information on each of the proposed zoning and its land uses in terms of the zoning scheme:

Zoning	Objective	Land Use	Land use description
Agricultural Zone II	The objective of this zone is to accommodate larger residential properties, which may be used for limited agriculture, but primarily serve as places of residence for people who seek a rural lifestyle. Such properties are often found close to towns and villages, and new smallholding areas should only be permitted within an acknowledged, demarcated urban area.	Smallholding (primary use)	An extensive landholding, including a dwelling unit that is primarily a place of residence on which small scale agricultural activities may take place.
Single Residential Zone I	The objective of this zone is to provide for residential development where the predominant type of accommodation is a dwelling unit for a single family, where each dwelling has its own land unit, and adequate outdoor space. Limited employment and additional accommodation opportunities are possible as primary or consent uses, provided that the dominant use of the property remains residential, and impacts of such uses do not adversely affect the quality and character of the surrounding residential environment.	Dwelling unit (primary use)	A building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling unit, including: <ol style="list-style-type: none"> a) a storeroom and garaging; b) a second dwelling unit or additional dwelling, with a floor area which does not exceed 60 m², provided that application for consent use must be submitted if the second dwelling or additional dwelling unit is larger than 60 m²; c) a braai room; d) renewable energy structures for household purposes; e) letting to lodgers; f) a bed and breakfast establishment; and g) home child care.



General Residential Zone II	The objective of this zone is to encourage residential development of a medium density, with a coordinated design, and to accommodate group housing where special attention is given to aesthetics, architectural form and the interrelationship between components of the group housing scheme. Group housing may be located in single residential areas in places where an increased density is desirable, including along main roads, near local shopping centres and other activity nodes, and also preferably near to public open spaces.	Group housing (primary use)	A group of separate or linked dwelling units where every dwelling unit has a ground floor, which units may be cadastrally subdivided but are planned, designed and built as a harmonious architectural entity in an ordered way and integrated with communal private open spaces, private roads and parking.
		Retirement resort (consent use)	Group housing that conforms to the following additional conditions: a) each dwelling unit must be occupied by a retiree or pensioner or by a family of which at least one member is a retiree or pensioner; and b) a full spectrum of frail care and other facilities reasonably associated with a retirement resort may be provided at such a retirement resort.
Business Zone III	The objective of this zone is to provide for low intensity commercial and mixed-use development, which serves local neighbourhood needs for convenience goods and personal services. Such development should be limited in scale and nature and capable of integration into the adjacent residential neighbourhood, without adversely affecting the amenity of the residential neighbourhood. While mixed use development is encouraged, care must be taken not to compromise business operations.	Neighbourhood shop (primary use)	A property used for the retail sale, principally, of convenience goods to the public and providing service almost exclusively to the inhabitants of a specific neighbourhood and its surrounding area, and a) Includes laundrette, hair salon, medical practitioner, clinic, restaurant, flats above ground floor and rooftop base telecommunication station; b) does not include a liquor store; shop, supermarket; service trade or office.
		Supermarket (consent use)	A shop having a total floor space in excess of 400 m ² , in which a range of goods, including foodstuff and household goods, is offered for sale on a predominantly self-service basis.
Open Space Zone I	The objective of this zone is to provide for active and passive recreational areas on public land, in order to promote recreation,	Public open space (primary use)	Land, with or without access control a) owned by the Municipality or other organ of state; (ii) not



	and enhance the aesthetic appearance of an area.		<p>leased out by the Municipality or that other authority on a long-term basis,</p> <p>b) set aside for the public as an open space for recreation or outdoor sport and designated as public open space; and</p> <p>c) includes nature area, park, playground, public or urban square, picnic area; public garden, ancillary buildings and infrastructure.</p>
Transport Zone II	The objective of this zone is to provide for public streets, whether constructed or still to be constructed, as well as infrastructure associated with such streets. Provision is also made for the temporary use of the land unit for other purposes as may be approved by the Municipality.	Public street (primary use)	<p>Any land, owned by or vesting in the Municipality, indicated on an approved plan, diagram or map as having been set aside as a public thorough way for vehicles and pedestrians, and includes—</p> <p>a) open public parking areas;</p> <p>b) sidewalks;</p> <p>c) those parts of a public place that are travelled parts;</p> <p>d) informal trading; and</p> <p>e) appropriate and necessary street furniture and infrastructure, including reticulation networks, which does not present any threat to the safety or obstruct or inhibit free movement of pedestrians.</p>
Transport Zone III	The objective of this zone is to provide roads that is privately owned and does not vest in the Municipality or any other organ of state for the passage or parking of motor vehicles.	Private road (primary use)	<p>Privately owned land which provides vehicle access to a separate cadastral property or properties; and</p> <p>a) includes utility services and ancillary access control infrastructure, including a gatehouse, guardhouse, refuse room and utility room;</p> <p>b) does not include a driveway on a property, or a servitude right of way over a property as these do not constitute private roads for the purpose of this zoning scheme.</p>
Utility Zone	The objective of this zone is to reserve land for uses normally undertaken by central, provincial and municipal government agencies as well as land for utility services such as electrical substations, and which do not fall into another zoning category. Some flexibility for the use of land and development	Utility service (primary use)	<p>A use or infrastructure that is required to provide engineering and associated services for the proper functioning of urban development and—</p> <p>a) includes “authority use”;</p> <p>b) a water reservoir and purification works, electricity substation, storm water retention facilities, and a waste-water pump station</p>



	parameters is provided.		and treatment works, rooftop base telecommunication station and freestanding base telecommunication station; c) renewable energy structures or transport use; and d) provided that a road is not regarded as a utility service.
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The table below provides more information on each of the proposed land uses' development parameters in terms of the zoning scheme:

Smallholding
Height: ≤8,5 m for a dwelling unit Building lines: 5 m from any boundary Area: 4 hectares and smaller, but not smaller than 4000 m². General: A site development plan must be submitted to the municipality for its approval
Dwelling unit
Height: ≤8,5 m Coverage: 325 m² or 50%, whichever is greater Building lines: Street: 4 m; Sides: 2 m & Rear: 2 m Parking: 2 bays per dwelling unit Garages, carports and outbuildings: A garage, carport and outbuildings are permitted within the common boundary building line provided that the garage and carport do not— (a) exceed a 4,0 m height; (b) contain more than a double garage façade; (c) exceed a length of 12,0 m and width of 6,5 m.
Group housing
Density: Maximum 35 dwelling units per hectare Coverage: Maximum 60% Height: ≤8,5 m Open space: Within a group housing site, outdoor space of at least 50 m² per dwelling unit must be provided, which may include private or communal open space or any functional outdoor space that is inaccessible to motor vehicles, but excludes roads, service yards and parking areas. Building lines along perimeter of group housing site: Street: 5 m; Sides: 3 m & Rear: 3 m Building lines within a group housing site: Street 0 m provided that any garage door facing the road must be set back at least 5 m from the curb of such internal road; Side & Rear: 0 Parking: 2 bays per dwelling unit and 0.25 bays/unit for visitors SDP: A site development plan of the proposed group housing scheme must be submitted to the Municipality for its approval, and, if approved, the development of the group housing site must be substantially in accordance with the approved site development plan. Any deviation from the approved SDP requires an application for amendment of the SDP. Service yard: A service yard must be provided on the land unit in accordance with the By-law Refuse room: A refuse room must be provided on the land unit in accordance with this By-law General: No Bed and Breakfast or Guesthouse is allowed in this zoning. No second dwelling units allowed in this zoning. The establishment of a Home Owners Association in terms of Section 29 of the Hessequa Municipality: By-law on Municipal Land Use Planning, 2015 is compulsory. No alienation of individual group housing sites will be allowed under Sectional Title.



Retirement resort
Development parameters applicable to “group housing” apply
Neighbourhood shop
The development parameters applicable to “shop” apply. Floor factor: 1 Coverage: Maximum 75% Height: ≤12 m Street centreline setback: 8 m Building lines: Street: 0 m; Side: 0 m & Rear: 0 m Despite the zero side and rear building lines, a 3 m side or rear building line applies where a land unit zoned Business Zone III (neighbourhood shop) abuts on a residential zone. Parking: 4 bays per 100 m² GLA Loading bays: 1 or 2 depending on the floor area Screening: To be provided in accordance with this By-law, depending on the land different uses Refuse room: A refuse room must be provided on the land unit in accordance with this By-law
Supermarket
Development parameters applicable to “shop” apply
Public open space
The Municipality must require a site development plan to be submitted for its approval.
Public street
A site development plan must be submitted to the Municipality for its approval.
Private road
As determined by the Municipality.
Utility service
As determined by the Municipality.

The proposed development will comply with the development parameters of the abovementioned land uses in terms of the Hessequa Municipality Zoning Scheme By-Law, 2018. Consent use is required for a retirement resort on one of the General Residential Zone II sites (shown as Erf no. 29 on Plan No. 217/P4) as well as for a supermarket on the Business Zone III erf (shown as Erf no. 191 on Plan No. 217/P4).

6. POLICIES

6.1 NATIONAL DEVELOPMENT PLAN, 2030

The National Development Plan recognizes that education, training and innovation are central to South Africa’s long-term development. These are core elements in eliminating poverty and reducing inequality, and the foundations of an equal society. Education empowers people to define their identity, take control of their lives, raise healthy families, take part confidently in developing a just society, and play an effective role in the politics and governance of their communities.

The NDP is a broad strategic framework, setting out a coherent and holistic approach to confronting poverty and inequality based on the six focused, interlinked priorities summarized below:

- Building Safer Communities
- Environmental Sustainability
- Faster and inclusive economic rural and urban economic growth

- Economic infrastructure
- Promoting Health
- Transforming human settlements and urban space economy.

