

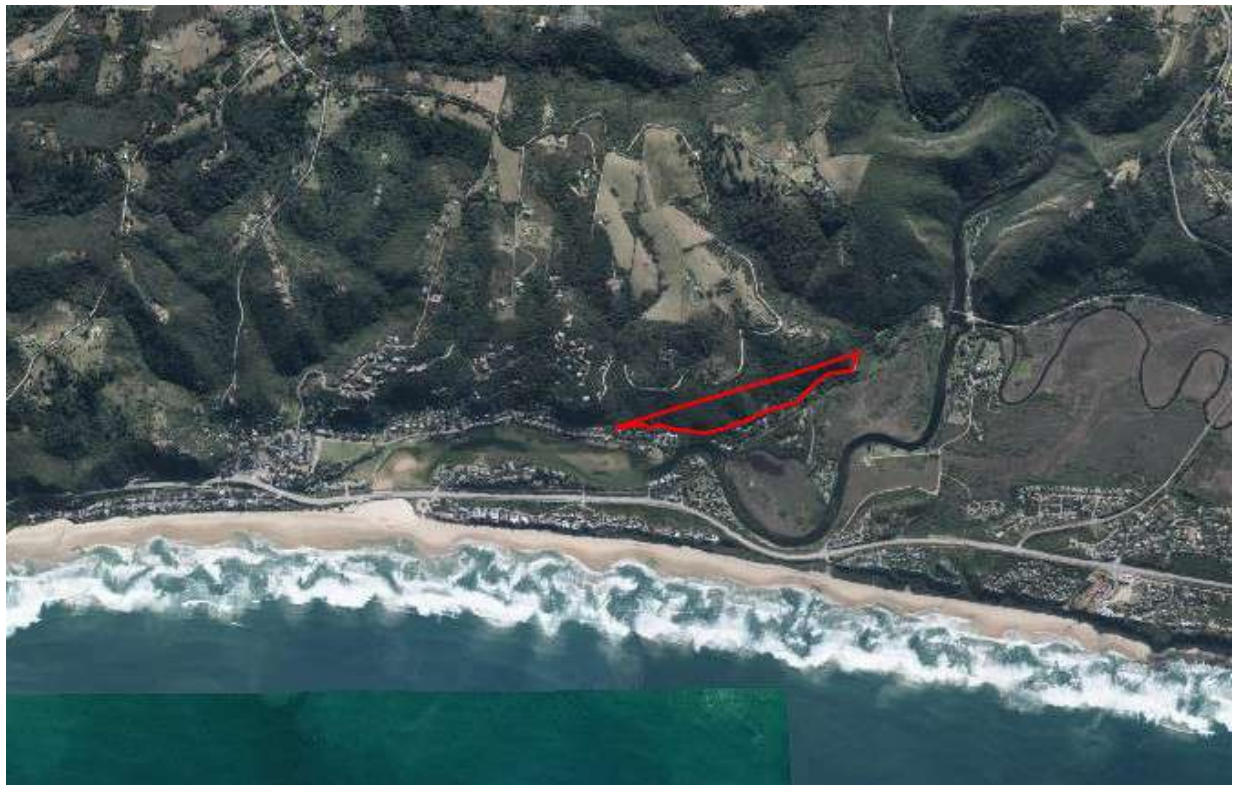


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PROPOSED REZONING & SUBDIVISION FOR DION ROMIJN FAMILIE TRUST

**REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS,
GEORGE MUNICIPALITY AND DIVISION**



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Aerial images:

<https://gis.elsenburg.com/apps/cfm/#>

<https://gis.george.gov.za/portal/apps/webappviewer/index.html?id=0283eccf869641e0a4362cb099290fca>

<https://www.google.com/earth/>

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PROPOSED REZONING, SUBDIVISION & CONSENT USE: REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE MUNICIPALITY & DIVISION:

1. BACKGROUND INFORMATION

Remainder Erf 1262, Wilderness is located just over 2km east of the Wilderness Village and less than a kilometre from *Ebb & Flow, Wilderness National Park*. The property has always been perceived to be located on the northern side of Waterside Road linking the Village and *Ebb & Flow*. This 9,7566ha property was surveyed and found that a portion is located on the southern side of Waterside Road - approximately 4500m². Waterside Road therefore cuts through the property and takes up approximately 1.868ha of the property. This section of Waterside Road from approximately the Freesia Lane turn-off, is Divisional Road 1620. Therefore, it is a provincial road and not a municipal road.

Remainder Erf 1262, Wilderness is at present zoned Undetermined Zone in terms of the George Integrated Zoning Scheme By-law (2017). It also carried this zoning in terms of the former Section 7 Wilderness Zoning Scheme Regulations. It is proposed to create single residential opportunities on the southern side of Waterside Road and a small resort (short term accommodation) on the northern side of this road dividing Remainder Erf 1262, Wilderness.

The urban edge was adjusted to include the southern portion of Remainder Erf 1262, Wilderness – it was considered by the Municipality as a minor correction during the finalisation of the 2019 municipal spatial development framework (see p. 110 of GMSDF and no. 33 on p. 14 of Legislated Public Participation Process – Addendum 4 to GMSDF 2019).

The proposed development of the subject property required authorisation in terms of the National Environmental Management Act, 1998 (NEMA). The environmental authorisation (EA) was granted by the national Department of Environmental Affairs (DEA) on 8 June 2020 with a copy attached hereto as **Annexure 1**. The EA indicates that the footprint of development north of Waterside Road for the primary dwelling and 4 chalets are 550m² and south of Waterside Road where two residential erven are proposed, the development footprint is indicated as 475m². This gives a total of 1025m² development footprint for the structures.

A copy of the power of attorney is attached as **Annexure 2**.

1.1 APPLICATION

This land use application for Remainder Erf 1262, Wilderness entails the following:

- Rezoning in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-Law, 2015 from Undetermined Zone to Subdivisional Area;
- Subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015 in the following:
 - Portion A (±7.2974ha): Open Space Zone III (nature conservation area);
 - Portion B (±1159m²): Single Residential Zone I (dwelling house);
 - Portion C (±1506m²): Single Residential Zone I (dwelling house);
 - Portion D (±270.81m²): Transport Zone II (public street);
 - Portion E (±778.97m²): Undetermined Zone
 - Remainder (±1.8686ha): Transport Zone II (public street).
- Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015 for tourist accommodation for Portion A.

