

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE - SEE RECOMMENDATIONS FOR FINAL REPORT
		<p>Probably not the preferred or feasible option, because the option: is not chosen by Overstrand Municipality, because of inadequate capital for bulk services.</p> <p>b) Has densification as the conventional approach to development which is not so attractive for a sensitive area like Birkenhead.</p>	
5.2.3		<p>"Scenario 3: MTO Eco - estate"</p> <p>Comment: Probably the most attractive option, because this option is the best alternative, given previous comments.</p> <p>The risk of this option is that it may not be feasible because:</p> <ol style="list-style-type: none"> <li>1) Densification at 1 unit per hectare is very likely not economically feasible; and,</li> <li>2) Provision of services by developer (and not OM) can be challenging and may necessarily not be acceptable to the buyers of the developed plots as a result of inadequate or limited basic services such as:                             <ul style="list-style-type: none"> <li>• Power Supply</li> <li>• Water Supply</li> <li>• Sewage Supply</li> </ul> </li> </ol> <p>CNDV's comments confirmed the preference for "Scenario 3: MTO Eco - estate", with the following comments contained in their "Danger Point Precinct Plan" of 23 April 2014:</p> <p>"Scenario 1: Do Nothing":</p> <ul style="list-style-type: none"> <li>• "This scenario can continue but will not be optimal in the long term" - P.22)</li> <li>• "Does not require unanimity from all owners" (All owners do not have to agree) - Pg. 22</li> </ul> <p>"Scenario 2 : Business as Usual"</p> <ul style="list-style-type: none"> <li>• "Financially enjoys virtually no priority from LM" (Local Municipality) - Pg. 23</li> <li>• "Requires unanimity from all owners" (All owners must agree) - Pg. 23</li> </ul> <p>Scenario 3: MTO (Mountain To Ocean) Eco - estate" (p. 26 of</p> <ul style="list-style-type: none"> <li>• "Does not require unanimity from all owners" (All owners do not have to agree) - Pg. 24.</li> </ul> <p>The key point BEV management raised with CNDV and Overstrand Municipality is the feasibility of "Scenario 3: MTO Eco - estate" (CNDV recognizes this important aspect with regard to "Viability of final proposals = key issue" (p. 18).</p>	
5.3		<p>The following especially questions the feasibility of "Scenario 3: MTO Eco - estate" and thus the chances for some much-needed changes, to address the problems of Danger Point actively:</p> <ul style="list-style-type: none"> <li>• The low, proposed, allowable densities of only 1 Development unit per hectare ("1Du/ha"), against Roman Bay near 2Du/ha</li> <li>• Effectively addressing poaching / theft / vandalism (with the security proposals's feasibility questioned!)</li> <li>• The high cost and challenge as owner / developer, the basic self-services for power / water</li> </ul>	

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		<p>/ sewer supply for developed plots.</p> <ul style="list-style-type: none"> <li>The compulsory membership of owners to a Home Owners Association, and the devolution of responsibilities to various members of such association</li> </ul>	
5.4		<p>The low, proposed, allowable densities of only 1 Development unit per hectare ("1Du/ha").</p>	
5.4.1		<p>BEV management feels that the proposed permissible level of densification of 1 Development Unit / per hectare is the biggest limiting factor and obstacle for overall achievability and thus requires critical change. The purpose of the Precinct Plan, to be used as a policy framework for decision-making, will not succeed in creating integrated and sustainable development areas for Birkenhead as indicated in Overstrand Municipality's invitation for comments on the Precinct Plan dated 26 September 2013: "The Precinct Plan will be used as a policy framework to guide decision -making and aims to create integrated and sustainable development areas".</p>	
5.4.2		<p>If the allowable level of densification is more, the chances for change will be much better, which will then allow a better chance that problems presented for the current owners of plots on the peninsula will actively be addressed – e.g. safety and security problems characterized by theft and vandalism.</p>	
5.4.3		<p>More allowable densities are therefore needed first before a better climate for development would be feasible. Gradual development will again unlock the financial ability to afford better security, which can in turn, curb theft and vandalism– i.e. an upward spiral compared to a gradual, downward spiral, as currently experienced.</p>	
5.4.4		<p>The current Spatial Development Framework (SDF) for Gansbaai, currently provides for up to five developmental units per hectare! The question arises why are there not more (and closer to this SDF guideline) allowed for densification?</p>	
5.4.5		<p>For the "Scenario 3: MTO Eco - estate" the Municipality bears no development costs - thus, an increase in the allowable level of densification does not harm them in any way; rather it favours them more, as more owners - including new owners - will pay monthly taxes that otherwise would be lost, against the proposed lower density policy of only 1 "Du/Ha!"</p>	
5.4.6		<p>Given the view that Danger Point is a sensitive area where development and nature should rather be in balance, why are the guidelines for proposed development - as contained in the Botanical Report of the Master Plan, not proposed for this scenario, especially considering where experts in this field were involved and suggested it?</p>	
5.5		<p><b>Master Plan:</b></p>	
5.5.1		<p>"AND CONCLUSIONS 4.1.7 Recommendations (as per Botanical Report submitted in the Master Plan)</p> <ul style="list-style-type: none"> <li>Given the pristine nature of the site, it is suggested therein the total development footprint will be limited to no more than 30 % of the area and therein the REMAINING 70 % be Maintained for maintenance of ecological processes industry leaders as fire, pollination and Faunal movements.</li> <li>The thicket areas should ideally be included in the conservation area / natural corridors and at</li> </ul>	

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5.5.2		<p>30:70 the worst development: conservation ratio must apply.*</p> <p>At 1 Development Unit per Hectares ("1Du/ha") with a proposed erf size of 400 sq. meters, only 4.4 % of the area is affected! Provision for roads will be - at most - a further 14.1 % of the environment. So a total of 5:54 % to 94.46 % area is untouched. With the owners who contemplated development, a total 3 %: 97 % ratio will certainly be achievable.</p> <p>Source: "Danger Point Precinct Concept Plan Report- March 2014" - pg. 39 - Zoning and Ownership Details - Birkenhead</p> <p>Assumption: Area of property development: Development Units 208 to 400m<sup>2</sup> = 8:32 Hektaar/187.1 Hectare for 52 plots = 4.4%</p> <p>Assumption: Area roads: 133.3mx 3m wide = 400m<sup>2</sup> for each of the 52 plots = 2:08 Hectares / 187.1 hectares for 52 plots = 14.1%</p>													
5.5.3		<p>With CndV's proposal subdivided plots of 400 sq. meter (p.47), could lead to "4-Du/ha" plus the area of access roads, possibly even within a ratio of 20% development : 80% natural environment, could be achieved. This is much more environmentally friendly than the "Botanical Report" of the Master Plan proposed, i.e. 30% development: 70% natural environment. A number of owners have also previously indicated that they were not interested in any development; therefore, any average densification for Danger Point, is still lower!</p>													
5.5.4		<p>The proposed erf size of 400sqm and house size of 175m<sup>2</sup>. The "Scenario 3: MTO Eco - estate" option is very limiting; therefore unacceptable. An erf size of 600 - 700m<sup>2</sup> and a house size of 225-250 sq ft, will be acceptable and be more marketable!</p> <p>For an erf size of 600 - 700m<sup>2</sup> for this scenario (only 1 development unit per hectare) only 6-7% per hectare of the natural environment is affected by development! Against these property sizes, up to "3-Du/ha" plus the area of access roads, still within a ratio of 25% development / 75% natural environment can be achieved.</p>													
5.5.5		<p>Determining Development 1 unit per hectare ("1Du/ha") is too restrictive and deprives owners of the opportunity to feasibly and sustainably develop, to the benefit of all residents through better ability to combat crime, as well as to the benefit of Overstrand Municipality through increased tax revenue. The chance of poaching is better impeded, with increased densification. E.g. with allowable densities of 3 Development units per hectare ("3Du/ha") with sizes varying from 600 - 700m<sup>2</sup> and the area of access roads, will affect the area still even less than 25%.</p>													
5.5.6		<p>The management of Birkenhead Association (BEV) feels that CndV did not adequately do a thorough investigation of the various options of densification. Guidelines of both limiting "Du/ha" and the relationship of development : no development (e.g. 25% : 75%), will be adequately environmentally friendly and as well as creating adequate space for various erf sizes ranging from 400 - 700m<sup>2</sup> - depending on layout and landscape plots – e.g.:</p> <table border="1" data-bbox="395 1030 443 1205"> <tr> <td>Erf size (m<sup>2</sup>)Du/ha.</td> <td>% Development:</td> <td>% No Development</td> </tr> <tr> <td>400</td> <td>Maximum of 5</td> <td>25% : 75%</td> </tr> <tr> <td>500-600</td> <td>Maximum of 4</td> <td>25% : 75%</td> </tr> <tr> <td>601-700</td> <td>Maximum of 3</td> <td>25% : 75%</td> </tr> </table>	Erf size (m <sup>2</sup> )Du/ha.	% Development:	% No Development	400	Maximum of 5	25% : 75%	500-600	Maximum of 4	25% : 75%	601-700	Maximum of 3	25% : 75%	
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		<p>In addition to these guidelines, development of plots can also be limited to such. Only 40% of the total area, as with the rest untouched. That stands no closer than 20-25 meters from other stands may be located, for a more rustic look to maintain. This proposal is still inside and more environmentally friendly than the guideline in the "Botanical Report" of the Master Plan (already referred to) - i.e. "Given the pristine nature of the site, it is suggested that the total development footprint be limited to no more than 30% of the area and that the remaining 70% be maintained for maintenance of ecological processes such as fire, pollination and faunal movements."</p>	
5.7		<p>It is clear to us that, in addition to the Precinct Plan, that a new SDF should also be included and should therefore also be delivered an outcome of the whole concept "Precinct Plan" process, - see "Danger Point Precinct Concept Plan Report- March 2014" - P.4. We assume that given that Management: Birkenhead Association and owners, are registered as "Interested and Affected parties, we will be part of the "Public" working part of Phase 5; So accordingly, will be notified in advance?</p>	
5.5.8		<p>The final draft SDF, dated October 2006, includes the following clause, with reference to "The Township of Birkenhead" - see especially the last section referring to the "Township of Birkenhead" in the extract from the SDF below:</p>	
		<p>"7.9.3 Spatial Development Strategies (SDS). The point of "Residential development densities within the Conservancy area must be limited to a maximum density of 5 residential units per acre" - the last sentence of the last section - is especially the point which a number of owners now refer to in their feedback as well as a special Public Meeting in 2006, where a majority of owners supported this level of density for future development for Birkenhead:</p>	
5.5.9		<p>The proposed development density of 1 Development Unit per Hectare in the proposed "Danger Point Precinct Plan" is causing great unhappiness to the same majority of owners, who supported the "Residential development densities within the Conservancy area must be limited to a maximum density of 5 residential units per acre"</p>	
5.5.10		<p>Further unhappiness is caused as owners would now be responsible for infrastructure services where these services, in the case of conventional development, previously would have been supplied by the Municipality!</p>	
5.5.11		<p>The question arises: If the board of Overstrand Municipality would have adopted the Master Plan - as the municipality indicated in a letter- i.e. in compliance with the additional requirements, which would be at an estimated, additional cost of R200,000 + for owners' account (above the +/- R300,000 already spent for the Master Plan) - would they have placed their responsibility for infrastructure services upon owners - as devolved for the " Scenario 3 : MTO Eco - estate" option?</p>	
5.5.12		<p>Furthermore, how is it that with the "Scenario 3: MTO Mountain To Ocean) Eco - estate" option, owners would now be responsible for Infrastructure Services, but Overstrand Municipality ensures owners that the Roman Bay / Hotel development will be approved and developed on such a basis, thereby providing adequate bulk capacity to ensure future services for Birkenhead Peninsula? (See letter addressed to "Mr. S. Muller - Director Infrastructure &amp; Planning "dated 24 November</p>	

