



MEETING OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

A G E N D A

DATE:	4 AUGUST 2026 (JULY 2026 CYCLE)
VENUE:	TOWN PLANNING COMMITTEE ROOM
TIME:	10:00

OVERSTRAND MUNICIPALITY

Office of the Chairperson: MPT
Civic Centre
HERMANUS
7200

23 July 2026

TO : THE MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL

CONVENING NOTICE : SESSION OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

NOTICE IS HEREBY GIVEN that the **Municipal Planning Tribunal (MPT)** will go into session in the Town Planning Committee Room on **Tuesday, 4 August 2026** at **10:00** to consider the attached agenda.

S MULLER
CHAIRPERSON : MUNICIPAL PLANNING TRIBUNAL

Distribution:

1. Mr S Müller (Chairperson)
2. Ms T de Waal (Vice-Chairperson)
3. Mr H Blignaut (Member)
4. Ms R Louw (Member)
5. Mr R Kuchar (Authorised Official)
6. Mr S van der Merwe (Principal Town Planner)
7. Ms H van der Stoep (Principal Town Planner)
8. Mr H Olivier (Town Planner)
9. Mr B Minnaar (Town Planner)
10. Secretariat



MUNICIPAL PLANNING TRIBUNAL (MPT)

**4 August 2026
(July 2026 Cycle)**

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1. OPENING

2. APPLICATIONS FOR LEAVE OF ABSENCE

3. CONFIRMATION OF MINUTES

3.1 Minutes of a Municipal Planning Tribunal Meeting held on 25 June 2026

4. ITEMS FOR CONSIDERATION

4.1 ERF 730, 12 BOBBIE ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN & REGIONAL PLANNERS ON BEHALF OF E RAILOUN

Report attached

4.2 ERF 1008, 37 JAN VAN RIEBEECK CRESCENT, SANDBAAI: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURES: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF JP MALAN

Report attached

4.3 ERF 452, 30 MAIN ROAD, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND DEPARTURES: MESSRS WRAP PROJECT OFFICE ON BEHALF OF BVA BELEGGINGS PROPRIETARY LIMITED

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Report attached

4.1

**ERF 730, 12 BOBBIE ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN
& REGIONAL PLANNERS ON BEHALF OF E RAILOUN****730 KPRB (4900/2025)****H van der Stoep
29 June 2026****(028) 313 8900****Hermanus Administration****1. EXECUTIVE SUMMARY**

An application has been received on 6 March 2024 from Future Plan Town & Regional Planners on behalf of E Railoun on Erf 730, Pringle Bay in terms of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the following:

- ❖ **Subdivision** in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to subdivide Erf 730, Pringle Bay into 2 portions namely Portion 1 ($\pm 1000\text{m}^2$) and a Remainder ($\pm 2937\text{m}^2$).
- ❖ **Rezoning** in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to rezone the Remainder of Erf 730, Pringle Bay ($\pm 2937\text{m}^2$) from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1).
- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to accommodate the proposed deviation from the Ridge's Guidelines to depart from the Overstrand Environmental Management Overlay Zone (EMOZ, 2020) to allow the owner to construct the proposed dwelling within the earmarked open space/conservation portion on the subject property.

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

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. SITE HISTORY

The property measures 3937m^2 in extent and located in Pringle Bay Extension 3. The erf is located in the area known as The Ridge. The erf was created in 1970 as per General Plan 8158.

The Pringle Bay Structure Plan (May 1993) recommended that Erven 721, 724-730, Pringle Bay, (shown as medium density) may be developed as a group housing scheme with a maximum of 15 units per gross hectare. However, the zoning of Residential Zone I was allocated to these properties during July 1993.

The previous owners of Erven 721 and 724-730 submitted applications during December 2002 for the removal of title deed conditions, consolidation, rezoning and subdivision of the said erven into 48 Single Residential plots, Private Open Space and

private road. The owner who owned the majority of the erven became ill and decided to sell his erven individually. The applications were subsequently withdrawn.

Kindly note that the open space corridor as indicated in Annexure M was determined by Council's Nature Conservation Department, prior to the submission of the aforementioned applications to the Municipality and is therefore still applicable.

In 2008, the Council approved the subdivision and rezoning of Erven 724 and 730 Pringle Bay with conditions of which one was the adherence to the Open Space Corridor.

4. SUMMARY OF APPLICANT'S MOTIVATION

CONTEXTUAL INFORMATION

Development Proposal

Subdivision into two (2) erven:

Portion 1:	1000m ²
Remainder of Erf 730:	2937m ²

Remainder of Erf 730 will be rezoned to Open Space Zone 1: Nature Reserve.

Access

Access will be obtained from Bobby Road.

Services

A service connection is available to the subject property.

Electricity

Electricity supply will be obtained from the onsite supply from Eskom.

Environmental

In the early 2000's an open space corridor was determined by the Nature Conservation Department of the Municipality in this specific area of Pringle Bay. The latter document serves as the basis for evaluating land use applications in the area. The building line abutting a Ridge conservation area must be a minimum of 5m.

The Ridge Guideline Development Plan remains relevant to land use applications in this area and is not overridden by the Environmental Management Overlay Zone (EMOZ).

Pringle Bay Extension 3 was established in the 1970's and the subject erf was allocated a residential zoning (SRZ1). It was never designated as an Open Space, ecological corridor, or any other earmarked use, other than residential. The proposed development is subject to more stringent measures due to the sensitive nature of residential. The proposed development is subject to more stringent measures due to the sensitive nature of the erf. However, a compromise is necessary in this case due to existing rights and the sensitive nature of the application site.

The development parameters of the Ridge were established in the 2000s between the original owner, the Municipality, and the Pringle Bay Ratepayers, which are captured in the title deeds and a development plan.

The corridor represents the sensitive dune and wetland areas. The municipality still regards the corridor guide plan as relevant for the consideration of land use applications in this area. The subject property falls within the demarcated conservation area of the Ridge Guideline Development Plan as depicted on the map below:

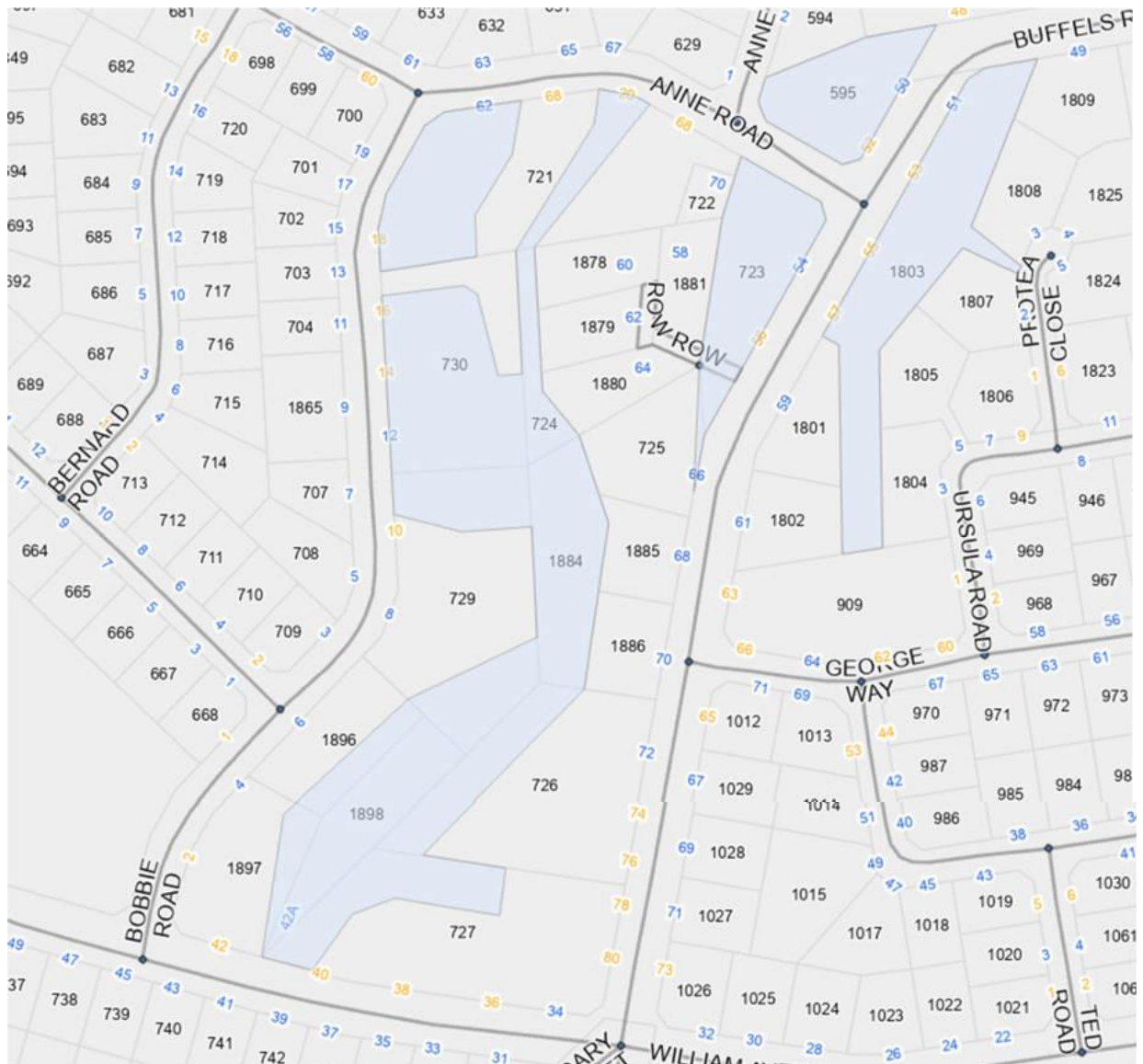


Figure 1: Ridge Guideline Development Plan

The subject property is demarcated as an Urban Conservation Area in terms of the Environmental Management Overlay Zone (EMOZ, 2020). In addition, a conservation area corridor runs over a portion of the subject property.

Please refer to the Figure below:

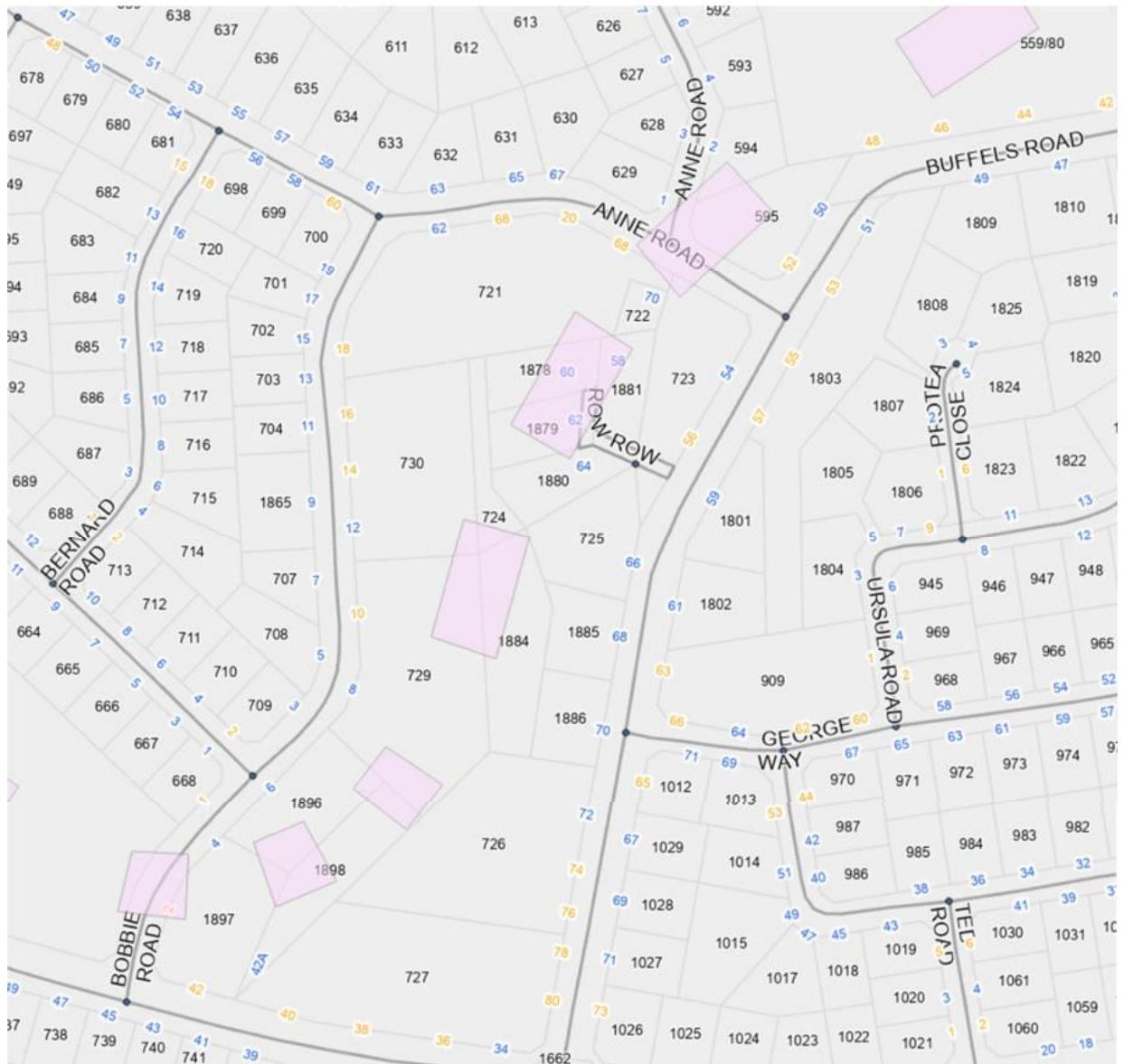


Figure 2: Conservation Area Corridor

The subject property falls under Category D for the Urban Conservation Area. Category D stipulates that the discretion lies with the municipality's officials to determine whether additional studies must be submitted, even in cases where no NEMA-listed activities are triggered:

"In the face of development pressure, the Municipality may, if it deems it necessary, on receipt of a development proposal or application, that does not involve any activities identified under the NEMA listing Notices, require that specialist biodiversity and I or other relevant studies, be undertaken by the developer/owner in order to inform development planning and retain priority ecological corridors and habits."

Before proceeding with this land use application, our client appointed Mr Duncan Heard from Duncan Heard Environmental Consulting to undertake a conservation area study for 'The Ridge' area. He compiled an Environmental Management Framework (EMF) for the "Ridge" precinct in the town of Pringle Bay. The EMF is a tool that aims to promote the effective environmental management of identified potential areas within this precinct as a conservation area. It encourages the formation of a 'conservancy' entity consisting of the precinct landowners who, through their joint, coordinated, prioritised, and focused efforts, could effectively protect and conserve the identified conservation area of this precinct.

This precinct in Pringle Bay was identified several years ago as a potential conservation-worthy ecological corridor (green belt) within the urban residential area, which could contribute to the conservation of the local natural environment. For the above reason, it was included in the Environmental Management Overlay Zone (EMOZ): Conservation-worthy Urban Area for Pringle Bay.

Figure 1 (above) indicates the approximate positions of the wetland areas (blue) of the Ridge precinct. The EMF stipulates that it is essential to grant these areas conservation status in the future, to prevent them from becoming negatively impacted and degraded. To facilitate the conservation of the wetlands and to improve the dune ridge corridor ecological integrity (the municipal properties partially protect that), it is recommended that the private landowners exercise their right to develop a residence on their property, but that these areas of natural vegetation be retained on their property.

The owner intends to construct a dwelling house in the southwestern corner of the subject property. Although the southwest corner of the subject property falls within the demarcated conservation area of the Ridge Plan and EMOZ, it is proposed that the municipality considers the outcome of the EMF and allow the development of the southwestern section of the property as an off set for maintaining the wetland area identified on the Remainder of the property. In addition to those above, it is essential to consider that the proposed dwelling will be placed on stilts to reduce the loss of vegetation and disturbance of the demarcated wetland area. The intention for this is to allow the natural vegetation to regrow and establish itself once construction has concluded naturally. The Remainder of Erf 730 will be rezoned from Single Residential Zone 1 to Open Space Zone 1 to restrict any further residential development and allow for the conservation of the natural vegetation and wetland areas.

We request that the municipality consider the EMF (2023 - 2028) compiled for the proposed Ridge Precinct Conservation Area, Pringle Bay and allow the landowner of Erf 730, Pringle Bay, to construct the dwelling house as per the attached Site Development Plan.

The Ridge Plan stipulates (municipal requirement) that the building line abutting the Nature Conservation Area be a minimum of 5m. Minimum common boundary building lines of 2m (from the proposed subdivision lines / new erf boundaries) and street building lines of 4m will apply to the application site. The owner does not intend to apply for any further departures from the building lines.

The changes are in harmony with the existing environment and will not disrupt the surrounding properties or deviate from established zoning guidelines. We are confident that the proposal will be smoothly integrated without causing any issues.

One of these professionals is Mr. Duncan Heard, an Environmental Practitioner in the Overberg area. The property owner and Mr Heard agreed that the initial position was not viable due to its proximity to the Green Corridor of the Ridge and its potential impact on the natural vegetation and wildlife. It was argued that moving the proposed dwelling to the southwest corner of the application site may be better suited to accommodate the existing environmental constraints of the application site. Additionally, the revised position will accommodate a shorter driveway, thereby reducing the amount of natural vegetation that needs to be removed.

It is also important to note that the revised position is located within a wetland area that is periodically covered with standing water, which Mr Heard also investigated. The proposed dwelling is placed on stilts, which will potentially reduce the impact on the wetland area as there is no need for strip foundations that require excessive excavation.

Lastly, the first position (northeast) of Erf 730 would have required pile foundations, which requires the digging of excessively deep holes to be filled with concrete and other soil stabilising measures that could prove to be more harmful to the natural vegetation as opposed to moving the proposed structure to the southwest corner, whereby the previous measures are not required.

MOTIVATION

Need and Desirability

- This application serves to comply with the Conditions of Approval of 2008, as alluded to previously in this motivation report.
- The proposal will not detract from the abutting neighbours' privacy.
- The application site is situated within an existing residential area. It thus is not deemed to impact any environmentally sensitive areas negatively, as a significant portion of the application site is to be earmarked for conservation purposes and to be administered by the Overstrand Municipality.
- No negative visual impact on the abutting neighbours.
- Vistas and other rights, such as privacy, remain intact.
- The proposal will add value to Erf 730 and the surrounding area.
- No threat to the health and safety of the surrounding community of Pringle Bay is envisaged.

Economic Impact

- The proposed development of a dwelling house with a double garage will be beneficial to the local economy.
- By removing restrictive title deed conditions and allowing the development to proceed, it will enable the property owner to utilize and develop on a section of the property not designated for conservation purposes according to the Environmental Management Framework (EMF) report by Duncan Heard Environmental Consulting.
- Additionally, the construction of the dwelling with garage is expected to generate temporary employment opportunities. Once completed, the property will be occupied by a new family who will contribute to the local economy by investing and spending in nearby businesses.

- Overall, the proposal is framed as a means to provide residential accommodation in a strategically located area, which is deemed beneficial for both the local economy and community.

Social Impact

- The arrival of a new family to the area will have a positive impact, with no anticipated negative effects. Only one dwelling will be developed on the subject property, with no plans for further subdivision or additional dwellings.
- Furthermore, since the zoning and land use of the property align with those of the surrounding area, it's believed that the social wellbeing and cohesion of the adjacent community will be minimally affected.
- The addition of a single dwelling, in compliance with existing zoning regulations, will not disrupt the social fabric of the neighbourhood. The proposed development will seamlessly integrate into the existing community without causing any significant social upheaval.

Compatibility with the Surrounding Land Use

The subject property (Erf 730) is located within a pre-existing low-density residential zone. The proposed application seeks to adjust the restrictive title deed building lines and deviate from the spatial and land use planning guidelines to accommodate the construction of a dwelling house with a double garage. This adjustment would allow for single residential use (dwelling with outbuildings), while preserving areas identified as conservation-worthy according to the latest conservation area study.

Crucially, despite these adjustments, the size and zoning of the erf will remain unchanged, ensuring compatibility with surrounding zonings, erf sizes, and land uses within the area. This suggests a careful balance between development and preservation, aiming to integrate the proposed construction into the existing residential landscape without significantly altering its character or density.

The report highlights that the property owner intends to exercise his primary land use rights without seeking additional or consent uses. This approach ensures compatibility with the existing residential area and demonstrates compliance with nature conservation obligations for the region.

Moreover, the proposed position for the main dwelling on the subject property is supported by evidence showing its compatibility with the existing context and character of the area. By adhering to these principles, the proposal maintains and promotes the low-density residential nature of the surroundings, further emphasising its harmony with the existing environment.

According to the development rules of the Overstrand Land Use Scheme (2020), Erf 730 Pringle Bay will be subject to the development rules for erven larger than 400m² to apply. This means that the proposed main dwelling with a double garage will adhere to the existing development parameters specified in the land use scheme for residential erven in the immediate vicinity.

 CONSISTENCY WITH SPLUMA AND LUPA PRINCIPLES**Spatial Justice**

The proposed application will not perpetuate the spatial development imbalances of the past apartheid era.

Spatial Sustainability

The proposal will continue to protect environmentally sensitive areas (the Remainder of Erf 730) and cultural landscapes through the proposed rezoning to Open Space Zone 1.

Efficiency

The proposed development will optimally harness the potential that sustainably exists on the subject property, as is evident in the proposed SDP.

Spatial Resilience

The proposed development is well-aligned with the spatial plans and policies, enabling the subject property to withstand, absorb, and recover from environmental and economic shocks in a timely and efficient manner.

Good Administration

The proposed development will promote consultative planning, as the Municipality will advertise the proposal to the public, allowing for public comments to be taken into consideration. In addition, Future Plan Town and Regional Planners will also respond to the public's comments and consider the comments in the project's planning.

 POLICY DOCUMENTS**OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (SDF), 2020**

The Municipal Spatial Development Framework is a sectoral component of the IDP that, in terms of the Municipal Systems Act, 2000 (Act No. 32 of 2000), is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable, and habitable regions, cities, towns, and residential areas.

The proposal is not deemed to be in contravention of the Overstrand SDF as it does not contradict the statutory requirements of the SDF. Further to those described above, the application site is in an urban development area within the urban edge of Pringle Bay. The proposal is thus not in contravention of the SDF.

OVERSTRAND MUNICIPAL GROWTH MANAGEMENT STRATEGY, 2010

The Growth Management Strategy does not imply any densification proposal for this Planning Unit (Planning Unit 2), however, general densification (infill development) forms part of the greater Overstrand Municipality objective. The application site forms part of a group of erven that was previously one erf, which was subdivided over time.

The Strategy also refers to the Green Corridor Development Node, which forms a boundary to the east and south of the application site. It can be argued that sufficient measures are put in place to protect the Green Corridor through the rezoning of the Remainder of Erf 730 to an Open Space Zone 1, which is for a Nature Reserve.

The proposal is unlikely to have a negative impact on the Green Corridor or the objectives of the Growth Management Strategy.

OVERSTRAND MUNICIPALITY ENVIRONMENTAL MANAGEMENT OVERLAY ZONE (EMOZ, 2020)

The application site is situated in a conservation-worthy area; however, it was earmarked for residential development before the commencement of the EMOZ regulations in 2020. This is alluded to in the attached Annexure D. The application site also abuts an Ecological Process Corridor, as is evident in the EMOZ regulations.

It is imperative to note that significant measures have been taken to conserve the integrity of the Ecological Process Corridor by amending the delineation of the proposed Portion 1 and the rezoning of the Remainder portion to a Nature Reserve.

The proposed placement of structures will retain ample space between the habitable space and the existing Ecological Process Corridor. This is deemed sufficient to protect the natural characteristics of the Ridge and Ecological Process Corridor. We also believe that this is the most practical solution for the property owner, Overstrand Municipality, and the natural environment.

Herewith is a summary of the EMOZ's Prohibited Activities (Schedule A) and Activities Only Permitted with Council's Consent (Schedule B):

Prohibited Activities – Schedule A - Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Agricultural practices within this EMOZ which may cause water logging and siltation.</i>	N/a	
<i>Planting or harbouring of declared alien invasive plant species on properties located within and adjacent to this EMOZ</i>	N/a	
<i>Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ.</i>	N/a	
<i>Planting or harbouring of locally important emerging weed species within and adjacent to this EMOZ.</i>	N/a	
<i>Development or agriculture on slopes steeper than 1:4.</i>	N/a	

Prohibited Activities – Schedule A - Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Development above the 120m geographical contour line.</i>	N/a	
<i>Development on the crest of a mountain, ridge or hill.</i>	N/a	
<i>Establishment of Informal settlements or Temporary Relocation Areas.</i>	N/a	
<i>No land user within this EMOZ may utilise the vegetation in a vlei, marsh or within the flood area of watercourse in a manner that may cause the deterioration or damage to the natural agricultural resources.</i>	N/a	
<i>Placement of religious symbols or memorabilia</i>	N/a	
<i>Harvesting/collection of kelp/seaweed in municipal designated “no-take” zones.</i>	N/a	
<i>Harvesting, collection, moving, loading, drying of kelp /seaweed, with a valid Seaweed Harvesting Permit or an exemption in terms of Section 81 or the MLRRA issued by the DAFF</i>	N/a	
<i>Stockpiling, drying, processing or loading of marine resources beyond areas designated, demarcated, and signposted by the Municipal Council for such purposes.</i>	N/a	
<i>Modification of the littoral active zone/functional dune systems in the absence of approved management plans.</i>	N/a	
<i>Feeding, disturbing/pursuit of fauna</i>	N/a	
<i>Disturbance, modification or destruction of the environment or species within special management areas designated, demarcated and signposted by the Municipal Council from time to time.</i>	N/a	

Prohibited Activities – Schedule A Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Defacing/damaging/removing of any notice, sign, barrier building or other infrastructure</i>	N/a	
<i>Playing or tampering with any rope, float, buoy, vessel, shelter or similar life-saving device</i>	N/a	
<i>Staying overnight</i>	N/a	
<i>The discharging of domestic effluent/grey water into all natural systems</i>	N/a	
<i>Tampering with security/surveillance infrastructure.</i>	N/a	
<i>Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features.</i>	N/a	
<i>Graffiti, vandalism, or damaging of municipal infrastructure.</i>	N/a	
<i>Littering</i>	N/a	
<i>Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items</i>	N/a	
<i>Dog walking/exercising of dogs in non-designated zones</i>	N/a	

Activities Only Permitted with Council Consent – Schedule B Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Permission for the utilisation of access routes to permitted kelp/seaweed harvesting sites.</i>	N/a	
<i>Removal or destruction of vegetation which is protected and/or of conservation concern.</i>	Yes	However, it is limited as the proposed structure will be placed on stilts, thus reducing the need for strip foundations.
<i>Dune maintenance on private land as per approved dune maintenance management plans.</i>	N/a	
<i>Excavation and destruction or removal of substrate (soil, substrate, rock, shell grit, dune sediment, mineral deposits)</i>	Yes	However, the proposed structure is limited as it will be placed on stilts, thus reducing the need for strip foundations.
<i>Discharging of pool backwashing or untreated grey water or the channelling of storm water into open spaces without the necessary approval from the Municipality.</i>	N/a	
<i>Installation of conservancy tanks or biological treatment plants within 50 metres from the edge of a watercourse/wetland.</i>	Yes	The intention is to install a 5,000L conservancy tank as there is no other alternative, such as a sewerage network. Conservancy tanks are the norm for the surrounding area.
<i>Access from private properties to open spaces, including the removal of vegetation and the establishment of paths, structures and infrastructure.</i>	N/a	
<i>Commercial filming.</i>	N/a	
<i>Construction or placement of any temporary object, building, shelter, path or structure.</i>	Yes	Temporary structures (portable toilets, storage for equipment) will be placed on-site only during the construction phase and will be removed as soon as possible.