1.2 PROPERTY DETAILS

Remainder Erf 1262, Wilderness, measures 9.7566ha and is registered to *Dion Romijn Familie Trust*. A copy of the title deed (T86344/97) is attached as **Annexure 3** and no bond is registered for the property (deed search included with title deed). A copy of the SG Diagram (3695/69) is attached as **Annexure 4**. The property was originally known as Kleinkrantz 192/60, a portion of Kleinkrantz 192/10 but later became a Wilderness erf – renumbered by the Surveyor-General when this area was included in the municipal area of the former Wilderness Municipality.

No restrictive conditions were identified in the title deed regarding this land use application. A conveyancer's certificate confirming is attached hereto with the title deed in **Annexure 3**.

2. CONTEXTUAL INFORMANTS

2.1 LOCALITY

As stated in Paragraph 1 above Remainder Erf 1262, Wilderness is located just over 2km east of the Wilderness Village and less than a kilometre from *Ebb & Flow, Wilderness National Park*. Waterside Road linking the Village and *Ebb & Flow* cuts through the southern section of the property. The largest section of the property is covered in indigenous vegetation and the aim is to protect it through an appropriate zoning.

North of the property the small holdings of Wilderness Heights is found and along the southern boundary a few residential properties are found with access from Freesia Lane, Melkhout Avenue and Dumbleton Road – all leading out of Waterside Road (Divisional Road 1620). A few metres further south, the unused railway line is found and also the Touw River. A locality plan is attached hereto as **Annexure 5** with an aerial locality below.



2.2 ZONING & LAND USE

Remainder Erf 1262, Wilderness is zoned Undetermined Zone in terms of the George Integrated Zoning Scheme By-law as mentioned earlier. The aim of this land use application is to provide the property with the appropriate zoning. The property is vacant at present. The level area on the northern side of Waterside Road, where the resort is proposed, was used for many years as a storage area for road building material by the Provincial Roads Authority.

The use of this property is proposed to change to residential south of Waterside Road and nature conservation with limited tourist accommodation opportunities north of the public road cutting through the property.

2.3 CHARACTER OF THE PROPERTY & THE AREA

The area abutting Remainder Erf 1262 Wilderness reflects the Wilderness character with residential opportunities, the Touw River, tourist accommodation and the Wilderness National Park. The development proposal for the property reflects what is found here.

The development potential of the property is limited due to the topography. Only the portions of the property found to be developable is therefore proposed to be used.

3. DEVELOPMENT PROPOSAL

The proposed development of Remainder Erf 1262, Wilderness was the subject of an environmental authorisation (EA) process as stated in Paragraph 1 above. Only a small portion of this property is developable. The portion of the property where the primary dwelling and 4 tourist accommodation units are proposed provides ample space for parking and construction. If this area was bigger, more tourist accommodation units could be considered. The property however dictates what can be accommodated. A small coffee shop was also envisaged for this section of the property, but as part of the NEMA-process, it was removed following an objection by a neighbour.

The portion of the property proposed for the small resort, was used as storage for road building material by the Provincial Roads Authority (e.g. gravel) for many years - see photo below (2009) – as mentioned in Paragraph 2.2 above.



This area was overgrown (weeds, alien vegetation) with signs of the former activities still visible. The existing access will be used. The photo on the following page shows how overgrown it became over the years.



Limited clearing took place earlier in accordance with the EA (**Annexure 1**). Now the potential of the property can be appreciated. The owner's dwelling and 4 tourist accommodation units (chalets) will be limited in size. It will be constructed at the foot of the upward slope. It was initially proposed to construct these structures higher up but following the environmental process and now seeing what the property looks like under the vegetation the positions are now ideal on the lower area abutting the level section of the property.

No excessive boardwalks are needed, and parking is to be provided on the level section close to the access. Access to the chalets and primary dwelling will be with timber stairs from the parking area. The open area provides ample space for the parking and manoeuvring space. As timber structures are proposed, the impact is limited. The owner's dwelling, 4 chalets and parking area is located in the identified developable area.

The existing access from Waterside Road to this northern portion of the property, will be upgraded and remain the access.

The primary dwelling will have a footprint of 160m² with a loft of ±28m² giving it a total floor area of ±188m². The sketches of the proposed building plans prepared by the property owner are attached hereto as **Annexure 6**, shows that the dwelling is proposed to comply with the relevant development parameters applicable to a dwelling house. The two images below act as the inspiration for the primary dwelling and the tourist accommodation units.



The photo below taken from the east to the west inside the property north of Waterside Road, shows the position of the proposed primary dwelling. In this position the dwelling will have ample sun in winter. To the right is the position of the first tourist accommodation unit.



The tourist accommodation units are proposed to be $\pm 64\text{m}^2$ each, single storey with two bedrooms but raised to make parking possible in part underneath. The height will be lower than 8.5m. The sketches of the proposed building plans for the tourist accommodation units are attached hereto as **Annexure 7**. The total development footprint of the tourist accommodation units will be $\pm 260\text{m}^2$.

The photo below was taken from the west to the east inside the property north of Waterside Road and shows the position of the 4 tourist accommodation units.



The development footprint of the primary dwelling and the 4 tourist accommodation units is $\pm 420\text{m}^2$ which is substantially less than the 550m^2 development footprint included in the EA. The aerial image on the following page (recent GoogleEarth) shows the structures indicated on the two photos above.



The portions of the property south of Waterside Road was assessed and following site visits by officials from Western Cape Forestry, SANParks and DEA, it was concluded that two dwelling units could be developed here. It can be regarded as infill development as it forms part of a small area where 12 single residential properties are located with access from Melkhout Lane and Dumbleton Road. During 2019 the urban edge was adjusted accordingly. Access to the proposed two Single Residential Zone I-properties will be from Dumbleton Road and not from Waterside Road. A servitude access over the south-eastern corner of Portion C to Portion D will be registered in accordance with Section 24 of the planning by-law following this land use application.