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		<p>2008, attached)</p> <p>5.6 Extract of Overstrand 's SDF - (Vg, Bladsy):</p> <p>"The following spatial development strategies (SDS) are proposed to address the constraints of the historic spatial development pattern in Greater Gansbaai.</p> <p>5.6.1 The paragraph below emphasizes that it is critical to adequately provide for the growth of all land use components - including residential.</p> <p>"b) <b>Spatial Integration</b>  <b>SDS 2 Providing for future growth and integration</b>  Given the growth potential of Gansbaai, it is critical that the forward spatial planning of this area makes adequate provision for the growth of all urban land use components (i.e. commercial, light industrial and residential). The spatial extension of Gansbaai town, must however be undertaken in a sustainable manner that promotes a compact urban form, efficient land use, economies of scale and environmental integrity.</p> <p>The proposed extensions of the urban footprint must however also be viewed within the context of the area's recognised economic growth potential, relatively high population growth rate, existing fragmented urban land form, the morphology of the coastline and the location of environmentally sensitive areas and topographical features.</p> <p>It is within this context that the following extension to Gansbaai are proposed:</p> <ul style="list-style-type: none"> <li>• Northern extension of infill residential development on currently undeveloped areas towards the R43;</li> <li>• The southwards extension of the existing harbour industrial area (for industrial and mixed uses) to make provision for growth related to the fishing and mariculture industry;</li> <li>• The north and eastward extension of the existing industrial area to provide for expected future growth in light and service industries;</li> </ul> <p>5.6.2 The Master Plan, which was submitted met all these requirements until Overstrand added additional requirements and decided against the proposed level of densification.</p> <ul style="list-style-type: none"> <li>• "The residential infill extension areas south of the harbour industrial area, towards Blompark. Further provision for residential extensions to the Masakhane area has also been made."</li> </ul> <p>5.6.3 The Master Plan's base of densification was based on this density guideline of the SDF, but with the qualification that owners who did not want to develop, did not need to develop; and that those who wished to develop, could do so at a lower density. Therefore, owners who did not want to develop, plus owners who wanted to develop at a lower density, would reduce average du/ha even further.</p> <ul style="list-style-type: none"> <li>• "Extension southwards to incorporate the existing township of Birkenhead, which is currently isolated, resulting in a fragmented urban form. This southward extension of the</li> </ul>	

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		<p><i>urban area onto the Danger Point peninsula will necessitate that clear area specific urban development and conservation management mechanisms and guidelines are forthcoming for this specific area. In this regard, it is proposed that this will be achieved through the creation of a conservancy. Residential development densities within this conservancy area must be limited to a maximum density of 5 residential units per hectare."</i></p>	
5.6.4		<p>In the current SDF documentation, reference is made to the strong, sustained growth of population numbers and Overstrand Municipality would have to effectively plan for it.</p> <p>Nowhere is it mentioned that Overstrand Municipality may have to make provision for an unusual increase in the demand for housing due to the possibility of building a nuclear power plant in their area. Due to the expected continued future increase in demand for electricity, Eskom has for some time been investigating and researching the options for nuclear power - as an alternative to burning coal. Bantamsklip (South - east of Pearly Beach), in the Overstrand Municipal area and a site in the Eastern Cape, has been identified as the two preferred locations for Eskom. Provision of housing for the Bantamsklip option will surely raise the question of housing for Gansbaai and Pearly Beach; not so much Hermanus, as told by CNDV during a meeting. (The reason is the distance between Hermanus and Bantamsklip is too far for people to commute daily.)</p>	
5.7		<p>The effective addressing of poaching / theft / vandalism (with a security proposal of which the feasibility itself is questionable!) - Pg. 25</p>	
5.7.1		<p>CNDV's security proposal is good as a concept, but is dependent on access control at two points, which will be very difficult approval will be obtained, if ever? (That is as they themselves have indicated during the presentation!)</p> <p>The concept involves the overnight closure of the Peninsula to the general public for vehicle access. Owners have gained access by overnight by a "tag". The suggestion is for the control point to be located on Smuts Street (road) south of the Romans Bay entrance. The make the security proposal for the Peninsula feasible also requires the overnight closure of the Marine Drive coastal road for vehicles at or near Kleinbaai's existing vehicle grid.</p>	
5.7.2		<p>Application / representation for this will be directed to Province and their reaction or similar petitions in the past, has been rarely sympathetically considered. (The government's general view is that certain races / classes benefited at the expense of others, hence the low success for such applications / representations.)</p>	
5.7.3		<p>Where it has been allowed, is if the access control point does not disable an existing road but forms part of the common access of land being developed. Usually it also requires for the provision of mailboxes for postal delivery, as well as a defined section for garbage collection, which should then be located on the outside / street side of the entrance).</p>	
5.7.4		<p>The proposed location of the security checkpoint on Smuts Street - South of the Romansbaai entrance and in - line or north of the Birkenhead owners' northern borders will place the owners' plots in a security - controlled zone. The big problem with this is that the Lighthouse Tavern will form part of this security - controlled area. The implication is that after closing time, there will be no business from visitors; due to the closure of the road. They also have overnight visitors who may</p>	

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		want to leave before opening time of the control point.	
5.7.5		Implementation of the security checkpoint as planned will result in the end of business for the Lighthouse Tavern because they do much of their business after hours, especially weekends during TV broadcasts of sporting events. Any future businesses that may want to establish in the vicinity of the Lighthouse Tavern would, given the number of stands there zoned as business, be similarly affected by such a security configuration.	
5.7.6		If the control point is located further south on Smuts Street, south of Van Blommenstein Street to prevent the Lighthouse Tavern from being affected, those owners whose properties gain access from Van Blommenstein will not form part of the security area and will therefore not pay in part, resulting in even fewer owners contributing to the cost of the security configuration.	
5.7.7		If such an application / representation for security is passed, who will contribute to the total operating cost for that?	
5.7.8		The stakeholders of this are mainly owners who have made improvements to their Danger Point plots – therefore can be targeted by thieves / vandals. They are by far in the minority compared to the total number of owners who own residential and business plots. Therefore, the shared cost per owner who has improvements, will certainly be unaffordable?	
5.7.9		Other questions that arise are: a. How secure such unmanned camera and security equipment will be from theft and vandalism? b. Will the owners of the Lighthouse Tavern to support it, if the proposed location of the security configuration will purposefully prohibit client access in the evenings? – E.g. from north of where Blommenstein Street joins Smuts Street, given that the tavern is located in Van Blommenstein Street. c. Will I&J, who currently has good security on their borders and pays for it, deviate from it or incur additional costs for extra or other security that is located kilometers away from their premises? • Will they be happy that their vehicles must constantly go through such a security setting at the control point and the delays associated with it? • If I&J does support the security proposal, will they contribute financially? d. If this security proposal first needs to obtain everyone's approval, then it is totally non-viable – i.e. for the owners of the Tavern or I&J, who can prove the security set-up would adversely affect their business. (The option of "Scenario 3: MTO (Mountain To Ocean) Eco - estate" itself does not require that all owners have to agree to it ("Does not require unanimity from all owners"), but the security proposals would surely not be accepted and approved, as the owners - especially those operating businesses - do not agree to do so because it would harm their business!)	
5.7.10		Densification will first have to happen before a more comprehensive security solution will be practically and financially feasible, as more owners would benefit and so would be willing to make	

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		<p>a lower unit cost contribution, compared to fewer owners with a much larger unit cost contribution thereto.</p> <p>5.7.11 The current situation of relatively low improved plots, will very likely be the cause that no significantly viable security system and will be put in place because of the excessive cost per owner.</p> <p>5.7.12 The core of this problem is:</p> <ul style="list-style-type: none"> <li>• About a fifth of all the erven, including business sites, have improvements due to houses / buildings;</li> <li>• That only owners with improvements to their property will have an interest and a willingness to contribute to costs for any community security solution.</li> </ul> <p>5.7.13 CNdV reference to a similar existing development at Churchhaven based on "Scenario 3: MTO Eco - estate" that is recommended for Danger Point, is really not comparable!</p> <p>5.7.14 Churchhaven has both its own security domain with a single vehicle access and is also located within a nature reserve, which in turn also has a single security access for vehicles – therefore, Churchhaven has two independent levels of security for vehicle access.</p> <p>5.7.15 The application / representation for this second level of access to Churchhaven was certainly much easier to obtain than for comparable security at two points (i.e. Smuts Street, South of Roman Bay entrance, as well as to the grid on Marine Drive at Little Bay) for Point Danger?</p> <p>5.7.16 There will also be an ongoing cost to man the two security points, given that it will have to be opened and closed in the morning as well as evening, according to the proposal!</p> <p>5.7.18 Given the aforementioned, the feasibility of this proposal is very strong security questioned!</p> <p>5.8 High costs and challenges as owner / developer to supply even basic services for power / water / sewer supply for developed plots:</p> <p>5.8.1 This option currently includes all the basic services, usually provided by a municipality! - Pg. 24.</p> <p>5.8.2 The technology to provide basic services is expensive and will be challenging.</p> <p>5.8.3 The entry-level option may be provided for low, short-term use e.g. a weekend at an estimated cost of R60,936 - Pg. 55.</p> <p>5.8.4 The mid-level option for example, more electrical appliances, the estimated cost is R109,550 - Pg. 56.</p> <p>5.8.5 The luxury option for longer e.g. for permanent residence for example, a washing machine and freezer's use is at an estimated cost of R163,597 - Pg. 57.</p> <p>5.8.6 Owners who wish to develop in future will have to consult and pay experts for this technology!</p>	