<i>Use of engine or motor-driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas.</i>	N/a	
<i>Launching of vessels at registered launch sites.</i>	N/a	

The proposed development is substantially different from any residential development or a single dwelling. The initial impact on the protected area is anticipated, but it is expected to recover once construction is completed.

THE RIDGE CONSERVATION REPORT – ENVIRONMENTAL MANAGEMENT FRAMEWORK (2023-2028)

Mr Duncan Heard (of Duncan Heard Environmental Consulting) compiled the Ridge Conservation Report, which is specifically aimed at Erven 729 and 730, Pringle Bay. Please refer to Annexure L for a full copy of the Framework.

This Framework aims to establish a conservancy of the precinct landowners through a prioritised effort that could ultimately protect and conserve the identified area against development, promoting balanced growth and environmental protection, specifically in the area identified as the “Ridge”.

The Ridge comprises a collection of erven owned by private individuals, the Municipality, and Eskom. Please refer to Figure 1 (page 14), extracted from the Framework.

The comprehensive report compiled by Mr Heard reveals that the Ridge supports a wealth of natural vegetation and animals that depend on it as a natural habitat and diverse ecosystem. The lower-laying wetland area is also of great importance to the protection of the Ridge. Mr. Heard further states that with careful development and the conservation of open spaces (protected areas), the Ridge will form a contiguous environmental corridor that will enhance the protection of local birds, plants, and other wildlife.

The proposal (this application) was discussed with Mr Heard and was subsequently supported as the proposal (Annexure G) will have a lesser impact on the Ridge and the wetland area. It is further argued that the loss of vegetation will be restricted to constructing a short driveway and the building footprint, which is to be placed on stilts. The rest of the application site will remain untouched/undeveloped and in its natural state.

The adjustment of the proposed dwelling in the southwest corner will further reduce the impact on the Ridge and allow for the continuation of the green belt corridor situated along Erf 724 (as per Figure 1). The Remainder of Erf 730 will be rezoned to Open Space 1: Nature Reserve, which is deemed to further enhance the Ridge as an ecological corridor aimed at protecting the existing natural habitats.

Thus, the proposal is deemed to have a lesser impact on the natural area in terms of loss of natural vegetation and animals.

Remainder of Erf 730 will be rezoned to Open Space 1: Nature Reserve, which is deemed to further enhance the Ridge as an ecological corridor aimed at protecting the existing natural habitats.

Thus, the proposal is deemed to have a lesser impact on the natural area in terms of loss of natural vegetation and animals.

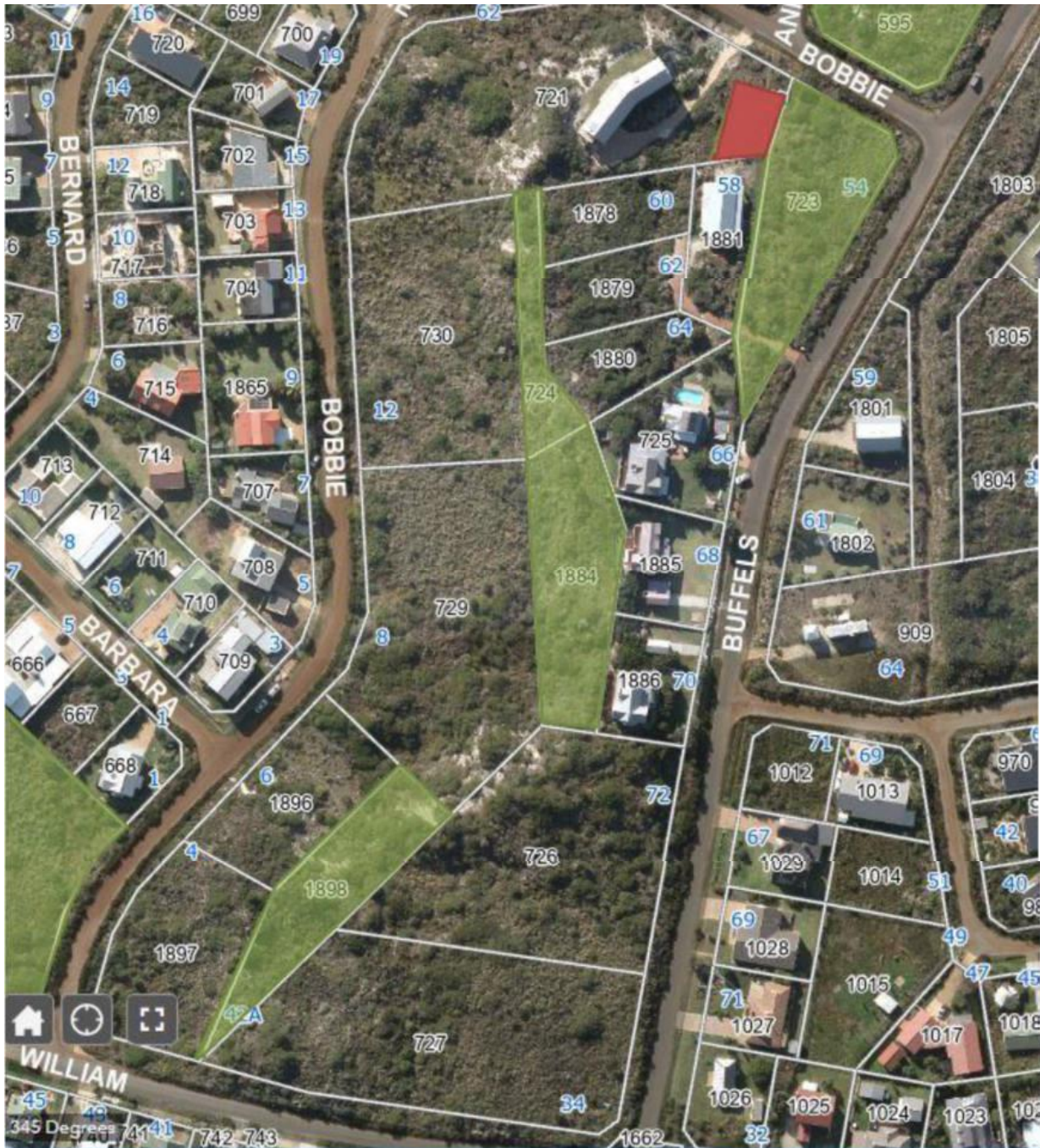
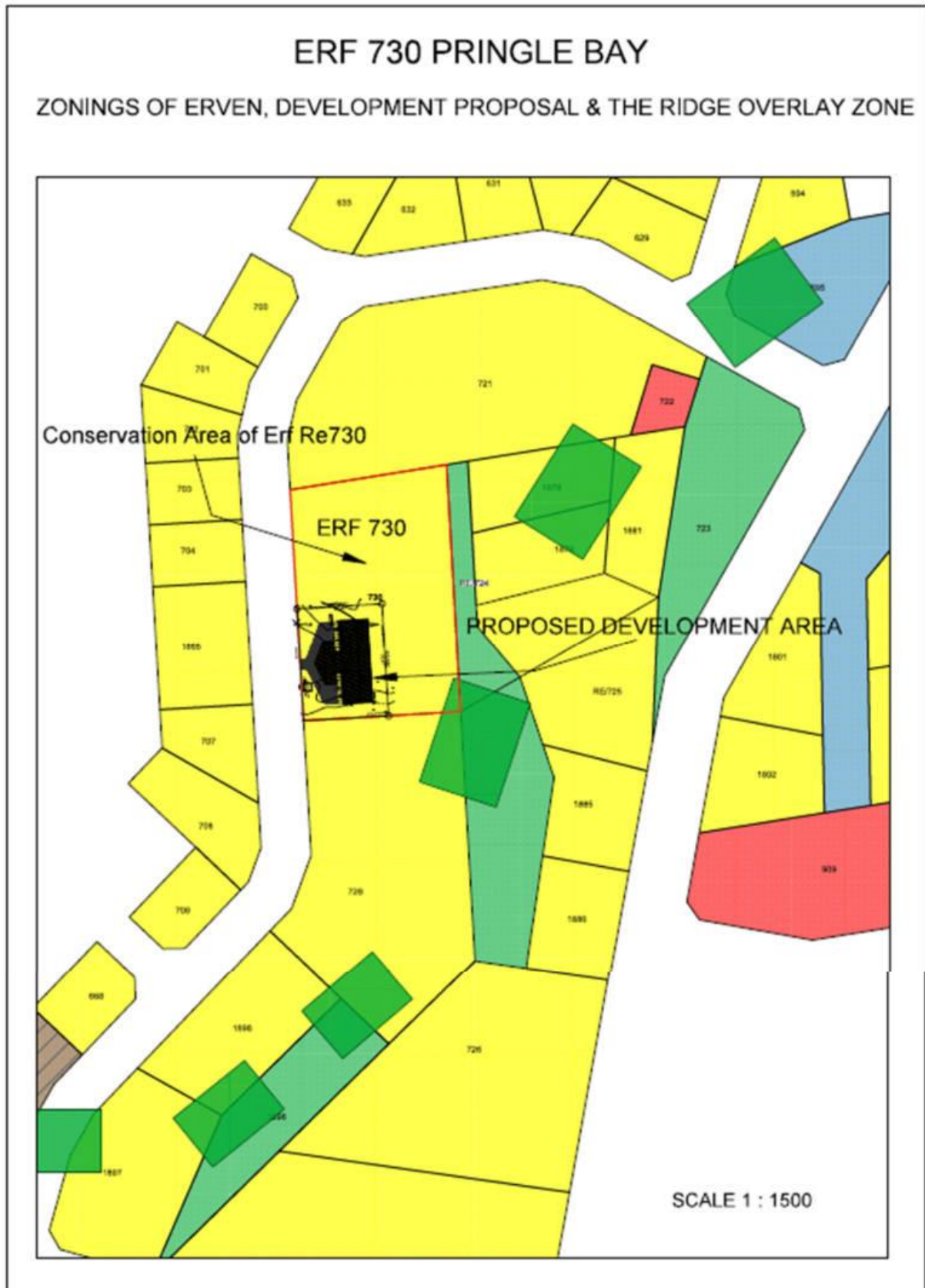


Figure 3: The "Ridge" area is between Bobbie, Buffels and William Roads. Extracted from the Ridge Precinct Conservation Area.

The Overlay Zone, the zoning of the area, and the proposed development on a portion of Erf 730 indicate clearly that the proposal conforms to the "Ridge Overlay Zone" principles and required actions.

The attention is again referred to the comments of the author of the 'Ridge Overlay Zone', Mr Duncan Heard, and his 'approval' regarding this proposal.



IMPACT ON HERITAGE OF PRINGLE BAY

A portion of Erf 730 Pringle Bay is not earmarked for -

- heritage conservation purposes in the Overstrand Heritage Report (2009);
- part of the Heritage Protection Overlay Zone (HPOZ, 2020) as determined by the Overstrand Municipality's Zoning Scheme (2020), and
- heritage conservation purposes concerning the Overstrand Municipal Growth Management Strategy (2010).

The subject property is a vacant portion of land. The impact on the visual landscape of the area will be kept to a minimum, as the proposed dwelling with a double garage on Erf 730, Pringle Bay, will be developed in line with the zoning parameters for Residential Zone I: Single Residential erven, as stipulated in the Overstrand Municipal Land Use Scheme Regulations (2020).

The proposal is considered a low-impact development. The contours of the site have been surveyed and favours the position of the dwelling as indicated on the site development plan. The impact on the views of adjacent properties will be minimal since no structures will be developed near the proposed dwelling's position on Erf 730 Pringle Bay and since the slopes of the subject property and surrounding properties (i.e. The Ridge) favours the development at this position without having a detrimental impact on the adjacent properties.

The subject property is not associated with any important persons, groups, or events and activities. The subject property has no connection to the history of slavery and is not used for living heritage purposes.

From the above, it is evident that the proposed application does not encompass any heritage significance, and therefore, the impact on the heritage value of the area will be kept to a minimum.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	11 September 2025	17 October 2025
Internal departments	Yes	11 September 2025	17 October 2025
E-mails & site notice	Yes	11 September 2025	17 October 2025
Ward Councillor	Yes	11 September 2025	17 October 2025
Total comments/objections	TWO (2)		
Total letters of support	TWO (2)		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			Yes
Was the application processed correctly (if no, elaborate below):			Yes

Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)	Yes
---	------------

6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
Building Control	11/09/2025	No objection.
Engineering Services	29/01/2026	See Annexure F.
Western Cape Government: EADP (Planning)	22/09/2025	See Annexure G.
Western Cape Government: EADP (Environmental)	10/10/2025	See Annexure H.
Cape Nature	13/11/2025	See Annexure I.
BOCMA	24/03/2026	See Annexure J.
Environmental Management Services	18/03/2026	See Annexure K.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION, THE APPLICANT'S RESPONSE AND THE MUNICIPAL TOWN PLANNER'S RESPONSE THEREON

The application was duly advertised in the local newspaper. Notices were e-mailed to surrounding residents in the area and the Pringle Bay Ratepayers Association. A notice board was also placed on-site by the applicant's consultant.

In the public participation process four (4) comments/objections/letters of support were received.

 *TV Helmbold*
 *Pringle Bay Ratepayers Association*
 *R Konings*
 *MS Solomons*

The applicant was provided with an opportunity to respond to the objections received. The objections and support letter are attached as Annexure D, and the applicant's responses are attached as Annexure E respectively.

The objections, the applicant's reply and the Municipal Town Planner's response thereon can be summarized as follows:

OBJECTOR:**AW VORSTER (ON BEHALF OF PRINGLE BAY RATEPAYERS' ASSOCIATION)**

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
<i>Paragraph 2.1</i>	The references made to the restrictive title deed conditions are made in error. The subject application does not pertain to the amendment or relaxation of restrictive title deed conditions.

TOWN PLANNER'S RESPONSE

The application was not for a removal of restrictive conditions.

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
<i>Paragraph 2.2</i>	This application does not entail the relaxation of any building lines.

TOWN PLANNER'S RESPONSE

The applicant did not request any removal of conditions and thus will comply with the title deed building lines, which is more restrictive than The Ridge Environmental Framework and the Land Use Scheme. The applicant did not overlook the amendment of the Title Deed building lines and is not forced to comply with either the Land Use Scheme and or The Ridge Environmental Framework. The most restrictive condition is applicable, and the applicant does comply with the most restrictive conditions.

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
<i>Paragraph 2.3</i>	Noted. We request clarity on how the title deed should be amended accordingly.

TOWN PLANNER'S RESPONSE

The Overstrand Land Use Scheme restricts buildings on the property to 8m height. Although the title deed makes provision for a 3-story building, the most restrictive development parameters are applicable. In this case the Overstrand Land Use Scheme. Should the applicant intend to make use of the more lenient height restriction as per the title deed, a land use application will have to be lodged to depart from the Overstrand Land Use Scheme

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
Paragraph 2.4	a) The amendment of this condition in the subject title deed would serve no purpose on this land use application. b) We reiterate: <i>In terms of the conditions as stipulated in the Deed of Transfer T000023555/2023, paragraph C (6) (2) (b), it is stated that 'not more than 25% of the area thereof shall be built upon'.</i> <i>This was discussed with the Planning Official of the Overstrand Municipality, and the outcome was a mutual agreement that the restriction applies to the property as a whole, not to the subdivided and newly proposed property.</i> <i>Therefore, the coverage of the proposed buildings must be calculated as if they were constructed over the entire Erf 730, Pringle Bay. The outcome of such a calculation is coverage of only 9,3%, which is well within the scope of the allowed 25% as stipulated in the deed of transfer.</i> The above is an extract from the motivation report and addressed accordingly. c) Again, no relevance to this land use application.

TOWN PLANNER'S RESPONSE

d) The 25 % as per the title deed is mandatory and needs to be complied with.

The proposal of the PBRA that the applicant amends his title deed is noted, however the Municipality cannot enforce the proposal. The applicant did not apply for any amendments or removals in this regard.

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
Paragraph 2.5	Noted.

TOWN PLANNER'S RESPONSE

Noted.

COMMENT: R KONINGS

 COMMENT	<u>APPLICANT'S RESPONSE</u>
<i>Cause least disruption on important wetland, and prominent area for wildlife.</i>	In essence, the objector supports the application because the majority of Erf 730 will be designated for the preservation of the natural landscape and its associated fauna and flora. The proposed dwelling is to be constructed in a manner that will potentially have the least disruptive impact on the surrounding fauna and flora. It is also proposed not to build on the dune area itself, which is deemed to have an increasingly detrimental impact on the natural landscape.

TOWN PLANNER'S RESPONSE

The proposed relocation of the location of the building will be outside of a sensitive dune system and built on stilts to ensure movement of underground water and wildlife.

COMMENT: MS SOLOMONS

 COMMENT	<u>APPLICANT'S RESPONSE</u>
<i>Application provides for preservation.</i>	MS Solomons does not provide any negative aspects against the land use application.

TOWN PLANNER'S RESPONSE

Noted.

OBJECTOR: TV HELMBOLD

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
<i>Paragraph 1</i>	The application does not entail any construction on the ridge or dune.

TOWN PLANNER'S RESPONSE

The proposed development is not located on the dune.

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
Paragraph 2	The proposed dwelling is to be placed on stilts, which are deemed to reduce environmental impact and prevent flooding during the rainy seasons.

TOWN PLANNER'S RESPONSE

Concur with applicant.

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
Paragraph 3	Noted. The manner in which the proposed driveway is to be constructed will be finalised upon actual construction. One alternative is to use natural stone to reduce potential negative environmental impacts.

TOWN PLANNER'S RESPONSE

The concern is noted and will be dealt with at building plan phase, which is subject to the comments from the Breede-Olifants Catchment Management Agency and the Municipal Environmental Section. The aforementioned indicated that the construction adheres to the National Water Act, 1998 and will be dealt with accordingly.

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
Paragraph 4	A reputable service provider will install the proposed conservancy tank. Prior to construction, Overstrand Municipality's Building Plan Department will also provide comments relating to the best practical solution and technique

TOWN PLANNER'S RESPONSE

The conservancy tank will be installed as per Municipal standards. Please note that a conservancy tank is a close system and thus should not leak.

 OBJECTION	<u>APPLICANT'S RESPONSE</u>
Paragraph 5	The proposed dwelling conforms to the maximum permissible height restriction as prescribed in the OMLUS. It should also be emphasised that vistas are not a right, but a privilege.

TOWN PLANNER'S RESPONSE

Concur with the applicant.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See Paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner's comment on objections/and response thereon)

See Paragraph 7 above.

Internal and External Departments

The application was supported by all internal and external municipal and governmental departments (See Annexures)

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**10.1 Background**

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

Spatial Justice

N/A

Spatial Sustainability

The interpretation of sustainability in terms of SPLUMA relates to the protection of agricultural land and environmentally sensitive land. In this case, agricultural is not a factor, but the environment does play a role. The application is located in an environmental sensitive area with existing land use rights. The applicant appointed an Environmental Practitioner to evaluate the site with recommendations relating to the least impact in terms of the locations of the proposed dwelling. The outcome was the location in the northwestern corner of the property. To lessen the impact further, the dwelling will be elevated and built on stilts, thus lessening the actual disturbance of the land.

Efficiency

The proposed erven will make use of municipal services, which was supported by the Engineering Services Department. Due to the sensitive nature of the area, any proposed development will be subject to the most optimal location of the dwellings to ensure efficient use of developable space on the erven.

Spatial Resilience

The development will attribute to the sustainability of the proposed erven in terms of the National Building Regulations and NEMA to ensure that The Ridge remain a functional ecological corridor.

Good Administration

Administrative procedure was followed as prescribed by the Municipality.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Same as Point 10.2 above.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable policies

The application is in line with the SDF 2020.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal Engineering Services

Existing services will be used.

10.7 Outcomes of investigations/applications i.t.o other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

N/A

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The objections have been addressed extensively under Paragraph 7; however, a few aspects need to be addressed in more detail.

Pringle Bay Extension 3 was established in the 1970's and the application erf was allocated a residential zoning. It was never an Open Space, ecological corridor or any other use as residential.

The development parameters of The Ridge were established in the 2000's between the original owner, the Municipality and the Pringle Bay Ratepayers, which is captured in the title deeds and The Ridge Development Plan. The requirements e.g., the erven may not be less than 1000m², a portion of the erf be ceded to the Municipality for conservation purposes as per The Ridge Plan and be restricted to 8m (double storey) in height. Erf 730 was subdivided and approved in 2008 subject to the aforementioned.

The reason for the application is as follows:

The 2008 approval was never implemented. The present owner bought the property as a residential erf and the conditions of the 2008 were not disclosed. An application had to be resubmitted for the rezoning and subdivision, which consist of the minimum erf size of the residential portion of 1000sq and the rezoning of the remainder to Open Space1: Nature Reserve and ceded to the Municipality.

Climate change has resulted that The Ridge Plan, 2000 had to be re-evaluated in terms of present environmental considerations. The Ridge Development Plan of 2000 earmarked the area to be developed situated in a mature dune, an ecological corridor for animal life. The disturbance of the dune and removal of existing plant material will result in the migration of the dune. This practice is evident in Pringle Bay and Bettys Bay along the coastal areas. Although the remainder of the erf is a wetland, the fact that the applicant will build on stilts, will still allow the flow of the underground water. The actual footprint in the wetland area will only be the foundations and supporting columns. The supporting columns are 300mm by 300mm equals 0,09m². The building will consist of 20 columns, which equals to 1,8m². The foundations of the columns will not be much more, as indicated by the Environmental Practitioner, Mr D Heard. See Annexure N.

The application for the deviation of The Ridge Development Plan, 2000 is to accommodate the updated environmental analysis and investigation into the environmental properties of Erf 730. See Annexure L.

Pringle Bay Ratepayers Association comments with regard to the oversight from the applicant to address the title deed conditions is not correct. The applicant did not request to deviate from the title deed conditions. Therefore, he is in full compliance with the title deed conditions. He also did not request to deviate from the Land Use development parameters of the Overstrand Land Use Scheme 2020.

Should there be a discrepancy between the aforementioned, the most restrictive development parameter is applicable. In this case the Title Deed conditions allows for a 3-storey building, but the Land Use Scheme restricts the development to an 8m height restriction, thus the most restrictive is applicable, the 8m height restriction. Should the owner in future intend to execute the title deed right of a 3-storey building, but complies with the 8m height, measured from the base level, he does not transgress any of the development parameters, however in this case, he will have to comply with the any other applicable legislation such as the Environmental legislation, Water Use License Authority etc. Should he intend to transgress the 8m height, measured from base level, this will trigger a land use application.

In conclusion, the present application does not deviate or contravene the title deed or the Land Use Scheme and thus does not require any application in this regard. The Pringle Bay Ratepayers Association or the Municipality cannot compel the applicant to lodge an application for a removal of restrictive conditions he is not transgressing.

13. RECOMMENDATION

1. that the comments/objections **be noted**;
2. that the application in terms of Section 16.(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 730, Pringle Bay into two (2) portions, namely Portion 1 ($\pm 1000\text{m}^2$), and Remainder ($\pm 2937\text{m}^2$), **be approved** in terms of Section 61 of the By-Law;
3. that the application in terms of Section 16.(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to rezone the newly created Remainder of Erf 730 ($\pm 2937\text{m}^2$) from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1), **be approved** in terms of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a departure to accommodate the proposed deviation from the Ridge's Guidelines to depart from the Overstrand Environmental Management Overlay Zone (EMOZ, 2020) to allow the owner to construct the proposed dwelling within the earmarked open space/conservation portion on the subject property, **be approved** in terms of Section 61 of the By-Law;
5. that the approval of Points 2-4 above in terms of Section 61 of the By-Law be subject to the following conditions:
 - (a) that the approval is only for the subdivision as indicated on the Subdivisional Plan submitted with the application;
 - (b) that the rezoned portion be ceded to the Municipality with the registration of Portion 1 or within 12-months of the approval;
 - (c) that the applicant appoints an Environmental Practitioner to submit an operational plan to environmental section for approval before construction;
 - (d) that the appointed Environmental Practitioner ensure compliance with the operational plan and all applicable legislation;
 - (e) that only one dwelling with associated outbuildings be allowed;
 - (f) that the conditions in the Services Report (attached as Annexure F), be complied with;
 - (g) that the building be restricted to 25% of proposed Portion 1 (1000m^2) and coverage be restricted to 250m^2 , and

- (h) that building plans be submitted for all new buildings to the Building Control Department for approval, and that all conditions of the Building Control and Fire Departments be complied with at that stage.
6. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above decision.