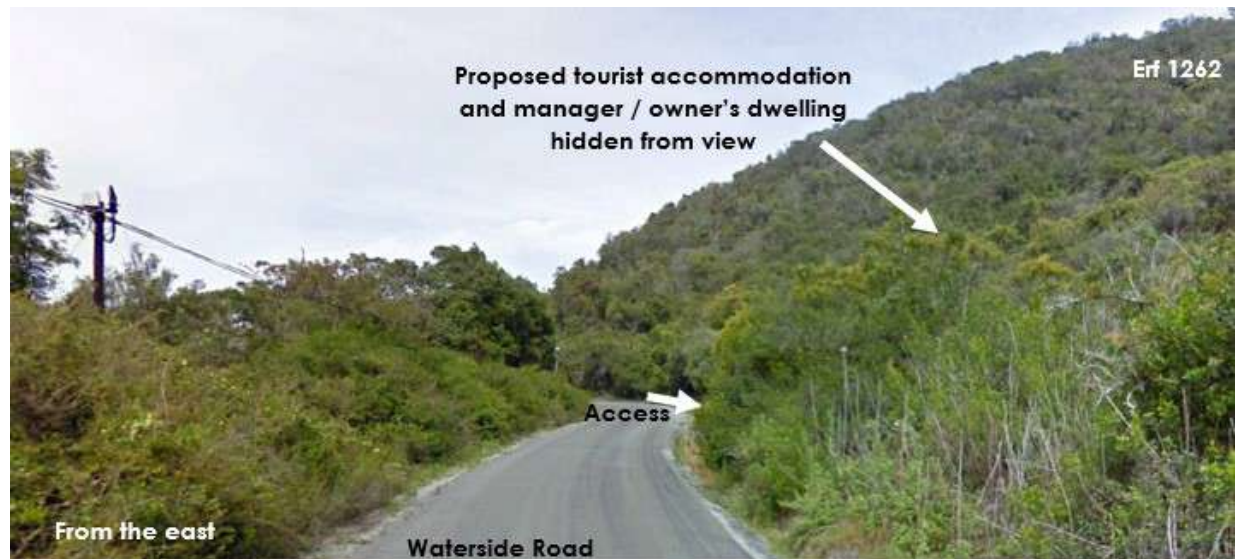
It is then also proposed to retain a portion of the property between Waterside Road and Erven 1026, 1027 & 1028 Wilderness as Undetermined Zone. It could become part of these even in future – it is in part already used by these erven as an extension of their garden. The future of this portion will be determined at a later stage – the current zoning, Undetermined Zone, is for this purpose.

The following image reflects the proposed change in use of the property as described in the foregoing paragraphs.



The developable area of Remainder Erf 1262 Wilderness is not visible from the greater surrounding area. With all the vegetation found along Waterside Road (see series of photos to follow below), the resort will not be easily visible along this road. The property must be visited to appreciate its location. The same applies to the proposed two single residential properties. The photo below, taken from the N2 (at the turn off to SANParks), makes it clear that the resort will not be visible from this public route. It is also evident from the photo below that the proposed development cannot break the skyline/ridgeline and will follow the line of other developed properties.





A site development plan is attached hereto as **Annexure 8**, a zoning plan as **Annexure 9** and the subdivision plan as **Annexure 10**.

The northern section of Remainder Erf 1262 Wilderness is therefore proposed to be rezoned to Open Space Zone III – nature conservation area. This will link with the bordering Wilderness National Park zoned Open Space Zone IV – nature reserve. As stated earlier and shown in the foregoing paragraphs the development area on the northern side of Waterside Road is limited. This northern portion of the property is indicated as a critical biodiversity area with only the disturbed area to be utilised in accordance with what Open Space Zone III makes possible.

Tourist accommodation means a *harmoniously designed and built holiday development, used for holiday or recreational purposes, whether in private or public ownership and can consists of a single enterprise that provides overnight accommodation by means of short-term rental*. The 4 tourist accommodation units – a consent use for Open Space Zone III – will be used as the land use description states.

As indicated the proposed to residential properties will be zoned accordingly – Single Residential Zone I. The public road – Waterside Road (Divisional Road 1620) running through the property will at the same time be zoned accordingly and subdivided from Remainder Erf 1262 Wilderness. It was initially proposed to create another Single Residential Zone I-property on the portion of the subject property located between Waterside Road and Erven 1026, 1027 & 1028 Wilderness. The area is however narrow with a problematic access and prominent protected trees. An abutting property owner did place a large bird cage in this portion. This portion is therefore proposed to be retained as Undetermined Zone – with its use to be determined at a later stage.

4. CONSIDERATION OF THE APPLICATION

4.1 STATUTORY INFORMANTS

The criteria for the consideration of land use applications as per the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), the Western Cape Land Use Planning Act, (Act 3 of 2014) (LUPA) and the George Municipality: By-law on Municipal Land Use Planning (2015) builds on each other. SPLUMA introduced legislative and procedural changes to the management of land use planning in South Africa. The Western Cape Province followed with LUPA and thereafter George Municipality with the Municipal Land Use Planning By-law (2015). What is relevant to this land use application is discussed in the paragraphs to follow.

4.1.1 SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)

Section 7 of this Act sets out the five development principles that are applicable to spatial planning, land development and land use management and section 42 of SPLUMA then refers to the factors that must be considered by a municipal tribunal when considering a land use planning application, which include but are not limited to:

- Five SPLUMA development principles;
- Public interest;
- Constitutional transformation;
- Respective rights and obligations of all those affected;
- State and impact of engineering services, social infrastructure and open space requirements;
- Compliance with environmental legislation.

4.1.1.1 Five development principles

The five development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience and good administration are not all directly relevant to this land use application.

Spatial justice as described in Section 7(a) of SPLUMA is not relevant to this land use application.

Spatial sustainability as described in Section 7(b) of SPLUMA is relevant as an existing vacant property is to be rezoned to reflect the character of the property with the subsequent use of the property for tourist accommodation purposes. This will make it accessible to the public. The portion of land located south of Waterside Road will also create two residential opportunities as infill development within the urban edge.

Prime and unique agricultural land is not affected by this land use application.

Environmental matters are relevant and was addressed through the National Environmental Management Act, 1998 (NEMA).

The effective and equitable functioning of land markets is not negatively affected by this land use application.

It is stated that all current and future costs to all parties for the provision of infrastructure and social services in land developments must be considered. These aspects are not negatively affected by this land use application.

It is further stated in this section of SPLUMA that land development in locations that are sustainable and that limits urban sprawl, must be promoted. This proposal is not in conflict with urban sprawl with the proposed two residential properties reflecting infill development.

This development proposal should not have a negative impact on the community of Wilderness as it reflects the character of Wilderness. The scale of the proposal is also extremely limited.

Efficiency as described in Section 7(c) of SPLUMA is supported. This development proposal for Remainder Erf 1262, Wilderness aims to utilise vacant land in accordance with its potential.