The National development plan is divided into 15 chapters which outline the objectives and actions necessary to achieve the overall vision for South Africa by 2030. The following policies have been identified have a bearing on the proposed development:

NDP Chapter 3: Economy and Employment

The following economic development policies are proposed that focus on removing the most pressing constraints on growth, investment and job creation, including energy generation and distribution and urban planning. These policies include the following:

- Promote Private Investment - private Investment is linked with improved conditions as a result of policy certainty, infrastructure delivery, and efficiency of public services which will improve the quality of labour in surrounding areas.
- Improve spatial dynamics and rural employment - encourage development close to rural townships. Rural economies will be activated through the stimulation of agriculture and tourism investment.
- Establish economic and growth clusters – firm decisions need to be taken on sectors that could serve as platforms to launch new growth trajectories.
- Establish Tourism Clusters - increase the number of tourists entering the country and increase the average amount of money spent in the regional economy. South Africa can do more to develop regions as international tourist destinations by empowering the broader diversity and range of tourism destinations.

NDP Chapter 5: Environmental Sustainability

The following guiding principles are defined for the transition of all aspects from policy to process to action. Focus should be put in place to establish a regulatory framework for proposed land uses, to ensure the conservation and restoration of the natural environment. These guidelines include the following:

- Strategic Planning – apply a systems perspective, while ensuring an approach that is dynamic, with flexibility and responsiveness to emerging risk and opportunity, and effective management trade-offs.
- Transformative approach- Address all aspects of the current economy and society requiring amongst others visionary thinking and innovative planning.
- Manage transition – build on existing processes to attain gradual change and phased transition.
- Opportunity focus – for business growth, competitiveness and employment creation, that will contribute to equality and prosperity.
- Full cost accounting – Internalise externalities through full cost accounting.
- Effective participation of social partners – Be aware of mutual responsibilities, engage on differences, seek consensus and exact compromise.

NDP Chapter 8: Transforming Human Settlement and the National Space Economy

Provincial Land use management systems overlap with local municipalities creating confusion and conflict. Provincial governments oversee key economic activities such as agriculture tourism environmental management. Spatial developments should conform to the following normative principles and should

explicitly indicate how they would meet the requirements of these principles. These principles are directly related to Section 42 of the Spatial Planning and Land Use Management Act 16 of 2013 which will be implemented as the primary spatial and Land Use Management legislation on the 1st of July 2015.

NDP Chapter 10: Promoting Health

This chapter is about promoting health across all spheres of the population in the country. Promoting health and wellness is critical to preventing and managing lifestyle diseases among the people, such as heart disease, high blood cholesterol and diabetes. The environment in which people are born, grow up, live and work can affect their health negatively. This includes exposure to polluted environments, inadequate houses and poor sanitation. The following actions are set in place to promote better health:

- Address the social determinants that affect health and disease - Promote healthy diets and physical activity.
- Build human resources in the health sector – Accelerate the production of community health specialists in the five main specialist areas (medicine, surgery, including anaesthetics, obstetrics, paediatrics, and psychiatry) and train more nurses.
- Strengthen the health system – Bring in additional capacity and expertise to strengthen the health system at the district level; implement a national health information system to ensure that all parts of the system have the required information to effectively achieve their responsibilities.

Objectives relating to housing, densification and health in the NDP:

- Promote mixed housing strategies and more compact urban development to help people access public spaces and facilities, state agencies, and work and business opportunities.
- New spatial norms and standards – densifying cities, improving transport, locating jobs where people live, upgrading informal settlements and fixing housing market gaps.
- Develop a strategy for the densification of cities and resource allocation to promote better-located housing and settlements.
- Provide affordable access to quality health care while promoting health and wellbeing.

Compliance:

It is expected that the proposed development will promote economic growth in Riversdale. Private investment will be promoted which will likely have a positive impact on the creation of employment opportunities and the improvement of quality of life. The provision of a retirement resort and frail care facility will be beneficial to the town. Mixed housing typologies are proposed in a town where residential opportunities are currently limited.

6.2 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK, 2014

The Western Cape Provincial Spatial Development Framework (WCPSPDF) serves as strategic spatial planning policy that communicates the provinces spatial planning agenda and sets out to put in place a coherent framework for the province's urban and rural areas that:

- gives spatial expression to the national and Provincial development agendas;
- serves as basis for coordinating, integrating and aligning 'on the ground' delivery of national and Provincial departmental programmes;

- supports municipalities to fulfil their municipal planning mandate in line with the national and provincial agendas; and
- communicates government's spatial development intentions to the private sector and civil society.

The Western Cape Province's Strategic objectives include:

- Educating Cape: Everyone has access to a good education, and the cities, towns and rural villages are places of innovation and learning.
- Working Cape: There are livelihood prospects available to urban and rural residents, and opportunities for them to find employment and develop enterprises in these markets.
- Green Cape: All households can access basic services that are delivered resource efficiently, residents use land and finite resources prudently, and safeguard their ecosystems.
- Connecting Cape: Urban and rural communities are inclusive, integrated, connected and collaborative.
- Living Cape: Living and working environments are healthy, safe, enabling and accessible, and all have access to the region's unique lifestyle offering.
- Leading Cape: Urban and rural areas are effectively managed.

The WCPSPDF sets a policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. The three spatial themes are as follows:

- Resources - sustainable use of spatial assets and resources;
- Space Economy - opening up opportunities in the space economy;
- Settlement - developing integrated and sustainable settlements.

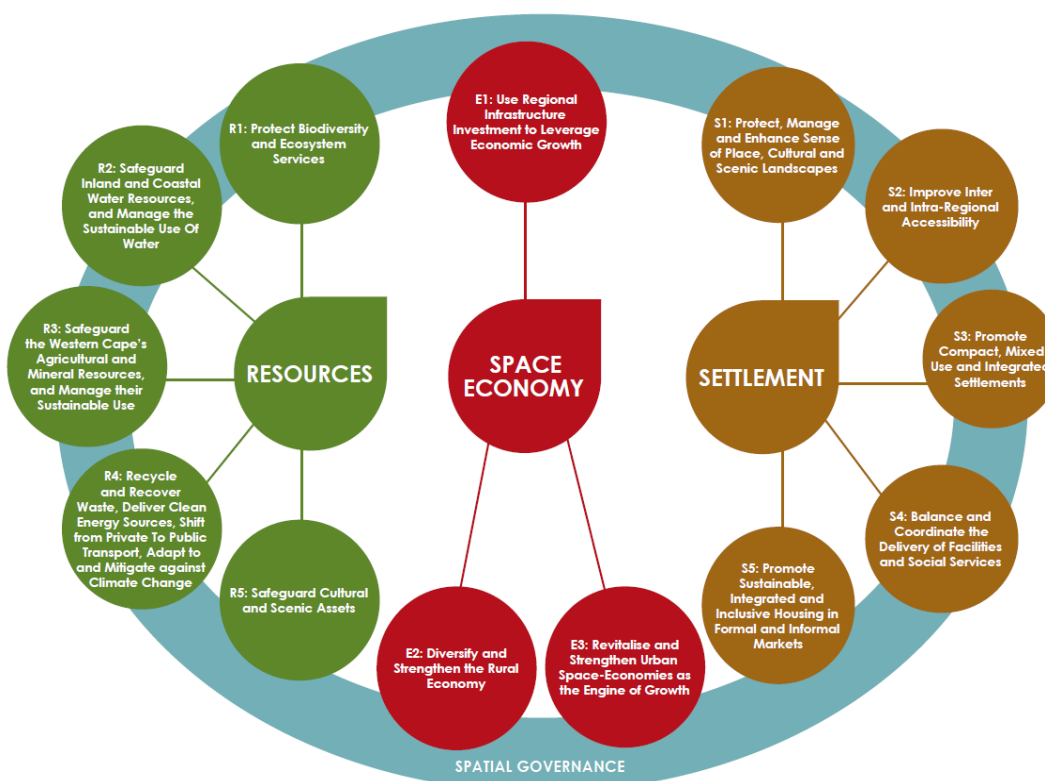


FIGURE 5 - SUMMARY OF THE POLICIES RELATING TO EACH OF THE SPATIAL THEMES

The aim of the WCPSPDF is to restructure the urban and rural landscape of the Western Cape to offer socio-economic opportunities for all. The guiding principles for the WCPSPDF are spatial justice, sustainability and resilience, spatial efficiency, accessibility, quality and liveability in accordance with SPLUMA. Spatial growth patterns have an impact on municipal finance. Therefore, urban growth patterns should be affordable and sustainable. The urban edge, densification and other principles contributes to having a positive impact on the sustainability of urban areas. Higher densities, a shift from a suburban to urban development model and more compact settlement footprints, are needed for a more sustainable future.

The proposal complements the spatial goals that aim to take the Western Cape on a path towards:

- Greater productivity, competitiveness and opportunities within the spatial economy;
- More inclusive development in the urban areas;
- Strengthening resilience and sustainable development.