14. REASONS FOR RECOMMENDATION

- ❖ The property has existing rights.
- ❖ Due diligence of environmental impact has been considered.
- ❖ Ecological corridor will be formally established.
- ❖ Low density development to the benefit of the area.
- ❖ External and internal departments did not object to the application.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plans
Annexure D:	Comments/objections received
Annexure E:	Applicant's response to the objections received
Annexure F:	Services Report
Annexure G:	Comment: Western Cape Government: EADP (Planning)
Annexure H:	Comment: Western Cape Government: EADP (Environmental)
Annexure I:	Comment: Cape Nature
Annexure J:	Comment: BOCMA
Annexure K:	Municipal Environmental Management Services
Annexure L:	Environmental Management Framework (2023-2028), dated October 2023
Annexure M:	Approvals relating to The Ridge Development Plan and subdivision and rezoning, dated 2008
Annexure N:	E- mail from Duncan Heard dated 15 December 2025

SIGNATURE

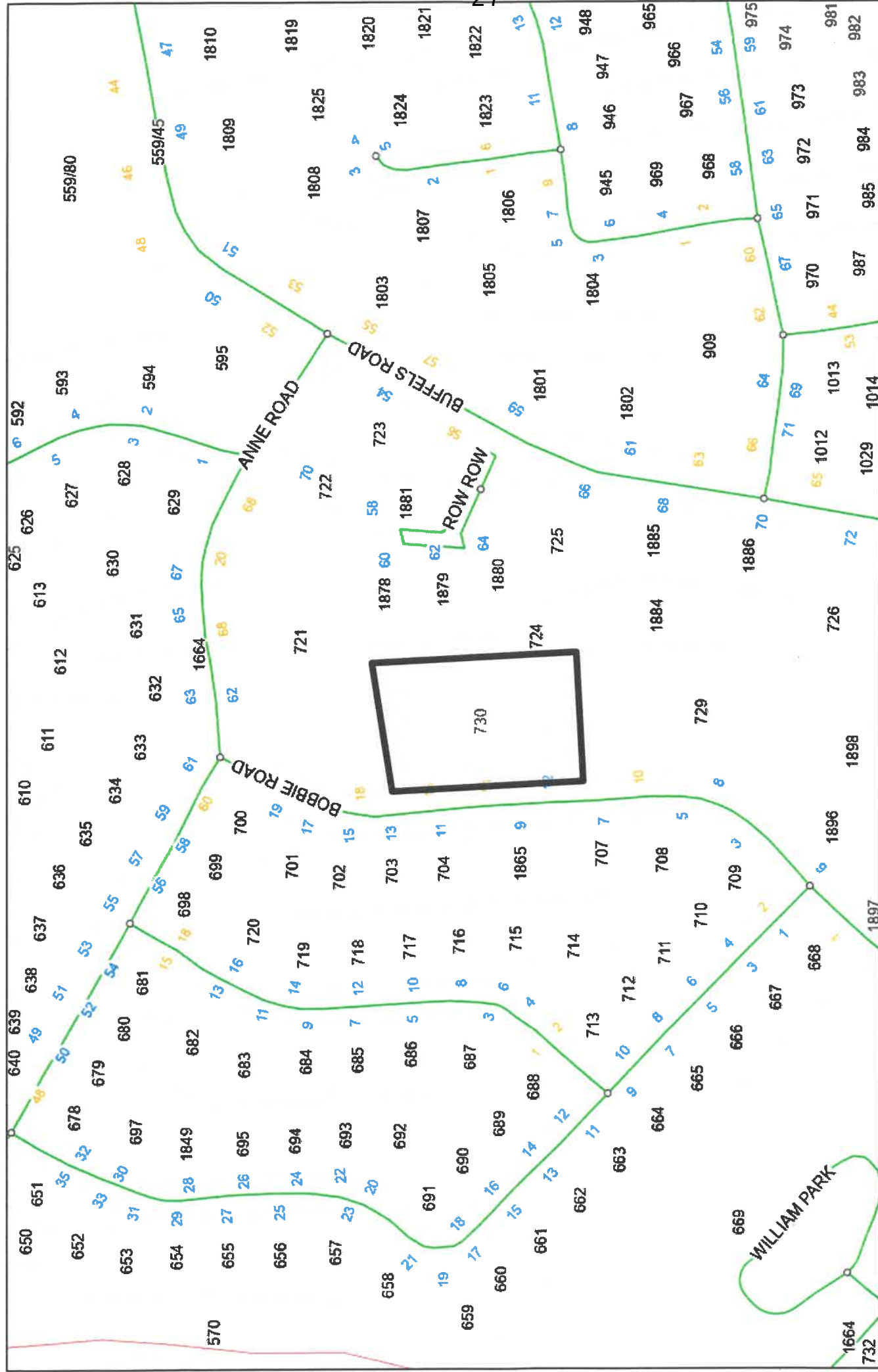
REGISTERED PLANNER

Name: **H VAN DER STOEP**

SACPLAN registration number: **A/1708/2013**

Signature: _____

Date: _____



Locality Map

Erf 730, 12 Bobbie Road, Pringle Bay

Date: 2025/01/23



FUTURE PLAN
TOWN AND REGIONAL PLANNING

ERF 730, PRINGLE BAY

APPLICATION IN TERMS OF SECTION 16 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING OF 2020 FOR:

- *Section 16 (2) (a) - Rezoning of Land*
 - *Rezoning from Single Residential Zone 1 to Open Space Zone 1*
- *Section 16 (2) (b) – Departure*
 - *Deviate from the Ridge Guideline Development Plan*
 - *Deviation from the Overstrand Environmental Management Overlay Zone (EMOZ, 2020) to allow the owner to construct the proposed dwelling within the earmarked open space/conservation portion on the subject property.*
- *Section 16 (2) (d) - Subdivision of Land*
 - *Subdivision of Erf 730 into two portions, namely Portion 1 and Remainder of Erf 730*

Application prepared for:

Emeraan Railoun & Overstrand Municipality

Application prepared by:

Future Plan Town and Regional Planners

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Revision 2:

23 June 2025



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FUTURE PLAN
TOWN AND REGIONAL PLANNING

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- Annexure B: Power of Attorney
- Annexure C: Title Deed
- Annexure D: Approval Letter (2008)
- Annexure E: Approved Subdivision Plan
- Annexure F: The Ridge Conservation Report – Environmental Management Framework
- Annexure G: Correspondence of Mr. Heard



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1. THE PROPOSAL

1.1. Background Information

In June 2008, Overstrand Municipality approved an application for the subdivision and rezoning of Erf 730, Pringle Bay (hereafter referred to as the application site) in favour of Esterthane Investments CC (previous owners), subject to certain conditions of approval. One of these conditions was that a portion of land be registered in the Municipality's name (Overstrand Municipality).

However, the previous owner has not undertaken the above and subsequently sold the entirety of Erf 730 to the new owner, Emeraan Railoun. This application will subsequently follow the same principles as the 2008 application. A copy of the letter specifying the details above is attached hereto as Annexure D.

In addition to the above, various discussions have been undertaken between the current property owner and Overstrand Municipality, including the Overstrand Municipality's Environment Department. The owner, therefore, appointed Future Plan Town and Regional Planners (hereafter referred to as this office) to assist with the necessary application to Overstrand Municipality.

1.2. Subdivision of Land

Application is made in terms of Chapter 4, Section 16 (2) (d) for the Subdivision of land into two portions, namely Portion 1 and the Remainder of Erf 730:

Portion 1: $\pm 1,000 \text{ m}^2$

Remainder of Erf 730: $\pm 2,937 \text{ m}^2$

The Remainder of Erf 730 is to be transferred and registered in the name of Overstrand Municipality, at the owner's cost.

1.3. Rezoning of Land

Currently, the zoning of the application site is Single Residential Zone 1. Portion 1 will thus retain the current zoning. In contrast, the subdivided portion, the Remainder of Erf 730, will be rezoned in terms of Chapter 4, *Section 16 (2) (a)* from Single Residential Zone 1 to Open Space Zone 1: Nature Reserve.

1.4. Deviate from the Ridge Guideline Development Plan and the EMOZ

The owner is seeking to make some adjustments to the existing regulations to accommodate the construction of a dwelling house on the vacant land (Erf 730). The proposed dwelling will be within the "loosely defined Ridge portion", i.e. in an area that was not typically demarcated for building.





It is common for property owners to seek such modifications to optimise the use of land and to preserve the conservation-worthy sections on the property.

The deviation is thus being sought in terms of Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the departure (EMOZ and Ridge Guideline Development Plan) for Erf 730 Pringle Bay.

1.5 The proposed dwelling

It is proposed to construct a double-storey dwelling. It is imperative to note that the entire structure is to be placed on stilts (elevated off the natural ground level). The ground floor will consist of two carports, a kitchen, a dining area, and a timber deck. The first floor will contain the main living areas, bedrooms and bathrooms. A dwelling house is a primary right on an SR1 zoned property. All land use scheme development parameters for a dwelling house will be met. The title deed has more restrictive building lines, which the proposed development will also meet.

Development Parameters	Area (m ²)	Coverage
Ground Storey	58,19	58,19
Covered Entrance	8,3	8,3
Carports x2	229,97	229,97
Timber Deck	71,38	71,38
First Storey	215,8	
Pergola Timber Deck	57,86	
Covered Verandas	14,28	
TOTAL	517,61	367,84
Erf 730	3937	9,3
Erf 1921	1000	36,8

In the early 2000's an open space corridor was determined by the Nature Conservation Department of the Municipality in this specific area of Pringle Bay. The latter document serves as the basis for evaluating land use applications in the area. The building line abutting a Ridge conservation area must be a minimum of 5m. The Ridge Guideline Development Plan remains relevant to land use applications in this area and is not overridden by the Environmental Management Overlay Zone (EMOZ).

Pringle Bay Extension 3 was established in the 1970's and the subject erf was allocated a residential zoning (SRZ1). It was never designated as an Open Space, ecological corridor, or any other earmarked use, other than residential. The proposed development is subject to more stringent measures due to the sensitive nature of





the erf. However, a compromise is necessary in this case due to existing rights and the sensitive nature of the application site.

The development parameters of the Ridge were established in the 2000s between the original owner, the Municipality, and the Pringle Bay Ratepayers, which are captured in the title deeds and a development plan. The corridor represents the sensitive dune and wetland areas. The municipality still regards the corridor guide plan as relevant for the consideration of land use applications in this area. The subject property falls within the demarcated conservation area of the Ridge Guideline Development Plan as depicted on the map below:

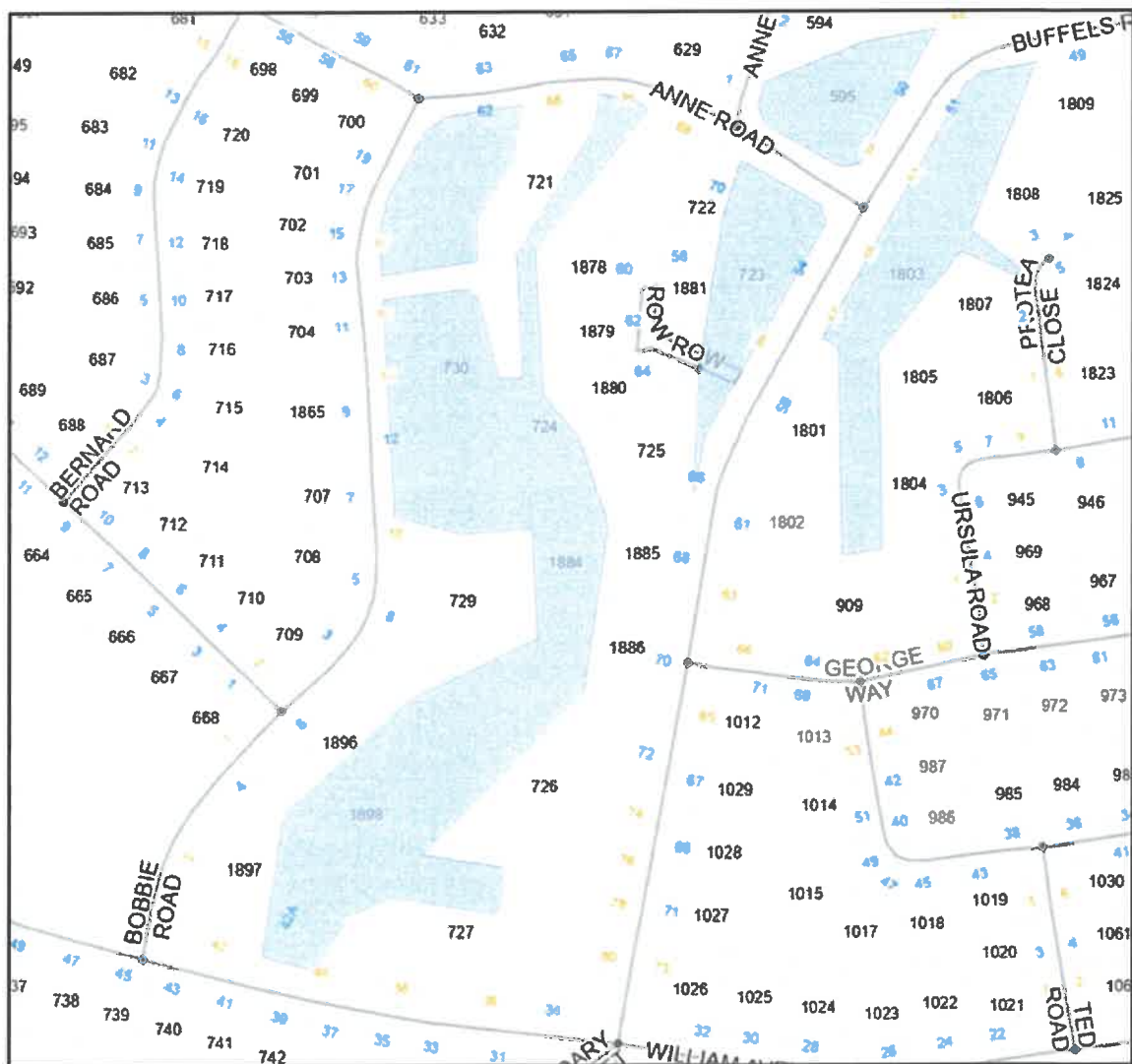


Figure 1: Ridge Guideline Development Plan





The subject property is demarcated as an Urban Conservation Area in terms of the Environmental Management Overlay Zone (EMOZ, 2020). In addition, a conservation area corridor runs over a portion of the subject property. Please refer to the Figure below:

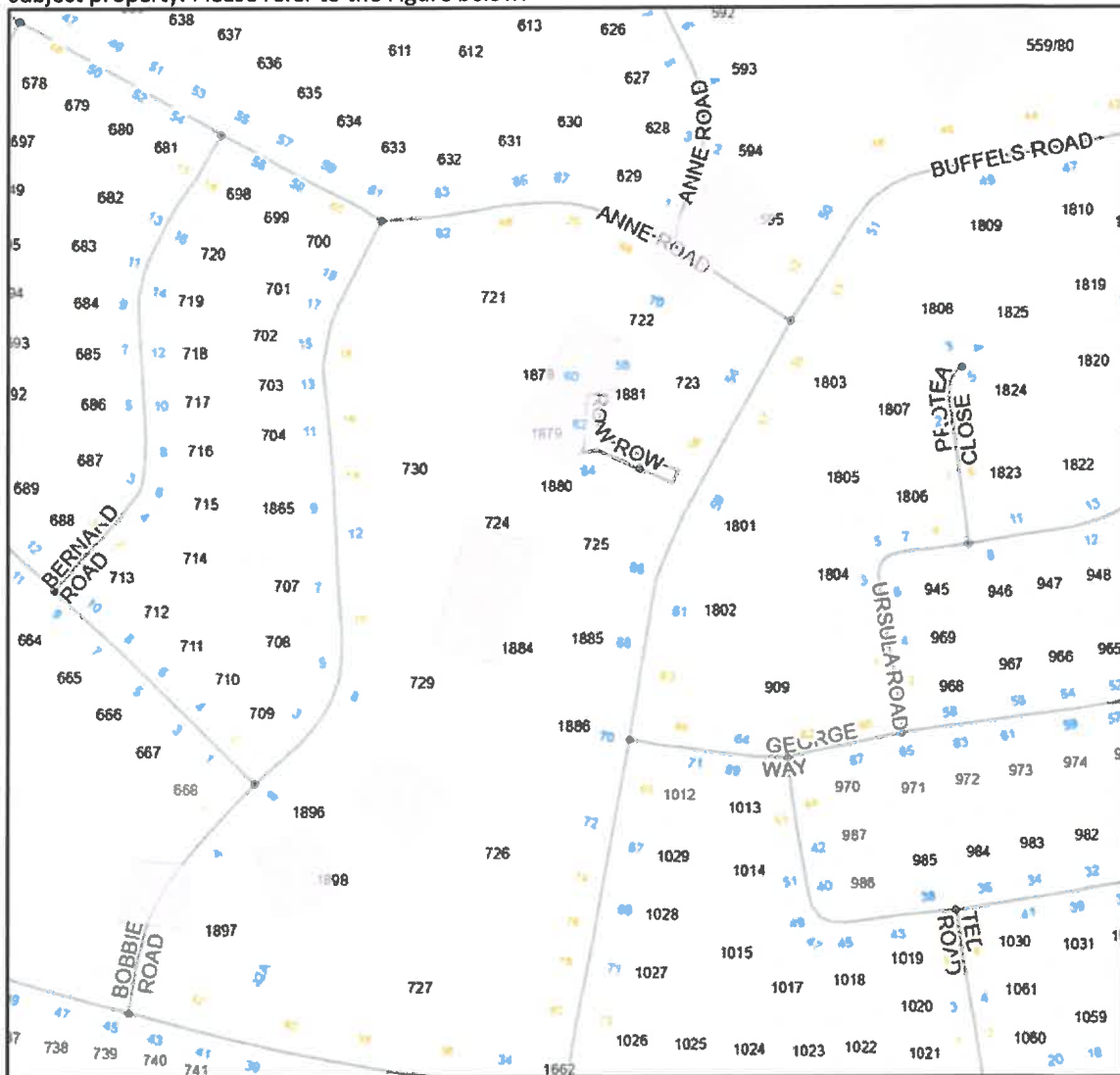


Figure 2: Conservation Area Corridor

The subject property falls under Category D for the Urban Conservation Area. Category D stipulates that the discretion lies with the municipality's officials to determine whether additional studies must be submitted, even in cases where no NEMA-listed activities are triggered:

"In the face of development pressure, the Municipality may, if it deems it necessary, on receipt of a development proposal or application, that does not involve any activities identified under the NEMA listing





Notices, require that specialist biodiversity and / or other relevant studies, be undertaken by the developer/owner in order to inform development planning and retain priority ecological corridors and habits."

Before proceeding with this land use application, our client appointed Mr Duncan Heard from Duncan Heard Environmental Consulting to undertake a conservation area study for 'The Ridge' area. He compiled an Environmental Management Framework (EMF) for the "Ridge" precinct in the town of Pringle Bay. The EMF is a tool that aims to promote the effective environmental management of identified potential areas within this precinct as a conservation area. It encourages the formation of a 'conservancy' entity consisting of the precinct landowners who, through their joint, coordinated, prioritised, and focused efforts, could effectively protect and conserve the identified conservation area of this precinct.

This precinct in Pringle Bay was identified several years ago as a potential conservation-worthy ecological corridor (green belt) within the urban residential area, which could contribute to the conservation of the local natural environment. For the above reason, it was included in the Environmental Management Overlay Zone (EMOZ): Conservation-worthy Urban Area for Pringle Bay.

Figure 1 (above) indicates the approximate positions of the wetland areas (blue) of the Ridge precinct. The EMF stipulates that it is essential to grant these areas conservation status in the future, to prevent them from becoming negatively impacted and degraded. To facilitate the conservation of the wetlands and to improve the dune ridge corridor ecological integrity (the municipal properties partially protect that), it is recommended that the private landowners exercise their right to develop a residence on their property, but that these areas of natural vegetation be retained on their property.

The owner intends to construct a dwelling house in the southwestern corner of the subject property. Although the southwest corner of the subject property falls within the demarcated conservation area of the Ridge Plan and EMOZ, it is proposed that the municipality considers the outcome of the EMF and allow the development of the southwestern section of the property as an off set for maintaining the wetland area identified on the Remainder of the property. In addition to those above, it is essential to consider that the proposed dwelling will be placed on stilts to reduce the loss of vegetation and disturbance of the demarcated wetland area. The intention for this is to allow the natural vegetation to regrow and establish itself once construction has concluded naturally. The Remainder of Erf 730 will be rezoned from Single Residential Zone 1 to Open Space Zone 1 to restrict any further residential development and allow for the conservation of the natural vegetation and wetland areas.





We request that the municipality consider the EMF (2023 - 2028) compiled for the proposed Ridge Precinct Conservation Area, Pringle Bay and allow the landowner of Erf 730, Pringle Bay, to construct the dwelling house as per the attached Site Development Plan.

The Ridge Plan stipulates (municipal requirement) that the building line abutting the Nature Conservation Area be a minimum of 5m. Minimum common boundary building lines of 2m (from the proposed subdivision lines / new erf boundaries) and street building lines of 4m will apply to the application site. The owner does not intend to apply for any further departures from the building lines.

The changes are in harmony with the existing environment and will not disrupt the surrounding properties or deviate from established zoning guidelines. We are confident that the proposal will be smoothly integrated without causing any issues.

1.5. History of the Application Site

As per Section 1.1 above, the application site has been the subject of much deliberation. Upon purchasing it (Erf 730), the current owner consulted with various professionals to discuss the site conditions and explore a better solution than what was initially offered.

Restrictive title deed conditions –

In terms of the conditions as stipulated in the Deed of Transfer T000023555/2023, paragraph C (6) (2) (b), it is stated that *'not more than 25% of the area thereof shall be built upon'*.

This was discussed with the Planning Official of the Overstrand Municipality, and the outcome was a mutual agreement that the restriction applies to the property as a whole, not to the subdivided and newly proposed property.

Therefore, the coverage of the proposed buildings must be calculated as if they were constructed on the total area of Erf 730, Pringle Bay. The outcome of such a calculation results in the coverage of only 9,3%, which is far within the scope of the allowed 25% as stipulated in the deed of transfer.

One of these professionals is Mr. Duncan Heard, an Environmental Practitioner in the Overberg area. The property owner and Mr Heard agreed that the initial position was not viable due to its proximity to the Green Corridor of the Ridge and its potential impact on the natural vegetation and wildlife. It was argued that moving the proposed dwelling to the southwest corner of the application site may be better suited to accommodate the existing environmental constraints of the application site. Additionally, the revised position will





accommodate a shorter driveway, thereby reducing the amount of natural vegetation that needs to be removed.

It is also important to note that the revised position is located within a wetland area that is periodically covered with standing water, which Mr Heard also investigated. The proposed dwelling is placed on stilts, which will potentially reduce the impact on the wetland area as there is no need for strip foundations that require excessive excavation.

Lastly, the first position (northeast) of Erf 730 would have required pile foundations, which requires the digging of excessively deep holes to be filled with concrete and other soil stabilising measures that could prove to be more harmful to the natural vegetation as opposed to moving the proposed structure to the southwest corner, whereby the previous measures are not required.

1.6. Desirability

For an informed decision by the Authorised Official, it is crucial to address the need and desirability of an application. Desirability is usually determined in terms of the aspects and considerations of Section 66 of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning of 2020 and Section 49 of the Western Cape Land Use Planning Act of 2014. This office has summarised a few site-specific aspects that should be considered before a decision is made.

Herewith is the need for the proposal:

- As stated under Section 1.1 of this motivation report, the previous owners have not met the conditions of approval. The property was sold, and instructions were given to the new property owner to comply with the conditions of approval as provided in 2008.

The proposal is deemed desirable due to the following reasons:

- This application serves to comply with the Conditions of Approval of 2008, as alluded to previously in this motivation report.
- The proposal will not detract from the abutting neighbours' privacy.
- The application site is situated within an existing residential area. It thus is not deemed to impact any environmentally sensitive areas negatively, as a significant portion of the application site is to be earmarked for conservation purposes and to be administered by the Overstrand Municipality.
- No negative visual impact on the abutting neighbours.
- Vistas and other rights, such as privacy, remain intact.
- The proposal will add value to Erf 730 and the surrounding area.
- No threat to the health and safety of the surrounding community of Pringle Bay is envisaged.

It is the opinion of this office that the proposed application is well-motivated in terms of the legislation as provided for in this motivation report and is not deemed to impose an unusual risk to the surrounding community due to the following reasons:

Therefore, this office believes that the proposal is desirable.





2. CHARACTER OF ENVIRONMENT

2.1. Location of Erf 730

The application site is located on Bobbie Road in Pringle Bay, Overstrand Municipality, Western Cape, South Africa.

Pringle Bay is a settlement within the Overstrand Municipality. A predominantly holiday destination comprises a majority of residential properties. Pringle Bay has a Central Business District (CBD) that encompasses a range of land uses catering to both residents and tourists.

2.2. Zoning and Utilisation

Zoning: Single Residential Zone 1

Utilisation: Currently Vacant

2.3. Surrounding Land Uses

The area surrounding the application site is residentially zoned, with most erven occupied by a minimum of one dwelling unit.

2.4. Ownership Details

A perusal of the title deed revealed that no restrictive conditions could prohibit the approval of this land use planning application. Below are the details of the subject title deed.

Property Description	Erf 730, Pringle Bay, situated in the Overstrand Municipality, Division Caledon, Province of the Western Cape
Ownership	Emeraan Railoun
Extent	3937m ²
Title Deed Number	T23555/2023

No restrictive title deed conditions exist in the attached title deed to prohibit the approval of this land use application.

2.5. Municipal Services

This application is limited to the subdivision and rezoning only and does not entail any additional applications. For this application, it should be noted that no municipal services are to be affected by the proposed subdivision and rezoning application. The owner intends to construct a 5,000L conservancy tank for all sewerage-related aspects.





3. LEGISLATION

3.1. Overstrand Municipality Spatial Development Framework (May 2020)

The Municipal Spatial Development Framework is a sectoral component of the IDP that, in terms of the Municipal Systems Act, 2000 (Act No. 32 of 2000), is aimed at providing general direction to guide decision-making on an ongoing basis, aiming at the creation of integrated, sustainable, and habitable regions, cities, towns, and residential areas.

The proposal is not deemed to be in contravention of the Overstrand SDF as it does not contradict the statutory requirements of the SDF. Further to those described above, the application site is in an urban development area within the urban edge of Pringle Bay. The proposal is thus not in contravention of the SDF.

3.2. Overstrand Integrated Development Plan (May 2020)

The Overstrand Municipality Integrated Development Plan (IDP) aims to address the development needs of our communities through clearly defined strategic objectives and performance indicators.

The IDP is crucial to consider in any planning-related application. It is the opinion of this office that the proposal promotes social development and creates a safe and healthy environment, not only for the property owner but also for the surrounding residents of the area.

3.3. Overstrand Municipal Growth Management Strategy (2010)

The Growth Management Strategy does not imply any densification proposal for this Planning Unit (Planning Unit 2), however, general densification (infill development) forms part of the greater Overstrand Municipality objective. The application site forms part of a group of erven that was previously one erf, which was subdivided over time.

The Strategy also refers to the Green Corridor Development Node, which forms a boundary to the east and south of the application site. It can be argued that sufficient measures are put in place to protect the Green Corridor through the rezoning of the Remainder of Erf 730 to an Open Space Zone 1, which is for a Nature Reserve.

The proposal is unlikely to have a negative impact on the Green Corridor or the objectives of the Growth Management Strategy.





3.4. Overstrand Municipality Environmental Management Overlay Zone (EMOZ, 2020)

The application site is situated in a conservation-worthy area; however, it was earmarked for residential development before the commencement of the EMOZ regulations in 2020. This is alluded to in the attached Annexure D. The application site also abuts an Ecological Process Corridor, as is evident in the EMOZ regulations.

It is imperative to note that significant measures have been taken to conserve the integrity of the Ecological Process Corridor by amending the delineation of the proposed Portion 1 and the rezoning of the Remainder portion to a Nature Reserve.

The proposed placement of structures will retain ample space between the habitable space and the existing Ecological Process Corridor. This is deemed sufficient to protect the natural characteristics of the Ridge and Ecological Process Corridor. We also believe that this is the most practical solution for the property owner, Overstrand Municipality, and the natural environment.