This proposal cannot have a negative impact regarding financial, social, economic or environmental considerations for the relevant authorities. The relevant factors are discussed in this motivation report.

The last aspect in this section of SPLUMA states that development application procedures must be efficient and streamlined and timeframes must be adhered to by all parties. As clearly stated, this applies to the authorities, the applicant and all interested and affected parties included in the process.

Spatial resilience as described in Section 7(d) of SPLUMA is not fully relevant to this land use application.

Good Administration as described in Section 7(e) of SPLUMA indicates the responsibilities of all involved in any land use matter.

The paragraphs above show that the land use application for Remainder Erf 1262, Wilderness supports the relevant development principles of SPLUMA.

4.1.1.2 Public Interest

The public interest of this land use application for Remainder Erf 1262, Wilderness is limited due to its location. The proposal has already been subjected to an environmental authorisation process with public participation. Due to the limited scale of the development proposal together with the locality, no negative impact on the residents of Wilderness and the neighbours are expected.

As mentioned earlier, initially a small coffee shop was proposed for the northern side of the property – for tourist and residents frequenting Waterside Road. Following an objection from a neighbour during the environmental process, this part of the proposal was removed.

4.1.1.3 Municipal Engineering Services & Access

The municipal engineering services provided for the change in use of Remainder Erf 1262 Wilderness was assessed by *Hessequa Consulting Engineers* for the environmental authorisation process. The report is attached hereto as **Annexure 11**. Final design of services will take place following the successful completion of the land use application.

Structural detail regarding the proposed owner's dwelling, tourist accommodation units as well as two proposed dwelling houses (2 Single Residential Zone I – erven) will be addressed when building plans are prepared.

Please note that the engineering services report includes the proposed coffee shop, which has been removed from the proposal.

The existing access to the northern section of Remainder Erf 1262 Wilderness will be used for access to the owner's dwelling and the tourist accommodation units. Access to the two Single Residential Zone I erven will be from Dumbleton Road as indicated earlier in this report. A servitude (in terms of Section 24 of the planning by-law) will be needed for access to the proposed Portion B over Portion C) and will be addressed separately following the successful completion of this land use application.

Waterside Road in this location is also Divisional Road 1620. It is not a municipal road. Dumbleton Road is however a municipal road.

4.1.1.4 Environmental Considerations

As stated in Paragraph 1 of this motivation report, the proposed development of Remainder Erf 1262, Wilderness required authorisation in terms of the National Environmental Management Act, 1998 (NEMA). The environmental authorisation (EA) was granted by the national Department of Environmental Affairs (DEA) on 8 June 2020 with a copy attached hereto as **Annexure 1**.

The EA describes the activities authorised with the relevant conditions. It is stated that alien vegetation must be eradicated, and that the property zoned Open Space Zone III must be managed to *align with the abutting national park*.

Limited clearing has taken place in accordance with the EA with the relevant notification to ensure commencement.

For the environmental process, the botanical assessment was done by Dr. Jan Vlok. It determined the extent of what is developable from the vegetation perspective together with the contour survey. This assessment is attached hereto as **Annexure 12**.

4.1.2 WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)

LUPA requires that local municipalities consider the following when deciding on land use applications:

- Applicable spatial development frameworks;
- Applicable structure plans;
- Land use planning principles referred to in Chapter VI (Section 59) which is an expansion of the five development principles of SPLUMA;
- Desirability of the proposed land use; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans. Considering the aim of this land use application for Remainder Erf 1262, Wilderness, it was found to be consistent with the George Municipal Spatial Development Framework (GMSDF) as well as the Wilderness-Lakes-Hoekwil Local Spatial Development Framework (WLH LSDF) as discussed later in this motivation report.

4.1.3 GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2015

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

- Desirability of the proposed utilisation of land;
- Impact of the proposed land development on municipal engineering services;
- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans;
- Relevant municipal policies;
- Western Cape Provincial Spatial Development Framework;
- Section 42 of SPLUMA (public interest, constitutionality);
- Land use planning principles transposed from LUPA; and
- Provisions of the applicable zoning scheme.

4.1.4 GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2017 (GIZS)

Remainder Erf 1262, Wilderness is zoned Undetermined Zone in terms of the George Integrated Zoning Scheme By-law (GIZS) (2017). As stated earlier this was also the zoning of the property in terms of the former Section 7 Zoning Scheme Regulations for Wilderness. Undetermined Zone is addressed as follows in the GIZS:

The objective of this zone is to enable the Municipality to defer a decision regarding a specific land use and development management provisions until the circumstances affecting the land unit have been properly investigated; or until the owner of the land makes an application for rezoning; or a zoning determination is made by the Municipality. The objective of this zone is furthermore to create a zone to which land could revert back to when rights under current zonings, other than Single Residential Zone I, were not exercised, especially in cases where changes in the planning context occurred since the current zoning was granted.

The owner of the property is now applying for the rezoning of the property as included in the objective above.

Open Space Zone III (nature conservation area) aims to provide for the conservation of natural resources in areas that have not been proclaimed as nature areas (non-statutory conservation), in order to sustain flora and fauna and protect areas of undeveloped landscape including woodlands, ridges, wetlands and the coastline. A range of consent uses is provided to supplement and support the main objective of this zone.

With the rezoning of the northern section of Remainder Erf 1262, Wilderness it is proposed to conserve the property as a nature area along a ridge. Only one of the 8 possible consent uses are included with this land use application, namely tourist accommodation (4 units).

The land use description for tourist accommodation includes the various forms of tourist accommodation but in this instance 'chalets' are proposed:

"tourist accommodation" means a harmoniously designed and built holiday development, used for holiday or recreational purposes, whether in private or public ownership, that—
(a) consists of a single enterprise that provides overnight accommodation by means of short-term rental or time sharing only;

(b) may include the provision of a camping site, caravan park, chalets or mobile home park, resort shop, private or public roads; and
 (c) does not include a hotel or wellness centre.

The two properties to be zoned Single Residential Zone I on the southern side of the property between Waterside Road and Dumbleton Road, is expected to comply with the relevant development parameters.

The provision of parking for the tourist accommodation units together with ample manoeuvring space informed the number of tourist accommodation units requested together with the owner's dwelling. 12 parking bays are provided as shown on the site development plan (**Annexure 8**).