It is important to note some of the key policies laid down by the PSDF that is applicable to the application:

POLICY	DESCRIPTION
E3	Revitalise and strengthen urban space-economies as the engine of growth
	<p>5. Existing economic assets (e.g. CBD's, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) should be targeted to lever the regeneration and revitalisation of urban economies.</p> <p>7. Incentives should be put in place to attract economic activities close to dormitory residential areas, facilitate brownfields development (e.g. mixed-use development and densification in appropriate locations), and private sector involvement in the rental and gap housing markets.</p>
S3	Promote compact, mixed use and integrated settlements
	<p>2. Promote functional integration and mixed use as a key component of achieving improved levels of settlement liveability and counter apartheid spatial patterns and decentralization through densification and infill development.</p> <p>8. Municipal SDFs to include growth management tools to achieve SPLUMA's spatial principles. These could include: a densification strategy and targets appropriate to the settlement context; an urban edge to protect agricultural land of high potential and contain settlement footprints; and a set of development incentives to promote integration, higher densities and appropriate development typologies.</p>
S5	Promote sustainable, integrated & inclusive housing in formal and informal housing markets
	<p>4. Promote private-sector participation in the gap market to diversify and expand housing delivery options.</p> <p>6. Increase densities of settlements and dwelling units in new housing projects.</p> <p>11. Achieve a wider range of housing opportunities with regards to diversity of tenure, size, density, height and quality in order to promote a ladder of upward mobility for households to progress as economic circumstances change over time</p>
R4	Recycle and recover waste, deliver clean sources of energy to urban consumers, shift from private to public transport, and adapt to and mitigate against climate change
	<p>6. Pursue energy diversification and energy efficiency in order for the Western Cape to transition to a low carbon, sustainable energy future, and delink economic growth from energy use.</p> <p>16. Encourage and support renewable energy generation at scale.</p>



Compliance:

The character of the area will be strengthened since a vacant area will be developed to supply housing opportunities in a sought-after area. Since the proposed development is located within the demarcated urban edge, it is considered an appropriate location. The proposed development will promote smart growth, by ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritizing infill, intensification and redevelopment within settlements. The proposal will create an integrated living environment which is strategically aligned with the surrounding land uses of the residential neighbourhoods. The proposed development is private sector driven and will deliver housing opportunities in the higher and middle end of the market. The erf sizes of the proposed single residential erven are considered practical. The group housing sites will contribute towards the increase of densities of settlements but still in line with the proposed density for the area. A wide range of housing opportunities with regards to diversity of tenure, size, density, height and quality will be created in order to promote a ladder of upward mobility for households to progress as economic circumstances change over time. Mitigating measures, against climate change, such as solar energy, will be incorporated in the lifestyle estate. The Western Cape Spatial Development Framework has a strong emphasis on revitalizing urban spaces by creating an urban living environment which is more convenient, efficient and aesthetically pleasing to residents. The proposal is therefore consistent with the WCPSDF.

6.3 EDEN SPATIAL DEVELOPMENT FRAMEWORK, 2017

The revision and amendment of the Eden District SDF in 2017 has been guided by the following aims:

- 1) Producing a spatial perspective that provides direction and a basis for early engagement on the key spatial issues and linkages to other sector plans;
- 2) Establishing a strong strategic direction and vision, towards increasing levels of detail in the spatial recommendations that is directive rather than prescriptive;
- 3) Collaborative engagement with all key stakeholders to build capacity, alignment and common purpose between government and external stakeholders;
- 4) Co-ordinating District departments involved with planning, land use management, infrastructure, economic and social development to identify and provide guidance to effectively initiate and implement regional projects and provide a framework for public investment priorities; and
- 5) Providing guidance to local municipalities in the district regarding future spatial planning, strategic decision-making and regional integration.

The following sustainable growth management strategies are applicable to the proposed development:

Policy	Guideline	Compliance
3.1 Direct and encourage growth to match capacity, resources and opportunity in relation to the regional socio-economic hierarchy of cities and towns.	3.1.1 Align growth with infrastructure and fiscal capacity	The development will contribute to expansion of Riversdale, making optimal use of the available municipal infrastructure. The proposal will also contribute to installation of new services, where needed, as agreed with the Hessequa Municipality. This will provide sufficient services for future development of municipal owned land too. The proposal intends to cater for a range of income-groups; first-time-buyer, small families, and large families. The proposed development will strengthen Riversdale's role as an economic / transport hub (growth centre) along the N2.



3.3 Optimize existing infrastructure capacity and economic opportunity by directing mixed use, higher density development to areas of opportunity	3.3.9 Ensure the development of strong resilient towns and places	The proposed development is located within the urban edge and is therefore considered infill development. The application site borders the existing built up urban area with existing infrastructure services. The proposed development will attract local and international investors, which will contribute to the general expenditure in the area. Economic growth and diversification will be promoted.
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6.4 WESTERN CAPE LAND USE PLANNING GUIDELINES: RURAL AREAS (2019)

The Western Cape Land Use Planning Guidelines: Rural Areas provides support to the development and implementation of spatial plans and also the management of land development outside urban areas. A key principle of the Rural Areas Guideline is to promote smart growth by containing urban sprawl. An application should be assessed on how it contributes or detracts from achieving the overall goals of the Rural Areas Guideline and not limit consideration to a single aspect thereof. It is important to note that the Rural Areas Guideline is not mandatory or binding. Elasticity in understanding and interpretation is allowed providing a degree of discretion in the motivation, evaluation and decision regarding applications in the rural areas.

Even though the proposed development is located within the urban edge, the guidelines for the development of smallholdings, in terms of the Western Cape Land Use Planning Guidelines: Rural Areas, were considered. The objective of smallholdings is to accommodate larger residential properties in order to provide a full range of opportunities. This may be used for limited agriculture, but primarily serve as places of residence for people who seek a rural lifestyle. Smallholdings are traditionally located in a serene and tranquil environment with farming or country life characteristics outside the densely populated urban areas of the city or towns. Natural vegetation and agricultural landscaping contribute to the rustic ambiance. The demand for residential smallholdings in the urban fringe stems from the rural lifestyle opportunities they offer in close proximity to town. Notwithstanding the fact that some residents keep horses, livestock or cultivate some of their land on a part-time basis, smallholdings are primarily used for extensive residential purposes.

The Western Cape Government's approach is to prevent further development of extensive residential lifestyle properties (smallholdings) in the rural landscape. However, new smallholdings can be established on suitable land on the urban fringe. When planning new smallholding developments, properties targeted at the rural lifestyle market should be limited to appropriate locations close to settlements and should not be permitted in agricultural areas. A smallholding unit size of between 4000m² and 3 hectares is recommended in the urban fringe of a demarcated urban area, with consideration to subsequent subdivision as part of the urban growth frontier.

If planned for and identified in municipal SDF's, smallholdings should not encourage urban sprawl. The rural landscape character of the area should be considered in determining the appropriate unit size. Smallholdings should not be located on or have a detrimental effect on high and medium potential agricultural land or land of biodiversity significance. A management plan and site development plan should be compiled for all smallholding areas, with attention to: permitted land uses; minimum subdivision size; property owner's association; services provision; environmental management and landscaping. Information on the architectural design must be provided.

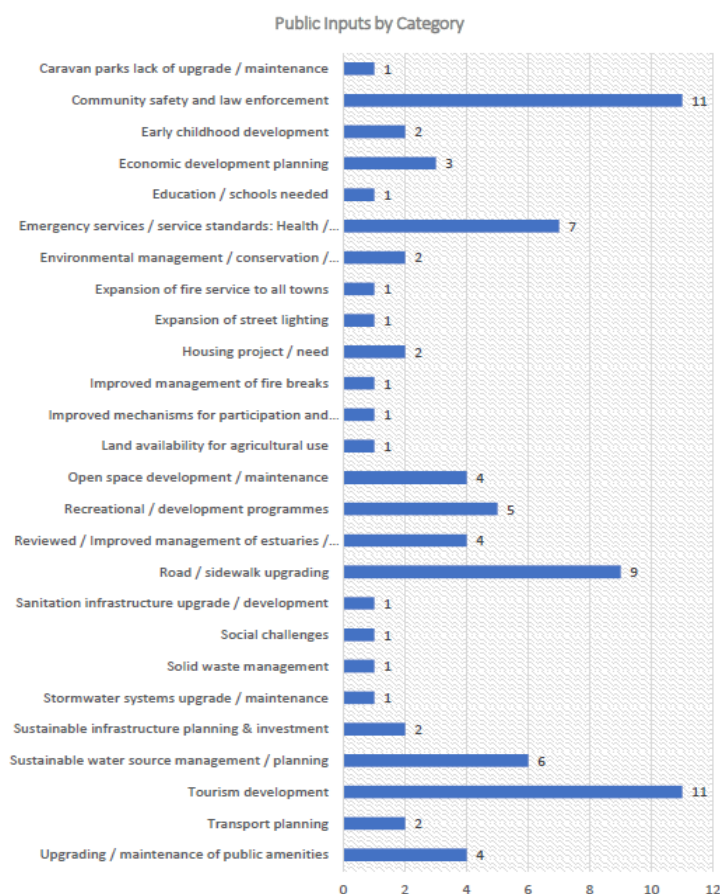


Compliance:

The proposed lifestyle estate (smallholdings) is located within the urban edge. The location is considered appropriate as it borders a proposed residential development, adjacent to an existing suburb. The proposed smallholding unit sizes between 1 hectare to 1,5 hectares are considered appropriate. The proposed smallholding area is compatible with the scenic landscape within which the development is proposed and does not infringe on the authenticity of rural landscapes. The lifestyle estate will be an appropriate transition from the existing urban built area and the proposed development to the adjacent agricultural properties. Development of the smallholdings will not lead to inefficient service delivery or unjustifiable extensions to the municipality's reticulation networks. The provision of services is addressed in the engineering services reports which are attached to the application. The smallholding area is identified and planned for in the Riversdale LSDF. The rules and restrictions will be laid down in the Architectural Guidelines and Home Owners Association Constitution of the lifestyle estate.