Herewith is a summary of the EMOZ's Prohibited Activities (Schedule A) and Activities Only Permitted with Council's Consent (Schedule B):

Prohibited Activities – Schedule A - Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Agricultural practices within this EMOZ which may cause water logging and siltation.</i>	N/a	
<i>Planting or harbouring of declared alien invasive plant species on properties located within and adjacent to this EMOZ</i>	N/a	
<i>Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ.</i>	N/a	
<i>Planting or harbouring of locally important emerging weed species within and adjacent to this EMOZ.</i>	N/a	
<i>Development or agriculture on slopes steeper than 1:4.</i>	N/a	





Prohibited Activities – Schedule A - Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Development above the 120m geographical contour line.</i>	N/a	
<i>Development on the crest of a mountain, ridge or hill.</i>	N/a	
<i>Establishment of Informal settlements or Temporary Relocation Areas.</i>	N/a	
<i>No land user within this EMOZ may utilise the vegetation in a vlei, marsh or within the flood area of watercourse in a manner that may cause the deterioration or damage to the natural agricultural resources.</i>	N/a	
<i>Placement of religious symbols or memorabilia</i>	N/a	
<i>Harvesting/collection of kelp/seaweed in municipal designated "no-take" zones.</i>	N/a	
<i>Harvesting, collection, moving, loading, drying of kelp /seaweed, with a valid Seaweed Harvesting Permit or an exemption in terms of Section 81 or the MLRRA issued by the DAFF</i>	N/a	
<i>Stockpiling, drying, processing or loading of marine resources beyond areas designated, demarcated, and signposted by the Municipal Council for such purposes.</i>	N/a	
<i>Modification of the littoral active zone/functional dune systems in the absence of approved management plans.</i>	N/a	
<i>Feeding, disturbing/pursuit of fauna</i>	N/a	
<i>Disturbance, modification or destruction of the environment or species within special management areas designated, demarcated and signposted by the Municipal Council from time to time.</i>	N/a	





Prohibited Activities – Schedule A Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Defacing/damaging/removing of any notice, sign, barrier building or other infrastructure</i>	N/a	
<i>Playing or tampering with any rope, float, buoy, vessel, shelter or similar life-saving device</i>	N/a	
<i>Staying overnight</i>	N/a	
<i>The discharging of domestic effluent/grey water into all natural systems</i>	N/a	
<i>Tampering with security/surveillance infrastructure.</i>	N/a	
<i>Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features.</i>	N/a	
<i>Graffiti, vandalism, or damaging of municipal infrastructure.</i>	N/a	
<i>Littering</i>	N/a	
<i>Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items</i>	N/a	
<i>Dog walking/exercising of dogs in non-designated zones</i>	N/a	





Activities Only Permitted with Council Consent – Schedule B		
Urban Conservation Area (Category D)		
Regulation	Applicability	Comment(s)
<i>Permission for the utilisation of access routes to permitted kelp/seaweed harvesting sites.</i>	N/a	
<i>Removal or destruction of vegetation which is protected and/or of conservation concern.</i>	Yes	However, it is limited as the proposed structure will be placed on stilts, thus reducing the need for strip foundations.
<i>Dune maintenance on private land as per approved dune maintenance management plans.</i>	N/a	
<i>Excavation and destruction or removal of substrate (soil, substrate, rock, shell grit, dune sediment, mineral deposits)</i>	Yes	However, the proposed structure is limited as it will be placed on stilts, thus reducing the need for strip foundations.
<i>Discharging of pool backwashing or untreated grey water or the channelling of storm water into open spaces without the necessary approval from the Municipality.</i>	N/a	
<i>Installation of conservancy tanks or biological treatment plants within 50 metres from the edge of a watercourse/wetland.</i>	Yes	The intention is to install a 5,000L conservancy tank as there is no other alternative, such as a sewerage network. Conservancy tanks are the norm for the surrounding area.
<i>Access from private properties to open spaces, including the removal of vegetation and the establishment of paths, structures and infrastructure.</i>	N/a	
<i>Commercial filming.</i>	N/a	
<i>Construction or placement of any temporary object, building, shelter, path or structure.</i>	Yes	Temporary structures (portable toilets, storage for equipment) will be placed on-site only during the construction phase and will be removed as soon as possible.





<i>Use of engine or motor-driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas.</i>	N/a	
<i>Launching of vessels at registered launch sites.</i>	N/a	

The proposed development is substantially different from any residential development or a single dwelling. The initial impact on the protected area is anticipated, but it is expected to recover once construction is completed.

3.5. Overstrand Municipality Amended By-law on Municipal Land Use Planning (2020)

It is essential to consider Section 66 of the Overstrand Municipality Amended By-law on Municipal Land Use Planning in terms of the "General criteria for consideration of applications".

The proposal is not considered a deviation from the requirements above; however, it is substantially under any residential neighbourhood and is not deemed to pose a significant threat to the surrounding community or the overall welfare of the Pringle Bay area.

3.6. Planning Principles

The proposed development supports the principles of Chapter VI (Article 59) of the Land Use Planning Act (LUPA), Act 3 of 2014, and Chapter 2 (Article 7) of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013, as follows:

Planning Principles	Comment(s)
<i>Spatial Justice</i>	The proposed application will not perpetuate the spatial development imbalances of the past apartheid era.
<i>Spatial Sustainability</i>	The proposal will continue to protect environmentally sensitive areas (the Remainder of Erf 730) and cultural landscapes through the proposed rezoning to Open Space Zone 1.
<i>Efficiency</i>	The proposed development will optimally harness the potential that sustainably exists on the subject property, as is evident in the proposed SDP.
<i>Spatial Resilience</i>	The proposed development is well-aligned with the spatial plans and policies, enabling the subject property to withstand, absorb, and recover from environmental and economic shocks in a timely and efficient manner.





Good Administration

The proposed development will promote consultative planning, as the Municipality will advertise the proposal to the public, allowing for public comments to be taken into consideration. In addition, Future Plan Town and Regional Planners will also respond to the public's comments and consider the comments in the project's planning.

This section outlines how the proposed development aligns with the core planning principles outlined in SPLUMA and LUPA. The proposal can, therefore, encompass and promote all planning principles.

3.7. The Ridge Conservation Report – Environmental Management Framework (2023 - 2028)

Mr Duncan Heard (of Duncan Heard Environmental Consulting) compiled the Ridge Conservation Report, which is specifically aimed at Erven 729 and 730, Pringle Bay. Please refer to Annexure F for a full copy of the Framework.

This Framework aims to establish a conservancy of the precinct landowners through a prioritised effort that could ultimately protect and conserve the identified area against development, promoting balanced growth and environmental protection, specifically in the area identified as the "Ridge".

The Ridge comprises a collection of erven owned by private individuals, the Municipality, and Eskom. Please refer to Figure 1 (page 14), extracted from the Framework.

The comprehensive report compiled by Mr Heard reveals that the Ridge supports a wealth of natural vegetation and animals that depend on it as a natural habitat and diverse ecosystem. The lower-laying wetland area is also of great importance to the protection of the Ridge. Mr. Heard further states that with careful development and the conservation of open spaces (protected areas), the Ridge will form a contiguous environmental corridor that will enhance the protection of local birds, plants, and other wildlife.

The proposal (this application) was discussed with Mr Heard and was subsequently supported as the proposal (Annexure G) will have a lesser impact on the Ridge and the wetland area. It is further argued that the loss of vegetation will be restricted to constructing a short driveway and the building footprint, which is to be placed on stilts. The rest of the application site will remain untouched/undeveloped and in its natural state.

The adjustment of the proposed dwelling in the southwest corner will further reduce the impact on the Ridge and allow for the continuation of the green belt corridor situated along Erf 724 (as per Figure 1). The





Remainder of Erf 730 will be rezoned to Open Space 1: Nature Reserve, which is deemed to further enhance the Ridge as an ecological corridor aimed at protecting the existing natural habitats.

Thus, the proposal is deemed to have a lesser impact on the natural area in terms of loss of natural vegetation and animals.

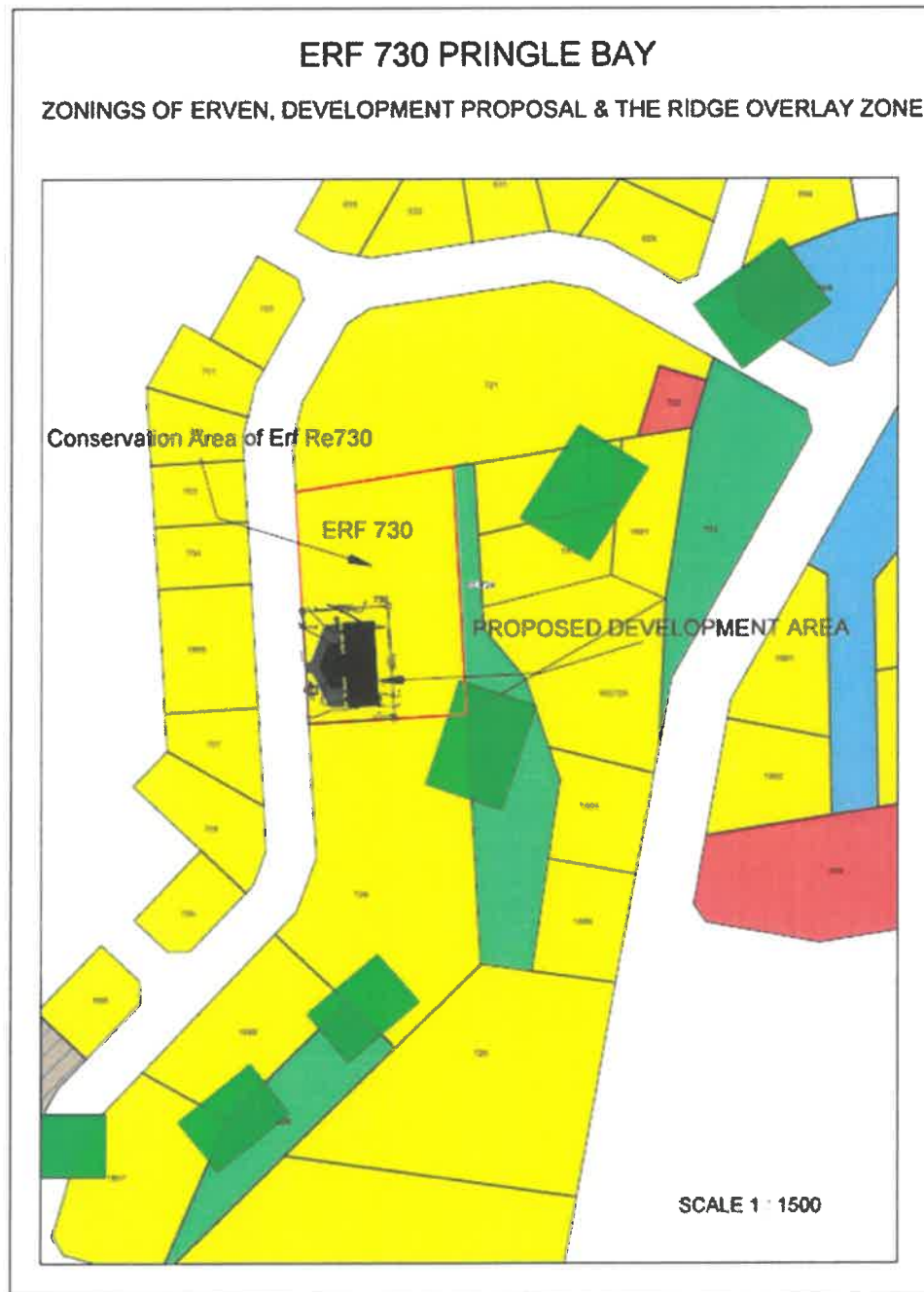


Figure 3: The " Ridge " area is between Bobbie, Buffels and William Roads. Extracted from the Ridge Precinct Conservation Area.





The Overlay Zone, the zoning of the Area, and the proposed development on a portion of Erf 730 indicate clearly that the proposal conforms to the "Ridge Overlay Zone" principles and required actions. The attention is again referred to the comments of the author of the 'Ridge Overlay Zone', Mr Duncan Heard, and his 'approval' regarding this proposal.





3.8. Economic Impact

The proposed development of a dwelling house with a double garage will be beneficial to the local economy. By removing restrictive title deed conditions and allowing the development to proceed, it will enable the property owner to utilize and develop on a section of the property not designated for conservation purposes according to the Environmental Management Framework (EMF) report by Duncan Heard Environmental Consulting.

Additionally, the construction of the dwelling with garage is expected to generate temporary employment opportunities. Once completed, the property will be occupied by a new family who will contribute to the local economy by investing and spending in nearby businesses.

Overall, the proposal is framed as a means to provide residential accommodation in a strategically located area, which is deemed beneficial for both the local economy and community.

3.9. Social Impact

The arrival of a new family to the area will have a positive impact, with no anticipated negative effects. Only one dwelling will be developed on the subject property, with no plans for subdivision or additional dwellings. Furthermore, since the zoning and land use of the property align with those of the surrounding area, it's believed that the social wellbeing and cohesion of the adjacent community will be minimally affected.

The addition of a single dwelling, in compliance with existing zoning regulations, will not disrupt the social fabric of the neighbourhood. The proposed development will seamlessly integrate into the existing community without causing any significant social upheaval.

3.10. Compatibility with the Surrounding Land Use

The subject property (Erf 730) is located within a pre-existing low-density residential zone. The proposed application seeks to adjust the restrictive title deed building lines and deviate from the spatial and land use planning guidelines to accommodate the construction of a dwelling house with a double garage. This adjustment would allow for single residential use (dwelling with outbuildings), while preserving areas identified as conservation-worthy according to the latest conservation area study.

Crucially, despite these adjustments, the size and zoning of the erf will remain unchanged, ensuring compatibility with surrounding zonings, erf sizes, and land uses within the area. This suggests a careful balance between development and preservation, aiming to integrate the proposed construction into the existing residential landscape without significantly altering its character or density.





The report highlights that the property owner intends to exercise his primary land use rights without seeking additional or consent uses. This approach ensures compatibility with the existing residential area and demonstrates compliance with nature conservation obligations for the region.

Moreover, the proposed position for the main dwelling on the subject property is supported by evidence showing its compatibility with the existing context and character of the area. By adhering to these principles, the proposal maintains and promotes the low-density residential nature of the surroundings, further emphasising its harmony with the existing environment.

According to the development rules of the Overstrand Land Use Scheme (2020), Erf 730 Pringle Bay will be subject to the development rules for erven larger than 400 m² to apply. This means that the proposed main dwelling with a double garage will adhere to the existing development parameters specified in the land use scheme for residential erven in the immediate vicinity.

3.11. Impact on External Municipal Services

Erf 730 Pringle Bay is not serviced, but one service connection is available to the subject property. Services for the development of the main dwelling with double garage will be provided in line with the Overstrand Municipality's regulations for installing service infrastructure. A bulk services contribution levy does not apply to the proposed development since no new subdivided portions are proposed with this application.

The latest Overstrand Municipal SDF (2020) confirms that Pringle Bay is currently adequately supplied with bulk water in terms of source and network provision; however, continuous replacement of old water network pipelines is needed to reduce the high water losses.

The subject property has existing rights. This entails that the property, as it currently stands, can be developed up to a maximum of 25% coverage. Please take into account the previous approval for the development of the surroundings and established properties when this statement is assessed. Therefore, this application is the final step to ensure that the development as a whole is finalised and all relevant approvals have been obtained with this approval request.

The proposed coverage will have a minimal impact on stormwater management, and this will be implemented in line with the municipality's requirements.

Overstrand Municipality's Engineering Services Department confirmed that the municipality's capacity in terms of sewerage tankers was expanded for the area. The municipality will therefore be able to service the





sewerage tank of the proposed dwelling. Currently, there is no moratorium placed on development due to insufficient infrastructure in this area of Pringle Bay.

The area has experienced service issues in the past, particularly with stormwater management. The latter is considered an operational function and must be dealt with accordingly. The proposed development of a single dwelling house with a double garages, cannot be held accountable for infrastructure, e.g., accommodating storm water in the area. The erf is extensive, and storm water can be accommodated on the subject property, without detriment to the surrounding denser and smaller erven.

3.12. Impact on Safety, Security and Health of the Surrounding Community

The proposed development with requested departures and subdivision will not adversely affect the safety and well-being of the surrounding community. With the expectation that only one family will occupy the residential erf upon completion of the dwelling house development, the impact on the general safety and welfare is deemed negligible.

Moreover, it's emphasised that the construction of the new dwelling will adhere to relevant land use and construction guidelines set by the municipality. This adherence ensures that the construction process will be conducted safely and in accordance with regulations, minimising noise pollution and any potential safety hazards to the immediate community.

Additionally, since the proposed changes do not involve activities associated with noxious trade or polluting air emissions, the impact on community health is expected to be minimal.

This suggests a comprehensive consideration of factors related to safety, well-being, and environmental impact in the proposed development.

3.13. Impact on Heritage of Pringle Bay

A portion of Erf 730 Pringle Bay is not earmarked for -

- heritage conservation purposes in the Overstrand Heritage Report (2009);
- part of the Heritage Protection Overlay Zone (HPOZ, 2020) as determined by the Overstrand Municipality's Zoning Scheme (2020), and
- heritage conservation purposes concerning the Overstrand Municipal Growth Management Strategy (2010).

The subject property is a vacant portion of land. The impact on the visual landscape of the area will be kept to a minimum, as the proposed dwelling with a double garage on erf 730, Pringle Bay, will be developed in





line with the zoning parameters for Residential Zone I: Single Residential erven, as stipulated in the Overstrand Municipal Land Use Scheme Regulations (2020).

The proposal is considered a low-impact development. The contours of the site have been surveyed and favours the position of the dwelling as indicated on the site development plan. The impact on the views of adjacent properties will be minimal since no structures will be developed near the proposed dwelling's position on erf 730 Pringle Bay and since the slopes of the subject property and surrounding properties (i.e. the Ridge) favours the development at this position without having a detrimental impact on the adjacent properties.

The subject property is not associated with any important persons, groups, or events and activities. The subject property has no connection to the history of slavery and is not used for living heritage purposes. From the above, it is evident that the proposed application does not encompass any heritage significance, and therefore, the impact on the heritage value of the area will be kept to a minimum.

3.14. Impact of Traffic, Parking and Access

The subject property abuts Bobbie Road (existing gravel road) on its western erf boundary. The property will continue to take access from Bobbie Road. The exact position of the access points/gates can be seen from the proposed building plans submitted as part of this application.

The impact on the traffic of Pringle Bay and the immediate area will be kept to a minimum since the proposal is in line with the status quo for the area. The development of the subject property will comply with the relevant scheme regulations' parking requirements -

i.e. at least two parking bays/garages must be provided on-site. The property will be developed with a double garage and will therefore meet the parking requirements for SR1 zoned properties.





4. CONCLUSION & RECOMMENDATION

The motivation report provides a clear and comprehensive analysis of the land use proposal. It was proven that the application is desirable and will not adversely impact the existing landscape. It was also demonstrated that the proposal is well aligned with the spatial planning initiatives for the area in which it is located.

The following factors should also be considered when evaluating the feasibility of the proposed application:

- This application serves to comply with the Conditions of Approval of 2008, as alluded to previously in this motivation report.
- The proposed removal of restrictive title deed conditions and departure of erf 730 Pringle Bay will not adversely affect neighbouring properties. The proposal aligns with the current land use patterns in the area and doesn't violate any zoning regulations.
- The changes are in harmony with the existing environment and will not disrupt the surrounding properties or deviate from established zoning guidelines. We are confident that the proposal will be smoothly integrated without causing any issues.
- The proposed development of a dwelling house with a double garage will be beneficial to the local economy.
- The zoning and land use of the property align with those of the surrounding area, it's believed that the social wellbeing and cohesion of the adjacent community will be minimally affected.
- The addition of a single dwelling, in compliance with existing zoning regulations, will not disrupt the social fabric of the neighbourhood. The proposed development will seamlessly integrate into the existing community without causing any significant social upheaval.
- Additionally, the construction of the dwelling with garage is expected to generate temporary employment opportunities. Once completed, the property will be occupied by a new family who will contribute to the local economy by investing and spending in nearby businesses.
- Overall, the proposal is framed as a means to provide residential accommodation in a strategically located area, which is deemed beneficial for both the local economy and community.
- The subject property is located within a pre-existing low-density residential zone. This adjustment would allow for single residential use (dwelling with outbuildings), while preserving areas identified as conservation-worthy according to the latest conservation area study.
- The report highlights that the property owner intends to exercise his primary land use rights without seeking additional consent uses. This approach ensures compatibility with the existing residential area and demonstrates compliance with the region's nature conservation obligations.





- The proposal will not detract from the abutting neighbours' privacy.
- The application site is situated within an existing residential area. It is thus not deemed to negatively impact any environmentally sensitive areas, as a significant portion of the application site is to be earmarked for conservation purposes and will be administered and owned by the Overstrand Municipality.
- The proposed position for the main dwelling on the subject property is supported by evidence showing its compatibility with the existing context and character of the area. By adhering to these principles, the proposal maintains and promotes the low-density residential nature of the surroundings, further emphasising its harmony with the existing environment.
- No negative visual impact on the abutting neighbours.
- Vistas and other rights, such as privacy, remain intact.
- The proposal will add value to Erf 730 and the surrounding area.
- No threat to the health and safety of the surrounding community of Pringle Bay is envisaged.

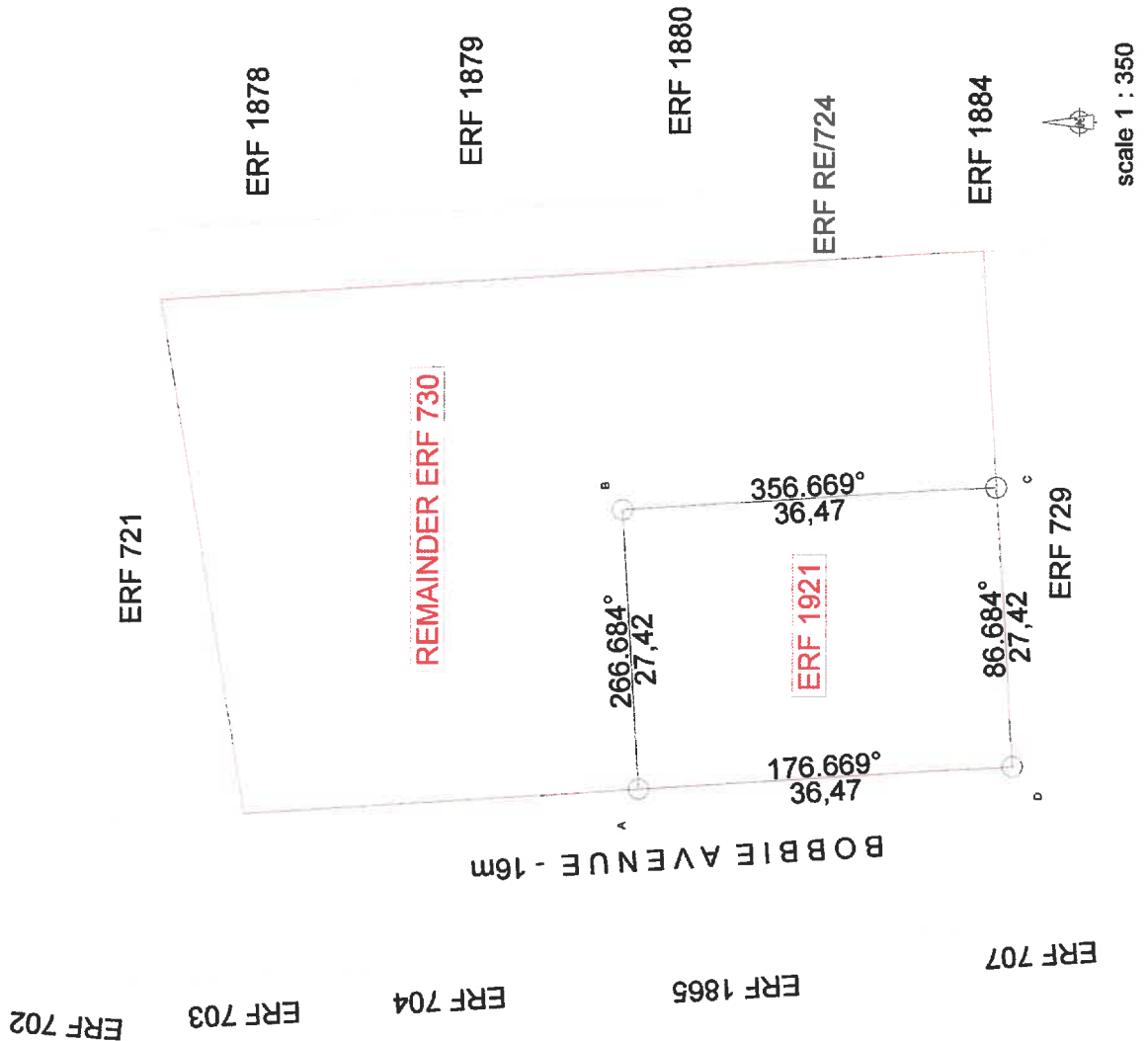
Considering the above, it is recommended that the following applications:

- *Section 16 (2) (a) - Rezoning of Land*
 - *Rezoning from Single Residential Zone 1 to Open Space Zone 1*
- *Section 16 (2) (b) – Departure*
 - *Deviate from the Ridge Guideline Development Plan*
 - *Deviation from the Overstrand Environmental Management Overlay Zone (EMOZ, 2020) to allow the owner to construct the proposed dwelling within the earmarked open space/conservation portion on the subject property.*
- *Section 16 (2) (d) - Subdivision of Land*
 - *Subdivision of Erf 730 into two portions, namely Portion 1 and Remainder of Erf 730*

be approved in terms of Section 16 of the OMLUS.



SUBDIVISION OF ERF 730, PRINGLE BAY TOWNSHIP EXTENSION No 3, INTO THE REMAINDER ERF 730 AND ERF 1921, OVERSTRAND MUNICIPALITY, DIVISION CALEDON, PROVINCE WESTERN CAPE



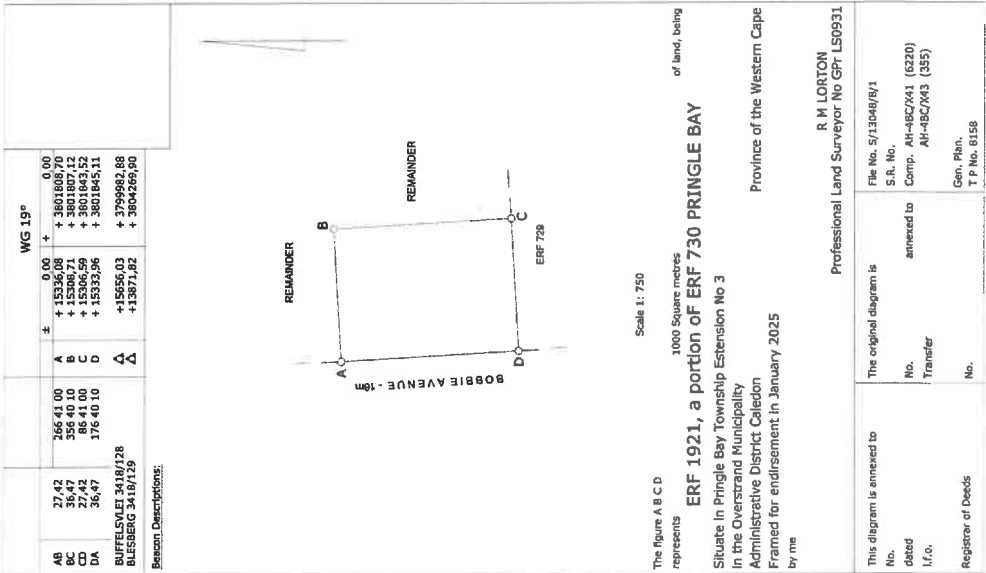
REMAINDER ERF 730

ERF 1921

BOBBIE AVENUE - 16m



scale 1 : 350

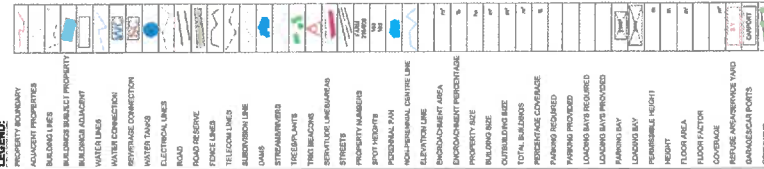


	AB	BC	CD	DA	BUFFELSLOET 3418/128	BLESBERG 3418/129
Area	37,43	36,47	27,42	36,47		
Perimeter	765,41,00	356,40,10	86,41,00	176,40,10		
WG 13°	± 0,00	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71
Area	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12
Perimeter	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71
Area	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12
Perimeter	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71
Area	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12	± 3801847,12
Perimeter	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71	± 153,33,71

Beacon Descriptions:

GENERAL NOTES:
ALL DIMENSIONS ARE COORDINATED
AND MUST BE CORRELATED BY A
REGISTERED SURVEYOR AND
SURVEYOR. ANY DIFFERENCES MUST BE
BRIDGED TO THE ATTENTION OF THE
REGISTERED SURVEYOR. THE
COPYRIGHT IS RESERVED ON ALL
DRAWINGS AND MAPS.