The public roads cutting through the property will also be subdivided with the appropriate zoning namely Transport Zone II (public street).

The zoning plan is attached hereto as **Annexure 9**.

4.2 SPATIAL PLANNING INFORMANTS

4.2.1 GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2019)

Remainder Erf 1262, Wilderness is not addressed specifically in the GMSDF except for the inclusion of the southern section of the property into the urban edge of Wilderness.

Below is an extract from the GMSDF with the urban edge at Remainder Erf 1262 Wilderness indicated in a yellow dash line.



Map 31: Wilderness and Kleinkrantz Urban Edge

Below is an extract (p. 14 & 15) from Addendum 4 to the GMSDF (2019):

| | | | |
|----|---|-------------------------------------|---|
| 33 | Wilderness urban edge: A small adjustment of the urban edge is proposed to include the narrow portion of $\pm 4700\text{m}^2$ of erf 1262 within the urban edge. A NEMA process is in process and it was determined that the remaining larger portion of the erf be zoned as Nature Conservation area. The inclusion and | M de Bruyn no. 51 (5 December 2018) | The urban edge can be adjusted in this case as it is considered a minor correction. |
|----|---|-------------------------------------|---|

GEORGE SDF AMENDMENT 2019: LEGISLATED PUBLIC PARTICIPATION PROCESS

| | | |
|--|--|--|
| rezoning will allow for two dwellings. | | |
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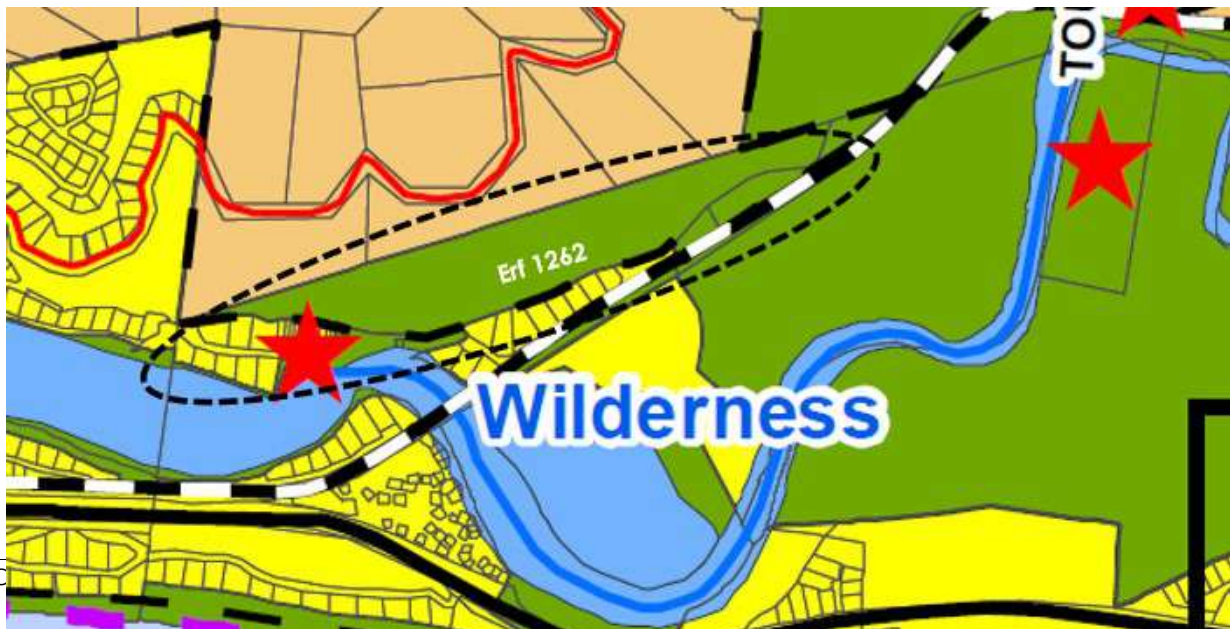
Remainder Erf 1262 Wilderness It is indicated to be located in the area of a specific spatial plan for the greater Wilderness area. No conflict was found between the GMSDF and the proposed development of this property as described in this motivation report.

Therefore, this application is consistent with the GMSDF as required in terms of Section 19 of the Land Use Planning Act, 2014 (LUPA).

4.2.2 WILDERNESS – LAKES – HOEKWIL – LOCAL SPATIAL DEVELOPMENT FRAMEWORK (WLH LSDF) (2015)

The southern portion of Remainder Erf 1262 Wilderness is included in the urban edge (GMSDF 2019) and is accordingly a 'residential area' in the WLH LSDF, although not indicated as such in this 2015-spatial framework. The northern section of the subject property is indicated in the WLH LSDF as 'protected areas' together with the Wilderness National Park although the property is not zoned as such or 'proclaimed' as such. The aim of this land use application will zone the northern section of Remainder Erf 1262 Wilderness appropriately, namely Open Space Zone III – nature conservation area.

Below is an extract of the WLH LSDF showing the location of Remainder Erf 1262 Wilderness.



The proposed development of two single residential opportunities have been discussed in this motivation report and is not in conflict with the WLH LSDF.

Landscape character

The WLH LSDF states that the landscape character and view sheds along tourism routes *must be protected by appropriate guidelines and even regulations to ensure that this landscape and visual resource is protected for the generation to come.*

Paragraph 4 of this motivation report shows that the landscape character is not negatively affected by the development proposal for Remainder Erf 1262 Wilderness with focus on the proposed owner's dwelling and 4 tourist accommodation units.

The WLH LSDF lists the following as the *various elements that contribute to the importance of the landscape character and view sheds along tourism routes:*

- a) Wilderness qualities and pristine eco-systems – the forests and lakes and the coastline on either side of the tourism routes;*
- b) Areas with formal protected status such as the Garden Route National Park;*
- c) Heritage sites or Scenic routes – the views from various routes through the area includes spectacular visual experiences particular the forested south facing slopes of the steep escarpment north of the lakes;*
- d) Outstanding rural and townscape qualities;*
- e) Wilderness" special character and sense of place;*
- f) Important tourism and recreation value;*
- g) The Touw River catchment area providing the primary water source for the area;*
- h) Important Vistas or scenic corridors – visually prominent ridgelines and slopes – in Wilderness this is a very important component of the landscape character.*

Waterside Road is a tourism route which will be supported by this development proposal for Remainder Erf 1262 Wilderness. The proposed zoning of the northern section of the property will link with the abutting Wilderness National Park (part of the Garden Route National Park). The limited number of tourist accommodation units will provide access to the Wilderness character & sense of place. Importantly, the ridgeline and slope of the subject property will not be negatively affected as shown earlier in this motivation report.