6.5 HESSEQUA MUNICIPALITY INTEGRATED DEVELOPMENT PLAN (2017-2022)

Riversdale is identified as a strong growth node in the Hessequa municipal area. Riversdale and Stilbaai are the two towns in Hessequa with the largest contribution in terms of population and economic activity. From the projections, a general growth in population in the Hessequa municipal area is expected, especially in Riversdale. From the public inputs received, the following priorities were listed for Riversdale:



(Source: Hessequa Integrated Development Plan, 2022-2027)

FIGURE 6 - IDP PRIORITIES FOR RIVERSDALE

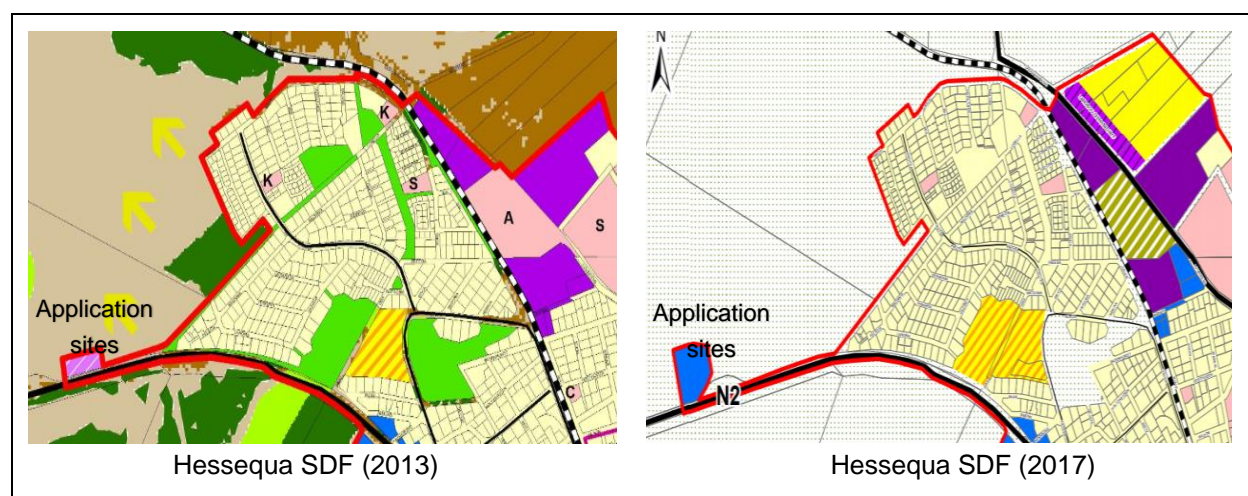
Compliance:

Settlements with medium or high growth potential and high socio-economic needs base are considered prime development and investment opportunities and socio-economic development imperatives. The application area is located within the urban edge of Riversdale. The proposed land will contribute towards the provision of much needed housing opportunities. The proposal will also bring forth the creation of employment opportunities, especially in the construction sector, which will contribute towards the strategic objectives as set out in the Hessequa Integrated Development Plan.

As the administrative and educational hub of Hessequa, Riversdale has been and is also in future expected to experience population growth. Not only residential needs have to be addressed but also other needs such as business and employment opportunities among others. An Integrated Development Plan guides and informs the planning, budgeting, management and decision-making of a municipality. The proposal will bring forth an increase of rates and taxes revenue, that will help local government pay for infrastructure maintenance and improvements, and have a positive impact on the municipality's finances. The proposal is considered consistent with the IDP.

6.6 HESSEQUA MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK (2013 & 2017)

Riversdale is characterized as a first order district node in the Hessequa municipal area with continual growth opportunities and development potential. The town functions as the administrative hub and service centre which offers a range of high order functions. The future vision for Riversdale is to be an agricultural service centre and the administrative centre of the Hessequa municipal area. Riversdale's economic basis is agriculture and tourism. The town enjoys various comparative benefits such as its location on the N2 road, railway access, rural character and its function as the administrative headquarters. Residential densification and infill development should be encouraged in selected areas in and around the Central Business District (CBD). The integration of communities should be promoted with accessibility to business and community facilities. Business development should only be proposed within the CBD to enable economies of scale. Extension of the town should take place within the existing urban edge to create a compact town.



(Source: Hessequa Municipality Spatial Development Frameworks, 2013 & 2017)

FIGURE 7 - URBAN EDGE OF RIVERSDALE

The Hessequa Spatial Development Framework (SDF) was approved by the Hessequa Council in 2013 and reviewed in 2017. Although Remainder of Lot 21, Riversdale Settlement is not included in the urban edge of the 2013 SDF Spatial Proposals Plan, it is indicated as a proposed extension area (future development area). The property is also excluded from the urban edge in the 2017 SDF reviewed version, mainly due to the fact that the urban edge was delineated around the existing urban built area. Lot 266, Riversdale Settlement, is included in the urban edge in both instances. Please refer to Figure 3 for more details. It should be noted that Remainder of Lot 21, Riversdale Settlement, was included in the urban edge according to the 2006 SDF.

In the 2017 Hessequa SDF review, the urban edge was amended as follows (as indicated on the Hessequa Municipality SDF Riversdale Spatial Proposals Plan):

- 8A** The air strip and area around the air field was included in the urban edge and has been earmarked for an area for development of service trades. It is noted that this area does not make provision for industrial development but only service trades.
- 8B** The area around Bali Trading and Baleia Wines was included in the urban area.
- 8C** The identification of a secondary business zone in Kwanokuthula in order to integrate the town and decrease the walking distance to the existing business zone.
- 8D** Low and medium density residential development are proposed in order to integrate the existing areas.

A request for inclusion of Remainder of Lot 21, Riversdale Settlement, in the urban edge was approved by the Hessequa Municipality in 2021, as mentioned earlier in this report.

The Municipal Spatial Development Framework (MSDF) is currently under review and the draft report was made available for public input. In terms of the draft report that was circulated for comment at the time of preparation of this application, the area in which the application site is located is earmarked for residential land uses.



(Source: Draft Hessequa Municipality Spatial Development Frameworks, 2025)

FIGURE 8 - DRAFT SPATIAL PROPOSALS PLAN FOR RIVERSDALE

Compliance:

The aforementioned proposed low and medium density residential development area (8D) is located on municipal owned land and is more suitable for low cost and state funded housing. There is a demand for medium and high income housing, especially with the current migration and urbanization trends from the northern parts of South Africa to the Western Cape. It is advised that the agricultural areas north and east of Riversdale town be preserved for agricultural purposes as it is high potential agricultural land, mostly with water use rights. The proposed land development area, situated on Remainder of Lot 21 Riversdale Settlement, has been included in the urban edge of Riversdale and is therefore suitable for future development. The proposal is consistent with the Hessequa Municipality SDF.

6.7 LOCAL SPATIAL DEVELOPMENT FRAMEWORK FOR RIVERSDALE (2014)

The Riversdale LSDF forms an integral part of the overall Hessequa SDF (2013) and should therefore be read in conjunction with that document. The primary aim of the Riversdale LSDF is to provide input concerning planning-related matters and make specific recommendations concerning Riversdale and its environs in the form of planning principles and guidelines on the future development of the study area.

Riversdale is categorized as a first-order regional node in Hessequa and is considered a settlement with sustained growth opportunities and development potential, fulfilling the following functions:

- Service centre for the surrounding farms and urban cores.
- Administrative headquarters for the other towns in the municipal area.
- Educational centre for the region, with various schools and tertiary training centres.
- An accessible location and adequate infrastructure create a solid platform for development

With natural population growth and an influx of migrant workers, new work opportunities in Riversdale and surrounding areas arose which placed more pressure on the local authority to make land available for residential development and also to create opportunities for business and industrial expansion and development. The extension of Riversdale for medium and low-density residential development is proposed in a western direction.

The following land use proposals are proposed to address Riversdale land use needs:

1) Residential Compaction:

- Residential land use is the primary consumer of urban land. The average density of Riversdale is currently about 11 units/ha. However, this figure cannot be significantly increased within the existing Riversdale suburbs due to the lack of infill development opportunities.
- In addition to higher density residential development permissible within the mixed-use area of the business area, it is suggested that compaction within the proposed residential use area be encouraged.
- As guidelines, the following are suggested:
 - Housing types: group housing, semi-detached houses, apartments, retirement village
 - Density: ± 20 u/ha
 - Height: maximum height of 3 x floors or 10 m

- Mechanisms:

- a) Subdivision with minimum yard size 300 m² (net) for single dwelling
- b) Second dwelling units with Council permission
- c) Consolidations and rezoning to general residential zone

2) Medium and Low-Density Residential Area:

- Approximately 50 ha is required to address the estimated low and medium density housing needs for the next 10 years if the projected growth rate were to be realized.
- A future expansion area on the west side of Riversdale is proposed, subject to the necessary environmental impact assessments regarding the suitability of the site to determine the developable areas. The area is not currently included within the urban boundary but is seen as the major future expansion area for Riversdale.
- Filling development and compaction can also largely meet the projected need for residential units.

Compliance:

The proposal for the development of the Remainder of Lot 21 Riversdale Settlement is in line with the proposals made in the Riversdale LSDF, which specifically addresses the proposed development and identifies the future expansion area to the west side of Riversdale. It should be noted that the inclusion of the whole Remainder of Lot 21 Riversdale Settlement in the urban edge has been approved by Council on 28 May 2021, as per the letter dated 4 June 2021.

6.8 DEVELOPMENT PARAMETERS BOOKLET: A QUICK REFERENCE FOR THE PROVISION OF FACILITIES WITHIN SETTLEMENTS OF THE WESTERN CAPE (2014)

The Western Cape Government Environmental Affairs and Development Planning prepared a Quick reference for the provision of facilities within Settlements of the Western Cape. The aim of this guideline is to provide relevant stakeholders with the various aspects that need to be taken into consideration when either putting together or assessing a development application in the Western Cape. The guideline sets out the various considerations that need to be taken into account when providing for a facility within a settlement. It considers factors such as locational requirements, general standards applicable to the facility and the required threshold population densities that need to be taken into consideration when planning for the provision of a facility. Every effort should be made to ensure that settlements develop in a compact manner. Gross dwelling unit densities, on average, above 25 dwelling units per hectare, are considered desirable. However, the context of the proposal will determine the appropriate density for a specific settlement. Only in exceptional cases should lower densities be sought and only in cases where heritage or character aspects of a settlement require this. Hindrances to densification, such as infrastructure capacity, must be addressed in conjunction with densification efforts.

Compliance:

The table below summarizes the site and population criteria for facility types most relevant to the proposed development. The expected number of housing opportunities that the proposed development will create is approximately 550 units, including dwelling units in the lifestyle estate, single residential erven, group housing sites and the retirement resort.