LEGEND:



The figure A B C D
represents
1000 Square metres
of land, being
ERF 1921, a portion of ERF 730 PRINGLE BAY
Situate in Pringle Bay Township Extension No 3
in the Overstrand Municipality
Administrative District Caledon
Framed for endowment in January 2025
by me
R M LORTON
Professional Land Surveyor No GPT L50931

This diagram is annexed to No. dated I/o.	The original diagram is S.R. No. annexed to Transfer No.	File No. 5/13049/R/1 S.R. No. Comp. AH-48C/X41 (6230) AH-48C/X43 (355) Gen. Plan, T P No. 8158
Register of Deeds		Er 1921 Pringle Bay

Province of the Western Cape

ERF RE/724

ERF 1884

ERF 729

ERF 707

ERF 1865

ERF 704

ERF 703

ERF 702

ADDITIONS

MISSINGS

REVISIONS

DATE

BY

REMARKS

DATE

BY

REMARKS

DATE

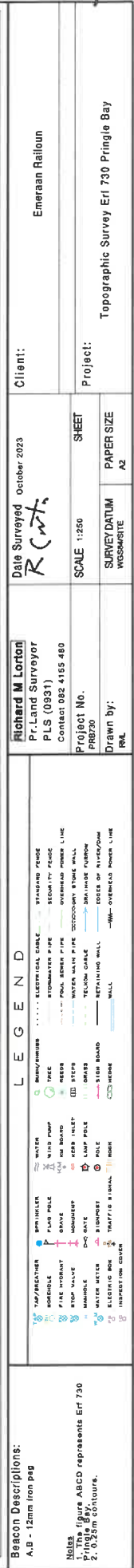
BY

REMARKS

DATE

BY

REMARKS





PRINGLE BAY RATEPAYERS' ASSOCIATION
PRINGLEBAAI BELASTINGBETALERSVERENIGING

SARS Reg. 9101/138/16/3

NPO Reg. 214-205

www.pringlebayratepayers.co.za

P O Box 409, Pringle Bay, 7196 / Posbus 409, Pringlebaai, 7196

Chairman / Voorsitter: chairman@pringlebayratepayers.co.za / Tel: 084 222 1242

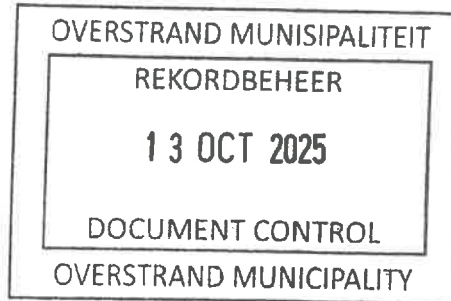
TP - A Theart
(H vld Stoop)

13 OCTOBER 2025

TOWN PLANNING DEPARTMENT
 OVERSTRAND MUNICIPALITY
 HERMANUS
 7200

PER EMAIL: loretta@overstrand.gov.za

Dear Sir/Madam



SUBJECT: ERF 730, 12 BOBBIE ROAD, PRINGLE BAY: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN & REGIONAL PLANNERS ON BEHALF OF E RAILOUN: PBRA OBJECTION: APPLICATION SHOULD BE SUPPLEMENTED

PREAMBLE

I, the undersigned, ALBERT WILLEM VORSTER (Identity no. 611004 5027 084) in my capacity as representative of the PRINGLE BAY RATEPAYERS' ASSOCIATION (hereafter referred to as PBRA, being a separate legal entity having a constitution, in terms of which it has a right, inter alia, to sue and to be sued), on behalf of our members who have granted a mandate to the PBRA to, among others, comment on and provide input on land use applications referred to the PBRA, hereby wishes to submit comments on behalf of the PBRA regarding the subject application.

1. ORGANISATION

The Pringle Bay Ratepayers' Association (PBRA) was started in 1967 by the first property owners of Pringle Bay to represent the interests of ratepayers and residents. Today it is a registered Non-Profit, Public Benefit Organisation.

Our primary function is to liaise with the Overstrand Municipality, with whom we enjoy a close relationship and to support local environmental conservation. We represent the community on the local Ward Committee and other consultative bodies. We maintain close contact with local authorities and service providers, particularly on matters affecting ratepayers and residents.

The PBRA represents the ratepayers within the declared Urban Edge. This currently constitutes approximately 1,800 properties (erven) of which approximately 1,200 are developed (thus having a habitable structure erected on it for either residential or business purposes).

FILE NO. <u>ErF 730 - KPRB</u>
SCAN NO.
COLLABORATOR NO. <u>2881512</u>

TP

13 OCT 2025

2. APPLICATION SHOULD BE SUPPLEMENTED

- 2.1. Provided the necessary amendments (which we submit are pro forma and in line with the aims of the requested approvals as per the public advertisement) are effected to the title deed restrictions in terms of section 16(2) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020, as read with section 35, we would support the application.**

The applicant consultant appears to have overlooked the requirement to amend the title deed restrictions, through contradictory statements in the application motivation as follows, and which we object to;

"2.4. Ownership Details

A perusal of the title deed revealed that no restrictive conditions could prohibit the approval of this land use planning application."

"3.8. Economic Impact

By removing restrictive title deed conditions and allowing the development to proceed, it will enable"

"3.10. Compatibility with the Surrounding Land Use

The proposed application seeks to adjust the restrictive title deed building lines....."

"4. CONCLUSION & RECOMMENDATION

The proposed removal of restrictive title deed conditions...."

- 2.2. We support the building lines as per the layout plan of the proposed building that accompanied the application. These building lines are 5m on the lateral and rear boundaries and 4 m to the street line (although we would normally insist on compliance with the title deed restriction of 5m to the street line for erven in this particular township development within Pringle Bay.) The street building line does however require an amendment to the title deed restriction.**

The applicant consultant appears to have overlooked the building lines per the attached layout plan through contradictory statements in the application motivation as follows:

"p9

The Ridge Plan stipulates (municipal requirement) that the building line abutting the Nature Conservation Area be a minimum of 5m. Minimum common boundary building lines of 2m (from the proposed subdivision lines / new erf boundaries) and street building lines of 4m will apply to the application site. The owner does not intend to apply for any further departures from the building lines."

2.3. We support the proposed limit of two storeys

The application reads:

"1.5 The proposed dwelling

It is proposed to construct a double-storey dwelling. This will be in accordance with the 2008 approval for the rezoning and subdivision of erf 730, which read:

(a) that no building may exceed a height of 8m (two storeys)"

However, the title deed condition needs to be amended accordingly.

2.4. Our proposed amendments of the title deed restrictions (Also see the attached photocopy of the title deed for the amendments.)

- a) Clause 6(2)(a) should read 4 meters instead of the current 8 meters.
- b) Clause 6(2)(b) should read 50% instead of the current 25% (The calculated coverage per the application appears to be slightly over 50% due to apparently incorrectly taking into account the second storey also).

We wish to advise that the coverage is calculated as per the definition thereof in Schedule 2 of Bylaw- Overstrand Municipality Land Use Scheme 2020, which reads as follows:

"coverage" means the total area or percentage of area of a land unit which may be covered by buildings and/or covered by a roof, provided that the following portions of buildings shall be disregarded in the calculation of coverage:"

It is also referred to as the "footprint" of a building.

- c) Clause 6(2)(c) should read: "No buildings erected on this erf shall exceed the higher of 2 storeys or 8 meters in height."

2.5. Categorisation of application to the Municipal Planning Tribunal

We wish to request that the Municipal Planning Tribunal consider the application, and not the Authorised Official, because, although we support the application, we do object that the proper requirements relating to amendment of the title deed restrictions have not been complied with.

We submit that the application is therefore categorised in terms of OM policy as resorting under the Municipal Planning Tribunal and not under the Authorised Official.

We are looking forward to receiving your confirmation of receipt hereof and subsequently your reply hereto.

Kind Regards

A handwritten signature in black ink, appearing to read "AW Vorster".

AW Vorster
obo PBRA

ANNEXURES:

- Copy of title deed with our proposed amendments
- Applicant's proposed layout plan

C. SUBJECT FURTHER to the conditions contained in Deed of Transfer No T40818/1981 imposed by the Administrator when approving the establishment of Pringle Bay Township Extension No 3 in terms of Ordinance 33 of 1934

1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice No. 623 dated 14 August 1970.
2. In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of section 140 of Ordinance No 15 of 1952, as amended.
3. The owner of this erf shall without compensation be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
4. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slop to the bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
5. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
6. (1) This erf shall be used solely for the purpose of erecting thereon one dwelling, a residential building or an institution, or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other uses as are permitted by the scheme, subject to the conditions and restrictions stipulated by the scheme.
(2) Except with the prior consent of the Administrator-

(e) No building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 2 metres to the street line which forms a boundary of this erf, nor within 5 metres of any other boundary common to any adjoining erf, provided that with the consent of the local authority.

(f) an outbuilding not exceeding 3 metres in height measured from the floor to the wall-plate may be erected within the above prescribed rear space and within the above prescribed lateral space for a distance of 12 metres measured from the rear boundary of the site, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf.

(g) an outbuilding in terms of sub-paragraph (f) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if windows or doors are inserted in any wall facing such boundary.

(b) Not more than 25% of the area thereof shall be built upon.

(c) No building erected on this erf shall exceed 2 storeys in height, excluding any floor used exclusively for the parking of cars.

THE HIGHER OF 2 STOREYS OR 6 METRES

(d) no residential building or institution may be erected on this erf, unless provision shall simultaneously be made, to the satisfaction of the local authority for parking bays to accommodate not less than one motor-car for every flat or in the case of other residential accommodation for every two bedrooms contained in the building, provided that -

(i) if situated under the building the said parking area shall not be enclosed for more than 50% of its perimeter.

(ii) the said parking area and the access and exit shall be located, hardened and surfaced to the satisfaction of the local authority.

(iii) if in the erecting his building the owner provides lock-up garages on the erf, the required parking area may be reduced by one parking bay for each garage up to a maximum of 75% of the original area required in terms of the foregoing.

(3) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth these conditions shall apply to the consolidated holding as if it was one erf.

(4) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf.



Development Parameters	Area (m ²)	Coverage
Ground Storey	58,19	58,19
Covered Entrance	8,3	8,3
Carports x 2	229,97	229,97
Timber Deck	71,38	71,38
First Storey	215,8	
Pergola Timber Deck	57,86	
Covered Verandas	14,28	
TOTAL	517,61	367,84
Erf 730	3937	9,3
Erf 1921	1000	38,8

[illegible]

Loretta Gillion

From: Bertie Vorster <bvvossie04@gmail.com>
Sent: Monday, 13 October 2025 11:55
To: Loretta Gillion
Cc: Heather Morkel; chairman@pringlebayratepayers.co.za; Vice Chair
Subject: Re: Request for comment: Erf 730, 12 Bobbie Road, Pringle Bay (subd rez dep)
Attachments: PBRA - Erf 730 Pringle Bay (FINAL - 13 Oct 2025.pdf

Dear Ms Gillion

Please refer to the Municipal Notice number 179/2025 which was published in "The Overstrand Herald" of 11 September 2025 as well as the the trailing email.

As per the request on behalf of our members, we hereby submit our comments related to the subject matter.

The attached document titled "**PBRA - Erf 730 Pringle Bay (FINAL - 13 Oct 2025.pdf**" addresses our interest in the application as well as our comment(s)/objection(s).

Through this submission we consider ourselves as registered parties wishing to receive all future relevant communication in this regard. Communications can be via email to chairman@pringlebayratepayers.co.za and CC secretary@pringlebayratepayers.co.za and bvvossie04@gmail.com

We sincerely request that you acknowledge by return email that you have received this email as well as the mentioned attachments.

Yours Sincerely

AW Vorster
 obo PBRA

On 11 Sep 2025, at 12:02, Loriaan Isaacs <loriaanisaacs@overstrand.gov.za> wrote:

Dear Sir / Madam

Attached please find a copy of the application for your attention. Kindly provide the Ratepayer Association's comments directly to Loretta Gillion (loretta@overstrand.gov.za) on or before **17 October 2025**.

Also note that the notice will be available at the Division: Town and Spatial Planning, 16 Paterson Street, Hermanus and on the municipal webpage at the following link:
<https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>

Kind regards / Vriendelike Groete
Loriaan Isaacs

9/14

Loretta Gillion

From: Loriaan Isaacs
Sent: Monday, 29 September 2025 14:01
To: Loretta Gillion
Subject: FW: Erf 730, 12 Bobbie Road, Pringle Bay: Public Participation - You are regarded as a potentially affected property owner
Attachments: LUP Response Form SUPPORT.pdf

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
29 SEP 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: Konings <2pause251@gmail.com>
Sent: Monday, 29 September 2025 13:49
To: Loriaan Isaacs <loriaanisaacs@overstrand.gov.za>
Subject: Re: Erf 730, 12 Bobbie Road, Pringle Bay: Public Participation - You are regarded as a potentially affected property owner

Good Afternoon Loriaan,

Thank you for this proposal for ERF 730.
 I support the proposal. The signed LUP Response Form is attached.

Kind Regards
 Rudi Konings

FILE NO. ERF 730 ✓
Pringle Bay
SCAN NO.
COLLABORATOR NO.
2872567

On Thu, 11 Sept 2025 at 11:53, Loriaan Isaacs <loriaanisaacs@overstrand.gov.za> wrote:

To whom it may concern

ERF 730, 12 BOBBIE ROAD, PRINGLE BAY: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN & REGIONAL PLANNERS ON BEHALF OF E RAILOUN

You are regarded as a potentially affected property owner.

Attached please find a self-explanatory notice for your attention.

Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) requires that notice must be given, and Section 49 allows for a period of not less than 30 days from the date on which notice was given to affected persons to submit comments, objections or representations in respect of a land use planning application. Council, during a meeting held on 30 November 2023, resolved that such notice be given via e-mail in accordance with the provisions of the Electronic Communications and Transactions Act, 25 of 2002. Due to ongoing difficulties in service delivery experienced by the South African Post Office, and as per the aforesaid Council resolution, **NO** registered mail/letters will be forwarded in the interim period.



DIRECTORATE: PLANNING & DEVELOPMENT TOWN & SPATIAL PLANNING

LAND USE PLANNING APPLICATION RESPONSE FORM

E-mail to relevant person stipulated on the notice: loretta@overstrand.gov.za / alida@overstrand.gov.za
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

APPLICATION DETAILS

Application erf number:

730

APP ID:

How did you receive notice of the application?

e-mail

STATE YOUR INTEREST IN THE APPLICATION:

My Property is directly across the road from erf 730

TICK RELEVANT BOX



OBJECTION

COMMENT

SUPPORT

REASONS FOR OBJECTION / COMMENT / SUPPORT:

I support this proposal because it will hopefully cause the least disruption to the important wetland covering the majority of the erf. It is a terrible shame to build on this wetland at all but at least this rezoning will reduce the impact a house will have on the property.

There are a variety of birds and animals that breed on and use this erf. Most years there are Dabchicks, Yellow Billed Ducks and Terrapins that breed there. Gysbok, Herons, Mongoose and Porcupines are regularly seen there as well. A large variety of different frogs are heard as well. In a previous environmental report this area was classified as a Nat Freshwater Ecosystem Priority area with endangered Hangklip Sand Fynbos. Thankyou for this proposal.

Feel free to continue on separate page(s)...

PERSONAL INFORMATION (To be completed in full - Compulsory)

Name & surname (PRINT)

RUDOLF KONINGS

Your erf number:

703

Company/Trust details:

Postal address:

703 BOBBIE ROAD

PRINGLE BAY 7196

Contact details:

Cell:

072 075 5885

E-mail address:

apause251@gmail.com

Signature:

Date:

29.09.2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

18 SEP 2025

Loretta Gillion

11/14

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

From: Loriaan Isaacs
Sent: Tuesday, 16 September 2025 14:25
To: Loretta Gillion
Subject: FW: Erf 730, 12 Bobbie Road, Pringle Bay: Public Participation - You are regarded as a potentially affected property owner
Attachments: ERF 730 PB.pdf

From: M SAIED Solomons <mсаiedsolomons@gmail.com>
Sent: Tuesday, 16 September 2025 14:23
To: Loriaan Isaacs <loriaanisaacs@overstrand.gov.za>
Subject: Re: Erf 730, 12 Bobbie Road, Pringle Bay: Public Participation - You are regarded as a potentially affected property owner

Dear Loriaan
 PLease find my response attached
 Kind Regards
 M S Solomons

On Thu, 11 Sept 2025 at 11:52, Loriaan Isaacs <loriaanisaacs@overstrand.gov.za> wrote:

To whom it may concern

ERF 730, 12 BOBBIE ROAD, PRINGLE BAY: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN & REGIONAL PLANNERS ON BEHALF OF E RAILOUN

You are regarded as a potentially affected property owner.

Attached please find a self-explanatory notice for your attention.

FILE NO.	Erf 730-KPRB
SCAN NO.	
COLLABORATOR NO.	2865994

Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) requires that notice must be given, and Section 49 allows for a period of not less than 30 days from the date on which notice was given to affected persons to submit comments, objections or representations in respect of a land use planning application. Council, during a meeting held on 30 November 2023, resolved that such notice be given via e-mail in accordance with the provisions of the Electronic Communications and Transactions Act, 25 of 2002. Due to ongoing difficulties in service delivery experienced by the South African Post Office, and as per the aforesaid Council resolution, **NO** registered mail/letters will be forwarded in the interim period.

Kindly regard this email as your formal notification of such land use application. Kindly provide your comment, objection or representations, if any, directly to Loretta Gillion (loretta@overstrand.gov.za) on or before **17 October 2025**.

12/14


**DIRECTORATE: PLANNING & DEVELOPMENT
TOWN & SPATIAL PLANNING**
LAND USE PLANNING APPLICATION RESPONSE FORM

E-mail to relevant person stipulated on the notice: loretta@overstrand.gov.za / alida@overstrand.gov.za
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

APPLICATION DETAILS

Application erf number:

730 Pringle Bay

APP ID:

How did you receive notice of the application?

by email.

STATE YOUR INTEREST IN THE APPLICATION:

Affected property owner

TICK RELEVANT BOX



OBJECTION

COMMENT

SUPPORT

REASONS FOR OBJECTION / COMMENT / SUPPORT:

This application provides for preservation of an environmentally sensitive wetland whilst the owner has magnanimously offered a major portion of his land for conservation.

Feel free to continue on separate page(s)...

PERSONAL INFORMATION (To be completed in full – Compulsory)

Name & surname (prev)

Mogamat Saled Solomons

Your erf number: 702

Company/Trust details:

Postal address:

250 Longmarket Street
Cape Town 8001

Contact details:

Cell:

0836280064

E-mail address:

msaledsolomons@gmail.com

Signature:

Date:

16/09/2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

TP

K.S. 17

Loretta Gillion

From: Therese Helmbold | Quali Projects <therese@qualiprojects.co.za>
Sent: Tuesday, 30 September 2025 11:19
To: Loretta Gillion
Subject: ERF 730, BOBBIE RD, PRINGLE BAY
Attachments: CamScanner 2025-09-30 11.15.pdf

Hello

Please find my objection to the proposed development at 730 Bobbie Road, Pringle Bay

Regards

Therese Helmbold



FILE NO.	ERF 730 ✓
	Pringle Bay
SCAN NO.	
COLLABORATOR NO.	2873751

	DIRECTORATE: PLANNING & DEVELOPMENT TOWN & SPATIAL PLANNING LAND USE PLANNING APPLICATION RESPONSE FORM E-mail to relevant person stipulated on the notice: lorretta@overstrand.gov.za / alida@overstrand.gov.za 16 Paterson Street / PO Box 28 HERMANUS, 7200 / Tel: 028 313 8900	
	APPLICATION DETAILS	

Application erf number:

730

APP ID:

How did you receive notice of the application?

E-MAIL

STATE YOUR INTEREST IN THE APPLICATION:

I live diagonally opposite this property - Erf 707.

TICK RELEVANT BOX ☒	OBJECTION ☒	COMMENT ☐	SUPPORT ☐
REASONS FOR OBJECTION / COMMENT / SUPPORT:			

- 1) The top of the ridge/dune was dedicated as a corridor for the safe movement and feeding route for the baboons, which is used regularly by them and other animals
- 2) More than 75% of this property is wet for about 6 months of the year, and during winter can get up to about 500mm deep.
- 3) The driveway (although shatterd) will block the natural movement of water and animals/frogs etc. Imported fill/rubble used to create this driveway will affect the pH of the wetland water.
- 4) Where would the conservancy tank be located, as the lowest point is under watertable. How could we be assured that the tank does not leak raw sewage into the ground/watertable.

PERSONAL INFORMATION (To be completed in full - Compulsory)

Name & surname (name)

THERESE VIVIAN HEUMBOLD

Your erf number:

707.

Company/Trust details:

Postal address:

 P.O. BOX 406
 BETTY'S BAY

Contact details:

Cell:

082 5711760

E-mail address:

therese@qualiprojects.co.za

Signature:



Date:

16/09/2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

- 5) A double storey building positioned right in corner, close to the road will MOST DEFINITELY have a negative impact on my privacy and will create a visual barrier to my views.



FUTURE PLAN
TOWN AND REGIONAL PLANNING

OVERSTRAND MUNICIPALITEIT
REKORDBEHEER
04 NOV 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Annexure E 1/4

TP- A Theart
(H vld Stoep)

Future Plan Town and Regional Planners

PO Box 20, Postlink

21 Third Street, Kleinmond

7195

3 November 2025

Directorate: Planning and Development

Town and Spatial Planning

Overstrand Municipality

PO Box 20

Hermanus

7200

Attention: Loretta Gillion

FILE NO. Erf 730-KPRB
SCAN NO.
COLLABORATOR NO.
2897859

RESPONSE TO OBJECTIONS: ERF 730, 12 BOBBIE ROAD, PRNGLE BAY: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN & REGIONAL PLANNERS ON BEHALF OF E RAILOUN

Enclosed is our response as the Future Plan Town and Regional Planners to the comments and objections raised during the public participation process. Please find the summary of the comments and objections, along with our subsequent responses. Additionally, here is a list of the objectors.

- A W Vorster on behalf of Pringle Bay Ratepayers' Association
- R Konings (*letter of support*)
- M S Solomons (*letter of support*)
- T V Helmbold
- Helene Janser on behalf of the Department of Environmental Affairs and Development Planning (*no objection*)

The objections are outlined in the following table. Our responses to the comments and objections are included in the table to ensure we have summarised and addressed each, giving the reader a clear understanding of the script from each of the aforementioned objectors.



jan@futureplan.co.za
082 576 0901



jaco@futureplan.co.za
071 331 9337



Address: P.O Box 20, Postlink
21, 3rd Street, Kleinmond, 7195

04 NOV 2025



FUTURE PLAN
TOWN AND REGIONAL PLANNING

Objector: A W Vorster (on behalf of Pringle Bay Ratepayers' Association)	Future Plan Comment
Paragraph 2.1	The references made to the restrictive title deed conditions are made in error. The subject application does not pertain to the amendment or relaxation of restrictive title deed conditions.
Paragraph 2.2	This application does not entail the relaxation of any building lines.
Paragraph 2.3	Noted. We request clarity on how the title deed should be amended accordingly.
Paragraph 2.4	a)The amendment of this condition in the subject title deed would serve no purpose on this land use application. b)We reiterate: <i>In terms of the conditions as stipulated in the Deed of Transfer T000023555/2023, paragraph C (6) (2) (b), it is stated that 'not more than 25% of the area thereof shall be built upon'.</i> <i>This was discussed with the Planning Official of the Overstrand Municipality, and the outcome was a mutual agreement that the restriction applies to the property as a whole, not to the subdivided and newly proposed property.</i> <i>Therefore, the coverage of the proposed buildings must be calculated as if they were constructed over the entire Erf 730, Pringle Bay. The outcome of such a calculation is coverage of only 9,3%, which is well within the scope of the allowed 25% as stipulated in the deed of transfer.</i> The above is an extract from the motivation report and addressed accordingly. c)Again, no relevance to this land use application.
Paragraph 2.5	Noted.



jan@futureplan.co.za
082 576 0901



jaco@futureplan.co.za
071 331 9337



Address: P.O Box 20, Postlink
21, 3rd Street, Kleinmond, 7195



FUTURE PLAN
TOWN AND REGIONAL PLANNING

It should be noted that the Pringle Bay Rate Payers Association serves as a funnel for comments on this application. There was no mandate or decision presented with the objection to determine whether the Pringle Bay Rate Payers Association discussed this application, or if this was a blanket mandate to object or comment on every land use planning application in the township of Pringle Bay.

Objector: R Konings	Future Plan Comment
<i>Cause least disruption on important wetland, and prominent area for wildlife</i>	In essence, the objector supports the application because the majority of Erf 730 will be designated for the preservation of the natural landscape and its associated fauna and flora. The proposed dwelling is to be constructed in a manner that will potentially have the least disruptive impact on the surrounding fauna and flora. It is also proposed not to build on the dune area itself, which is deemed to have an increasingly detrimental impact on the natural landscape.

Objector: M S Solomons	Future Plan Comment
<i>Application provides for preservation.</i>	M S Solomons does not provide any negative aspects against the land use application.

Objector: T V Helmbold	Future Plan Comment
<i>Paragraph 1</i>	The application does not entail any construction on the ridge or dune.
<i>Paragraph 2</i>	The proposed dwelling is to be placed on stilts, which are deemed to reduce environmental impact and prevent flooding during the rainy seasons.
<i>Paragraph 3</i>	Noted. The manner in which the proposed driveway is to be constructed will be finalised upon actual construction. One alternative is to use natural stone to reduce potential negative environmental impacts.
<i>Paragraph 4</i>	A reputable service provider will install the proposed conservancy tank. Prior to construction, Overstrand



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FUTURE PLAN.
TOWN AND REGIONAL PLANNING

	Municipality's Building Plan Department will also provide comments relating to the best practical solution and technique.
<i>Paragraph 5</i>	The proposed dwelling conforms to the maximum permissible height restriction as prescribed in the OMLUS. It should also be emphasised that vistas are not a right, but a privilege.

Objector: Helene Janser (on behalf of Department of Environmental Affairs and Development Planning)	Future Plan Comment
<i>No objection</i>	Noted.

The Reader should also note that this application is a continuation of an earlier approval, and that the development does not undermine the principles and approval established at that time. The final step to meet the conditions of approval for that development will now be carried out through this application and process. This continuity should be recognised in both the NEMA and Land Use Planning Processes.

We have not received any other feedback aside from the contents of this letter at the time this report was compiled.

Generally, the application has gained more support during the public participation process.

We trust that Overstrand Municipality and its authorised officials will exercise their discretion in this matter.