The WLH LSDF also provide guidelines for all development applications for change in land use which includes rezoning, departures, consent, subdivision and building plan approvals. It is stated that land use changes including large-scale infrastructure that may have an impact on the sensitive landscape and visual resources should be avoided as far as possible. These include the following as included in the table below with the relevance to the subject property indicated:

| Guidelines pertaining to land use changes | Relevance to Remainder Erf 1262, Wilderness |
|--|---|
| A change in land use from the prevailing use; | The property is vacant at present. The addition of the owner's dwelling and 4 tourist accommodation units utilises the disturbed area of the property while rezoning the largest part of the property to reflect the 'use' of the property, namely protected vegetation (forest). The rezoning of the southern portion of the property to create two residential properties is not in conflict with the GMSDF & the WLH LSDF. |
| A use that is in conflict with an adopted plan or vision for the area; | The proposed development supports the vision for the greater Wilderness. |

| | |
|--|---|
| A significant change to the fabric and character of the area; | The character of the area is supported. |
| A significant change to the townscape or streetscape; | Not relevant due to the specific location of the owner's dwelling, 4 tourist accommodation units and the 2 residential properties. Structures are hidden behind vegetation abutting Waterside Road and located within the reserve of this street. |
| Possible visual intrusion in the landscape such as developments that are proposed on skylines, are out of scale and causes light pollution during the night, etc | Not relevant as shown in this motivation report. |
| Obstruction of views of others in the area. | Not relevant as shown in this motivation report. |

It is further stated that if development has to occur in these sensitive landscapes or along scenic routes due to existing rights or other circumstances, it must be sensitive to the landscape and natural visual resources. How layout, buildings, density, landscape treatment and infrastructure should be treated is listed below with the relevance to Remainder Erf 1262, Wilderness indicated in the table to follow:

| How development should be treated in sensitive landscapes or along scenic routes | Relevance to Remainder Erf 1262, Wilderness |
|---|---|
| Be visually unobtrusive, | This motivation report shows that the proposed development cannot be visually obtrusive due to the limited scale and specific location. |
| Utilise materials and colours that originate from or blend into the surrounding landscape | The architectural plans to follow will reflect these aspects. It is also included in the EA. |
| Be grouped in clusters with open spaces between clusters, | This is relevant as the owner's dwelling and 4 tourist accommodation units are grouped together as well as the proposed two residential properties. |
| Not interfere with the skyline, landmarks, major views and vistas, | This land use application shows that the development proposal will not interfere with the skyline, landmarks, major views and vistas |
| Not result in light, noise or effluent pollution | The scale and location of the development should not result in these forms of pollution. |
| Not result in excessive water consumption, and should incorporate a requirement for rainwater collection as part of the building, | Rainwater harvesting is standard with any new structure. The scale of the development proposal is also limited as shown. |
| Respond to the historical, architectural and landscape style of surrounding layout and buildings, | The development proposal responds to the potential the property offers. It will add a few structures to an area with limited structures. |
| Incorporate existing man-made or natural landmarks and movement patterns | Not relevant |
| Keep and protect a visual buffer along the N2 National Road as far as possible. | The N2-route and views from it is not affected by this development proposal. |

Natural environment

The WLH LSDF states that the natural environment is protected by a range of mechanisms which includes the national parks, legislation such as the Forest Act, and procedural mechanisms such as EIA's and the OSCAE-regulations. Again, guidelines are provided for development applications affecting the natural environment. The table below includes these guidelines with the relevance to the subject property indicated:

| The natural environment is protected by a range of mechanisms – the planning process and planners in general should ensure: | Relevance to Remainder Erf 1262, Wilderness |
|--|--|
| That the proposed activity is not restricted or managed in terms of legislated procedures (so-called listed activities) such as the National Environmental Management Act, National Heritage Act, National Environmental Waste Act, etc, and to initiate the appropriate procedures; | An EA in terms of NEMA has been issued for the proposed development (Annexure 1). |
| The affected environment (either geographically or the type of environment) is not protected in terms of legislated restrictions such as the Coastal Management Act, National Forest Act, Lakes Area Act; etc.; | The subject property is protected by environmental legislation which is all addressed at the various stages of the development. |
| The affected area is not identified as a sensitive area in terms of national, provincial or local guidelines, information documents, and maps such as Spatial Development Plans, sectoral plans, the GRI Handbook, EMF"s, etc.; | The subject property is a sensitive area which is considered in the application process. |
| Finally, the relevant planning official, consultant, council or decision taker should ensure that in addition to any of the above identified activities and environments, whether legislated or not, due consideration should be given to any other sensitive natural environment and to initiate appropriate procedures to ensure that the natural environment is not adversely affected. | Due to the location of the property and its character, the natural environment forms the basis of the proposal and the process followed. |

It is our conclusion that the development proposal for Remainder Erf 1262 Wilderness does not negatively impact on the landscape character of the area and will also not have a detrimental impact on the natural environment in which it is located.

Considering the foregoing paragraphs and the nature of the proposed development of Remainder Erf 1262 Wilderness, we found no conflict with the WLH LSDF.

4.2.3 Western Cape Land Use Planning Guidelines: Rural Areas (2019)

Remainder Erf 1262, Wilderness is located in a more rural setting of Wilderness due to the proximity to Wilderness Heights, the Wilderness National Park and the Touw River. The largest section of the property is also located outside of the urban edge. The Western Cape Land Use Planning Guidelines: Rural Areas (2019) therefore applies to the section of the property north of Waterside Road..

The objectives of the Rural Areas guideline are:

- *Promote sustainable development in appropriate rural locations throughout the Western Cape, and ensure the inclusive growth of the rural economy.*
- *Safeguard priority biodiversity areas and the functionality of the Province's life supporting ecological infrastructure and ecosystem services (i.e. environmental goods and services).*

- *Maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, coastal, cultural and scenic rural landscapes, and natural resources.*
- *Assist Western Cape municipalities to plan and manage their rural areas more effectively, and to inform the principles of their zoning schemes and spatial development frameworks in a pro-active manner.*
- *Provide clarity to all role players and partners (public and private) on the type of development that is appropriate beyond the current built-up areas, suitable locations where it could take place, and the desirable form and scale of such development.*

The proposal for Remainder Erf 1262 Wilderness is found not to be in conflict with the abovementioned objectives.