Facility	Site criteria	Population threshold criteria	Required or not for the proposed development
Pre-primary school	Minimum building footprint of 130 m ² (not erf size)	3600 people (900 dwelling units) for high income areas	Not required
Public primary school	Minimum size of 1.4 ha or a minimum of 2.8 ha when sport facilities/fields are included	3000 - 4000 people (approximately 1000 dwelling units)	Not required
Public secondary school	Approximately 2.6 ha and serve a maximum of 1200 learners	Between 6000 people or 1500 dwelling units	Not required
Local public clinic	0.125 ha needed per 5 000 people served	20 000 people (5000 dwelling units) in non-metropolitan areas	Not required
Neighbourhood park	0.9 ha per 1000 people or 250 dwelling units	1000 people or 250 dwelling units	Provision has been made for two parks of 0.42 ha for the 159 Single Residential Zone I stands

The proposed number of Single Residential Zone I erven (159) does not justify the need for a neighbourhood park. However, two sites of approximately 0.4 ha have been provided. The group housing sites will each have private open spaces, as per the requirements of the zoning scheme. The 27 smallholdings will enjoy private agricultural areas. A large public park/open space is proposed on the adjacent Remainder of Lot 22 Riversdale Settlement. From the information given in the table above, it is evident that the proposed number of housing units does not justify the need for these types of facilities. Even though most of these facilities are considered public services, it has been taken into consideration to determine if the proposed development justifies the need to develop more of these facilities.

7. MOTIVATION

7.1 NEED

Riversdale is the first order district node of the Hessequa municipal area. Besides being an administrative hub by hosting the municipal offices, the town functions as a service centre which offers a range of high order functions. The town has growth opportunities and development potential which must be exploited. The demand for residential opportunities currently outweighs the supply thereof. The proposed development comprises of two components, namely residential and business. The need for both components is motivated below:

1) Residential component:

South Africa is currently seeing a major semigration shift. Semigration refers to when a buyer sells a property and purchases a new one in a new province. The Western Cape is the preferred semigration destination in South Africa. The Western Cape's reputation for better-run municipalities also contributes to the region's pull. This was among the main findings of an assessment



of semigration trends presented by Lightstone's head of digital, Hayley Ivins-Downes, to the virtual Real Estate Industry Summit (REIS) in 2022. Other key findings included movement to small towns is on the increase; the state of the economy is telling in the number of people downgrading as opposed to upgrading; and a trend towards estate living in the R1m - R3m market. The trend towards moving from metropolitan areas to smaller towns can mostly be attributed to a move away from crime-and-grime and towards a slower, safer, quality lifestyle in the small towns.

Significant movement takes place from small towns, where local government is failing, to larger, better-connected towns located on major transport routes. The provision of better and more reliable basic services, education, healthcare and policing are and will remain important drivers of migration. Some small towns also see population growth due to people seeking the simplicity of a small-town lifestyle. Covid-19 lockdown has led to a shift in property buying in South Africa, and one of the biggest trends to emerge has been the migration away from big cities to smaller towns along the coast or in more rural settings. This trend is mainly driven by the desire for more living space and more opportunities to take part in family outdoor activities. House prices are often considerably lower in smaller towns, which allows buyers to purchase a bigger property for the same money and often, the chance to get closer to nature too. Riversdale is for example rising in popularity mainly due to the high quality of life, its location on the N2 national road, exceptional schools and natural beauty on offer. This resulted in a shortage in housing opportunities, including units for sale, rental units and vacant erven. There is also a demand for group housing units due to its affordability to first-time buyers. The demographic profile has changed over the past few years as many young professionals and families relocated to Riversdale. Some retirees also choose to follow their families who have semigrated.

According to Mike Lehabe, Head of Financial Services at Lightstone, more South Africans are buying homes for the first time, as indicated by an uptick over the past four years in the number of properties transferred to new buyers compared to repeat buyer. The Western Cape has been the most preferred option for first-time home buyers after the market began recovering from the lockdowns in 2020. Favourable interest rates coupled with remote office working and semigration are becoming a more prominent feature of the residential market. (Source: Business Tech - <https://businesstech.co.za/news/property/570790/more-south-africans-are-becoming-first-time-homebuyers-heres-where-they-are-buying/>)

The proposed development responds to an identified need in the greater Hessequa region. Riversdale is identified as a growth node with the benefit of being located on the N2 national road. The continued growth and development of Riversdale is critical to the sustainability of the municipality and the area's economy as a whole. In this regard, it is important that adequate provision is made in future land use planning for the supply side expansion of the commercial, residential and industrial components of Riversdale town. According to the LSDF, approximately 50 ha is needed to meet the estimated low and medium density housing needs for the next 10 years, if the projected growth rate were to be realized. The proposed development is located within the area that is identified for future expansion of Riversdale according to the Hessequa SDF and Riversdale LSDF. The proposed development will contribute towards addressing the low and medium density housing needs of Riversdale in future. The proposed Single Residential Zone I and General Residential Sone II erven cover an extent of approximately 20 ha. Together with the proposed development of approximately 8 hectares on RE/22, which was recently sold to a private developer by Hessequa Municipality, approximately 30 ha will be provided for the housing needs. In addition, a total number of 27 smallholdings are proposed within the approximately 28 ha low density lifestyle property estate (28 dwelling units). It is expected that the lifestyle estate will contribute to addressing the housing needs and also have a positive impact on



property values in the vicinity due to its exclusivity and security. Even though it is not the intention, it should be noted that densification of the proposed smallholding area is possible if the need arises in the future, either by means of applications for consent use for an additional dwelling unit or by subdivision. Since the whole RE/22 is included in the urban edge, future housing needs can also be provided thereon.

The intention of the proposed development is to provide a range of housing opportunities to supply lifestyle properties and also smaller erven and group housing units, including a retirement resort. The variety of housing types proposed in this application will provide much needed residential opportunities in a quality living environment, including the following:

a) Smallholdings:

The lifestyle smallholdings are aimed at the upper end of the market which will benefit from the tranquillity, safe atmosphere, and a spectacular view of the Langeberg mountain range and Sleeping Beauty mountain peak. These types of properties are in high demand, especially among horse owners. Property owners in the lifestyle estate will be allowed to keep horses and certain farm animals. The rules and restrictions will be laid down in the Architectural Guidelines and Home Owners Association Constitution. At the time of enquiring, the local riding school was at full capacity and affordable livery options close to Riversdale were limited.

b) Single residential erven and group housing units:

The single residential erven and group housing units are aimed at first-time-buyers and families seeking a quality lifestyle in an urban area with a rural character. The size of the proposed erf sizes makes it affordable to the middle income class and first time buyers. Group housing units are usually also more affordable than full title properties due to the lower maintenance costs. The ability to lock-up and go without worrying about house sitters, security and garden services is an increasingly attractive option for many buyers, including remote workers that have to travel to their offices in major cities from time to time.

c) Retirement resort:

With the current capacity of Riversdale and the surrounding towns' old age homes as well as the current semigration patterns, a need for a retirement resort has been identified. The retirement resort will provide group housing for retirees or pensioners or a family of which at least one member is a retiree or pensioner, with a full spectrum of frail care and other facilities reasonably associated with a retirement resort, as per the zoning scheme regulations. Senior living communities support mental health by not only providing a social support system but also a team of staff who can help recognize symptoms and intervene when necessary. Security and safety concerns, lower maintenance costs, medical assistance and long-term healthcare considerations are often the most important benefits of a retirement resort. Since Riversdale only has a state hospital, private healthcare for the aged will be an advantage. The community nature of a retirement resort also ensures access to shared facilities and a variety of activities which can improve the quality of living.

The proposed development will address the need for residential intensification and densification in an appropriate manner. The proposal encourages densification and aims to support an efficient, convenient and affordable urban structure by developing land appropriately zoned and suitable for



densification and intensification. The focus group of the proposal is not targeted at a specific age group, but rather at individuals seeking different types of housing typologies, whilst also encouraging sustainable and appropriate densification. The semigration away from the big metropolises - and notably out of South Africa's traditional business heartland of Gauteng – is currently making towns in the Western Cape home, thus a large need for residential opportunities. The need for low and medium density developments in Riversdale has been identified. The need for this specific residential market has been identified in the SDF that is currently under review and is based on modern trends. The proposed development will provide three housing typologies, catering for various markets. General densification to increase the supply of well-located land and building stock into the market at more affordable prices and sizes are encouraged. It will be to the benefit of many role players if the proposed development is approved. The development will create employment opportunities, contribute to local expenditure, suitably densification within the urban edge and contribute to economic growth.

2) Business component:

The proposed business site (approximately 0.65 ha) is classified as a convenience centre. According to the Classification and Hierarchy of Retail Facilities in South Africa, prepared by Dr. D.A. Prinsloo in 2010, the function offered by convenience centres is mainly express convenience, including a café/small food store, takeaway foods, DVD stores, banks and ATM facilities. This retail facility aims at satisfying the local needs of the residents within one or two adjoining suburbs. Such a facility could be a single building or a number of buildings located in close proximity to each other to provide a single destination. These centres could consist of one tenant or a number of small tenants. The average size of such centre range between 500 to 5 000 m² GLA and the size of the land between 0.15 to 1.5 hectares. These centres are usually located on collector streets in suburbs. Most of these centres require customers to get to the centre by car, but are often also located within walking distance of a large proportion of the local population. The average radius of the primary trade area is 1 to 1.5 kilometres.

The suggested tenant mix for a convenience centre is as follows:

- Anchor tenant: Usually ≤1 000 m² with the typical tenants being grocery stores such as Woolworths Food, Kwik Spar, Pick n Pay Daily, Checkers Foods or a café or superette;
- Other tenants for these centres are convenience retailers including a pharmacy, deli, butchery, video store, hairdresser, dry cleaner, liquor store, florist and a hardware store. Small eating places/fast-food outlets could be accommodated depending on the micro location.