Kind Regards,

Jaco van Schalkwyk

Future Plan Town and Regional Planners



jan@futureplan.co.za
082 576 0901



jaco@futureplan.co.za
071 331 9337



Address: P.O Box 20, Postlink
21, 3rd Street, Kleinmond, 7195

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION, REZONING & DEPARTURE: ERF 730,
PRINGLE BAY (4900/2025)**

Water	:	Refer to conditions
Electricity	:	Eskom Area
Sewer	:	Refer to conditions
Stormwater	:	Refer to conditions
Roads and traffic	:	Refer to conditions

Conditions:

1. that each property to have their own water connection, the cost of connection and / or any upgrade for any of these services be required, will be at the owner's cost;
2. that each property to have their own conservancy tank to Municipal specification;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Engineering Services (Kleinmond) for written approval;
5. that any additional and / or extended vehicle entrance will be for the owner's account;
6. that stormwater be allowed to discharge through the proposed Erven, Pringle Bay, unobstructed;
7. that construction may only happen after the issuance of the authorisation by BOCMA/DWS to enable work in the regulated area;
8. that all conditions set by BOCMA/DWS must be adhered to;
9. that no on-street parking be allowed.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

29/01/2026
DATE

22 SEP 2025

Loriaan Isaacs

Annexure G

From: Helene Janser <Helene.Janser@westerncape.gov.za>
Sent: Monday, 22 September 2025 13:51
To: Loriaan Isaacs
Cc: Kobus Munro
Subject: DEA&DP Planning Comment: Erf 730, 12 Bobbie Road, Pringle Bay (subd rez dep)

DOCUMENT CONTROL
 OVERSTRAND MUNICIPALIT

Dear Ms Isaacs

The Directorate Development Management Region 2 has no objection, from a provincial planning perspective, to the applications for the subdivision of Erf 730, Pringle Bay into 2 portions namely Portion 1 ($\pm 1\,000\text{m}^2$) and a Remainder ($\pm 2\,937\text{m}^2$), the rezoning of the Remainder portion from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1) and a departure from the Overstrand Environmental Management Overlay Zone to allow the owner to construct the proposed dwelling within the earmarked open space/conservation portion on the subject property.

Kind Regards

Helene Janser
Chief Town & Regional Planner: Development Management Region 2
 Department of Environmental Affairs and Development Planning
 Western Cape Government

4th Floor, Utilitas Building, 1 Dorp Street, Cape Town, 8000

Tel: +27 (0)21 483 3544
 Cell: +27 (0)84 585 2000
 Email: Helene.Janser@westerncape.gov.za
 Website: www.westerncape.gov.za/eadp



**Western Cape
 Government**
FOR YOU

FILE NO.	Erf 730-KPRB
SCAN NO.	
COLLABORATOR NO.	2868272

Be 110% Green. Read from the screen.

Should you not be able to contact the numbers above, please call +27 (0)21 483 4091 between 7:30 -16:00.

From: Loriaan Isaacs <loriaanisaacs@overstrand.gov.za>
Sent: Thursday, September 11, 2025 12:00 PM
To: Helene Janser <Helene.Janser@westerncape.gov.za>
Cc: Loretta Gillion <loretta@overstrand.gov.za>
Subject: Request for comment: Erf 730, 12 Bobbie Road, Pringle Bay (subd rez dep)

TP 22 SEP 2025



**Western Cape
Government**

Department of Environmental Affairs and Development Planning

Bernadette Osborne

Directorate: Development Management, Region 1

Bernadette.Osborne@westerncape.gov.za | Tel: 021 483 3679

REFERENCE: 16/3/3/6/6/E2/31/1374/25
DATE OF ISSUE: 10 October 2025

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: Ms. Loretta Gillion

E-mail: loretta@overstrand.gov.za

Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE PROPOSED APPLICATION SUBDIVISION, REZONING AND DEPARTURE FOR ERF NO. 730, PRINGLE BAY.

1. The applicability checklist received by the Directorate: Development Management (Region 1), hereinafter referred to as "this Directorate" on 11 September 2025, refers.
2. Based on the information provided by you, this Directorate notes the following:
 - The proposed application is for the subdivision, rezoning and departure for Erf No. 730, Pringle Bay.
 - The proposed subdivision of Erf No. 730 into two portions, namely Portion 1 which will be approximately 1000m² in size and the Remainder of Erf No. 730 which will be approximately 2937m².
 - The proposed rezoning of the Remainder of Erf No. 730 to Open Space Zone 1: Nature Reserve and Portion 1 will retain the current zoning of Single Residential 1.
 - The proposed departure to allow for a dwelling on Portion 1.
 - The site is mapped to contain indigenous vegetation, namely Hangklip Sand Fynbos vegetation which is classified as a critically endangered ecosystem.
 - A wetland is present on the site, and the proposed dwelling will be built on stilts to reduce the impact on the wetland.
 - The site is zoned Single Residential 1 and is located inside the urban area of Pringle Bay.

3. Your attention is drawn to the listed activities in terms of the EIA Regulations, 2014 (as amended). Please be advised that the proposed development will trigger the following listed activities as defined in the NEMA EIA Regulations, 2014, if the respective thresholds are met.

Activity 19 of Listing Notice 1

The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;

but excluding where such infilling, depositing, dredging, excavation, removal or moving-

- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.

Activity 12 of Listing Notice 3

The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

(i) Western Cape:

- i. **Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;**
 - ii. Within critical biodiversity areas identified in bioregional plans;
 - iii. Within the littoral active zone or 100 metres inland from the high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line or even in urban areas;
 - iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or
 - v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.
4. This determination is based on the following:
- The proposed dwelling and associated infrastructure will be located within a wetland; and
 - Critically endangered indigenous vegetation is present on the site.

5. Written authorisation may be required from the competent authority prior to the undertaking of the said activities. You are hereby advised that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are included in the application.
6. The Application Form, as well as other relevant forms and guidelines, are available from this Department's website.
7. Kindly quote the abovementioned reference number in any future correspondences.
8. This Directorate reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully

**Melanese
Schippers**

Digitally signed by
Melanese Schippers
Date: 2025.10.10
09:12:17 +02'00'

pp HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: Ms. Loriaan Isaacs (Overstrand Municipality)

Mr. Jan Visagie (Future Plan Town and Regional Planning)

E-mail: loriaanisaacs@overstrand.gov.za

E-mail: jan@futureplan.co.za



CONSERVATION INTELLIGENCE: LANDSCAPE CENTRAL

postal Private Bag X5014 Stellenbosch 7599
physical Assegaaibosch Nature Reserve Jonkershoek
website www.capenature.co.za
enquiries Leandra Knoetze
telephone +27 21 866 8022 **cell** +27 83 278 0949
email lknoetze@capenature.co.za
reference SSD14/2/6/1/7/2/730_Erf_Subdiv & Rezoning_Bobbie Road_Pringle Bay
date 13 November 2025

Loriaan Isaacs / Loretta Gillion
 Overstrand Municipality
 Directorate: Planning & Development – Town & Spatial Planning
 P.O. Box 20
 Hermanus
 7200

By email: loriaanisaacs@overstrand.gov.za / loretta@overstrand.gov.za

Dear Ms Isaacs

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
13 NOV 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP-A Theart
(H v d Stoep)

RE: Erf 730, 12 Bobbie Road, Pringle Bay: Application for Subdivision, Rezoning and Departure: Future Plan Town & Regional Planners on behalf of E Railoun
APP ID: 4900/2025 & File Ref: 730 KPRB

CapeNature would like to thank you for the opportunity to comment on this application. Please note that our comments pertain primarily to impacts on biodiversity and not to the overall desirability of the project.

1. According to the South African Vegetation Map (2018), the proposed development area supports Hangklip Sand Fynbos, a Critically Endangered vegetation type. The area is undeveloped and consists of pristine natural vegetation.
2. The proposed area is situated within an Aquatic Critical Biodiversity Area (CBA), according to the 2023 Biodiversity Spatial Plan (BSP). CBAs include areas in a natural condition that are required to meet biodiversity targets for species, ecosystems or ecological processes and ecological infrastructure. No further loss of natural habitat should occur in CBAs and degraded areas should ideally be rehabilitated. The Aquatic CBA was determined due to the presence of the Southwest Sand Fynbos Channelled Valley Bottom Wetland, Upland-lowland interface and Buffelsrivier Freshwater Ecosystem Priority Area (FEPA) River Corridor and Overberg Coastal resource protection. Furthermore, according to the 2017 BSP, the development area is situated within an Ecological Support Area (ESA: Restore) – which play an important role in supporting the functioning of Critical Biodiversity Areas (CBAs) and are often vital for delivering ecosystem services. The ESA was determined due to the presence of the Critically Endangered Vegetation Type, NFEPA (National Freshwater Ecosystem Priority Areas) Wetland, coastal corridor, Buffels Oos Estuary area and for water resource protection (Hangklip) and it is essential that this area is maintained in a functional, near-natural state and underlying biodiversity objectives are not compromised.

Additionally, according to the Overstrand Environmental Management Overlay Zone (EMOZ) – the whole area (Erf 730 and surrounds) can be considered as an Urban Conservation area, and the entire property falls within the demarcated conservation area of the Ridge Guideline Development Plan (See Figure 1 and Figure 2 below).

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Ms Marguerite Loubser (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Mr Tom Blok, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Ms Chwayita Shude-Mareka, Dr Razeena Omar

FILE NO. Erf 730- KPRB ✓
SCAN NO.
COLLABORATOR NO.
2906009

TP 13 NOV 2025

3. More specifically, the site is situated within the Urban Conservation Environmental Management Overlay Zone (EMOZ) of the Overstrand Municipality as referred to in the planning report. According to the Regulations for the Urban Conservation EMOZ, for private properties within this zone the municipality may require that specialist biodiversity studies and/or other relevant studies be undertaken by the developer/owner in order to inform development planning and retain priority ecological corridors and habitats. Furthermore, Figure 2 (from a previous application on Bobbie Road) indicates that the Erf is part of the Ridge EMOZ and considered as urban conservation-worthy corridor area. Therefore, proper approval from the competent authority needs to be obtained for the exact position of the house, before any construction commence.
4. The application is for the development of a new dwelling or house on the property and subsequently the application includes the following:
 - a. Rezoning from Single Residential Zone I to Open Space Zone I
 - b. Departure: Deviate from the Ridge Guideline Development Plan & Deviation from the Overstrand Environmental Management Overlay Zone (EMOZ, 2020) to allow the owner to construct the proposed dwelling within the earmarked open space or conservation portion on the subject property.
 - c. Subdivision of Erf 730 into two portions, namely Portion I and Remainder of Erf 730 - Portion I will thus retain the current zoning (Single Residential Zone I). In contrast, the subdivided portion, the Remainder of Erf 730, will be rezoned from Single Residential Zone I to Open Space Zone I: Nature Reserve.

Please can you clarify or indicate how the Open Space Zone (Nature Reserve) will be formally protected from future development or any other disturbances.

5. According to the Motivation Report, it is proposed to construct a double-storey dwelling and that the structure will be placed on stilts. The ground floor will consist of two carports, a kitchen, a dining area, and a timber deck. The first floor will contain the main living areas, bedrooms and bathrooms. The site development plan indicates that the new dwelling will cover 367.84 m² and that the Total coverage or area will be 517,61 m² (including the First Storey area/coverage). Please can you indicate how the Total coverage or area was determined for the proposed Subdivided Erven – because Page 11 of the Report indicates that the Extent of the Property is 3937 m², however the Table on Page 5 and the Site Development Plan indicates that Erf 730 (original Erf) has an Area of 3937 m² and 9.3 m² coverage and that Erf 1921 (new subdivided Erf) has an Area of 1000 m² and 36.8 m² coverage. Should the 1000 m² not be subtracted from the 3937m². Additionally, please note, even though the house will be developed on stilts, the vegetation covered by the house will be lost due to no sunlight and other possible disturbances.
6. Furthermore, can you clarify how much vegetation would need to be cleared for an access road/short driveway to the new dwelling, as well as the exact size of the development/building footprint. The driveway, together with the clearing for the dwelling might trigger an EIA (Environmental Impact Assessment) in terms of National Environmental Management Act (NEMA) and Specialist Reports/Studies might have to be done. CapeNature recommends that a specialist biodiversity study is undertaken because there will be loss of Critically Endangered vegetation, and a Risk Matrix Assessment will need to be conducted due to the proximity of a wetland.
7. In terms of the desirability of the application, development in wetlands is not supported by CapeNature as a general principle. However, approximately half of the residential erven within Pringle Bay are located within a wetland, and this would deny these landowners the right to a single dwelling on their property. The application can however respond to the environmental sensitivities of the property and surrounding properties – and take into account the Ecological Corridors and Conservation Worthy Areas.
8. We recommend that if the development gets approved, that the footprint be kept as small as possible – seeing that Erf 730 is situated within the Critically Endangered, Hangklip Sand Fynbos Vegetation Type; an Aquatic CBA; a NFEPA Channelled Valley-Bottom Wetland and a Coastal Corridor. We also recommend that the Wetland areas are avoided as far as possible (and clearly demarcated as No-go areas) during the construction and operation of the development and that no further loss of natural vegetation on the property occurs.

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Ms Marguerite Loubser (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Mr Tom Blok, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Ms Chwayita Shude-Mareka, Dr Razeena Omar

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

Yours sincerely



Leandra Knoetze



Figure 1: Overstrand Environmental Management Overlay Zone (EMOZ) – Pink colour showing the Ecological Corridor and Green colour showing Urban Conservation areas



Map 4: Illustration of recommended Municipal erven (solid shading) and portions of Private erven (translucent shading) for the Ridge EMOZ urban conservation-worthy corridor area.

Figure 2: Ridge EMOZ and conservation-worthy corridor area

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Ms Marguerite Loubser (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Mr Tom Blok, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Ms Chwayita Shude-Mareka, Dr Razeena Omar

Annexure
J**BREED-OLIFANTS**

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
24 MAR 2026
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP- A Theart
LH vld Stoep

Cnr Mountain Mill & East Lake Road, Worcester 6850, Private Bag X3055 Worcester 6849

Our Reference no: 4/10/1/G40B/Erf 730 12 Bobbie Road, Pringle Bay, Caledon RD (additional comment)
Date: 24 March 2026

Overstrand Municipality
Land Use Administration, Town and Spatial Planning
Directorate: Planning and Development
P. O. Box 20
Hermanus
7200

For Attention: L Isaacs
Madam,

ADDITIONAL/FINAL COMMENT:

**REQUEST FOR COMMENT: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE:
ERF 730, 12 BOBBIE ROAD, PRINGLE BAY, CALEDON DISTRICT**

With reference to your electronic submission (email dated 11/09/2025) of information, with Motivational report by FUTURE PLAN TOWN AND REGIONAL PLANNERS (ON BEHALF OF E RAILOUN), dated JANUARY 2025, our subsequent letter dated 10/12/2025, as well as your additional input via email dated 11/02/2026, herewith the following:

1. The BOCMA confirms that water use authorisation (**WU32180**) was issued in a letter dated **31/08/2023**.
2. The BOCMA however would urge the developer to minimise all potential impacts which may arise as a result of the new location of the residential dwelling.
3. The BOCMA is satisfied that all requirements have been addressed and has no further objection against the proposed subdivision, rezoning and departure, and new location of the dwelling.
4. The proposed construction should adhere to all other relevant sections of the NWA, 1998 (Act 36 of 1998), not contained within this letter.

Please be advised that the comment provided is in the interest of responsible water resource management. The BOCMA reserves the right to revise initial comments and request further information based on any additional information that might be received. Please do not hesitate to contact this office if you have any further queries. Please ensure to quote the above reference in doing so.

Yours faithfully.

JAN VAN STADEN
CHIEF EXECUTIVE OFFICER (ACTING)

FILE NO. Erf 730-KPRB
SCAN NO.
COLLABORATOR NO.
3008752

TP 24 MAR 2026

TPA-EMS-260202-02

Town Planning Application on 02-02-2026

Generated on Unitl by Penelope Aplon on 18-03-2026

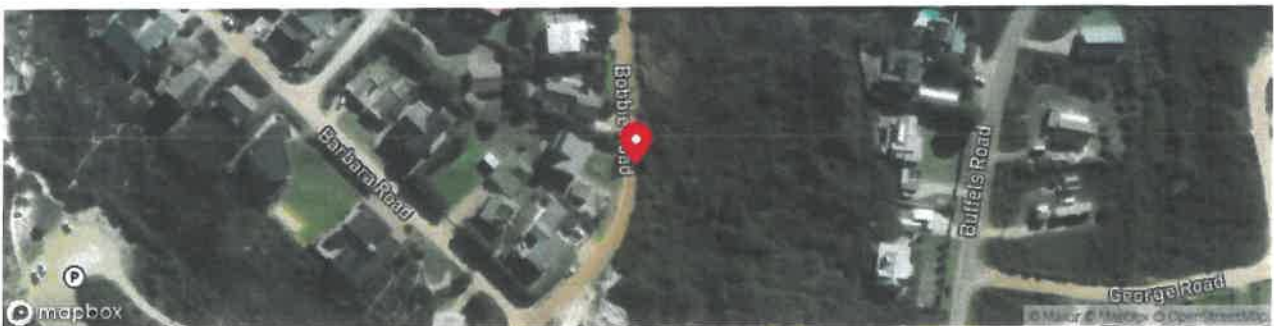
Basic Information

Captured	02-02-2026 14:49	Call Time	02-02-2026 14:49	Captured By	Penelope Aplon
Reference	TPA-EMS-260202-02			Office	EMS
District	Overberg District			Status	Open
	Municipality				
Municipality	Overstrand Local				
	Municipality				

Description

ERF 730 BB: SUBDIVISION, REZONING AND DEPARTURE

Geographical Information



12 Bobbie Road, Pringle Bay, South Africa (-34.3444; 18.8333)

Application Details

File Reference	730 KPRB
	FUTURE PLAN TOWN &
	REGIONAL PLANNERS
Applicant	ON BEHALF OF E
	RAILOUN
Property Details	ERF 730, 12 BOBBIE
	ROAD, PRINGLE BAY

Application Comments

The Environmental Management Division has the following comments on this application:

EMOZ

The property is located within the Urban Conservation EMOZ, category D. These are private properties within priority conservation-worthy ecological corridors from mountain to coast and/or across priority conservation-worthy areas identified in accordance with the EMF. Part of this application includes a deviation from the EMOZ regulations, to facilitate the construction of single residential dwelling. The proposed development has taken relevant environmental impacts into consideration with the design of the dwelling. The applicant has completed a risk assessment matrix, assessing the impacts which development will have on the wetlands, which prescribes mitigation measures during the construction and operational phase. These measures must be implemented. The applicant was already issued with a general Authorization from the Breede Olifants Catchment Management Agency, for the proposed construction activity.

Subdivision & Rezoning

As part of a historical Town Planning condition of a approval, a portion of the property must be transferred to the Municipality. The subdivision will retain a corridor along the property, facilitating the movement of fauna and retaining the dune ridge. The subdivision will result in a portion of the property rezoned as Public Open Space Zone I

EIA regulations:

In terms of the EIA regulations, the application does not deviate from the planning approvals granted to Erf 730 Pringle Bay, when the Pringle Bay Township was established on 20 August 1971.

This office has no objection to the application for subdivision, rezoning and departure from the EMOZ and The Ridge guidelines.

Application Types

Subdivision

Rezoning

Departure

Closing Comments

.....
Name and Surname

.....
Signature

.....
Date



**Western Cape
Government**

Department of Environmental Affairs and Development Planning
Ayesha Hamdulay
Development Management
Ayesha.Hamdulay@westerncape.gov.za | Tel.: 021 483 0756

REFERENCE: 16/3/3/6/E2/31/1042/22
DATE: 16 March 2022

The Proponent
61 Strubens Road
OBSERVATORY
7025

Attention: Ms. Tamsin Faragher

Cell: 072 432 9373
E-mail: tamsinfaragher@gmail.com

Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED DEVELOPMENT OF ERF 730, PRINGLE BAY

1. Your correspondence received by the Department via electronic mail correspondence on 21 February 2022, refer.
2. This letter serves to confirm the applicability of the EIA Regulations, 2014 (as amended), with respect to the proposed development of Erf 730, Pringle Bay.
3. Based on the mapping tools available to the Department, the following is noted:
 - 3.1. Erf 730, Pringle Bay is located more than 100m of the High Water Mark of the Sea and the Buffels Rivier Estuary;
 - 3.2. Erf 730, Pringle Bay is mapped as containing Hangklip Sand Fynbos, an Endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEM:BA"), List of Threatened Ecosystems in Need of Protection, December 2011;
 - 3.3. The greater extent of Erf 730, Pringle Bay is mapped as a channelled valley-bottom wetland; and
 - 3.4. Erf 730, Pringle Bay is located more than 32m from perennial and non-perennial watercourses.
4. General Plan
 - 4.1. Erf 730, Pringle Bay was approved by the Surveyor General in terms of the General Town Plan for 'Pringle Bay Township Extension No. 3' on 20 August 1971.
 - 4.2. The development of the Pringle Bay Township in accordance with the said plan was commenced with prior to the coming into effect of the EIA Regulations promulgated in terms of the Environmental Conservation Act (Act 73 of 1989) ("ECA").

5. Based on the above, it is confirmed that the proposed continuation of the Pringle Bay Township development (which includes Erf 730) in a manner that is consistent with the approvals granted on 20 August 1971 does not require environmental authorisation.
6. However, any application to deviate from the approval that was granted may trigger the following Listed Activities in terms of the EIA Regulations, 2014 (as amended):

Listing Notice 1 of the EIA Regulations, 2014 (as amended)

Activity Number: 12

"The development of—

- (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or
- (ii) infrastructure or structures with a physical footprint of 100 square metres or more;

where such development occurs—

- (a) within a watercourse;
- (b) in front of a development setback; or
- (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —

excluding—

- (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
- (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;
- (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;
- (dd) where such development occurs within an urban area;
- (ee) where such development occurs within existing roads, road reserves or railway line reserves; or
- (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared."

Activity Number: 19

"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."

Listing Notice 3 of the EIA Regulations, 2014 (as amended)

Activity Number: 4

*"The development of a road wider than 4 metres with a reserve less than 13,5 metres.***i. Western Cape**

- i. Areas zoned for use as public open space or equivalent zoning;
- ii. Areas outside urban areas;
 - (aa) Areas containing indigenous vegetation;
 - (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or
- iii. Inside urban areas:
 - (aa) Areas zoned for conservation use; or
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority."

Activity Number: 12

*"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.***i. Western Cape**

- i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
- ii. Within critical biodiversity areas identified in bioregional plans;
- iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas;
- iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or
- v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister."

7. Please be advised that the Department of Water and Sanitation and/or the relevant catchment management agency must be consulted with respect to development within or within close proximity to a watercourse.
8. The local authority must be consulted for any planning related enquiries.
9. You are reminded of the general duty of care towards the environment in terms of Section 28(1) of the NEMA, which states: "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."
10. It is prohibited in terms of the NEMA to commence with a Listed Activity without a relevant Environmental Authorisation from the Competent Authority. Non-compliance in terms of the prohibition will be referred to the Environmental Law Enforcement Directorate of the Department for possible prosecution. The penalty for a person convicted of an offence in terms of the above is a fine not exceeding R10 000 000 or imprisonment for not more than 10 years, or both such fine and such imprisonment.

11. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development.
12. The Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Your interest in the future of the environmental is greatly appreciated.

Yours faithfully

Melanese
Schippers

Digitally signed by
Melanese Schippers
Date: 2022.03.16
13:29:36 +02'00'

pp **HEAD OF COMPONENT**
DIRECTORATE: DEVELOPMENT MANAGEMENT - REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Annexure L 1/14

Proposed Ridge Precinct Conservation Area, Pringle Bay

Environmental Management Framework ^(v3) (2023 – 2028)

**OCTOBER 2023** (VERSION 3)

Compiled by Duncan Heard
for the Owners of:
Erf 729 (June 2023)
Erf 730 (October 2024)

Duncan Heard
Environmental
Consulting



Proposed Ridge Precinct Conservation Area, Pringle Bay

Environmental Management Framework (2023 – 2028)

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Abbreviations

EMF	Environmental Management Framework.
EMOZ	Environmental Management Overlay Zone (Overstrand municipal area).
IAV	Invasive Alien Vegetation plant species declared by way of the NEMBA.
NFEPA	National Freshwater Ecosystem Priority Areas.
NEMBA	National Environmental Management : Biodiversity Act.

Definitions

Conservancy:

An entity that is established by voluntary agreement between landowners with properties in a specified area, which promotes the conservation of the natural environmental features and biodiversity of that area. Conservation objectives are achieved by co-operation, commitment, and where applicable, pooling resources for the conservation of the natural environment that exists on or next to their properties.

EMOZ: Conservation-worthy Urban Area (Overstrand municipal area)

An urban area that may have restrictions on development and land use to ensure the preservation of sensitive ecosystems, wildlife habitats, and natural resources. This could include limitations on buildings, setbacks from wetlands and restrictions on activities. The goal is to balance development and growth with environmental sustainability and protection.

NFEPA: National Freshwater Ecosystem Priority Areas

This national project classification provides strategic spatial priorities for protecting South Africa's freshwater ecosystems and supports the sustainable use of water resources, including wetlands.

1. Purpose of this Environmental Management Framework (EMF)

This Environmental Management Framework (EMF) for the “Ridge” precinct in the town of Pringle Bay in the Overstrand Municipality of the Western Cape Province, is a tool that strives to promote the effective environmental management of the identified potential areas of this precinct as a conservation area. It encourages the formation of a ‘conservancy’ entity consisting of the precinct landowners who through their joint, coordinated, prioritised, and focused efforts could effectively protect and conserve the identified conservation area of this precinct.

2. Location, Extent and Land Use

The ‘Ridge’ precinct of Pringle Bay (See **Map 1**):

- Is bounded by Bobbie, Buffels and William Roads and is known locally as the ‘Ridge Area.’
- The co-ordinates of its approximate centre point are **Lat: -34.344244 | Lon: 18.834032.**
- It is about **4.2ha** in extent and consists of a **total of 19 Erven** belonging to:

Overstrand Municipality:

Erven 723 (2 316m²), 724 (702m²), 1884 (2 058m²), and 1898 (1 714m²) zoned as Open Space Zone 1: Nature Reserve (**4 x Erven**).

Eskom: Erf 722 (319m²) [**1 x Erven**].

Private Landowners:

Erven 721 (5 933m²), 725 (1 575m²), 726 (4 837m²), 727 (5 541m²), 729 (5 016m²), 730 (3 937m²), 1878 (1 000m²), 1879 (1 000m²), 1880 (1 000m²), 1881 (1 000m²), 1885 (1 006m²), 1886 (1 003m²), 1896 (1 796m²), and 1897 (2 238m²), all zoned as Residential Zone 1: Single Residential (**14 x Erven**).

3. Background

This precinct in Pringle Bay was identified several years ago as a potential conservation-worthy ecological corridor (greenbelt) within the urban residential area that could contribute towards the conservation of the natural environment of the local area.

For the above reason, it was included in the **Environmental Management Overlay Zone (EMOZ): Conservation-worthy Urban Area** for Pringle Bay. This adds a conservation focus to the area and enables the implementation of statutory measures to support this, if required. This overlay zone was implemented by Overstrand Municipality after an extensive public participation process during 2015 -2016.



Map 1: The Ridge precinct bounded by Bobbie, Buffels and William Roads, showing the Overstrand municipal erven within the precinct (Green shading) plus those on the outside in the southwest corner that links to the coast and outside north of the precinct linking to the rural area and the Buffels River estuarine and riparian zones. The Erf marked in red is an Eskom transformer site.

For the most part, the Ridge consists of larger than average private properties and is still covered with natural vegetation, that until July 2023 have remained undeveloped. In the past year there has however been considerable interest in developing these properties.

As stated above, the Overstrand Municipality owns four properties (zoned Open Space Zone 2: Public Open Space) that run through the area. These municipal properties are, however, not able on their own to effectively conserve an environmental corridor as the properties:

- Are not all contiguous.
- Are in places too narrow to be a viable conservation corridor area.
- Mainly traverse the higher vegetated dune ridge that runs the length of the Ridge precinct, therefore offering no protection to the lower lying areas and the important wetlands found lower down on the western side of the Ridge precinct.

An effective environmental corridor that protects ecological processes and the local biodiversity, cannot be achieved in the Ridge precinct unless the adjacent landowners also co-operatively assist in conserving portions of their properties that adjoin the municipal properties.



Photos 1 & 2:
Views of the near pristine wetlands on the western side of the Ridge precinct. The vegetated Dune 'Ridge' is visible in the background.