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5.8.7		Long term maintenance for these technologies will also not be available in the foreseeable future for Gansbaai or Hermanus, because currently it is only applied in certain exceptions (which makes it non-viable for any business to locally establish a maintenance and support service)	
5.8.8		Given the aforementioned, the feasibility of the development with these proposed technologies is strongly questioned!	
5.9		The compulsory membership of owners to a Home Owners Association, and the devolution of responsibilities to various members of such an association:	
5.9.1		The point has already been made that about a fifth of all the plots - including business sites, have improvements due to houses / buildings and that very few of the owners, who do have improvements, reside there permanently; therefore, there is not as many permanent residents who can adopt the obligations as management / members of the owners' association. E.g. none of the current members of the Birkenhead Association is permanently resident at Danger Point. The same applies to the management of the Conservancy, with perhaps a single exception.	
5.9.2		Birkenhead Association and the Conservancy are currently offering their management services and their personal time to attend meetings and incurring personal expenses for it.	
5.9.3		It is made without hesitation by them, in the interest of their own properties and the greater number of the owners in regard to the longer-term viability to be able to own and use their property as well as improving and protecting the value thereof.	
		Could it be adopted:	
		<ul style="list-style-type: none"> <li>• That there will still be a group of people, on an ongoing basis, to do such regular duties, plus additional obligations (e.g. the review of building plans, etc.) - All without any compensation, if there is already a "Precinct Plan" adopted and in effect?</li> </ul>	
		<ul style="list-style-type: none"> <li>• That adequate expertise will be available on an ongoing basis for the effective performance of the duties of directors / members of the Home Owners Association?</li> </ul>	
5.9.4		Given the aforementioned, the availability of people for these functions is questioned, as is the feasibility of this!	
5.9.5		CNDV gave feedback regarding various aspects, based on comments received - Pg. 19.	
5.9.6		It is apparently that the counting of each comment for a given point, which is not as meaningful - e.g. an owner with more than one property, the single comment, counts the same as a single or co-owner's comments. In the case of a single owner, which owns 10 plots, his comments regarding his stands count as one, where it should be ten. This basis for analysis does not give an indication of what the comments are on a per - site basis; and is therefore not sufficiently informative, e.g. to sensibly determine which plots the owners want to develop / do not want to develop; and at what level of densification must input be gained for each erf.	
5.10		Final Concept Precinct Plan – Danger Point: Request for Information:	

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		<p>Scenario:</p> <p>feedback is per erf; not per owner</p> <p>Indicate your preferred scenario:</p> <p>"Scenario 1: Do Nothing": Qty 20 % 0%</p> <p>"Scenario 2: Business as Usual": Qty 0 % 0%</p> <p>"Scenario 3: MTO Eco-estate": Qty 12 % 60%</p> <p>n. Kombinasie van Scenario 2 &amp; 3: Qty 8 % 40%</p> <p>Density:</p> <p>Indicate the duifha you prefer:</p> <p>1 duifha Qty 0 % 0%</p> <p>2 duifha Qty 0 % 0%</p> <p>3 duifha Qty 2 % 10%</p> <p>4 duifha Qty 1 % 5%</p> <p>5 duifha Qty 17 % 85%</p> <p>Intent for Development:</p> <p>Indicate if you intend to develop in future</p> <p>No Qty 1 % 5%</p> <p>Yes Qty 7 % 35%</p> <p>Maybe Qty 12 % 60%</p> <p>Security:</p> <p>Indicate to which extent the proposed security is of importance to you (excluding current security for your property):</p> <p>Die voorgestelde sekuriteit is nie belangrik nie. Qty 0 % 0%</p> <p>Die voorgestelde sekuriteit is redelik belangrik. Qty 2 % 10%</p> <p>Die voorgestelde sekuriteit is uiters belangrik. Qty 18 % 90%</p> <p>Indicate the extent to which you are prepared to pay</p> <p>Ek is nie bereid om daarvoor te betaal nie Qty 15 % 75%</p> <p>Ek is bereid om, as volg, daarvoor te betaal:</p> <p>- minder as R300 per maand Qty 0 % 0%</p> <p>- R300 tot R399 per maand Qty 1 % 5%</p> <p>- R400 tot R499 per maand Qty 1 % 5%</p> <p>- R500 tot R599 per maand Qty 0 % 0%</p> <p>- R600 tot R699 per maand Qty 3 % 15%</p> <p>- R700 tot R799 per maand Qty 0 % 0%</p> <p>- R800 tot R900 per maand Qty 0 % 0%</p> <p>- meer as R900 per maand Qty 0 % 0%</p> <p>Municipal Services</p> <p>Irrespective of your choice of scenario, which of the following municipal services would you choose to use in future; thus paying for it?</p> <p>Water Qty 20 % 100%</p> <p>Electricity Qty 19 % 95%</p> <p>Sewerage Qty 19 % 95%</p> <p>Refuse removal Qty 17 % 85%</p>	<p>Number of Erven</p>
		<p>Note that the source of any information provided by the owner, can be confirmed, if necessary.</p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
	<p>5.10.1 Conclusions of Survey:</p> <ol style="list-style-type: none"> <li>1. There is a strong demand for a higher level of densification - 3-5 du / ha, compared to the proposed 1 Du/Ha.</li> <li>2. The "Scenario 3: MTO Eco - estate" scenario is strongly supported, but is misleading because it is accompanied by a request for conventional municipal services, e.g. water, electricity, sewage disposal, which are excluded in the scenario – therefore owners actually request a combination of "Scenario 2 : Business as Usual" and "Scenario 3: MTO Eco - estate".</li> <li>3. Most owners consider security as very important, but do not want to pay for it - the main reason is probably because most plots are still vacant and therefore security is not now required.</li> <li>4. Only 7 plots (35%) is proposed for development; the majority is "maybe" (probably mostly due to uncertainty of allowable densities).</li> <li>5. It is a great pity that CNDV did not conduct such a survey, and insisted that all owners respond because it would have provided objective and accurate information according to which the planning - and very possibly wrong assumptions and perceptions – could have been adjusted before decisions are made.</li> </ol> <p>5.11 Comments as to which extent the proposed Precinct Plan addresses the contributions made during the first public participation meeting:</p> <p>Feedback from the 1<sup>st</sup> public participation meeting (taken from minutes-meeting-public-issues-vision held 2013-05-20)</p> <p>Comments with regard to which extent the proposed Precinct Plan addresses the following feedback.</p> <p>5.11.1 The "Eco-Estate MTO scenario" does not address any of the following needs received during public participation feedback.</p> <p>"Small Group No. 1</p> <p>Needs:</p> <ul style="list-style-type: none"> <li>• Municipal services, especially water, and sewerage. Electricity is in place, and</li> <li>• Recreation snorkelling is not permitted. Is this fair as snorkelling is permitted in other marine protected areas?"</li> </ul> <p>5.11.2 The "Eco-Estate MTO scenario" addresses some of the needs.</p> <p>"Small Group No. 2</p> <p>Needs:</p> <ul style="list-style-type: none"> <li>• Rooftops should be removed</li> <li>• Do not want extensive developments</li> </ul>		