The potential will mainly be determined by the local population, the location of the proposed centre, as well as the anchor tenant. Some anchor tenants in this category are more successful than others. In most cases shoppers have a very specific preference based on the product range, the quality and price, the service, business hours, parking and security. These are all factors which will impact on the success of such a centre. These types of facilities have been very popular as part of town centres but the new trend is to develop convenience centres in new residential growth areas in suburbs and townships.

The direct distance between the two major supermarket in Riversdale, namely Spar, to the proposed Business Zone III erf is approximately 2.4 kilometres. The proposed business site's average radius of primary trade area will therefore not overlap with that of the existing Spar. There are no existing food stores within proximity to the north-western residential suburbs of Riversdale, other than the



supermarket/grocery stores/superettes/café's located in the Central Business District. There will be a need for more grocery stores/supermarkets in Riversdale if the projected growth rate is to be realized. Future expansion of the low cost residential areas of Riversdale will also have an influence on the current retail facilities in Riversdale. The proposed Business Zone III erf will provide a convenience retail facility that will mainly supply the needs of the proposed development and one or two adjoining suburbs.

The trend worldwide as far as supermarkets are concerned is for grocery stores to become smaller and to offer a unique products to the more sophisticated shopper. Smaller convenience stores have shown profitable growth. Rather than one weekly large shop, people who can afford to want to buy fresh, healthier produce more often. Over the last 10 years the popularity of convenience centres has mainly been the result of more and better supermarket/grocery/food offerings. With changes in shopping behaviour, the emphasis is also more on express food, prepared foods and an attractive offering. Small food anchors like Woolworths Food, Pick n Pay Daily and Checkers Foods, have moved into these types of centres to improve the attractiveness, increase the trade area and offer specialized products. These smaller grocery stores are located closer to communities as shoppers search for more convenient ways to shop. These stores have a much smaller range than a traditional supermarket and are tailored specifically to the community they serve. It is increasingly focusing on the medium-high end market segment. The retailers aim to get closer to their customers' homes, offering fresh food along with solution-based convenience ranges curated to meet specific customer needs, including lunch, braai, dinner or emergency purchases. The average store size of convenience stores is 1 000 – 2 000 m².

7.2 DESIRABILITY

The desirability of the proposed development relies heavily on the consistency with policy documentation but has a distinctly spatial focus. The desirability of the proposed development and compliance with the relevant legislation and policies have been addressed throughout the motivation report. Further to this, the following specific factors that favour the proposal were taken into consideration:

7.2.1 LOCATION AND PROMINENCE IN TOWN

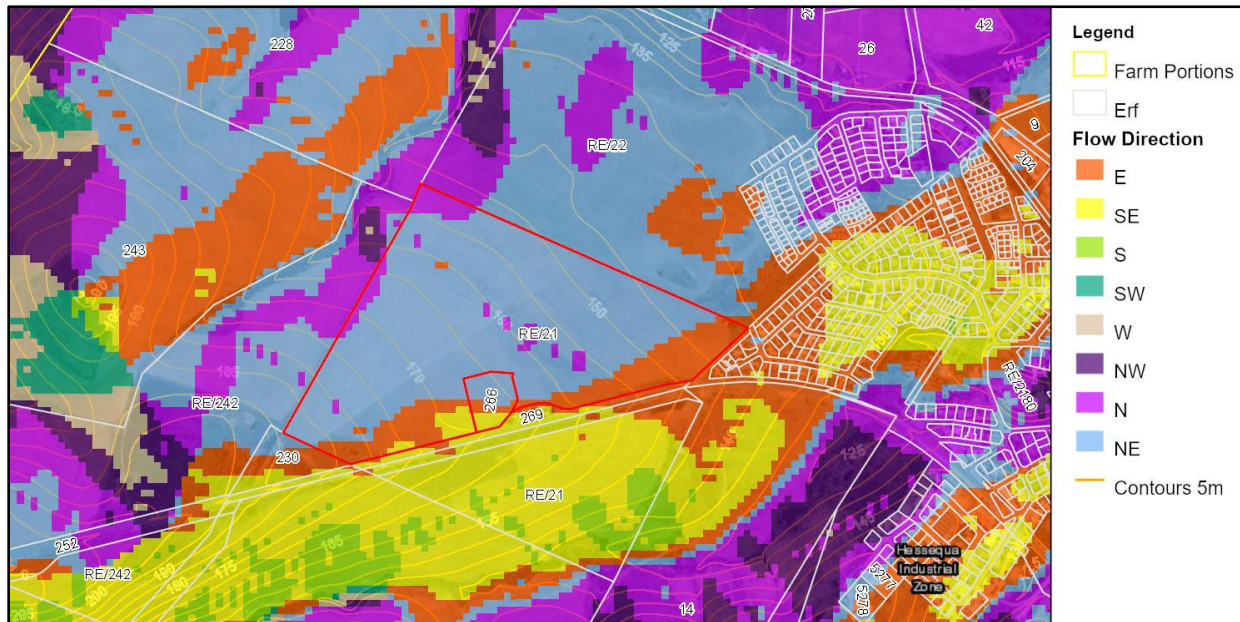
The application sites are located west of Riversdale, within the urban edge of Riversdale. Downscaling of the intensity of land uses is created through the placement of low and medium density residential land uses adjacent to the existing residential suburb of Riversdale and the smallholdings further west towards the adjacent agricultural properties. The location of the smallholding development, properties targeted at the rural lifestyle market, is considered appropriate as it is located close to an existing settlement.

7.2.2 SITE CHARACTERISTICS

The proposed development area is bordered by the N2 national road to the south and an existing suburb to the west. The site is currently undeveloped and seen to be utilized for farming activities. A single ridge type structure located to the west of the site gives rise to a variable topography with gentle to moderate sloping landscapes. The weaker strata are typically weathered and eroded to form incised valley features. The site is located on the eastern foot slope of the ridge feature and displays a gentle sloping morphology, decreasing in elevation towards the east. Figure 9 shows the 5 m contour lines indicating a drop in elevation from west to east. Various non-perennial drainage channels occur around the site, but none are identified to traverse the site.

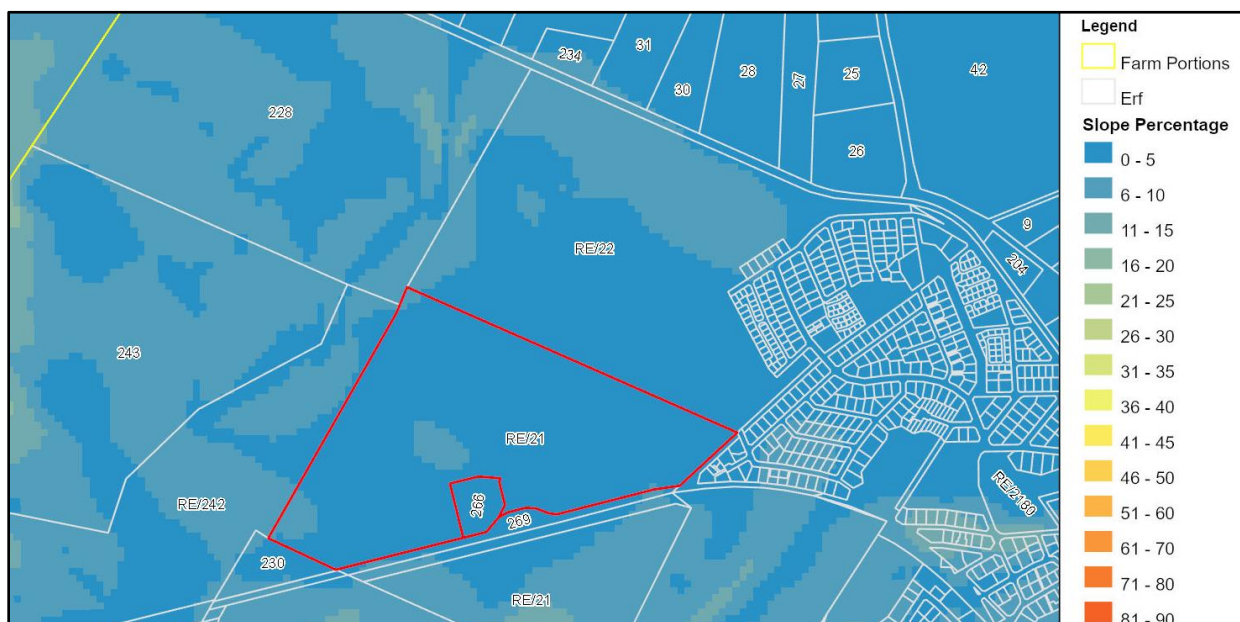


On the upper western portion, the site is approximately 190 m above mean sea level, and at its lowest point on the east, the site is approximately 140 m above mean sea level. The site is seen to host gentle slopes of between 1 and 3 degrees. The study area is drained mainly through surface run-off (i.e.: sheetwash), with storm water eventually flowing into the Vet River to the east of the site. The natural drainage east of the site has been altered due to the built-up nature of the area (construction of roads, buildings and installation of stormwater services).



(Source: Cape Farm Mapper, Version 2.6.10)

FIGURE 9 - SURFACE WATER FLOW DIRECTION



(Source: Cape Farm Mapper, Version 2.6.10)

FIGURE 10 - SLOPE PERCENTAGE

7.2.3 FUNCTIONAL LINKAGE TO AND DISTANCE FROM NODES AND CORRIDORS

The application site currently gains access from Remainder of Erf 4485, Riversdale, a road reserve. Access to Remainder of Erf 4485, Riversdale, is obtained either from Lanoria Street or Lobelia Street. The distance from the application site to Ladismith Road (R323 road) via Erica Street is approximately 1.2 km. The distance from the application site to the Central Business District is approximately 2.9 km via Erica Street, Ladismith Road and President CR Swart Street.