4. Environmental Significance and Attributes

Significant and sensitive environmental attributes of the Ridge area include:

- The vegetation and habitat diversity of this precinct is indicative that this small area is likely to sustain **relatively higher numbers of plant and animal biodiversity** than surrounding, more uniform natural areas. The topography varies significantly over a noticeably short distance, with the high vegetated dune system (The Ridge) immediately adjacent to the largest remaining wetland system in the Pringle Bay urban area. It is currently also a green belt corridor link between the Buffels River estuarine zone and the coastal zone.
- The natural vegetation of this area is classified as **Hangklip Sand Fynbos**, a **critically endangered ecosystem** in terms of the National Environment Management: Biodiversity Act. The dune area also contains plant elements of the nearby **Cape Seashore Vegetation**.
- The **wetland area** within the Ridge area is **classified as a National Freshwater Ecosystem Priority Area (NFEPA)** and must therefore be protected and/or restored as a high priority.
- The Ridge, if developed wisely by retaining private natural areas on the properties, will continue to form a conserved **contiguous environmental corridor** between the Buffels River estuarine and riparian zone and the coastal zone. This will therefore continue to sustain higher numbers of local birds and other wildlife in the local urban area which will enhance the lifestyle quality of the residents and add value to their property values. The the main objectives of the Overstrand **EMOZ: Conservation-worthy Urban Area** would thereby also be achieved.



Map 2:

An extract from the Overstrand municipal zoning proclamation for The Ridge precinct, where the retention of natural areas on private properties is envisaged to maintain a contiguous natural corridor through the Ridge precinct

5. Proposal to Obtain a Contiguous Ridge Conservation Area through the Ridge.

Map 3 below indicates the approximate positions of the wetland areas (blue) on the western side of the Ridge precinct. It is important that these areas receive conservation status going forward, to ensure that they do not become negatively impacted and degraded.



Map 3: Wetland areas depicted with blue polygons.

10/14

9

To facilitate the conservation of the wetlands and to improve the dune ridge corridor ecological integrity (that is partially protected by the municipal properties), it is recommended that the private landowners should exercise their right to develop a residence on their property, but that these areas of natural vegetation be retained on their property. These portions will remain private property but should be considered for rezoning to **Open Space 3: Private Open Space**. This will assist in retaining these portions as vital links in a Ridge conservation area in perpetuity.

I reported in an earlier report that the municipal erven were zoned Open Space Zone 1: Nature Reserve. This was incorrect, it is in fact Open Space Zone 2: Public Open Space. The legend colour coding on the municipal map is very similar and therefore such mistakes can easily be made. A further recommendation is therefore that the subject municipal erven should also be rezoned to **Open Space 1: Nature Reserve**.

Map 4 below illustrates the above recommendation:



Map 4: Illustration of recommended Municipal erven (solid shading) and portions of Private erven (translucent shading) for the Ridge EMOZ urban conservation-worthy corridor area. *Please note that the position of the residential space on Erf 730 has been amended from that originally assigned area in Version 2 of this EMF.*

6. Risk and Threat Identification.

The following are some of the risks and threats that have been identified that may negatively impact on this urban conservation-worthy area. This is especially likely if a co-operative agreement cannot be agreed to between the various landowners of the Ridge precinct on how these risks/threats will be managed:

- 5.1 Degradation of the area by inappropriate development, fragmented management, and plain neglect of the conservation-worthy area.
- 5.2 Public ignorance and abuse of the conservancy area.
- 5.3 Lack of knowledge by landowners of the area's natural plants and animals and their environmental significance and importance for the area.
- 5.4 Infestations of the conservation area by uncontrolled invasive alien vegetation plant species (IAV) and by plants that are not locally indigenous. Such uncontrolled infestations will destroy indigenous vegetation, and natural habitats, the wetlands and increase the frequency and intensity of wildfires. IAV infested areas also attract rough sleepers and vagrants.
- 5.5 Lack of coordinated prevention and fire control measures for wildfires.
- 5.6 Domestic animals hunting or disturbing wildlife.
- 5.7 Rough sleepers, vagrants, trespassers, criminality.
- 5.8 Fencing issues.
- 5.10 Pollution of the conservation area including dumping and littering.
- 5.11 Damage to some areas due to trampling from excessive use.
- 5.12 Damage causing wild animals.
- 5.13 Prevention and control of sand wind erosion.

7. Vision Statement

(Desired Outcome).

A protected conservation area (Map 4) on the Ridge precinct, Pringle Bay, jointly and sustainably managed by the precinct landowners, striving to maintain its ecological integrity and natural character within an urban environment.

8. Mission Statement

(Overarching statement on what will be done and by who).

Landowner commitment to jointly manage and conserve the conservation area on the Ridge precinct, based on legal prescripts and sound environmental principles, and science, which will benefit, the local natural environment, the affected landowners, and the local community.

9. Management Objectives [MO]

(That support the Ridge conservation area Vision, Mission & counter the risks/threats).

MO 1:

Conservation of the key biodiversity features, ecological processes, and natural resources of the Ridge conservation area.

MO 2:

The formation of functional and sustainable partnerships that will promote or contribute financially towards the protection of and conservation management of the conservation area, and other initiatives which underwrite the vision of the Ridge conservation area.

MO 3:

Encourage research or specialist surveys of the Ridge conservation area to grow a knowledge database of its conservation value to the local area.

MO 4:

Create Environmental Awareness of the environmental values of the Ridge conservation area among the precinct landowners and the local community.

10. Key Actions Recommended for the Implementation of this EMF.

Management Actions	MO 1	MO 2	MO 3	MO 4
➤ Facilitate discussion with municipality, Ridge landowners and representatives of the PB Ratepayers Assoc. to deliberate on: *Zoning recommendations. *Possible formation of <i>Ridge Urban Conservancy</i> . *Adoption of this EMF. *Action Plan.		✓		
➤ Between Ridge landowners, develop guidelines & planning regarding management matters: *Invasive Alien Vegetation control planning. *Fencing – bearing in mind that fencing can restrict small mammal (including buck) movement, but domestic/vagrant dogs and cats should not run free in conservation areas. *Proactive Fire control planning that has a minimal impact on the ecological integrity on the natural environment. *Monitoring conservation area status to ID threat/risks or gather information. *Recreational use of conservation area.	✓			
➤ Create environmental awareness between conservation area landowners and the local community.				✓
➤ Encourage conservation researchers and specialists to undertake surveys in the conservation area to assimilate environmental knowledge of the area. ➤ Maintain a knowledge database.			✓	

11. Review Guideline and Timeframes

Should this Environmental Management Framework (EMF) be adopted, it should be an iterative EMF to accommodate changes over time. If a Management Committee representing the Ridge Conservation Area is appointed, it should review the EMF every five (5) years unless the Management Committee is of the opinion that it should be reviewed earlier.



Photo 3: Photo taken from the south end of Erf 729, looking northwards. The low-lying wetland that traverses the property can be seen by the brown reed growth (predominantly Bulrush – *Typha capensis*) in the foreground. On the right is the vegetated dune ridge that is mostly owned by the Overstrand Municipality and is Zoned Public Open Space 2: Public Open Space.

Annexure M 1/26

Navrae
Enquiries P Bezuidenhout

Verwysing
Reference KPRB 724 & 730

Datum
Date 1 August 2008

**HANGKLIP-KLEINMOND
ADMINISTRASIE
ADMINISTRATION**

Mr AB Smit
ROS Ontwikkelingskonsultante BK
18 Heritage Drive
Cape Heritage
SOMERSET WEST
7130

REGISTERED MAIL

Dear Sir

PROPOSED REZONING AND SUBDIVISION OF ERVEN 724 AND 730, PRINGLE BAY

Further to my letter of 2 July 2008.

Kindly note that no appeal was received within the stipulated time period.

Approval is hereby granted, in terms of sections 16 and 25 of the land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the rezoning and subdivision of Erf 724, Bobbie Road and Erf 730, Buffels Road, Pringle Bay, from Residential Zone I to Subdivisional Area in order that Erf 724 be subdivided into 4 single residential plots and nature reserve, and Erf 730 into 1 single residential plot and nature reserve subject to the following conditions:

- (a) that no building may exceed a height of 8m (2 storeys);
- (b) that no additional dwelling-units be allowed;
- (c) that no vibracrete walls be allowed;
- (d) that only indigenous vegetation be allowed;
- (e) that the Remainder of Erven 724 and 730 be registered in Council's name, by the owner;
- (f) that the conditions regarding engineering services (Annexure I) be adhered to;
- (g) that the conditions as stipulated by the Pringle Bay Ratepayers' Association be adhered to;
- (h) that only closed sewage systems (conservancy tanks) be allowed; and
- (i) that the above-mentioned conditions be included in the deeds of sale of the erven.

Tel: (028) 271 8100
Faks/Fax: (028) 271-4100
E-pos/mail: fbezuidenhout@overstrand.gov.za

Privaatsak/Private Bag X3
KLEINMOND
7195

The conditions stipulated by the Pringle Bay Ratepayers' Association are as follows:

- "The building line on erf 724 abutting the Nature Conservation Area be a minimum of 5m. The same condition applies to the residential plot on erf 730, measured on a horizontal plain, to protect the ridge.
- The area to be cleared of vegetation for the purposes of building to be limited to a maximum of 150% of the footprint of each house so as to preserve the natural Fynbos and must be clearly demarcated.
- Each sub-division to be fenced off from the Nature Conservation Area before construction work commences, which includes the clearing of the 150% footprint area.
- The access causeway on erf 730 to be designed to allow for the free movement of water within the wetland, to the satisfaction of the Municipality and Ratepayers' Association before construction commences."

A bulk services contribution in respect of three additional erven must be paid. The enclosed e-mail (including the amended Annexure I), dated 16 July 2008, received from the Manager: Engineering Services (Mr Dennis Hendriks), is attached for your further attention please. Any queries regarding these conditions may be directed to him.

Copies of the endorsed subdivision plan are attached as annexures.

Yours faithfully

MUNICIPAL MANAGER

cc Finance (Mrs C Erasmus)
Building Control (Mr L Nel)
Environmental Management (Mr N Green)
Town Planning Administration

**AGENDA of the
Portfolio Committee: Economic Development and Planning
20 June 2008
(Also the agenda for the Mayoral Committee Meeting: 25 June 2008)**

**ERVEN 724 & 730, PRINGLE BAY: PROPOSED REZONING AND SUBDIVISION:
ROS ONTWIKKELINGSKONSULTANTE**

**ERWE 724 & 730, PRINGLEBAAI: VOORGESTELDE HERSONERING EN
ONDERVERDELING: ROS ONTWIKKELINGSKONSULTANTE**

**EL/KPRB/724 & 730
BG Louw
9 May 2008**

(028) 271 8107 Hangklip-Kleinmond Administration

1. Executive Summary/Bestuursopsomming

To submit the applications for the rezoning and subdivision of erf 724, Bobbie Road and erf 730, Buffels Road, Pringle Bay, from Residential Zone I to Subdivisional Area in order that erf 724 be subdivided into 4 single residential plots and nature reserve, and erf 730 into 1 single residential plot and nature reserve, for consideration. Locality plan is attached as Annexure A.

Om die aansoeke om hersonering en onderverdeling van erf 724, Bobbieweg en erf 730, Buffelsweg, Pringlebaai, vanaf Residensiële Sone I na Onderverdelingsgebied sodat erf 724 in 4 enkelwoonpersele en natuurreservaat en erf 730 in 1 enkelwoonperseel en natuurreservaat onderverdeel kan word, vir oorweging voor te lê. Liggingplan is aangeheg as Aanhangsel A.

2. Service Delivery and Budget Implementation Plan Reference

Infrastructure and Planning; Plan no. 30; Page no. 98
Town Planning

3. Compliance with Strategic Priority/ies

Provision of democratic and accountable governance
Promotion of tourism, economic and rural development

4. Delegated Authority

Executive Mayor

5. Legal Requirements

Sections 16 and 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

**AGENDA of the
Portfolio Committee: Economic Development and Planning
20 June 2008
(Also the agenda for the Mayoral Committee Meeting: 25 June 2008)**

6. Background/Discussion/ Evaluation/Conclusion

Background

Applications have been received from ROS Ontwikkelingskonsultante, on behalf of the owner, Esterthane Investments CC, for the rezoning and subdivision of erf 724, Bobbie Road and erf 730, Buffels Road, Pringle Bay, from Residential Zone I to Subdivisional Area in order that erf 724 (4 702m² in extent) be subdivided into 4 single residential plots and nature reserve, and erf 730 (3 937m² in extent) into 1 single residential plot and nature reserve. (Annexure B).

The applicant states that the rezoning and subdivision proposal, as contained in this application, is considered to be consistent with the planning principles of sustainable development for Pringle Bay Local Area and compatible with existing land uses. The utilisation of the subject property as private residential erven for the erection of holiday cottages will not create any inconvenience to the adjoining properties but will rather contribute towards higher property values and to the economic growth potential of Pringle Bay. A copy of the motivation is attached as Annexure C.

The Pringle Bay Structure Plan (May 1993) recommended that erven 721, 724 to 730, Pringle Bay, (shown as medium density) may be developed as a group housing scheme with a maximum of 15 units per gross hectare. However, the zoning of Residential Zone I was allocated to these properties during July 1993.

The previous owners of erven 721 and 724 to 730 submitted applications during December 2002 for the removal of title conditions, consolidation, rezoning and subdivision of the said erven into 48 single residential plots, private open space and private road (Annexure D). The owner who owned the majority of the erven became ill and decided to sell his erven individually. The applications were subsequently withdrawn. Kindly note that the open space corridor as indicated in Annexure D was determined by Council's Nature Conservation Department, prior to the submission of the afore-mentioned applications to the Municipality and is therefore still applicable. The protection of an open space corridor for this current application along the ridge will be adhered to.

6.1 Application process

6.1.1 Compliance

Pringle Bay Structure Plan	Yes
Scheme Regulations	Yes
Spatial Development Framework	Yes

**AGENDA of the
Portfolio Committee: Economic Development and Planning
20 June 2008
(Also the agenda for the Mayoral Committee Meeting: 25 June 2008)**

6.1.2 Advertisement/Notification

Notices were sent to all the potentially affected property owners, the Pringle Bay Ratepayers' Association, Pringle Bay Residents' Forum and KOBIO. Notices were also published in the Overstrand Herald and Provincial Gazette.

6.1.3 Objections

OBJECTIONS		ATTACHMENTS
Number of objections	2	Annexure E
Applicant's comment on objections		Annexure F

Summary of objections and applicants' comments on objections

Two letters were received. One letter, from the owner of adjoining erf 721, only mentioned issues relating to his own erf and is not dealt with here further. The second letter from the owner of adjoining erf 725 strongly objected to the access road that will run parallel along part of the boundary along his property.

Applicant reacted to this objection by submitting an amended subdivision plan, in which the access road does not run parallel to the common boundary any more. As can be seen from applicant's letter, (Annexure F) all endeavours to contact the objector to get his reaction on the revised layout failed. No further action in this regard is therefore considered necessary.

6.1.4 External Circulation

DEPARTMENTS	ATTACHMENTS
Nat Agriculture	N/a
Prov Agriculture	N/a
Dept Transport and Public Works	N/a
District Roads	N/a
Overberg DM	Yes – Annexure G
DEA&DP	N/a
Heritage	N/a
Economical Affairs and Tourism	Yes – Annexure G
District Health	N/a
Water Affairs & Forestry	N/a

**AGENDA of the
Portfolio Committee: Economic Development and Planning
20 June 2008
(Also the agenda for the Mayoral Committee Meeting: 25 June 2008)**

Cultural Affairs and Sport	N/a
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Discussion/Evaluation

Erven 724 and 730 is situated within Extension 3 and the minimum size of erven in this area is 1000m², as stipulated by the Hangklip-Kleinmond Spatial Development Framework (SDF). The proposal is for the subdivision of erf 724 into four plots and a Remainder, and erf 730 into 1 plot and a Remainder. Both Remainders, which constitute 42% of the total area of the plots, will be ceded to Council for nature conservation purposes and the other portions will be utilised for single residential purposes. The proposal is in keeping with the SDF.

The applicant motivated the development as follows: "The spatial development policies for the subject property as contained in Par 6.3.2.(v) of the Pringle Bay Structure Plan recommends a group housing type development of a density of 15 units per gross hectare. A group housing type development is however considered to be inappropriate in Pringle Bay.... A more compatible type development to the natural environment and character of Pringle Bay Village is that of private residential stands consisting of erven with a average subdivision standard of 1 000m² in extent." This statement is fully supported.

Applicant consulted the Pringle Bay Ratepayer's Association prior to submitting his application to Council. The Association agreed to the rezoning and subdivision, subject to certain conditions. These conditions are as follows:

- The building line on erf 724 abutting the Nature Conservation Area be a minimum of 5m. The same condition applies to the residential plot on erf 730, measured on a horizontal plain, to protect the ridge.
- The area to be cleared of vegetation for the purposes of building to be limited to a maximum of 150% of the footprint of each house so as to preserve the natural Fynbos and must be clearly demarcated.
- Each sub-division to be fenced off from the Nature Conservation area before construction work commences, which includes the clearing of the 150% footprint area.
- The access causeway on erf 730 to be designed to allow for the free movement of water within the wetland, to the satisfaction of the Municipality and Ratepayers Association before construction commences.

Applicant agreed to the implementation of these requirements. It is suggested that these requirements become part of conditions of approval.

In view of the above-mentioned, the proposal is deemed to be desirable. It is, therefore suggested that the rezoning and subdivision application be approved by the Executive Mayor.

**AGENDA of the
Portfolio Committee: Economic Development and Planning
20 June 2008
(Also the agenda for the Mayoral Committee Meeting: 25 June 2008)**

Conclusion

In the light of the above it is recommended that the application be approved.

7. Financial Implications

None

Source of Funding

N/A

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Chief: Engineering Services (M Bartman)

No comment – See Annexure H

Manager: Engineering Services (Dennis Hendriks)

Comments as in Annexure I

Overberg District Municipality: Environmental Health Practitioner

Application recommended for approval

Ward Committee: Ward 10

The Ward Committee reacted to the application as follows: "It was noted that an application has been received for the rezoning of erf 724 (4 702m² in extent), Bobbie Road and erf 730 (3937m² in extent), Buffels Road, Pringle Bay, from residential Zone 1 to Subdivisional Area in order that erf 724 be subdivided into 4 residential plots and nature reserve and erf 730 into single residential plot and nature reserve."

10. Annexures

Annexure A: Locality Plan
Annexure B: Site Development Plan
Annexure C: Applicant's Motivation
Annexure D: Open Space corridor
Annexure E: Objections
Annexure F: Comment on objections

**AGENDA of the
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Annexure G: Environmental Health Practitioner
Annexure H: Chief Engineering Services
Annexure I: Manager Engineering Services.

RECOMMENDATION/AANBEVELING:

1. that the applications for the rezoning and subdivision of erf 724, Bobbie Road and erf 730, Buffels Road, Pringle Bay, from Residential Zone I to Subdivisional Area in order that erf 724 be subdivided into 4 single residential plots and nature reserve, and erf 730 into 1 single residential plot and nature reserve, **be approved**, subject to the following conditions:
 - (a) that no building may exceed a height of 8 metres (2 storeys);
 - (b) that no additional dwelling-units be allowed;
 - (c) that no vibracrete walls be allowed;
 - (d) that only indigenous vegetation be allowed;
 - (e) that the Remainder of erven 724 and 740 be registered in Council's name, by the owner,
 - (f) that the conditions regarding engineering services (Annexure I) be adhered to;
 - (g) that the conditions as stipulated by the Pringle Bay Ratepayers Association be adhered to;
 - (h) that only closed sewage systems (conservancy tanks) be allowed;
 - (i) that the above-mentioned conditions be included in the deeds of sale of the erven; and
 - (j) that the subdivision be subject to the removal of the restrictive title conditions.
1. *dat die aansoeke om hersonering en onderverdeling van erf 724, Bobbieweg en erf 730, Buffelsweg, Pringlebaai, vanaf Residensiële Sone I na Onderverdelingsgebied sodat erf 724 in 4 enkelwoonpersele en natuurreservaat en erf 730 in 1 enkelwoonperseel en natuurreservaat onderverdeel kan word, goedgekeur word, onderworpe aan die volgende voorwaardes :*
 - (a) *dat geen gebou 'n hoogte van 8 meter (2 verdiepings) mag oorskry nie;*

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- (b) *dat geen addisionele wooneenhede toegelaat word nie;*
- (c) *dat geen voorafvervaardigde betonmure toegelaat word nie;*
- (d) *dat slegs inheemse plantegroei toegelaat word;*
- (e) *dat die eienaar die Restant van Gedeeltes 724 en 730 van die eiendom in die Raad se naam registreer;*
- (f) *dat daar aan die voorwaardes, met betrekking tot ingenieursdienste (Aanhangsel I) voldoen word;*
- (g) *Data an die voorwaardes soos bepaal deur die Pringle Baai Belastingbetalersvereniging voldoen word;*
- (h) *dat slegs geslote rioolstelsels (uitpomptenks) toegelaat word;*
- (i) *dat bogenoemde voorwaardes in die verkoopaktes van die erwe ingesluit word; en*
- (j) *dat die onderverdeling onderhewig is aan die opheffing van die beperkende titelvoorwaardes.*

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ANNEXURE A

**LIGGINGSPLAN / LOCALITY PLAN
ERWE/ERVEN 724 & 730, PRINGLEBAAI /
PRINGLE BAY**



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Ontwikkelingskonsultante Bk.

New address: 18 Heritage Drive
Cape Heritage
SOMERSET WEST 7130

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Somerset West
7130

Tel: (021) 854-8122

Faks: (021) 854-6500

Sel: 082 921-3199

E-pos: rosik@nwweb.co.za

**PROPOSED REZONING AND SUBDIVISION OF
ERVEN 724 AND 730 PRINGLE BAY**

Reference: Erf 724 - 730 PB

Bertus Smit

July 2007

LEDE: Albertus B. Smit (v Dep. 73 Kodesersd. BA (Eise) en M&S) Beteroach en Alta Smit

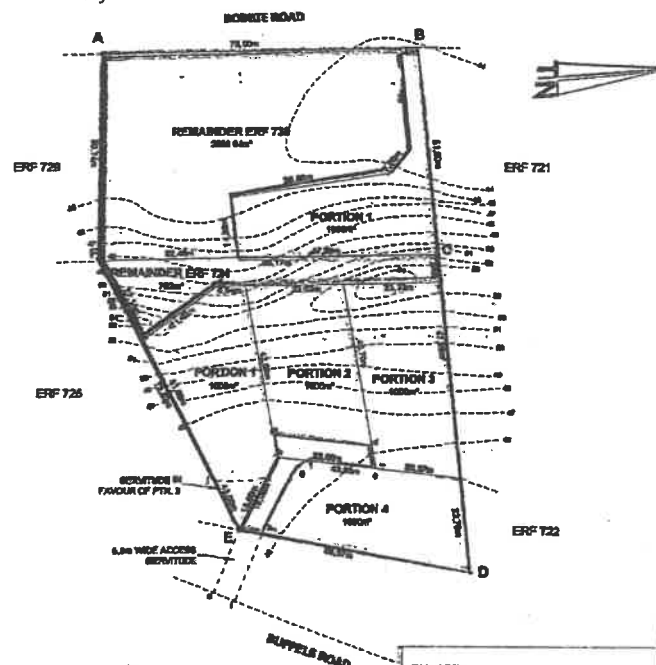
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ANNEXURE B

AN AMENDED PLAN FOR PROPOSED SUBDIVISION OF ERVEN 724 AND 730 PRINGLE BAY, SITUATE IN THE OVERSTRAND MUNICIPALITY, DIVISION OF CALEDON, WESTERN CAPE PROVINCE

Notes:

1. All areas and dimensions are approximate but subdivided portions will not be less than 1 000 square metres in extent
2. Zoning: Residential Zone I purposes
3. Remainder of Erf 730 to be transferred to Local Authority and be maintained as wetlands
4. Remainder of Erf 724 to be transferred to the Local Authority as Public Open Space
5. The figure a,e, b, c, d, e, f, g, h, i represents a private servitude right of way in favour of Portions 1, 2 and 3 of Erf 724 Pringle Bay
6. The figure E, a, k represents a servitude area in favour of Portion 3 of Erf 724 Pringle Bay



Bertus Smit
MEMBER
OF THE COUNCIL OF THE
OVERSTRAND MUNICIPALITY



Overstrand Municipality

Tel: (021) 851-0865 Fax: (021) 821-3100

OWNER:
ESTERHANE INVESTMENT CC

SUBDIVISION BOUNDARY
RESIDENTIAL ZONE I
OPEN SPACE ZONE I
PRIVATE SERVITUDE
RIGHT OF WAY

DATE: Feb 2008
REF: EL/KP/EB 724 & 730
PLAN No: 9 PB
SCALE 1:1000

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RATES PAYERS ASSOCIATION

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PREFACE

The land unit addressed in this Application consist of 2 large properties that had widespread development rights prior to the approval of the Pringle Bay Structure Plan in 1993. Such rights included the erection of three storey blocks of flats. The components of the site consist of Erven 721, 724 to 730 and is situated in Pringle Bay Extension 3 known as Beryl's Bay. To date the subject properties are still undeveloped and owned by individual owners.

The dune received residential development status with the approval of Pringle Bay Extension 3 and as such the current development rights of the property owners should be acknowledged. Esterthane Investments CC purchased the erven 724 and 730 during 1990 and rezoned it to Residential Zone I purposes to prevent the erection of blocks of flats thereon.

Prior to 1993 no town planning documentation existed for the Pringle Bay area that provided special development guidance to promote orderly development. On 2 May 1993 the Provincial Administration duly approved a Structure Plan for the planning area of Pringle Bay. The Structure Plan consisted of a special development policy document and included written statements which provided authority to the Local Council of Pringle Bay to exercise its duties to determine deemed zonings for properties in accordance with their envisaged development potential and existing rights. The subject erven were allocated a zoning of Residential Zone I purposes in terms of the provisions of the Section 8 Zoning Scheme Regulations at the request of Esterthane Investments CC

The development proposals for the subject properties as contained in the Structure Plan however acknowledge the fact that it had development rights and could be developed for medium density residential purposes. Such a development option must however be appropriate and compatible with the character of Pringle Bay. In the light of the above planning decision it is obvious that at that stage the dune had no conservation worthiness.

The pressure for residential expansion on developable land situated within the boundaries of the Pringle Bay Village is considered to be a natural phenomenon within a coastal village. The development option selected for the subject properties entail the subdivision thereof into a residential opportunities at the average density of 6 units per hectare with the objective to create a future urban form that will be sustainable. Above option must also be compatible with the established land use pattern and also aim at maintaining and promoting a mutually supportive mix of residential opportunities. The residential buildings to be erected on this sites will be of a high quality and standards not to cause any detrimental effect on surrounding buildings.

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MOTIVATION REPORT

1. THE APPLICATION

1.1 The Structure Plan and Zoning Scheme Provisions: The application for land use amendments and subdivision applicable to the subject properties namely Erven 724 to 730 Pringle Bay forms an integral part of the overall development proposals as reflected on the Guideline Development Plan attached as Map No 6. The spatial development policies for the subject property as contained in Para 6.3.2(v) of the Pringle Bay Structure Plan recommends a group housing type development of a density of 15 units per gross hectare. A group housing type development is however considered to be inappropriate in Pringle Bay for reasons contained in Para 4.2 of this Report. A more compatible type development to the natural environment and character of the Pringle Bay Village is that of private residential stands consisting of erven with an average subdivision standard of 1 000 m² in extent and density of $\pm$ 6 units per hectare which is permissible in terms of the provisions of the Section 8 regulations pertaining to land zoned for Residential Zone I purposes. For a copy of Guideline Development Plan indicating the overall subdivision pattern for the area see Map No 6 attached hereto.