The Garden Route is described as *an area of outstanding natural beauty, made up of wilderness and agricultural landscapes, estuaries, mountain backdrops and coastal settings, including the well-watered and verdant landscapes. The Southern Cape coastal belt has been identified as a significant leisure, lifestyle, holiday, and retirement economic centre – which stretches from Plettenberg Bay and Nature's Valley in the east, to Mossel Bay in the west, with the George/Mossel Bay settlement concentrations being a significant emerging regional economic node of the Province.*

Regarding the spatial planning categories (SPC), Remainder Erf 1262 Wilderness is primarily indicated as a critical biodiversity area (CBA) which is further described as Core 1. Core 1 can be protected areas or CBA's. The latter then describes the subject property. It is stated that *CBA's should be maintained in a natural state or near-natural state with no further loss of natural habitat.* The proposal for Remainder Erf 1262 Wilderness aims to develop the disturbed area north of Waterside Road while providing the CBA-area of the property with the appropriate zoning. The section south of Waterside Road will be developed as expected within the urban area with careful consideration of the natural environment and the character of the area.

As only a small section of Remainder Erf 1262 Wilderness has a suitable topography for development, human impact is restricted. Alien removal must take place as stated in the EA. The Rural Areas guideline further states that *overnight accommodation can be provided in a CBA-area with temporary structures preferred (e.g. wooden structures, tents, raised boardwalks, and/or tree canopy structures), with units carefully dispersed or clustered (depending on the landscape, habitat and existing infrastructure and access) to achieve least impact. The use of alternative porous materials and innovative eco-friendly design concepts are encouraged.*

The development proposal for the subject property within the section to be zoned Open Space Zone III makes the execution of the foregoing paragraph possible.

As only 4 tourist accommodation units are proposed, the Rural Areas guideline regard it as a small resort where the floor area of a unit can be up to 120m². As indicated in this motivation report, the 4 tourist accommodation units is proposed to be ±64m² each. The development space on the property is limited as discussed earlier.

We conclude that the development proposal for the northern section of Remainder Erf 1262, Wilderness holds no conflict with the Western Cape Land Use Planning Guidelines: Rural Areas (2019).

4.3 Need & Desirability

Need and desirability is the balancing of various factors. **Need** depends on the nature of a development proposal. E.g. the need for a new primary dwelling house differs from the need to do an industrial development. Remainder Erf 1262, Wilderness is located partly in the urban environment and partly in the rural environment. The property is located in Wilderness which is characterised by a mix of urban and rural characteristic within a sensitive natural environment. People, whether tourists, visitors or residents of the area, need to experience the beauty of the natural environment Wilderness offers. The location of Remainder Erf 1262, Wilderness on a road linking the Wilderness Village with the Garden Route National Park – Ebb & Flow – to the east, creates opportunity.

Due to the natural characteristics of the property, its development potential is limited as described earlier in this report. The development proposal reacts to what the environment provides. With the appropriate zoning and following the EA, the vision for the area where Remainder Erf 1262 Wilderness is located as shown in the GMSDF and the WLH LSDF, will become a reality.

This development proposal for Remainder Erf 1262, Wilderness therefore will fulfil a need for single residential opportunities within Wilderness and make the natural environment accessible to tourists, visitors or residents of the area. Limited employment opportunities will be created and a hands one approach regarding the removal and control of alien species can be followed.

Desirability from a planning perspective is defined as the degree of acceptability of a proposed development on a property. The relevant factors include the physical characteristics of the property, existing planning in the area, character of the area, the locality and accessibility of the property as well as the provision of services. Another important consideration is the economic or financial impact which is only positive in this instance.

Physical characteristics of the property

The physical characteristics of the property informed this land use application as discussed in the foregoing paragraphs. As stated, the position of the primary dwelling and tourist accommodation units were initially planned to be higher on the property but is now moved down to the level area of the property.

Existing planning in the area

As indicated earlier in this motivation report, this land use application is not in conflict with any relevant spatial plan applicable to the area where Remainder Erf 1262 Wilderness is located.

Character of the area

Remainder Erf 1262, Wilderness is located in an area characterised by natural vegetation and steep slopes, residential opportunities, guest accommodation with limited views to the south. The proposal supports and compliments what is found in the area as discussed in various paragraphs of this motivation report.

Provision of services

As mentioned earlier in this report municipal engineering services is to be provided in accordance with municipal requirements.

Economic impact

This development proposal cannot have a negative economic impact. It will generate and support economic impact. The Municipality can only benefit economically from this proposal.

Direct impact on surrounding properties

No neighbour will be overshadowed or overlooked due to the specific locations, topography and vegetation.

It is our view that the need and desirability of this development proposal for Remainder Erf 1262, Wilderness showed no negative impacts.

4.4 PRE-APPLICATION CONSULTATION

The following comments were provided with the pre-application consultations (**Annexure 13**):

- *Proposed development is outside the urban edge and site-specific circumstances should be motivated. Adequately address all relevant policies in the MSDF.*

See relevant paragraphs of this motivation report. The section of the property south of Waterside Road was included in the urban edge – see the GMSDF, 2019.

The proposal for the portion of the property north of Waterside Road is not in conflict with the relevant spatial plans as shown earlier in this motivation report.

- *Department of Environmental Affairs and Development Planning comments must be obtained to determine if this application is also an application in terms of LUPA.*

LUPA is not relevant – see **Annexure 14**.

- *Slope analysis is required.*

See **Annexure 16**, but no longer regarded as relevant as the structures have been moved down the slope and the position of the proposed structures are now clear when visiting the property and from the photos included earlier in this motivation report.

- *Geotechnical report must be submitted with the proposed application*

See **Annexure 17**. This information will be used by the structural engineer for the building plans to be submitted in terms of the National Building Regulations.

- *The MSDF restricts any development on slopes of 1:4. The slope of the property seems not conducive for the proposed development.*

The primary dwelling and tourist accommodation units were moved down from an initial higher location. See relevant paragraphs of this motivation report as well as photos.