7.2.4 DEGREE OF ACCESSIBILITY

The primary access to the proposed development is proposed through the extension of Erica Street. A secondary access is proposed via Lanoria Street. If the need arises in the future, access can also be provided through the extension of Lobelia Street. The layout plan makes provision for this future access but is not dependent thereon, as advised by the Traffic Engineer. Please refer to the Traffic Impact Study for more details. When taking into consideration the existing and proposed road network, access to the proposed development is deemed sufficient.

The primary access to the proposed development is proposed through the extension of Erica Street, indicated in yellow in Figure 5. A secondary access is proposed via Lanoria Street (indicated in blue). Should the need arise in the future, access can also be provided through the extension of Lobelia Street over Remainder of Erf 4485 Riversdale (indicated in green). The layout plan made provision for this future access but is not dependent thereon. This proposal will alleviate the traffic impact on Erica Street when the Remainder of Lot 22, Riversdale Settlement, which is included in the urban edge and has been identified as a future development area, is also developed. From a design perspective, it will not have a significant impact on the proposed development on Lot 266 and Remainder of Lot 21 Riversdale Settlement if the access via Lobelia Street (indicated in green) is never to be developed. However, the extension of Lobelia Street has been taken into consideration as a means to alleviate possible future traffic impacts. No access from the N2 road is proposed since SANRAL won't allow additional access to the town at this stage. SANRAL believes that there are already too many access points from the N2 road to Riversdale town. The developer is in favour of no access from the N2 as it will contribute towards safety and security within the proposed development. Please refer to the Traffic Impact Study for more information.

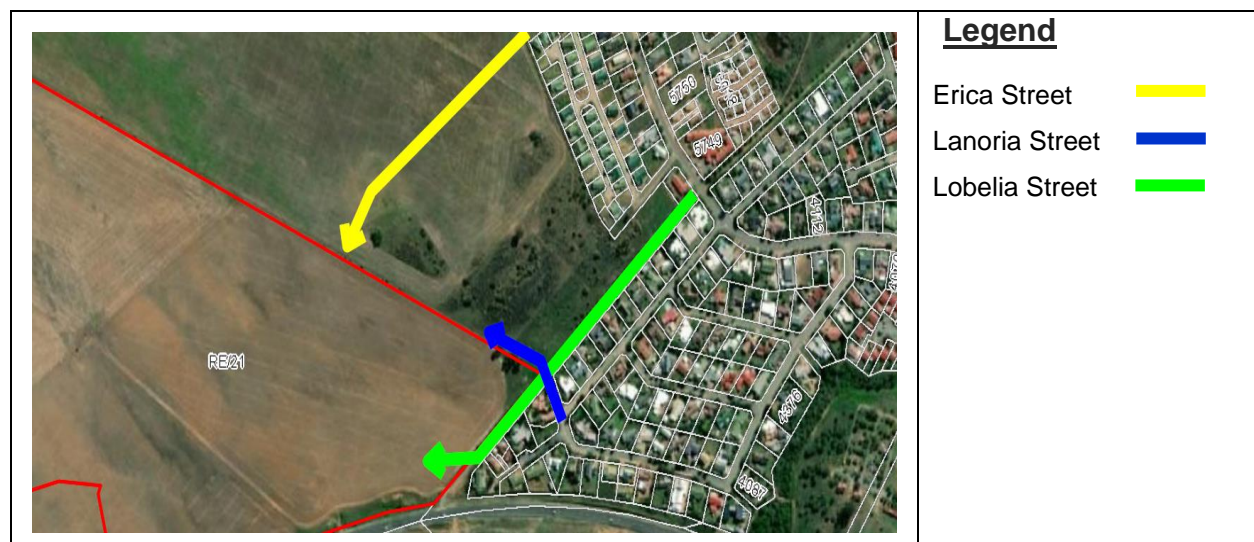


FIGURE 11 - PROPOSED ACCESS

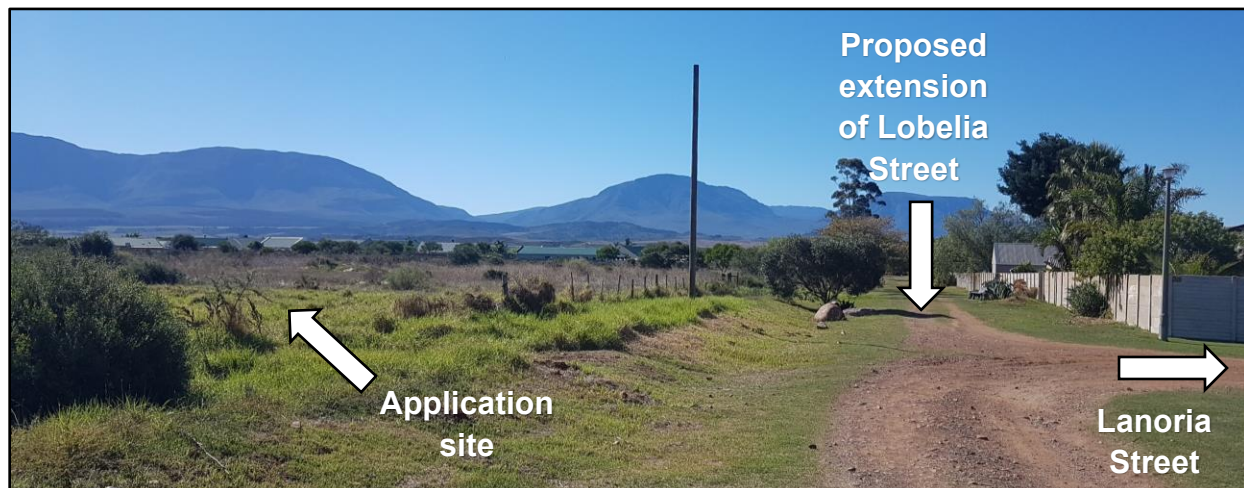


FIGURE 12 - INTERSECTION OF LANORIA STREET AND THE PROPOSED EXTENSION OF LOBELIA STREET

7.2.5 DESIRED OR PLANNED CHARACTER OF AREA

The topography and valuable agricultural resources around Riversdale limit expansive development opportunities. Extension of the town should take place within the urban edge to create a more compact urban form. The application sites are located west of Riversdale, within the urban edge of the town. This area is identified as the future expansion area for low and medium density housing in the LSDF. The character of the application sites will change but will bring forth a positive socio-economic impact. The proposed development area is adjacent to an existing residential area, making it the ideal location for further residential expansion. The proposed low density residential erf sizes are consistent with the erf sizes of residential erven in the vicinity. The proposed smallholdings on the western side of the development area create a perfect downscaling concept from the residential components towards the adjacent agricultural properties. Due to the layout and topography, densification of the smallholdings is possible if the need arises in the future. However, the intention is to create exclusive low density lifestyle properties. The density of the group housing sites is also consistent with the character of the surrounding area.

7.2.6 CONSISTENCY WITH THE CHARACTER OF THE SURROUNDING AREA

The application site is located inside the demarcated urban edge and is bordered by the existing urban fabric. The proposal will not detract from the surrounding residential character of the area. Due to the location of the proposed smallholdings and the fact that the lifestyle estate will be fully fenced, a buffer is created between the town and the neighbouring farms and possible negative impacts on the adjacent agricultural properties will be limited. In deciding on the best location for urban expansion, one must consider among others, impacts on agricultural resources, the environment, services infrastructure, accessibility, sustainability, social gradient and integration. When one considers these factors, it is evident that the most logical area to allow such urban expansion at the lowest possible impact on the existing built and natural environment, limited fiscal cost to the state and highest benefit to the area concerned, would be the subject property. The proposal is considered infill development within the urban edge in an area identified for future residential expansion by the Hessequa Municipality.

Urban form is the way the built environment looks and functions. To achieve an effective urban form, land uses should be integrated, residential densities should be increased and the establishment of a pedestrian-friendly, walkable community. To redirect urban growth toward a more fiscally efficient and livable compact

urban form. The proposal aims to densify and fully utilize this strategically located property. Higher densities create more opportunities for interaction, a climate in which economic activity can thrive. Higher densities can also contribute to the more efficient use of infrastructure. Urban integration is a strategic town planning principle that promotes sustainable development, as supported by the policies contained within the Spatial Development Frameworks. To achieve an effective urban form, land uses should be more integrated, and the establishment of a pedestrian friendly, walkable community, which the proposal aims to achieve.

7.2.7 IMPACT ON MUNICIPAL INFRASTRUCTURE SERVICES

The application site is located within the existing urban edge and adjacent to an existing residential area. Development of the smallholdings will not lead to inefficient service delivery or unjustifiable extensions to the municipality's reticulation networks. The appointed consulting engineers do not foresee any negative impact on the municipal service infrastructure, as explained in the engineering services reports. The proposed residential development will bring forth more sufficient use of municipal services as well as upgrading of infrastructure services, where necessary. The fact that some existing road infrastructure and service infrastructure connections are available close by makes it cost-effective and allows the efficient use of municipal services. The details on the infrastructure standards, requirements and regulations will be determined in the services agreement between the developer and the Hessequa Municipality.

7.2.8 ENVIRONMENTAL IMPACT

The proposed development triggers listed activities in terms of NEMA. Parallel with the land use planning application, KAPP Environmental Consultants has been appointed to obtain environmental authorization. Several Specialists have been appointed to conduct studies to inform the application in terms of NEMA.

7.2.9 IMPACT ON AGRICULTURAL RESOURCES

According to the Site Sensitivity Verification and Agricultural Compliance Statement, the assessed site is classified almost entirely as high agricultural sensitivity by the screening tool. This has been confirmed by this assessment, because of the agricultural production potential and current agricultural land use.

The soils are limited by high stone content, drainage limitations, and shallow depth in places but are nevertheless suitable for the grain production that takes place on the site. There is no significant variation in agricultural production potential across the site and the whole site is considered suitable for cropping. The soils on site are rated, in the ten-point system of soil capability used in the Western Cape, as being between 5 and 6.