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
		<ul style="list-style-type: none"> <li>• Diving rights should be returned to the community</li> <li>• Should develop hiking and bike trails, etc.</li> <li>• Keep the vistas (development should have limited visual impact)</li> <li>• Low density developments could be permitted (maybe 4-6 units on 4.5ha)"</li> </ul>	
5.11.3		<p>The "Eco-Estate MTO scenario" for densification without any municipal services is not feasible; it is also not fair.</p> <p>"Small Group No. 3</p> <p>What are needs in the area?</p> <ul style="list-style-type: none"> <li>• Policy and guidelines for level of densification ensuring fairness and equity as far as possible; and</li> <li>• Objective and fair determination of location of corridors, roads infrastructure and fire breaks."</li> </ul>	
5.11.4		<p>The process of the "Eco-Estate MTO scenario" proposal came, not an attempt to advance all owners closer to their specific beliefs and expectations regarding their future land use / development. This was a very important principle because of the poor attendance of owners at the public participation meetings because owners nationwide spread. The written proposal CNDV a survey to all owners to set up - as with the drafting of the Master Plan - this specifically determined, is simply ignored.</p> <p>"Small Group No. 3</p> <p>What rules or principles must be used to evaluate proposals that would address these problems / needs?</p> <ul style="list-style-type: none"> <li>• Rules / principles that aim to be fair, practical and implementable;</li> <li>• This would require a process that is ethical and transparent, where all stakeholders are engaged throughout the entire process;</li> <li>• The current Master Plan (with all Annexures and sub-plans) should be fully utilised to prevent unnecessary "work afresh"; particularly that work done by professionals where re-work is unlikely to change the outcome significantly; and</li> <li>• Obtaining the views and expectations of landowner's i.r.o future land use / development."</li> </ul>	
5.11.5		<p>If the purpose of the Precinct Plan as per the last sentence: "It Will Be Used as a policy framework to guide decision-making and AIMS to create integrated and sustainable development areas", the feasibility of the proposed allowable densities of only "1 du / Ha" stands for Birkenhead - without municipal services - as the Roman Bay development at just under 2 du / ha - with full municipal services - challenging for feasible / sustainably be?</p> <p>"Overstrand Municipality Danger Point Peninsula Precinct Plan - Invitation to register and comment</p> <p>The Precinct Plan is an indicative plan that intends to show desired patterns of land use and directions for future growth. This plan will inform the Integrated Development Plan (IDP) and the Spatial development Framework (SDF) of the municipality. It will be used as a policy framework to guide decision-making and aims to create integrated and sustainable development areas."</p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
5.12		<p>Comments on written comments / questions to CNdV / Overstrand Municipality - 7 November 2013</p> <p>(Source : " Written Comments To CNdV - Overstrand Municipality - 7 Nov2013")</p> <p>Summary Recommendations:</p>	
5.12.1		<p>CNdV did not do this critical step!</p>	
"1.		<p>Ascertain Survey and owners preference scenario and present and discuss this at the next Public Participation Workshop. (The survey of owners for their preference scenario was Agreed to at the 2nd workshop.)"</p>	
5.12.2		<p>CNdV did this superficially!</p>	
"2.		<p>Confirm the viability of a Scenario 2: "Business as Usual" Because of the uncertainty of the affordability of bulk infrastructure services - ie this is a possible scenario, "Go" or "No Go"."</p>	
5.12.3		<p>CNdV did this superficially!</p> <p>No risks were identified!</p>	
"3.		<p>Ascertain the economic viability and risks of a Scenario 3 : "MTO Eco - estate" as Presented. CNdV - as per your website:</p> <ul style="list-style-type: none"> <li>• "Are Considered specialists in the fields of multi -disciplinary planning, embracing a full range of planning expertise", including the -following ( or 14 ) :                             <ul style="list-style-type: none"> <li>o Project Feasibility Studies</li> <li>o Coastal Resort planning</li> </ul> </li> <li>• Also work with a number of other consultants, who Provide Additional specialist advice , if required " including the -following (or 8):                             <ul style="list-style-type: none"> <li>o Development and Property Economists</li> <li>o Coastal and Environmental Engineers</li> </ul> </li> <li>• States that "The type of work carried out by the practice ranges from the strategic to the local , from the multi -disciplinary to the specialist, and comprises Applied Research, Planning and Policy Formulation appraisal, feasibility assessment, design and implementation"</li> </ul>	
5.12.4		<p>CNdV did not do this very important step for the feasibility of "2-Du/Ha"!</p>	
"4.		<p>Investigate the added environmental impact of a Scenario 3: " MTO Eco - estate " for a "dual - clusters" option, per property, as well as its economic viability and relative risks."</p>	
5.12.5		<p>CNdV did not do this critical step!</p>	
"5.		<p>Investigate alternative options (including costs) for recording vehicle movements to / from the Birkenhead peninsula."</p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE - SEE RECOMMENDATIONS FOR FINAL REPORT
5.12.2	CNDV has contacted with I&J	<p>"Engage with management of I&amp;J to Investigate the potential long term financial viability of an alternative route to / from I&amp;J (as per Plan 9 of the Master Plan or other alternative route), based on lower operating costs over time, because of a shorter route. The turning of a Portion of Van Bloemenstein Street may be required, so that owners along this street are not disadvantaged to additional dusty conditions therein will increased traffic resulting from."</p> <p>5.12.3 The important principles arising from the "Precinct Plan" is that:</p> <ul style="list-style-type: none"> <li>The final approval of a certain level of development, by no means obliges any owner to develop; and,</li> <li>In contrast, owners who do wish to develop have the right to make an application for development and to do so at a lower density than permitted.</li> </ul> <p>5.12.4 This is not possibly not understood by all owners! Therefore, the owners who do not want to develop should in no way discourage those owners who do want to develop. Conversely, owners who in no way want to develop, will very possibly derive benefit because of owners who do develop, because for example there will be more owners to make funding for security feasible and give more presence to deter criminals.</p> <p>5.12.5 If the 1 development unit / per Hectare prevents any possible future developments for Danger Point because it is regarded as unattainable, there will be e.g.:</p> <ul style="list-style-type: none"> <li>No communally funded option for security - mainly due to a too low residential density and thus insufficient funding.</li> <li>No increased human presence (due to development) to deter criminals.</li> </ul> <p>5.12.6 The opportunity to once again address the level of allowable densities - if ever - will perhaps be after 5 years at the earliest - i.e. if the allowable level of densification comes up again with a next revision of the SDF / SDF.</p> <p>5.12.7 Given all that has been raised before, there is unfortunately a very strong possibility that this Precinct Plan for Point Danger will offer or change nothing substantive for the area; save this concession to develop to only 1 Development Unit per Hectare, but no municipal services.</p> <p>5.12.8 It is certainly not the desired outcome to the needs, problems and vision submitted by the owners at the first public participation meeting and followed up with written input.</p> <p>5.12.9 If it becomes a reality, it will be particularly unfortunate, given the almost 10 years of continuous work and effort by many passionate people who contributed more than their fair share to help appropriate a better future environment for the beautiful Birkenhead Peninsula.</p> <p>5.12.10 <b>Attachment 1</b> Birkenhead Owners Association "La Gratitude" P.O. Box 161, , 7561 <b>24 November 2008</b></p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
		<p>1 You will recall that management of the Birkenhead Owners Association (BOA) had met with you, Messrs. Kat Myburg and Pieter Scholtz, Wednesday, 30th May 2007, to discuss future development of Birkenhead Peninsula; specifically clarity for the availability and provision of bulk services for such future development.</p> <p>2 During this meeting you gave the assurance that sufficient capacity for bulk services would be available for future development of Birkenhead Peninsula within the density parameters of the Spatial Develop Framework, following the capacity planning for bulk services for Hotel (Erf 28) and Romansbaai developments, but that owners would be liable for the development costs for the provision of such services.</p> <p>3 We, as management of BOA and on behalf of the association, appointed WRAP to develop a Concept Master Plan for the future development of Birkenhead Peninsula, following the request of Mayor Theo Beylerveldt that Birkenhead owners initiate the development of a Concept Master Plan. WRAP is involving Messrs. Paul Slabbert (PHS Consulting), Coen Hanekom (Plan Consult), and Rudolph Schoonwinkel (KV3) in the development of the plan.</p> <p>4 At a recent meeting held between WRAP and management of BOA, WRAP confirmed its aim to complete Concept Master Plan by 17 December 2008, whereafter an overview of this plan will be presented to owners of erven in Birkenhead at the association's AGM, 27 December 2008. Feedback from owners will then be given to WRAP by mid-January 2009, whereafter WRAP will finalise and submit to Overstrand Municipality soon thereafter, for the prescribed approval process to follow.</p> <p>5 We understand that WRAP progressed the development of the Concept Master Plan in conjunction with Overstrand Municipality representatives and trust that, inter alia, bulk services will be adequate and in-line with the possible development density of the Concept Master Plan.</p>	
6.	<p>Pieter van Staden (Chairman, Klipskuur CC and Eilandzicht CC)  21 May 2014</p>	<p>6.1 On behalf of the owners of the farm Franschekraal and the portions 1888, 1889 and 1891 I hereby strongly object to the proposals which curtail any of the rights which the properties presently enjoy.</p> <p>6.2 The farm has been owned by the van Staden family since 1964. We have not erected unsightly buildings which would be visible from the road. Rather, the Divisional Council of Caledon has defaced the mountain by mining gravel on our property. Then they "rehabilitated" the pits by sowing fynbos seeds. However, nothing substantial was done about the disturbed mountainside. The Overstrand Municipality erected a "Wataka" and other structures for water purification and storage on our property. They promised us that these would be removed after the new purification plant came into operation. This has not happened. We have become used to the authorities breaking every agreement ever made with us. Furthermore, a waste dump has been proposed to be partly on our land. A gravel crushing plant is visible from our mountain as well as more unsightly gaping holes from which gravel has been removed.</p> <p>6.3 We appreciate the sentiment that development should take place in an orderly fashion. In fact, my brother Stals has spent most of his life in attempts to subdivide land, which is not useful for farming, into smallholdings. From the municipality and Province he has had obstacle after obstacle placed into his path.</p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
6.4		I politely request that the restrictions proposed on the above mentioned properties in the draft proposal of April 2014 NOT be imposed on them.	
7.	<p>LS van Staden The White House Farm Fransche Kraal 708/15 Franskraal Tel. 028 3680302 23 April 2014</p>	<p>I am a member of CC's holding Remainder Farm Fransche Kraal 708/15 (Klipskuur CC) and Franskraal Erven 1888, 1889 and 1890 (Eilandzicht CC) and Franskraal Erven 1717, 1718, 1719, 1720 and 1721 (Franskraal Caravan Park CC). As such I am not interested in the proposals for the "Birkenhead sub-precinct". I think it would be presumptuous of me (as an outsider) to want to prescribe to the property owners of the "Birkenhead sub-precinct" (who paid good money for their properties) how they should organize their affairs with their properties. My comments therefore deal with the area that you defined in Paragraph 6.1 of the Danger Point Precinct Plan dated 22 April 2014 as "Dyers Mountain and R43" because I paid good money for property in that area. If questions regarding development rights are to be determined (or largely influenced) by property owners, then it would be unfair if I had an equal vote in deciding what development rights properties in "Birkenhead sub-precinct" should have, because I have no interest in these properties. Likewise it would be unfair if the property owners of "Birkenhead sub-precinct" should have an equal vote in what development rights the properties comprising "Dyers Mountain and R43" should have, because they have nothing to lose by deciding that these properties should have limited or no rights at all. It would be very unfair if you allow this to happen.</p> <p>My apologies for not attending the meeting on 22 April 2014. I was not well.</p> <p><u>PLEASE CONSIDER MY COMMENTS BELOW:</u></p> <p>7.1 <u>Figure: 2.4.1.1 of Danger Point Peninsula Status Quo Report – July 2013: (The Draft SDF for Greater Gansbaai)</u> The plan mentions that the <b>Urban Edge</b> north of the R43 should be determined by <i>site specific visual and environmental</i> assessment. See plan attached to Paragraph 5.5 (DYER MOUNTAIN COMMENTS) of the Danger Point Precinct Plan dated 22 April 2014 for my <b>"proposed urban edge"</b> north of the R43 that includes Remainder Farm SuikerboschRandt 710 and Franskraal Erven 1888, 1889, 1890 and 1891 as well as three portions marked "A", "B" and "C" to be subdivided from Remainder Farm 708/15 in order to connect the north eastern corner of Erf 1889 with the northern corner of the "urban edge" defined by the north-western boundary of the farm Panorama. (Where is <b>Erf 1894, Franskraal</b> to be included in "urban edge" as stated beneath Paragraph 5.5 of the Danger Point Precinct Plan dated 22 April 2014 ?)</p> <p>7.2 <u>Figure: 2.4.1.2 of Danger Point Peninsula Status Quo Report – July 2013: (The Draft SDF for Greater Gansbaai)</u> The plan mentions that the R43 and its extensions to Bredasdorp should be designated as a <b>Scenic Drive</b> and that a <b>Historic Management Plan</b> for the scenic drive is required. What informed the decision that the area between the Baardskeeders Bos turn-off and Gansbaai should be included as part of a "scenic drive"? To what extent is the development potential of the properties next to the R43 curtailed by this proposal and what is offered to the property owners next to the R43 in return for facilitating a "scenic drive"?</p> <p>7.3 <u>Figure: 2.4.1.2 of Danger Point Peninsula Status Quo Report – July 2013: (The Draft SDF for Greater Gansbaai)</u> Mentions a <b>Heritage Overlay Zone</b> north of the R43 within the greater "Conservancy area". The "Danger Point Heritage" map mentioned in "IX" below does not indicate any "heritage sites" in this area. What informed the decision to designate this area as a "heritage zone" and to what extent is the development potential of the properties next to the R43 curtailed by this zoning proposal and what is offered to the property owners next to the R43 in return for</p>	