The standing committee who represented the rate payers of Pringle Bay was consulted and has consented to the subdivision proposal as reflected on Map No 5 subject to the implementation of 4 additional requirements as set out in Paras 1 – 4 of their letter dated 20 June 2007 attached as Annexure E. Mentioned requirements could be added as conditions of subdivision approval. The applicant has also consented to the implementation of mentioned requirements.

1.2 The Development Proposal: The property owner wish to subdivide the subject properties into 5 residential erven, open space and a private servitude right of way to provide access to the erven over public open space as already approved by the Overstrand Municipality as reflected in letter attached as Annexure D. The open space and wetlands will ultimately be taken care of by the adjoining property owners and the Pringle Bay conservation society who will ensure that residents are aware of their responsibilities to protect their environment and that of the Kogelberg Biosphere Reserve pertaining to the prohibiting of veld fires, protection of the flora and fauna and marine life as well as to realise that the presence of baboons and other wild animals are a way of life in this area. Residents should therefore take precautions so that baboons do not cause damage to their properties and how to maintain acceptable relationships with the baboons at all times.

2. SUBDIVISION APPLICATION FOR ERVEN 724 AND 730 PRINGLE BAY

Application is hereby made on behalf of ESTERTHANE INVESTMENTS CC for the following:

1. The rezoning of Erven 724 and 730 Pringle Bay known as the subject property to Subdivisional Area for Residential Zone I purposes (holiday and residential accommodation) in terms of Section 17 of the Land Use and Planning Ordinance 15 of 1985 (LUPO) as reflected in the Application for Land Use Amendment and Subdivision attached as Annexure C and Subdivision Plan attached as Map No 5.

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- 2.2 The approval of the subdivision application for the subject property into 5 residential erven, open space and servitude right of way as reflected on Subdivision Plan No 7PB dated July 2007 in terms of Section 25 of LUPO. For further information and motivation see Subdivision Application attached as Annexure C.

2.5 APPLICATION PARTICULARS

- 2.5.1 The Power of Attorney: The Power of Attorney authorising ROS ONTWIKKELINGSKONSULTANTE BK to submit the Application for subject properties on behalf of ESTERTHANE INVESTMENTS CC is attached as Annexure A.
- 2.5.2 Property Description and Extent: The property known as the subject property in Pringle Bay situated in the Overstrand Municipality, Division of Caledon, Western Cape Province which consists of the following erven:
- Erf 724 Pringle Bay, measuring: 4 702 square metres
Erf 730 Pringle Bay, measuring: 3 937 square metres
- The extent of the subject property represents 8 639 m² and is owned by ESTERTHANE INVESTMENTS CC.
- 2.5.3 Title Deed: Ownership of the components of the subject property as listed above is held by Deed of Transfer No T.51101/90. There are no restrictive conditions in the Title Deed preventing or prohibiting the rezoning and subdivision of the subject property as reflected in the attached application. The restricted conditions pertaining to the erection of one dwelling only the restricted building lines of 12 metres from rear boundary and 5 metres from street building line and coverage of 25% as reflected in Paras 6(1)(2)(a), (2)(b) and (2)(d) of said Deed of transfer have been removed on 6 August 1993 as reflected on page 17 of the Title Deed. For further information in this regard see Annexure B attached hereto.
- 2.5.4 The properties are mortgaged by Absa Bank Limited. A letter granting the mortgagee's consent for the rezoning and subdivision of Erven 724 and 730 Pringle Bay will be submitted to you as soon as obtained.
- 2.5.5 Locality: The subject property is situated in Extension 3 of Pringle Bay known as Beryl's Bay. It is bounded by Bobby Road along the western boundary and Erven 721 and 722 along the northern boundary. To the south it is bordered by Erven 729 and 725. To the east it is bounded to public open space known as remainder of Erf 723. For further information see Locality Plans attached as Maps Nos 1 and 2.

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3. SURROUNDING ZONING AND LAND USE

The zoning of surrounding and the subject properties is been determined as Residential Zone I purposes in accordance with the provisions of the Section 8 Zoning Scheme regulations as already mentioned in the Preface. It also included properties zoned for Open Space Zone I, Local Authority and Transport Zone II Purposes.

The predominant erf sizes of surrounding residential erven are $\pm 600 \text{ m}^2$ in extent. The subject properties are presently still vacant land. The neighbourhood consists of a holiday cottage type environment enjoying sea and mountain views. The general character of the land use pattern is that of a LOW density coastal type village with medium size single residential erven to accommodate freestanding holiday cottages. For further information see Land Use Plan and Zoning Plan attached as Maps No. 3 and No. 4 respectively.

The current market forces have revealed that there is no demand for the larger type erven. The estate agents known as George Hazelden Properties have marketed the subject erven over the past five years with little success of a sale. The large type erven situated within the urban boundary of Pringle Bay could only be utilised as smallholdings : not subdivided. The establishment of unsightly structures associated with small holding type development which could be of an agricultural, industrial, manufacturing nature like boat building or scrap yard activities as experienced in the Hermanus area and other coastal villages should be prevented at all cost. Such activities and land uses will have a detrimental effect on the tranquil environment of the Pringle Bay village and will affect land values negatively.

4. ENVIRONMENTAL CHARACTERISTICS

- 4.1 Pringle Bay has an unique coastal environment and a holiday resort character easily accessible over weekends from the Greater Cape Town area. It fulfils in the holiday needs of people living within the urban suburbs such as the Helderberg, the Northern Suburbs, Stellenbosch, Paarl, Wellington, etc. Its existing natural environment should be preserved and protected at all cost. No further township extensions beyond the existing boundaries of Pringle Bay Village should be permitted. The only way to alleviate such development pressures will be to utilize the subject properties to its medium density potential.
- 4.2 A Group Housing Scheme consists of dwelling units that are clustered as free standing or linked units with zero building lines on small erven of $\pm 200 \text{ m}^2$ in extent. Such a development scheme is defined as a group of dwelling units that is planned, designed and built as a harmonious architectural entity. Stringent design guidelines create repetition of styles that will have a negative effect on the existing built environmental characteristics of a neighbourhood. A Group Housing type development as suggested by the Structure Plan for the subject properties will therefore not be compatible with the existing urban form of Pringle Bay. It would rather be in direct conflict thereof and should therefore not be permitted. It will change the existing holiday cottage residential character of Pringle Bay to that of an ordinary residential type township. A Group Housing type of development on the subject property will also be highly visible and will not be compatible with the existing surrounding erf sizes. The existing zoning of the subject property does however not permit group housing type development unless rezoned as such.

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- 4.3 The attribute of the proposed development to the Pringle Bay environment the following:

- No further subdivision opportunities in future
- Provision of additional open spaces
- Optimum utilization of existing infrastructure
- Protection of natural resources
- Consistent to and compatible with existing densities and built environment
- Provide a flexible and stylish blend of design elements and opportunities that will permit freedom of individual expression
- Restrict land uses to that of single residential purposes
- Protect existing rights of the adjoining and neighbouring properties

5. DEVELOPMENT CONTROL PROPOSAL

- 5.1 The Subdivision Proposal: The subject properties will be subdivided into medium size conventional erven being not smaller than 1 000m² in extent that will be compatible with that of surrounding properties. The subject properties enjoy unique mountain and sea views and will therefore be very popular in the property market if subdivided. Erven of 1 000m² in extent are the result of market forces and demand for more affordable and user-friendly holiday sites but should not be permitted without the provision of more usable passive open spaces or nature conservation areas to protect the coastal fauna and flora as well as to control possible wind erosion of the dunes.

It must also be emphasized that the development control restrictions as contained in the Section 8 Zoning Scheme Regulations does not restrict or prescribe a minimum erf size of 1 000m² for erven zoned for Residential Zone I Purposes. The principle of smaller erf sizes within established residential area is also supported by the MSDP. It is however not intended to provide smaller erven than the existing dominant erf sizes in the vicinity.

- 5.2 Density Control: The density envisaged for this development is well below the recommended density of 15 units per ha as proposed by the Structure Plan for the Pringle Bay local area. It is presumed that the main aim of a Structure Plan inter alia is to provide flexible development standards to accommodate the unpredictability of future land use development trends. Market forces normally determine such trends. The land use map however does reflect a demand for small erven. The extension of Pringle Bay into the existing rural environment could affectively be restricted by permitting the subdivision of larger erven situated within the urban boundaries of Pringle Bay into smaller erven. The optimum utilisation of available urban land and services should therefore be encouraged but emphasis should be placed on preserving as much as possible of the natural environment by establishing conservation areas.

6. SUSTAINABLE DEVELOPMENT

- 6.1 The planning objectives and subdivision standards as proposed are aimed at a residential development that will create a future urban form that will optimise the overall objective of sustainable development for Pringle Bay. It integrates with and will be consistent with the existing surrounding subdivision sizes. It also complies with the established land use pattern based on the provision of sufficient useable and passive open spaces within the Residential Estate. It promotes the protection of the natural and rural sensitive environment of the area and restricts the encroachment of further urban development or urban sprawl into the rural area.

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- 6.2 Access arrangements to the subdivided portions are provided by means of an access road over public open space already approved by the Overstrand Municipality. Very little natural vegetation will therefore be destroyed. The existing constructed road network situated within 16m road reserves is anticipated to be adequate to provide safe access opportunities to the sites and to accommodate the additional trips generated by the proposed 3 additional erven.
- 6.3 Availability of Services: The internal water reticulation system will provide for a connection to each erf and will be connected onto the existing municipal system. Proper drainage and storm water disposal for the area does exist and is mentioned by the relevant Local Authority. Disposal of slop water and sewage will be by means of a conservancy tank system that will be built at municipal standards. A municipal refuse disposal system does also exist for Pringle Bay. Electricity will be provided by Eskom.
- 6.4 Open Space System: The area reserved for Open Space purposes to be developed for Nature Conservation purposes consists of 3 639m² in extent which represents 42% of the area to be subdivided. The vegetation which the area supports is typical coastal plain low dune shrubs which contribute to the stabilisation of the dune and should be protected. The control of the open space system by the property owners themselves will also promote the protection of the fauna and flora of the environment. The functions of the Nature Conservation Area will also include the protection of the vegetation of the dune against wind erosion as well as to provide a scenic space where the inhabitants of Pringle Bay will be able to enjoy the tranquillity of the environment. In addition a 5m building line along the boundaries of The Ridge will be acceptable to the applicant as mentioned above.

7. DESIRABILITY PRINCIPLES

- 7.1 In terms of the provisions of Section 36 of the Planning Ordinance 15 of 1985 any application submitted for rezoning and subdivision purposes shall be considered solely on the basis of desirability of the contemplated utilisation of the land concerned and its effect on existing rights of neighbouring properties. Desirability inter alia relates to orderly development, safety and welfare of the members of the community, the preservation of the natural and developed environment and the value of adjoining properties.
- 7.2 Existing rights and values of neighbouring properties: The purpose of a zoning scheme is to determine land use rights and to provide for mechanisms of control over and protection of existing rights. In the event of the subject property being rezoned for subdivisional use to permit the subdivision thereof into 5 erven it is the intention of my clients not to do anything that will affect existing rights of adjoining property owners. They will also comply with all the provisions of the Section 8 Zoning Scheme Regulations pertaining to the density and development control restrictions as applicable to the subject property. It will also not be in the interest of the developers to do anything that will be in conflict with what is envisaged by the term "orderly development". They will aim for a harmonised development on the subject properties that will most effectively tend to preserve the natural and developed environment and value of adjoining properties.

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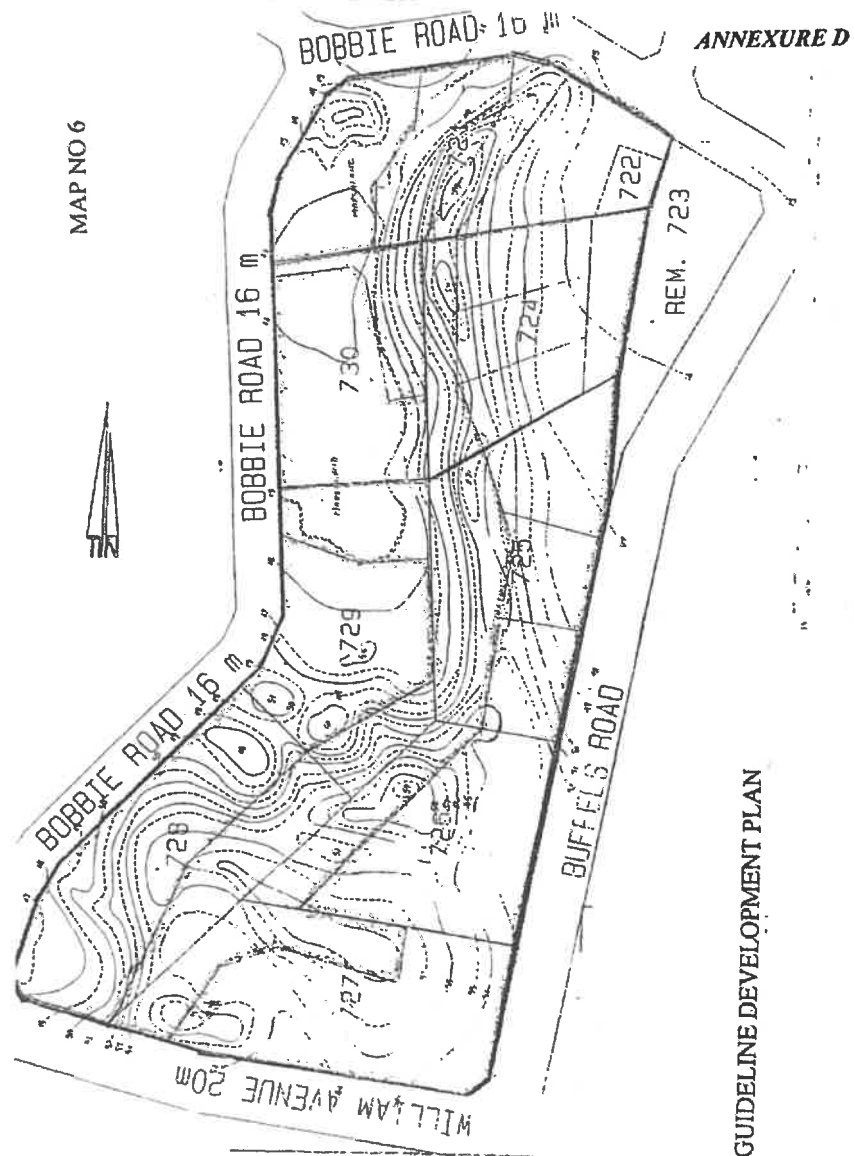
- 7.3 Existing Property Values: Retaining the quality of the environment is critical for the long term economic sustainability and deficiency of the development which will promote and even enhance the value of properties situate within this neighbourhood. This development proposal will not extract from the existing residential quality. It will rather enhance privacy, safety, recreational opportunity, peacefulness and tranquillity that will contribute to the promotion of quality of life. The opposite will be achieved in the event of this being utilised for purposes other than holiday and residential accommodation.

8. CONCLUSION

The rezoning and subdivision proposal as contained in this application is considered to be consistent with the planning principles of sustainable development for Pringle Bay Local Area and compatible with existing residential land uses. The utilisation of the subject property as private residential even for the erection of holiday cottages will not create any inconvenience to the adjoining properties but will rather contribute towards higher property values and to the economic growth potential of Pringle Bay. It will be of a high aesthetic quality. The effect of this proposal on the traffic flow along the internal road system will be minimal.

This application will thus constitute a desirable development and should therefore be favoured with your Council's approval.

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Keith Moss
PO Box 462
Pringle Bay
7196
Tel/Fax: 028 273 8785

December 7th 2007

Mr P Bezuidenhout
Overstrand Municipality
Private-Bag X3
Kleinmond
7195



Dear Sir,

THE PROPOSED REZONING AND SUBDIVISION OF ERVEN 724 PRINGLE BAY

In regards to the registered letter mailed to me dated 03 December 2007.

I realize it was just as well I spotted the advertisement in October's Overstrand Herald as had I not seen it and responded I wonder if your offices would have noticed their oversight of not informing me of this proposal.

As an interested and most definitely affected party I'm strongly objecting to the access road that will run parallel along part of the boundary of my property.

I disagree with paragraphs 7.3 and 8. I don't see how a new road that is going to run down the side of my plot to provide access to 4 new developments is going to enhance privacy, safety, peacefulness or tranquility to my plot and I doubt that any potential buyer will see it that way either. I therefore feel that this road will potentially have a detrimental effect and be off putting to a future buyer, and that it will absolutely devalue my property.

Look forward to your reply.

Regards

Keith Moss
0272792465

FILE NO:	EL 724 PB	DEPARTMENT: OVERSTRAND
SCAN NO:		DATE: DEC 2007
	47	WETZEL/CLIP-KLEINMOND
COLLABORATOR NO:	9961	

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(2007/12/18) Flippie Bezuidenhout - Response to Re-zoning of Erven 724 & 730 Pringle Bay

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From: Msrk Wilkes <e-oceanblue@hotmail.com>
To: <bezuidenhout@overstrand.gov.za>
Date: 2007/11/29 10:23 AM
Subject: Response to Re-zoning of Erven 724 & 730 Pringle Bay

Hi,
I am the owner of ERF 721 Pringle Bay- which is immediately adjacent to the proposed sub-divisions.

I have one issue of objection- which mainly revolves around the wording of the application. Re:Point 1.2, quote "The open space and wetlands will ultimately be taken care of by the adjoining property holders and the ... etc".- As an owner of a plot containing alleged 'wetlands' it is not and neither will it be incumbent upon me to ensure the integrity or have a duty of care towards a 'municipally created wetland'.

In addition I observe that the servitude for the portion 1 of erf 730 cuts through middle of the alleged 'wetland'. I suggest that this servitude should mark a good natural lateral boundary to the flooded area. If it does not should both sides of the servitude be wet I would expect that the municipality will have to pay for the upkeep of this 'dyke'.

Yours faithfully

M Wilkes
for and on behalf of South Central 25cc.

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RDS
Regional Development Studies

Ontwikkelingskonsultante Bk.

New address: 18 Heritage Drive
Cape Heritage
SOMERSET WEST 7130

26 March 2008

Ref: EL/KPRB 724 & 730

Area Manager Hangklip-Kleinmond
Overstrand Municipality
Private Bag 3
KLEINMOND
7195

ATTENTION: MR B LOUW

Dear Sir

**PROPOSED SUBDIVISION AND REZONING OF
ERVEN 724 AND 730 PRINGLE BAY**

Attached hereto an amended Application for the subdivision and rezoning of Erven 724 and 730 Pringle Bay for your attention. Your letter dated 14 December 2007 and comments received from your Mr Bartman has reference.

- Pringle Bay for your amendment. I have your Mr Bartman has reference.
1. Sewage section point for each 4 portions of Erf 724 will be provided on the street boundary of the erf to your specification. A conservation tank for Portion 3 will be built in the servitude area on Portion 1. A conservation tank for Portion 1 of Erf 730 will be built on the street boundary of Bobbie Road to your specifications.
 2. The servitude access to Portions 1, 2 and 3 of Erf 724 has been widened to 5,5m.
 3. The owners themselves will remove all the alien vegetation from the residential plots. The removal of the alien vegetation on the P.O.S. and wetlands will be the responsibility of the Municipality.
 4. The objection raised by Mr Keith Moss pertaining to the access road that runs along the side of Erf 725 Pringle Bay was, at the request of your Mr Bezuidenhout, telephonically discussed with him during January 2008. Mr Moss assured me that if the access road is relocated away from his boundary, he will withdraw his objection.
- to prepare a revised subdivision plan but firstly to discuss the amendments will also be met.

My client then instructed me to prepare a revised subdivision plan but firstly to discuss the matter with your Mr Beardman to ensure that his requirements will also be met.

LEDE: Albertus B. Smit (N.D. 73 Kadestad) BA (Een) en AB-5; Breda-bach BA AB Smit.

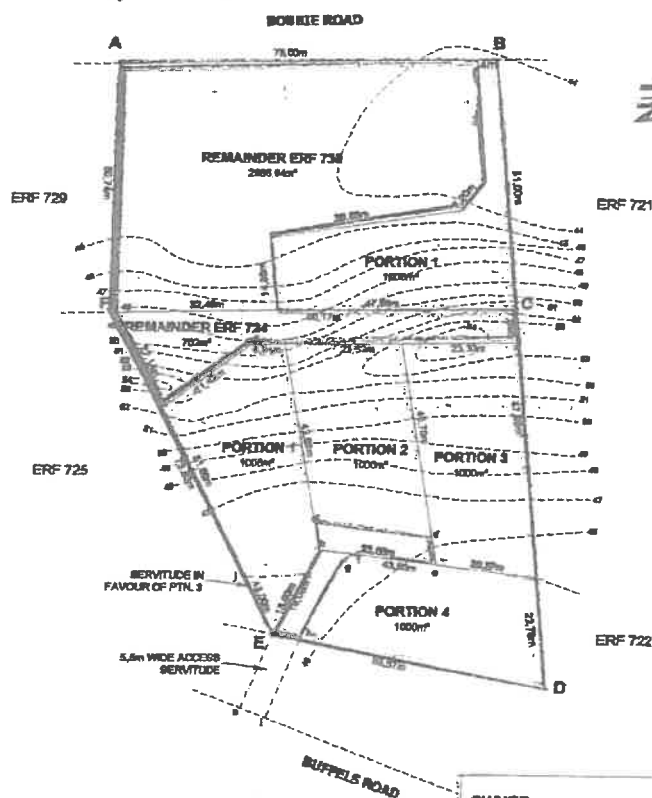
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ANNEXURE B

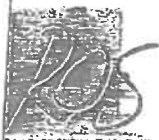
AN AMENDED PLAN FOR PROPOSED SUBDIVISION OF ERVEN 724 AND 730 PRINGLE BAY, SITUATE IN THE OVERSTRAND MUNICIPALITY, DIVISION OF CALEDON, WESTERN CAPE PROVINCE

Notes:

1. All areas and dimensions are approximate but subdivided portions will not be less than 1 000 square metres in extent
2. Zoning: Residential Zone I purposes
3. Remainder of Erf 730 to be transferred to Local Authority and be maintained as wetlands
4. Remainder of Erf 724 to be transferred to the Local Authority as Public Open Space
5. The figure a, E, b, c, d, e, f, g, h, i represents a private servitude right of way in favour of Portions 1, 2 and 3 of Erf 724 Pringle Bay
6. The figure E, a, k represents a servitude area in favour of Portion 3 of Erf 724 Pringle Bay



Bertus Smit
MEMBER
(N.D. T. Roodstraal, BA (Hon)) in
M(S + S) Stellenbosch



Ontwikkelingskonsultante Bk.

Tel: (021) 851-6855 Fax: 082 521-3199

OWNER:
ESTERHANE INVESTMENT CC

SUBDIVISION BOUNDARY

RESIDENTIAL ZONE 1

OPEN SPACE ZONE 1

PRIVATE SERVITUDE

RIGHT OF WAY

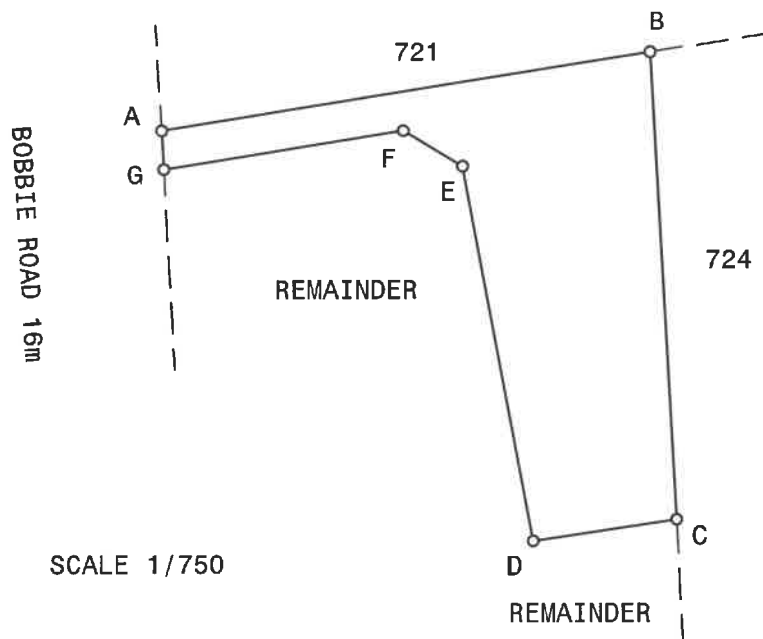
DATE: Feb 2008

REF: EL/KPRB 724 & 730

PLAN No. 9 PB

SCALE 1:1000

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES System WG 19			S.G. No.
			Y	X		
		Constants	±	0,00	+ 0,00	
AB	51,00	260.53.40	A	+ 15338,35	+ 3801770,21	Approved for Surveyor-General
BC	48,55	356.43.00	B	+ 15287,99	+ 3801762,14	
CD	14,86	81.27.00	C	+ 15285,21	+ 3801810,61	
DE	39,55	169.23.30	D	+ 15299,91	+ 3801812,82	
EF	7,20	120.49.30	E	+ 15307,19	+ 3801773,95	
FG	25,06	80.53.40	F	+ 15313,37	+ 3801770,26	
GA	4,02	176.43.00	G	+ 15338,12	+ 3801774,23	
BUFFELSVLEI 3418/128			Δ	+ 15656,03	+ 3799982,88	
BLESBERG 3418/129			Δ	+ 13871,82	+ 3804269,90	

BEACON DESCRIPTIONS:

The figure A B C D E F G

represents 1000 square metres

of land, being

ERF 1921, a portion of ERF 730 PRINGLE BAY

situate in Pringle Bay Township Extension No 3
in the Overstrand Municipality

Administrative District Caledon

Province Western Cape

Framed for endorsement purposes in April 2024
by me,

R Lorton

R M LORTON

Professional Land Surveyor No GPr LS0931

This diagram is annexed to No. dated i.f.o Registrar of Deeds	The original diagram is No. annexed to Transfer No.	File No. S/13048/8/1
		S.R. No Comp. AH-4BC/X41 (6220) AH-4BC/X43 (355) General Plan T P No. 8158

Erf 730, Pringle Bay - EIA Regs confirmation



Duncan Heard <duncanheard@telkomsa.net>

To: You

Cc: 'Emeraen Railoun'

[Reply](#) [Reply all](#) [Forward](#) ...

Mon 15 Dec 2025 16:28

High importance

You replied on Mon 15 Dec 2025 16:31

 image001.wmz
23 KB

Good Day Jan

With reference to the building plans for the proposed new residence on Erf 730 Pringle Bay:

I confirm that if a footprint of less than 300m² for the house infrastructure and driveway is going to be cleared and transformed, and the infilling/removal of soil for the conservancy tank as well as house foundations are kept below 10m³, a Basic Assessment Process will not be triggered in terms of the NEMA EIA Regulations.

Kind regards

**Duncan H.W. Heard**

(SACNASP: Reg. No. 300024/12 - Environmental Science) (Member IA/Asa)

Duncan Heard Environmental Consulting*From Project Design & Planning to Implementation*

12 Sepia Avenue, Vermont, Onrusrivier, 7201, SOUTH AFRICA

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