An agricultural impact is a change to the future agricultural production potential of land. This is primarily caused by the exclusion of agriculture from the footprint of a development. In this case, the impact of the development will be the permanent exclusion of agriculture from 56 hectares of viable cropland. The loss of this amount of scarce cropland is a loss of agricultural production potential in terms of national food security. The agricultural impact of the proposed development is therefore assessed as being of medium significance.

Purely from the perspective of loss of arable land, the proposed development is not assessed as acceptable. However, its acceptability and ultimate approval require the weighing of all relevant factors, only a few of which are agricultural, against each other. The weighing of these different factors is far beyond the scope of an agricultural impact assessment. It should however be noted that, from a town planning perspective,



the Spatial Development Framework considers it desirable to expand Riversdale in a westerly direction to include Erf RE/21 within the urban edge.

The exact nature and layout of the development within the property have absolutely no bearing on the significance of agricultural impacts because agriculture will be excluded from the entire property, irrespective of layout. Therefore, any alternative development layouts within the property will have an equal agricultural impact.

The conclusion is made that an application for subdivision in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) (SALA) is exempted since Remainder of Lot 21 Riversdale Settlement is included in the urban edge of Riversdale. Remainder of Lot 21, Riversdale Settlement, was previously included in the urban area in terms of the former Guide Plan, also known as the Structure Plan for the Mossel Bay/Riversdale subregion.

7.2.10 VISUAL IMPACT

The dominant character of the area is residential and agricultural land uses. The proposed development is proposed adjacent to an existing residential suburb. The low and medium density residential erven are located adjacent to the existing urban built area. Downscaling from these erven to low density lifestyle smallholdings will take place in the western direction, bordering the adjacent farm. The proposed residential development is therefore not out of character. A detailed architectural design guideline is not available yet, but the current character of the area will be considered and implemented in the architectural design guidelines for the lifestyle estate.

It is expected that the proposal will not obscure any views from the adjacent residential suburb since it is located south-west of the greater existing residential area. The view towards the Langeberg mountain range is more in the northern direction. The few erven that gain access from Felecia Street is developed in such a way that the dwelling units do not face towards the mountain and it is expected that the proposal will not prevent any significant view from the existing dwelling units in this area.

The mountain backdrop is considered a natural and scenic resource from the N2 road. Extension of Riversdale towards the west is inevitable, as explained earlier in the report. Due to the topography and the natural slope, the view from the N2 road towards the Langeberg mountain range will not be obstructed. The height of buildings in this proposed development will be limited to double storeys, which is similar to the surrounding development in the area. The proposed development will indeed change the character of the sites, but with appropriate mitigation measures in place, the visual impact will be minimized., as explained in the Visual Impact Assessment report

7.2.11 CULTURAL AND HISTORICAL IMPACT

ASHA Consulting has been appointed to prepare a Heritage Impact Assessment. The public participation process in terms of the National Heritage Resources Act (Act 25 of 1999) will run concurrently with the NEMA process.



7.2.12 SOCIO-ECONOMIC IMPACT

Riversdale has a relatively well-developed central business district and local economy. The town has an attractive townscape, being located at the foot of the Langeberg mountains, coupled with a growing tourism industry as well as its location at the start point of the N2 Garden Route. Riversdale enjoys excellent accessibility to the broader region via the N2 road. The private sector driven development will provide housing opportunities for which there is currently a very high demand. The development of residential erven will contribute to the effective functioning of land markets. It will contribute towards economic growth and allow for additional expenditure in the area.

When a family, or business, contemplates relocating to a new area, they evaluate their options to a large extent, on the availability, quality and affordability of accommodation. Other considerations include access to quality education, places of worship, community organizations and convenient shopping. Before someone commits to a new location, they need to feel secure that there are no barriers to their success. The proposal will attract people to the area that will invest in the local economy, and also provide this opportunity to locals, rather than relocate. This is beneficial to businesses in the area due to consistent local spending. The development will likely draw new residents to the area who will contribute to the local economy while at the same time providing an alternative housing typology and therefore might be more likely to remain within the area rather than be forced to seek accommodation elsewhere. Migration boosts the working age population and these changes in demographics of an area may also bring forth an increase in prosperity and standard of living in the town.

The approval of the proposed development will create new temporary and permanent employment opportunities. During the construction phase and the operational phase. The increased employment opportunities will have a knock-on effect on local businesses meaning that there is a net increase in the prosperity and standard of living in the town as a whole.

Permanent employment opportunities include:

- **Property Management:** Once the free-standing units and the flats are constructed, there will be a need for property management professionals to handle the day-to-day operations (HOA), maintenance, and tenant services. This can include property managers, maintenance staff, concierge personnel, security personnel, and leasing agents;
- **Facilities and maintenance:** The upkeep of the estate and group housing sites will require a team for ongoing maintenance, repairs, and facility management. This can include plumbers, electricians, technicians, cleaners, and landscapers;
- **Security and Safety:** With new residential complexes, there will be a need for security personnel to ensure the safety and well-being of the residents. Security guards, surveillance operators, and access control staff may be employed for this purpose;
- **Sustainability and energy efficiency:** As there is an increasing focus on sustainable development, there may be opportunities for employment in areas such as energy management, renewable energy installation and maintenance, waste management, and green building practices.

The proposed development can also have significant positive downstream economic impacts and will create opportunities for entrepreneurs such as laundry services, hairdressers, medical services (doctors, pharmacists, physiotherapists, dieticians etc.), professionals (real estate practitioners, accountants, etc.) and many more. Local professionals and contractors will be employed, and all building materials could be sourced locally.



The development of more erven in Riversdale will bring forth an increase of rates and taxes revenue that will help the local government pay for infrastructure improvements and maintenance. The developer will enter into a service level agreement with the municipality prior to the commencement of the development and contribute towards the bulk services, as agreed with the Hessequa Municipality.

7.2.13 IMPACT ON EXISTING RIGHTS

Given the existing residential character of the area, it is the considered opinion that the proposed residential development will not impact the existing land use rights of property owners in the surrounding area. Due to the nature of the proposed development, it is anticipated that the proposal will not prevent any surrounding owner from exercising their legal land use rights. It is expected that the proposal will rather enhance the amenity of the area. The proposed residential development will also allow for a more sufficient use of municipal services. It is expected that the proposed development will have a positive impact on property values since it will provide much needed housing opportunities in Riversdale.

7.2.14 PUBLIC INTEREST

The public interest of this land use application is determined by its nature and locality. Public interest is one of many factors the local authority must consider when deciding on a land use application. It is considered that the proposed development will have a positive public interest effect as it will provide residential opportunities in a town where the demand currently outweighs the supply thereof. It is expected that the proposal will enhance the character of the area through the provision of a new development area and the installation/upgrading of infrastructure. The proposed development will address the need for the estimated low and medium density housing needs of Riversdale for the next 10 years, as identified by the Hessequa Municipality in the Riversdale LSDF. It is expected that the local community will benefit from the proposed development through the provision of different housing types as well as employment opportunities.

8. CONCLUSION

Application is made for the following:

- Subdivision of Remainder of Lot 21 Riversdale Settlement in terms of Section 15(2)(d) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, into:
 - 1) Portion A: ±54.4 ha (north of the N2 road); and
 - 2) Remainder: ±22.9 ha (south of the N2 road)
- Rezoning of Lot 266 Riversdale Settlement from Business Zone VI to Agricultural Zone I in terms of Section 15(2)(a) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015;
- Consolidation of Lot 266 Riversdale Settlement and Portion A in terms of Section 15(2)(e) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015;
- Rezoning of the consolidated Lot 266 and Portion A from Agricultural Zone I to Subdivisional Area in terms of Section 15(2)(a) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015;



- Phased subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, into:
 - 1) 27x Agricultural Zone II erven;
 - 2) 159x Single Residential Zone I erven;
 - 3) 3x General Residential Zone II erven;
 - 4) 1x Business Zone III erf;
 - 5) 3x Open Space Zone I erven;
 - 6) 7x Transport Zone II erven;
 - 7) 1x Transport Zone III erf; and
 - 8) 1x Utility Zone erf
- Consent Use in terms of Section 15(2)(o) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, for a retirement resort on the General Residential Zone II erf (shown as Erf no. 29 on Plan No. 217/P4);
- Consent Use in terms of Section 15(2)(o) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, for a supermarket on the Business Zone III erf (shown as Erf no. 191 on Plan No. 217/P4);
- Removal of restrictive conditions in respect of the land units in terms of Section 15(2)(f) of the Hessequa Municipality: By-Law on Municipal Land Use Planning, 2015, as follows:
 - a) Condition IV.A.(b) of Deed of Transfer No. T52144/2018
 - b) Condition C of Deed of Transfer No. T47023/2022

The application is considered favourable for the following reasons:

- The proposal complies with the relevant spatial planning policies as it aims to ensure spatially compact, balanced and strategically aligned activities and land uses that are in line with the desired and planned character of the area;
- The site is located within the urban edge of Riversdale and promotes development that is sustainable, discourages urban sprawl, encourages residential densification, and promotes a compact urban form;
- The proposed development is favourable in terms of location, accessibility, the proposed land uses, and the expected quality of life that will be provided in the country town;
- The proposed development will contribute towards socio-economic development (job creation and to strengthen the local economy), which is identified as a development priority in the Hessequa Integrated Development Plan;
- The development aligns with local economic development strategies by expanding the local tax base and fostering sustainable growth in the area, reinforcing the municipality's objectives;
- The proposed development will contribute to the provision of more residential opportunities and various residential typologies to cater to the various needs of the population;
- The proposed development responds to an identified need for housing opportunities in terms of the spatial proposals made in the Riversdale Local Spatial Development Framework.

In light of this motivation, and the information contained in this report, the application is considered desirable. It is therefore recommended that the Hessequa Municipality and relevant authorities support and approve the application.

M COETZEE Pr. Pln