#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
7.4		<p>facilitating a "heritage zone"?</p> <p>Figure: 3.2.5.3 of Danger Point Peninsula Status Quo Report – July 2013: (<b>Danger Point Vegetation Status</b>) Mentions an area of <b>Vulnerable Vegetation</b> (identified as <i>Agulhas Sand Fynbos</i> in Figure 3.2.5.2a) on Erf 1888 Franskraal and on the eastern boundary of Remainder Farm 708/15 (eastern border of study area). I agree with the proposal that all CBA's (Critical Biodiversity Areas) should be ground-truthed before they are finalized as mentioned in "Implications for the Precinct" below Figure 2.3.2.2 of the Status Quo Report, because I do not believe there is vulnerable vegetation in the area indicated. This area was ploughed for many years.</p>	
7.5		<p>Figure: 3.4.1.2 of Danger Point Peninsula Status Quo Report – July 2013: (<b>Danger Point Building Footprints</b>) Why are the <b>Building Footprints</b> on Remainder Farm 708/15 not indicated on this map? (See plan attached to Paragraph 5.5 (DYER MOUNTAIN COMMENTS) of the Danger Point Precinct Plan dated 22 April 2014 for details.)</p> <p><u>They are:</u></p> <ol style="list-style-type: none"> <li>1. "Die Opstal" with separate double garage and granny flat. It has municipal water and electricity connections.</li> <li>2. "Die Wit Huis". It has municipal water and electricity connections.</li> <li>3. "Die Varkhokke" on the most southern end of the farm consisting of two long buildings with a bathroom, kitchen and bedroom on one side). It has a municipal water connection and electricity from "Die Opstal" transformer.</li> <li>4. "Die Kalkoenhokke" (two long buildings) north of "Die Varkhokke".</li> <li>5. "Die Houtskuur" (one long building north of "Die Kalkoenhokke".</li> <li>6. "Die Klipskuur" north of "Die Houtskuur".</li> <li>7. "Die Argief" west of "Die Klipskuur".</li> <li>8. "The historical Cottage" north of "Die Klipskuur".</li> <li>9. "Die Ou Suiweringswerke" (east of "Die Wit Huis" and west of the new water treatment plant) comprising of several buildings and concrete reservoirs. The Municipality undertook to demolish these buildings and rehabilitate the site when the new water purification plant was constructed, but nothing has been done in this regard yet.</li> </ol>	
7.6		<p>Figure: 3.4.3.1 of Danger Point Peninsula Status Quo Report – July 2013: (<b>Danger Point Solid Waste</b>) The map indicates a <b>Landfill Site</b> on the western border of Portion 3 of the Farm Bergvliet 705 (Farm 705/3 soon to be consolidated with Remainder Farm 708/15 into Farm Klipskuur NO. 1007). The property owners have not been informed that their property is to be earmarked for such "landfill site" and should be formally invited to comment in this regard before the position of this site is finalized!</p>	
7.7		<p>Figure: 3.4.4 of Danger Point Peninsula Status Quo Report – July 2013: (<b>The Danger Point Water Infrastructure Plan</b>) is not attached. Please be informed that Erven 1888, 1889, 1890 and 1891 is entitled to <b>Water Connections</b> from a 150mm T-piece on the eastern boundary of the study area to be connected to the north/south bulk water pipeline by the Municipality (<i>Servitude</i></p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
7.8		<p>Contract of 2000). Remainder Farm 708/15 has three existing connections for "Die Opstal", "Die Withuis" and "Die Varkhok". Franskraal Caravan Park on Erf 1718 also has a bulk water supply connection (150mm T-piece) on the eastern boundary of Remainder Farm 708/15.</p> <p>Figure: 3.4.6.1 of Danger Point Peninsula Status Quo Report – July 2013: (Danger Point Electricity Supply) The map does not indicate the transformers and the bulk electricity line over the properties next to the R43 nor does it show the transformers and Electricity Supply to "Die Opstal" and "Die Wit Huis" on Remainder Farm 708/15 as well as to "Franskraal Caravan Park" on Erf 1718 Franskraal which caravan park gets its electricity from "Die Opstal" transformer on Remainder Farm 708/15.</p>	
7.9		<p>Figure: 3.4.11.1 of Danger Point Peninsula Status Quo Report – July 2013: (Danger Point Heritage) The map does not indicate any Heritage Sites on the area north of the R43 indicated as a Heritage Overlay Zone on the Draft SDF for Greater Gansbaai (Figure 2.4.1.2 of The Status Quo Report.)</p>	
7.10		<p>Paragraph: 4.2.3. "A" of Danger Point Peninsula Status Quo Report – July 2013: (Issues and Vision with the Public) states that "Appropriate areas for development should be defined. This will do away with The Need for EIA's. Clear policies for land use/development that are practical and as fair as possible." This is true not only for the Birkenhead sub-precinct, but also for the area north of the R43 [See Paragraph 2.3 of Minutes dated 31 October 2013 below.] What is meant by "R43 remain as green and rural corridor" between Dyer Mountain and proposed extended Milkwood nature reserve" mentioned in Paragraph 6.1 of the Danger Point Precinct Plan dated 22 April 2014 and what informed this decision? What is the PROPOSED DIMENSIONS of such green and rural corridor? To what extent is the development potential of the properties next to the R43 curtailed by this proposal and what is offered to the property owners next to the R43 in return for facilitating a "green and rural corridor"?</p>	
7.11		<p>Paragraph: 2.3. of Minutes - 31 October 2013: "The Land to the North of the R43 is Excluded. This is not acceptable. The land to the north needs to be considered to determine what is viable in the area. Small Holdings? or Big Residential Even? or Fynbos Eco Estate Like Romansbaai? or Golf Course Estate? See plan attached to Paragraph 5.5 (DYER MOUNTAIN COMMENTS) of the Danger Point Precinct Plan dated 22 April 2014 for proposed "small holdings" development. Uniform conservation and development rules can be prescribed by a Home Owners Association into the proposed "small holdings".</p>	
7.12		<p>Figure 5.3.4 of Danger Point Concept Precinct Plan Report – March 2014: (WHOLE PRECINCT: OPPORTUNITIES AND CONSTRAINTS: GRAPHIC SUMMARY) Shows the Building Footprints on the small holdings abutting the R43, but none of the buildings on Remainder Portion 708/15 mentioned in "V." above.</p>	
7.13		<p>Figure 5.3.12 of Danger Point Concept Precinct Plan Report – March 2014: (The Draft SDF for Greater Gansbaai) Shows an Ecological Open Space Corridor running north/south on the eastern boundary of Remainder Portion 708/15. There is a servitude road 20m/16m/13m wide (width change from south to north) and an existing dwelling house on this corridor within the minimum width of 30m. How then can it be earmarked as "Ecological Corridor" or "Open Space"? See plan attached to Paragraph 5.5 (DYER MOUNTAIN COMMENTS) of the Danger Point</p>	

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7.14	Precinct Plan dated 22 April 2014.	<p>Figure 5.4.4 of Danger Point Concept Precinct Plan Report – March 2014: (WHOLE PRECINCT: MTO - MOUNTAIN TO SEA ECO-ESTATE) The map shows a Mountain to Coast Running / Walking / MTB Trail. The route followed by the <b>Mountain to Coast Trail</b> on the eastern side of the study area is not supported by the property owners, because it passes right alongside two dwelling houses on Remainder Farm 708/15 and spoils the owner's privacy which is the most important feature of the farm. Franskraal Erven 1717, 1718, 1719, 1720 and 1721 should be included in the study area and the mountain to coast trail should move eastward through Erf 1717 and in the road reserve of the Public Street west of Farm 708/18. See plan attached to Paragraph 5.5 (DYER MOUNTAIN COMMENTS) of the Danger Point Precinct Plan dated 22 April 2014.</p>	
7.15		<p>Figure 1.1.2 of Danger Point Peninsula Status Quo Report – July 2013: (Proposed Precinct Plan Study Area) Why not include Franskraal Erven 1717, 1718, 1719, 1720 and 1721 abutting the eastern boundary of the <b>Proposed Study Area</b> as part of the precinct in order to (a) better provide for the mountain to coast trail? - including the mountain road indicated in red and grey on the plan attached to Paragraph 5.5 (DYER MOUNTAIN COMMENTS) of the Danger Point Precinct Plan dated 22 April 2014. A ROD for this mountain road has been obtained and confirmation that enough has been done to prevent it from lapsing has been obtained from the relevant authorities. The route has also been registered as a servitude access road to Remainder Farm Bergvliet 705 over "Mount Dyer", and (b) incorporate Franskraal Erven 1717, 1719 and 1720 in the proposed "Small Holdings" Home Owners Association envisaged for Franskraal Erven 1888, 1889, 1890, 1891 and Portions "A", "B" and "C" of Remainder Farm 708/15? A <i>Development Plan</i> for these properties incorporating ecological open space corridors etc. should be composed with the same detail as the plan for the Birkenhead sub-precinct. Issues with the Resort (Franskraal Caravan Park) on Franskraal Erf 1718 can also be addressed more satisfactorily as part of this precinct from which it obtains its electricity and water. The Public Street (Remainder Portion 708/12) on the western boundary of Farm 708/18 is the dividing line between ESCOM's and the Municipality's Electricity Re-configuration Areas and forms a natural barrier that should be the eastern boundary of the precinct.</p>	
8.	<p>Jacobs &amp; Vennote P O Box 1534, Gansbaai, 7220 Cell: 083 747 2823 23 May 2014</p>	<p>8.1 With reference to your advertisement in the local Gansbaai Courant of the 10th April 2013 and more specifically the Vision workshop held on the 22 April 2014 where the final draft proposal was presented, we hereby wish to submit the following comments and/or input on behalf of the owners of Erven 2,3,4 &amp; 39, Birkenhead respectively. Please note that the said owners of the respective erven will also comment in their personal capacity directly to you and we will limit our comments to only a few aspects.</p> <p>8.2 We have already informed yourselves per our letter of 28 October 2013 that:</p> <p>"With specific reference to the Birkenhead Master plan, it was decided by the Mayoral Committee Meeting of 4 May 2011 that the Sectoral Plan in terms of Section 16 of the Municipal Systems Act, 2000 be referred back to the consultants to address certain issues, the said issues to be the same 7 points of "issues to be addressed i.r.t. BMP" (inclusive of the setback line to be issued) received by yourselves from the Overstrand Municipality and forming part of your terms of reference".</p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE - SEE RECOMMENDATIONS FOR FINAL REPORT
		<p>and</p>	
8.3		<p>"It therefor follows that for purposes of the BMP you are to limit yourselves to these aforementioned "issues to be addressed" and any attempts to go outside the scope of these "issues to be addressed" will constitute an action to be taken because irrelevant considerations were taken into account or relevant considerations were not considered."</p> <p>The above is well accepted in our case law and <u>must</u> be adhered to.</p> <p>It is indeed our submission that you have misdirected yourself with regard to the question of the "appropriate density" to be considered and by doing so, you have either taken irrelevant considerations into account, or relevant considerations were not considered, thereby causing to result in an administratively- and procedurally unfair action to be taken by the Local Municipality. The true considerations to be taken into account with regard to the appropriate density, are as follows:</p> <ul style="list-style-type: none"> <li>i. The Overstrand Spatial Development Framework ("OSDF") was (after an extensive public participation process) unanimously approved by the Mayoral Committee on 27 October 2006.</li> <li>ii. The development of Birkenhead is guided by local policies such as the WCPSPF, OSDF and the Greater Gansbaai Spatial Development Framework. These policy documents strongly promote densification initiatives in all townships within the urban edge (including Birkenhead) in order to reduce urban sprawl, which negatively impacts on both agricultural, and conservation worthy land.</li> <li>iii. The density of maximum 5 units/ha was determined by the OSDF. As the master plan is an extension of this document, it cannot contain contradictory information or guidelines. The document is furthermore a guideline for development and the 5 units/ha density factor is not cast in stone. Should it be determined during the environmental process or the evaluation of a planning application that this density is not desirable and that a lower density must be made applicable on a certain property, this decision will overrule the master plan.</li> <li>iv. The Local Municipality has agreed with the then consultants (as per their minutes of meeting dated 27 May 2008) that the residential density for the township of Birkenhead shall be limited to a maximum of 5 units per ha, thereby not deviating from the OSDF's proposal for this area and which density shall be applicable to each of the erven.</li> <li>v. This density has been prescribed by the OSDF and the botanical report compiled for the master plan, which prescribes a 30:70 development: conservation ratio."</li> <li>vi. The botanical report also recommends that a 30:70 development: conservation ratio is applied. Taking the above development directives into consideration, it is therefore essential that the land, which is considered as fit for development is utilised to its full potential without compromising the natural environment. That is why erf sizes of 500 – 800m<sup>2</sup> are proposed.</li> <li>vii. The percentages and totals of development are made very clear in the master plan. Not more</li> </ul>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
		<p>than 30% of the peninsula may be developed with 70% conserved. Owners may develop at a maximum density of 5 units/ha. Not more than 50% of individual erven may be developed.</p> <p>viii. It is common cause that the Agenda of the Portfolio Committee, 19 April 2011, records the recommendation to the Council that an investigation into the appropriate density of development should be made, as reflected in the terms of reference. The reasons for such recommendation are also common cause and we quote as follows:</p> <p><b>"The master plan proposal</b>                      In terms of the master plan it is assumed that the Birkenhead settlement as a whole could be developed at a density of 5du/ha with a maximum devt potential of 759 residential units according to the consultants' calculations (worst case scenario, should all the property owners wish to develop their respective properties). Erf sizes would vary between 500m<sup>2</sup> to 800m<sup>2</sup>, whilst the devt footprint would be restricted to 350m<sup>2</sup> or 30% of the erf area whichever is the lesser. According to the consultants this will result in a total area of 86% of Birkenhead being preserved.</p> <p><b>Density</b>                      The consultants' methodology contradicts the recommendations contained within the botanical report, which report states that the total devt footprint should be limited to no more than 30% of the total area. The remaining 70% should be maintained for the maintenance of ecological processes (e.g. fire, pollination, and faunal movements), and that thicket areas should be included in the conservation areas / natural corridors, subject to a 30:70 development:conservation ratio. All the remaining natural areas should be rezoned towards Open Space III or become part of Cape Nature's Stewardship Programme.</p> <p>Following the above recommendation, approximately 158.98ha should be conserved, whilst only 68.14ha is available for development (the calculation excludes Erf 28 and Erf 52, Birkenhead – the hotel and graveyard sites respectively) opposed to the 151.84ha available for development proposed by the consultants. At a proposed density of 5du/ha the maximum development potential would amount to 340 residential opportunities, opposed to 759 as per the methodology of the consultants proposal.</p> <p>Further, the opinion is held that the consultants' reference to 86% of the total area of Birkenhead to be conserved as open space is misleading as this figure includes the difference between the development footprint (350m<sup>2</sup> or 30% of the erf areas, whichever is the lesser) mentioned above and the individual erf areas, which erven will have a residential zoning and also include infrastructure such as roads."</p>	
	8.4	<p>It is nowhere in your final presentation to be found that any of the above issues were addressed. In fact, the only reference made to support your recommendation of 1 du/ha, is the proposal by I&amp;J in par 5.4 of your draft Proposal. This proposal by I&amp;J is to be rejected in toto, as it is without any substance and in direct contrast to the OSDF and the views of the majority of the property owners in the township of Birkenhead. In fact, it needs to be mentioned that I&amp;J has no direct- and/or a real interest in any of the properties within Birkenhead Township. It is also well accepted case law that without any such interest, I&amp;J must refrain from commenting on the affairs of the property</p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
		<p>owners within Birkenhead – they should therefor limit their comments to their own property, while in return you should ignore their comments with regard to Birkenhead.</p> <p>8.5 General comments:</p> <ul style="list-style-type: none"> <li>• Sustainable security is of the utmost importance. It is also pre-requisite before any development with huge capital outlay can commence.</li> <li>• Property owners should be given a choice between full services and "off the grid services". It is to be preferred that property owners are urged to implement off the grid services, but surely a municipality can't legally be exempted from their obligation in this regard by means of the Master Plan. In the event that a property owner exercises the alternative option of going off the grid, then it must be conditional that no contributions are payable to the municipality for bulk services. It should further be conditional that in such instance a tax rebate is applicable, details whereof should now be agreed to with the municipality.</li> <li>• Residential units should have a footprint of 300sqm as any development will have to be exclusive to be viable.</li> <li>• It should be conditional that the approval of this Master plan should also include the approvals of DEA&amp;DP and other relevant departments so as to avoid future unnecessary environmental impact studies.</li> </ul>	
9.	Mrs. Marizanne Viljoen (Co-owner Plot 2 Birkenhead)  17 May 2014	<p>9.1 <b>Comments on the Proposed Precinct Plan for the Danger Point Peninsula</b> Thank you for the opportunity to comment on the following issues, which I feel are quite important to me as a co-property owner of Birkenhead Plot 2.</p> <p>9.2 <b>Marine Drive:</b> Parts of Marine Drive, opposite Plots 58 and 59, as well as Plot 3 are nowadays regularly flooded by the ocean. Consequently the road is often damaged and kelp can even sometimes be seen deposited close to the outer walls of the historic building on Plot 59.</p> <p>In the near future parts of this road will become impassable, as sea levels rise. No space exists for diverting the road, as the water is already claiming the front area, which is part of the properties - even as far as the outer wall of one house is concerned. Surely a decision will have to be taken to address this dilemma.</p> <p>9.3 <b>Danger Point Lighthouse:</b> I fully agree with the proposal of the Heritage Consultant that visitor friendly hours should be decided upon, as well as the consideration of tourist's needs.</p> <p>9.4 <b>Waste Removal:</b> A central collection point for solid waste removal is necessary and urgent. The Gansbaai Municipality treats owners very kindly by permitting us to deposit our waste cost free at the refuse collection depot. Notwithstanding, the public stack their black plastic refuse bags beside the container on the square at the central part of the bay. This is unsightly and unhealthy. (The reason may be that it is difficult to reach the depot, especially for older people who feel unsafe, as well as the bad road and distance to the depot.)</p>	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
		<p><b>9.5</b> Density: One unit per hectare is very low. One storey buildings with a maximum of 175 square meter floor area, is very restricting.</p> <p><b>9.6</b> <b>The duties of a future Home Owners' Association:</b> The fact that the HOA will have to scrutinise developments according to specific guidelines before submitting them to the municipality and even has to administer security and maintenance, is too great a burden, as well as time consuming. These people will have to be appointed permanently. They will also need specific professional skills – which seems to me to be quite out of the question and unworkable.</p> <p>I trust that you will thoroughly look into these and all other matters raised by owners. We are looking forward to the best scenario for our lovely Birkenhead and Danger Point Peninsula.</p>	
10.	Antoinette Versfeld ERF 23,24,26 Birkenhead 22 May 2014	<p><b>Erf 23, 24,26</b> To whom it may concern:</p> <p><b>Comments:</b> We, as IAAP must have our comments/inputs/queries in by 23 MAY 2014 as stated in OM (Gansbaai Administration) M.N. 8/2014. I received the minutes of our last meeting held at Gansbaai on 22 April 2014 . This is NOT ACCEPTABLE. There has been right through this process a constant complaint about info, minutes, scenarios. I however have a separate document regarding the PROCESSES followed during this project that I will attach as well as sending it to other relevant people.</p> <p><b>10.1</b> <b>Emphasize</b> during the workshops was totally <b>misplaced</b> ex <b>SMALL SCALE FARMSTALL NODES</b> and <b>Holiday ACCOMMODATION</b> (rural economic growth and employment generation). Integrated running, walking and MTB trails! Compulsory conservation areas, <b>WHEN the main concern for this area is and was at least for the last 10-14 years, security and a little more densification to make the properties economically viable in order to not have an "EKOMISDAADSONE met n totale vervel van beheer"</b> 27 June 2011 written by <b>BIRKENHEAD BEWAREA and Birkenhead Owners ASS.</b></p> <p>To compare <b>Danger point</b> with <b>Churchaven</b> is ludicrous –that is putting it mildly! There is <b>NO</b> resemblance at all. Churchaven has absolute limited access through National Parks Board and Birkenhead is an open road to crime.</p> <p>Very little emphasise is on the INPUT of Birkenhead Owners Association –bearing in mind that this Association <b>PAID</b> for the <b>MASTERPLAN</b> which was the <b>prerequisite</b> for any further developments. Also note that the plan was done according to Municipal guidelines ref. Gansbaai <i>Administrasie: Navrae Me. SdeBeer File Ref:Erwe 2,3en 4 Birkenhead Date: 3 Oktober 2007</i></p> <p><b>10.2</b> Important how many times the word <b>CONCERN</b> is noted in the last minutes - virtually under every point. <b>This should clearly indicate</b> to the OM as well as CNDV the landowners are <b>Not happy</b> and are <b>VERY CONCERNED</b> about their <b>vested</b> interests. Whether they are local residents, holiday or weekenders, or people like myself who just own land in Birkenhead. Pay over a R1000</p>	

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		<p>+per month tax to the municipality. All I have to show for that is thousands and thousands of kilometres on my vehicle, meetings after meetings, guesthouses and frustrations. A beautiful piece of land that is used mainly by poachers and vagabonds!</p> <p>10.3 Because of the above mentioned comments I ask that :</p> <ol style="list-style-type: none"> <li>1 The current process of the PRECINCT PLAN be scrapped in its totality</li> <li>2 OIM must show their willingness to address the biggest problem in Birkenhead: Security. In order to do that there is one sure way, DENSITY</li> <li>3 OIM go back to the SDF of 2006 that was officially approved. This is still a legal document. A majority of the landowners attended the meeting and the residents voted for increased densities i.e. 5 fha.</li> <li>4. OIM MUST MAKE A DECISION ASAP because since 2000 the home and landowners of BIRKENHEAD "paid a very big prize" not only monetary but also psychologically.</li> </ol> <p>Lastly, and this is no threat because I simply do not have the money for a court case. There are people who will go to court depending on the outcome of this process. When this was mentioned to a councillor, he just laughed and said: "We are so use to court cases, we do not even worry about it!" The sheer arrogance of this made me put this information on paper.</p>	
11.	<p>CARINA KRUGER OWNER PLOT 6 BIRKENHEAD</p> <p>Tel: 012-3451871</p> <p>9 May 2014</p>	<p>I am the registered owner of Erf no. 6, located on 6 Lord Roberts Street, Birkenhead, Gansbaai.</p> <p>I studied your latest Draft proposals dated April 2014 on the Precinct Plan for the Birkenhead Peninsula and have the following comments and issues with the contents thereof:</p> <p>11.1 All my comments and views remain unchanged from my previous letter dd 5 December 2013. You stated on page 18, the Viability of final proposals = key issue, this is rather an ambiguous statement: It will be very difficult to design a final proposal that would be viable to each landowner.</p> <p>11.2 Looking at your graph on page 19, it is clearly evident that the participants are in favour of conserving the area with a 7 out 14 score. Furthermore, it is clearly noticeable that the participants do not prefer scenario 2 or a combination of scenario 2 &amp; 3 with a score of only 2 out of 14.</p> <p>11.3 I see no mention of the fact that several owners voted (and instructed the meeting) the meeting of 20 May 2013 to the fact that Romansbaai should be included in this study.</p> <p>11.4 I can further comment on the non viability of Scenario 3 (Eco Estate).</p> <ul style="list-style-type: none"> <li>• How can you position properties on slide 8.1 (page 45) with no consideration of obtaining proper sea views. We are not situated in the bush veld, but on a peninsula surrounded by the ocean with area of outstanding views. See our previous comments on this issue....please!</li> <li>• How can you propose the development of 1 dwelling per hectare and then propose further freehold subdivision of even limited to 400m<sup>2</sup>? (8.2 Page 47) Is this an effort to sneak in bits of scenario 2? How are you being rewarded for this?</li> <li>• How can existing owners be compelled to belong to a HOA? (8.2 Page 47) This is only achievable when you consciously buy into an estate where rules and regulations (i.e. HOA) are clearly documented before you purchase. I trust you will use the same argument to</li> </ul>	



#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE – SEE RECOMMENDATIONS FOR FINAL REPORT
		<p>compel owners to belong to the Birkenhead Conservancy as registered by CapeNature and then, have the HOA submit to the Birkenhead Conservancy. (As it should be in an area like this)</p> <ul style="list-style-type: none"> <li>The owner who chooses not to develop will be financial obliged to contribute to decisions made by the HOA. Of this, we have first hand experience! (Timbavati) Page 39, you mentioned that a "Danger Point Conservancy" be established and property owners be incorporated therein and be managed by a HOA. I must express my utter disgust with the contempt, with which you perused my previous letter in this regard. To underwrite your neglect, I again state the Birkenhead Conservancy was duly registered by CapeNature in April 2008. Furthermore, you met with the Birkenhead Conservancy on 20 February 2014 and our honourable Chairman. Did this not persuade you that a Conservancy exists and is very relevant in the area.</li> <li>The map indicates potential corridors linking Danger Point to the mountains, with a caption explaining the features of the potential southern and northern corridor. We would appreciate if you would consider incorporating these concepts into the Danger Point Precinct Plan.</li> </ul>	
12.	<p>LS van Staden The White House Farm Fransche Kraal 708/15 Franskraal Tel: 028 3880302 Mobile: 0793542290 2014/05/07</p>	<p>12.1 I refer to my letter dated 23 April 2014 and hereby make the following further comments:  XVI. APPENDIX 1 of Danger Point Concept Precinct Plan Report – March 2014: (Zoning and Ownership Details) Remainder Farm 708/15 North of the R43 is indicated as having a zoning of "Agricultural Zone I". This does not correspond with the zoning indicated on the attached zoning certificate issued by the Overberg Regional Services Council and received by attorneys Burgers and Van Noordwyk on 9 November 1990. The said zoning certificate certifies that Remainder Farm 708/15 has a zoning of "Oordsonse I".</p>	

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12.2		<p>Please note that this zoning was not attained as the result of an application for the rezoning of Farm 708/15 in terms of Ordinance 15/1985. It was the informed opinion of the relevant authority that <b>Resort Zone I (not Agricultural Zone I)</b> was the appropriate zoning for the property because of the way the land was used at the time Ord. 15/1985 came into effect. The zoning can therefore not lapse due to the passing of time, as would be the case if it was rezoned in terms of Ordinance 15/1985. It never was "rezoned". I have noticed that the new Zoning Scheme of the Overstrand Municipality provides for rectification in Chapter 2.9 of mistakes on zoning maps. This service is provided free of charge if the application for rectification is done within 24 months of the starting date of the new Zoning Scheme.</p>	
13.	<p>Kerry Maree and Rhett Smart Cape Nature Private Bag X29 Gatesville 7766 23 May 2014</p>	<p>12.2 CapeNature would like to thank you for the opportunity to comment on the above mentioned report. Our comments are as follows:</p> <p>13.1 CapeNature has submitted two sets of comments on the associated draft status quo report (dated 4 November 2013) as well as the draft precinct plans (dated 17 Jan 2014) for Danger Point. It appears as though certain of our principles and recommendations have however not been taken into consideration. Please can you forward the Comments and Responses Report in order for us to better understand the justification as to why CBAs and general biodiversity planning recommendations have still not been applied to these draft precinct plans.</p> <p>13.2 CapeNature supports the development of a Precinct Plan for this area, as this can allow for proactive planning for open space corridors. The current subdivision and zoning of the Danger Point peninsula could result in the loss of all potential open space corridors linking Danger Point to Mount Dyer through development. The loss of these corridors is unlikely to be prevented through assessing individual applications. Securing an open space biodiversity corridor from Danger Point to Mount Dyer/Franskraal Mountain Range, encompassing several different habitats and vegetation types, can be considered of high biodiversity value. We are pleased to note that this is listed as one of the key goals of the Precinct Plan.</p> <p>13.3 Despite the listing of a biodiversity corridor from mountain to ocean as a goal, the focus of the report is mainly on visual and aesthetic aspects and there has not been any consideration of biodiversity planning principles in establishing where open spaces and corridors are required. In particular, the need for continuous corridors and connectivity between areas of high/medium conservation value needs to be considered, as fragmented patches of natural vegetation will degrade over time and lose functionality.</p> <p>13.4 Further to the above, the Critical Biodiversity Areas should be used to inform the location of the corridors. The current network of CBAs does not form a continuous corridor throughout the area but they can be used as anchor points for the corridors. It is admitted that there is not a distinct preferred corridor for the area.</p> <p>13.5 Two of the bottleneck areas for securing a corridor are within the Birkenhead sub-divisional area (Birkenhead sub-precinct) and between the approved (but not yet fully developed) Romansbaai development and Kleinbaai.</p> <p>13.6 It is noted that the precinct plan study area (5.3.1) excludes the middle section, which is problematic and does not allow for a corridor to be created. Romansbaai should be included in the</p>	

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		precinct and perhaps a few other erven. There were open space corridors included in the final layout of Romansbaai and these need to be taken into consideration.	
13.7		CapeNature is pleased to note that the "Mountain to Sea Eco-Estate" scenario was the preferred scenario of the three presented in the draft scenario report that has been taken forward to the precinct plan report.	
13.8		The precinct plan scenarios utilize conceptualised landscaping/ architectural style maps. Accurate and to scale maps should also be produced defining the open space corridors in order for an assessment of the suitability and adequacy of the planned corridors e.g. the opportunities and constraints conceptualised map is deceiving as it maps the subdivisions of the Birkenhead precinct (nearly all zoned residential) as private nature reserve/undeveloped land.	
		<b>Birkenhead Sub-Precinct</b>	
13.9		CapeNature takes note of the Open Space corridors for the Birkenhead Master Plan (2009). These corridors are not sufficient. The general rule of thumb for the minimum width for an ecologically viable corridor is 50 m. Fewer, larger/wider corridors are preferred to more, smaller corridors due to edge effects.	
13.10		We support the implementation of additional planning controls in the Birkenhead sub-precinct. There should be no further subdivisions permitted. The current development rights for these properties should enforce that all the development is clustered on one side of the long thin properties so as to allow for corridors. All fencing in this area should allow for the movement of small animals.	
13.11		Given the current cadastral layout, establishing a corridor is challenging. It is recommended that there should be additional restrictions imposed on these properties within the possibilities available with planning legislation. This can include a minimum of 50% of the site should remain natural and undisturbed, and ensure that the houses are all constructed on the same side of the long thin properties which can allow for a continuous corridor (this would result in two rows of houses within an intervening corridor as shown on the conceptualised plan 5.4.4). Incentives for consolidation (or subdivision and consolidation) of cadastral parcels can be given (without impacting on the rates base) in sensitive areas.	
13.12		CapeNature takes note of the proposed "Danger Point Private Nature Reserve" in Plan 5.4.4 consisting of the I&J property, the Birkenhead precinct and the properties between Birkenhead and Kleinbaai. Private nature reserves are no longer recognised. Private conservation areas would fall within the ambit of the CapeNature stewardship programme. If this designation is only for marketing or naming purposes, CapeNature respectfully requests that the term "nature reserve" is removed as this specifically refers to protected areas under the National Environmental Management: Protected Areas Act (Act 57 of 2003) (NEM:PAEA). The proposed nature/conservation area is however supported by CapeNature. The area could form a Protected Environment, which is a Section 28 protected area under NEM:PAEA, and is a formalised conservancy in accordance with certain guidelines and regulations. CapeNature would be in support of an initiative such as this. We do take note that there is an existing Birkenhead Conservancy which can form the basis for this broader initiative. A Protected Environment would provide the framework for enabling the establishment of corridors.	

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13.13		CapeNature supports the proposal to keep the Birkenhead Precinct off the grid for all services, as this will have less impact, both in terms of the pressures of providing these services e.g. more bulk electricity generation, but also the disturbance created in laying these services, which would intrude into areas of sensitive, natural vegetation.	
13.14		The more zoomed in plan for the Birkenhead Sub-Precinct (Plan 5.4.12) is however much less favourable than when viewed at the scale of the entire precinct, as it entails a much higher number of units located within the "two rows of houses".	
13.15		The public land in the Birkenhead Sub-Precinct (all on the northern end) should be used to contribute towards the creation of the open space corridors.	
<b>Other Areas</b>			
13.16		The precinct plan should make provision for a viable ecological corridor between Romansbaai and Kleinbaai.	
13.17		We take note of the planned eco-resort nodes included on the I&J property. Any further development on this property will be required to obtain the necessary approvals (including EIA). This property is one of the key anchors of the open space corridor (Danger Point itself) and any further development on this property must be limited and of an appropriate scale.	
13.18		The report references the Melkhoutbos Nature Reserve (along the R43) as a local authority nature reserve. Please can you clarify the status of this reserve – it is not recorded as a local authority nature reserve on CapeNature's GIS database.	
13.19		In general, it should be noted that Western Cape Milkwood Forest is an Endangered vegetation type that has not been mapped in Mucina and Rutherford (2006), but has been included in the listing notice of threatened ecosystems (2009) according to the National Environmental Management: Biodiversity Act.	
		This vegetation type does occur in the area, where it can be considered as the climax vegetation type within the Overberg Dune Strandveld that occurs over most of the lower part of the precinct and develops in areas that are more secluded. This is a sensitive vegetation type and the dominant species is White Milkwood ( <i>Sideroxylon interme</i> ), which is a protected species and a permit is required to remove a plant or part thereof. This should be communicated to the landowners in the precinct.	
<b>Corridor map</b>			
13.20		We suggest that a map defining a corridor or corridor options linking Danger Point to Mount Dyer should be created. The map can be used as a discussion document with the relevant parties including the landowners. This must also include corridors through Romansbaai.	
<b>Conclusion</b>			
13.21		CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	

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14.	Gabriel da Silva BIRKENHEAD Conservancy Bewarea 23 May 2014	<p>The Birkenhead Conservancy (BC) is a formally constituted organisation registered with CapeNature Conservation. It is also registered as an Interested and or Affected Party concerning matters focussed on the Birkenhead Peninsular with the Overstrand Municipality.</p> <p>The BC's Executive Committee has convened to discuss the "Danger Point Concept Precinct Plan Report - March 2014 Draft Document" presented and published by CNAV Africa Planning &amp; Design CC.</p> <p>Based on this document and the official minutes recorded for the public meeting held on the 22 April 2014, at the Overstrand Municipality, the following points must be mentioned:</p>	
14.1		The BC is generally satisfied with the "Danger Point Concept Precinct Plan Report - March 2014 Draft Document" even-though the BC would have preferred the "Status Quo" option to remain.	
14.2		The proposed concept of a clustered development, limited to 1 unit per full hectare and allowing for a green zone in the middle, as proposed, is acceptable to the BC.	
14.3		The adoption of a similar plan based on the "Churchhaven" community situated within the West Coast Nature Reserve, is acceptable to us together with its conservation focus, security fences and access control. The "Churchhaven" approach has produced high value properties with sustainable environmental measures.	
14.4		Adopting such a "Churchhaven" plan together with the historical and environmental uniqueness of the Danger Point Peninsula, will most certainly increase the appeal and property values if done correctly.	
14.5		Protecting this area for future generations is important to us all. Once uncontrolled development is permitted, the appeal of this conservation worthy area will dissipate and together with it most of the flora and fauna. The area would then become just like another densely build-up sub-urban area such as Kleinbaai, Franskraal and or De Kelders.	
14.6		Property owners and or developers who invested in the Birkenhead Peninsula knew full well of the existing title deed limitations and restrictions placed on their properties, which limited them to two Dwellings and two Out-Houses.	
14.7		In the minutes of the Public Meeting: Draft Precinct Plan Report (Point 2.1.6) it was recorded that, "2006 residents voted for increased densities i.e. <i>50/ha</i> in terms of the Draft SDF – this was followed by the preparation of the Master Plan. This was supported by at least 85% of the land owners." The verbalised statement made at the meeting was factually incorrect and totally misleading. In 2006, the Birkenhead Owners Association (BoA) sent a general questionnaire to a handful of Danger Point landowners asking them whether or not they would ever consider developing their plots. The answer for many was naturally, "yes" as many of the landowners had a natural legal right to build either one or two dwellings on their land.	
14.8		The answer to this questionnaire in (Point 7) was then used to miss-represent the real majority of	

#	INDIVIDUAL / DEPARTMENT	COMMENTS	PROPOSED RESPONSE - SEE RECOMMENDATIONS FOR FINAL REPORT
15.	<p>Pierre Spengler                      pierrespengler@gmail.com                      22 May 2014</p>	<p>the landowner views which was that they were in fact very much against the any high density development proposal.</p> <p>In closing, the Birkenhead Conservancy would like to thank CNDV and the Overstrand Municipality on the manner that they have conducted themselves in attempting to address concerns of all Interested and Affected Parties view covering Danger Point Peninsula.</p> <p>We represent a large portion of land owner views together with the unrepresented and threatened fauna and flora views.</p> <p>15.1 Birkenhead was already declared as a township in 1930 and it is strange that almost all the farms abutting the sea as well as those located further away acquired development rights before Birkenhead.</p> <p>15.2 After many years of negotiation, it was agreed on 5 units per ha and it was also contained in the Structure Plan several years ago.</p> <p>15.3 I cannot see why:</p> <ul style="list-style-type: none"> <li>• I&amp;J and other surrounding areas are engaged in the town plan; and,</li> <li>• Why I&amp;J also gives inputs to which Birkenhead must adjustments.</li> </ul> <p>15.4 Objections against them expansions are just ignored.</p> <p>15.5 With the inclusion of I&amp;J in the Structure Plan it will give to the farm a factory, more than 300 units, some houses and a resort that seems like it has already been approved in principle. All the new movement should probably go down Lord Robert Street, while they don't want trucks and buses over their own land, but it should rather affect someone else's property value and disturb their peace.</p> <p>15.6 I&amp;J should be asked to divert unwanted traffic to the coast. There is enough room for a port.</p> <p>15.7 We are in favor of:</p> <p>Scenario 3 with amendments.</p> <ol style="list-style-type: none"> <li>1. 5 units per hectare and insist upon it.</li> <li>2. Admission Control as proposed. Immediate application should be made for it.</li> <li>3. "Freehold" system.</li> <li>4. Erf sizes from 700 to 1000 sq meters with a 50% building (footprint).</li> <li>5. "Off Grid" at first with subsequent connection of water and electricity.</li> <li>6. Septic tanks, trucks with odors are undesirable.</li> <li>7. The layout of plots should be determined by the owners.</li> <li>8. The Conservancy is supported.</li> </ol> <p>With the awarding of 5 units per ha several even will come into the market at low prices that will speed up development.</p>	