- *Historic information required to explain why this portion of land was excluded from the Wilderness town layout.*

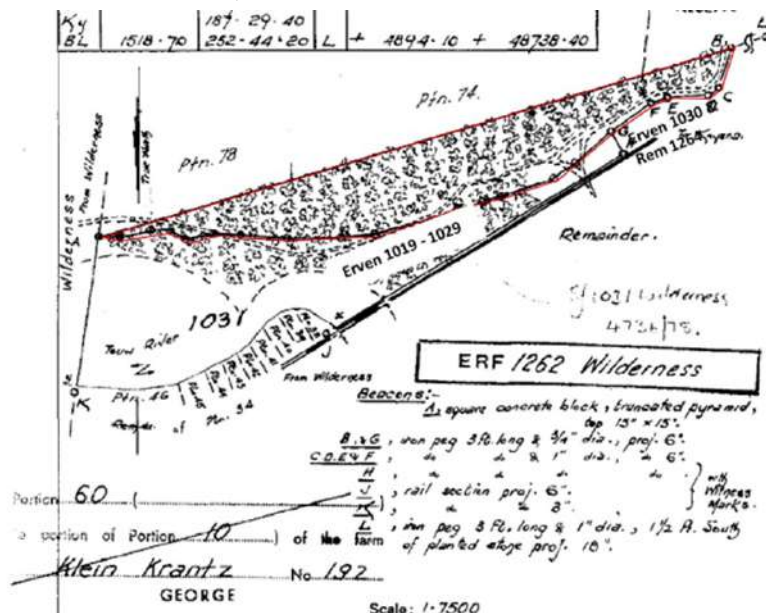
The relevance of this comment/question is uncertain.

The original Wilderness as established by *The Wilderness* 1921 a century ago, included Lot H shown on the map on the following page. This map comes from the book by Mr. Hugo Leggatt namely *Wilderness: Gateway to the Garden Route*, 2020. Remainder Erf 1262 Wilderness was then still a portion of Farm Kleinkrantz – indicated with a blue star. The following is an extract from p.21 from the book by Mr. Leggatt with more detail on the history of this area in the book:

Immediately to the east of The Wilderness, stretching from where Feesia Avenue turns off Waterside Road, lay the farm Klein Krantz (or Kleinkrans). Originally granted in 1818 as a loan farm to Johannes Vivier, it was bought by Paul Gerber in the 1840's. Paul, together with Katrina his wife, their four sons and two daughters, all moved to the property, which was not subdivided. By the third generation, there were 13 grandchildren and 37 people living on the property. A time passed, the lack of subdivision, implying lack of private ownership rights, was to lead to impoverishment as the agricultural potential was limited.



The SG diagram below shows that Remainder Erf 1262 was part of Kleinkrantz 192/60 with subdivision of Erven 1019 – 1029, 1260 and Remainder Erf 1264 Wilderness that followed.



- *Storm water mitigation should be addressed.*

See civil services report – **Annexure 11**.

- *Rural development guidelines should be addressed (property is located outside the urban edge).*

See especially Paragraph 4.2.3 of this motivation report.

- *Civil and electrical services report are required.*

See civil services report – **Annexure 11**.

- *Applicant to contact the electrical department to determine if electrical connections is possible for the proposed development and the matters relating to the 11kVA line is to be addressed.*

This is to be addressed. With residential properties abutting Remainder Erf 1262 Wilderness, electricity is available. An electrical engineer is to be appointed.

- *Applicant to contact civil and technical department with regards to access (together with the Provincial Roads Authority) to the proposed development and availability of services.*

Consultation has taken place with the Provincial Roads Authority. Access to the primary dwelling and the 4 tourist accommodation units will be from the provincial road. Access to the proposed 2 single residential properties will be from a municipal road - Dumbleton Road which provides access to Erf 1030 Wilderness (guest house), Rem Erf 1264 Wilderness (backpackers) and the Fairy Knowe Hotel (Erf 1268 Wilderness).

2nd pre-application

- *The proposal departs from the principles of the MSDF and site-specific circumstances should be motivated.*

See Paragraph 1, 4.2.1 & 4.2.2 of this motivation report.

- *The change of the urban edge will only be considered with the revision of the MSDF.*

See Paragraph 1, 4.2.1 & 4.2.2 of this motivation report.

- *The application will have to be sent to DEA&DP for comment to confirm in writing if a LUPA application is required, prior to submission to the Municipality.*

LUPA is not relevant – see **Annexure 14**.

- *All cost for any new electrical supply will be for the developer. Only one point of supply per erf and each new portion will require a separate electrical supply. No construction can be done in the vicinity of the existing 11kV line. All cost related to the relocation of the existing 11kV line will be for the cost of the developer. The exact electrical servitude surrounding the 11kV line and area required to be discussed and agreed with the Electrotechnical Services. An electrical engineer to do all designs and manage construction.*

Noted and to be addressed.

5. CONCLUSION

It is our opinion that the proposed development of Remainder Erf 1262 Wilderness as outlined in Paragraph 1.2 and discussed in this motivation report, is consistent with the overall spatial objectives applicable to the area. The character and nature of the property will be protected with no negative impact expected for any neighbour.

Remainder Erf 1262, Wilderness is located adjacent to Waterside Road which is a tourism route between the Village of Wilderness and the Wilderness National Park. Municipal infrastructure is also available in the area. The local authority will benefit from services contributions, enhanced municipal taxes. Employment opportunities will be created, and other sectors of the economy will be supported even if on a small scale.

Importantly, the activities as per Listing Notice 1 and 3 (Environmental Impact Assessment Regulations, 2014 – National Environmental Management Act, 1998) has been authorised by the National Department of Environmental Affairs.

The completed land use application form is attached as **Annexure 17** to this motivation report.



MARLIZE DE BRUYN Pr. Pln

GEORGE MUNICIPALITY



LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

Pre-application consultation is an advisory session and is required prior to submission of an application for rezoning, consent use, temporary departure and subdivision. It does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.

PART A: PARTICULARS

Reference number: _____ **Erf 1262 Wilderness** _____

Purpose of consultation: **__To submit land use application__** _____

Brief proposal: **__Rezoning & Subdivision__** _____

Property(ies) description: _____ **Erf 1262 Wilderness** _____

Date: _____ **18 November 2020** _____

Attendees:

| | Name & Surname | Organisation | Contact Number | E-mail |
|----------------------|------------------|--------------|----------------|--|
| | Jeanne Fourie | George Mun. | 0448019138 | jfourie@george.gov.za |
| Pre-applicant | Marlize de Bruyn | MdB Planning | 0766 340 150 | marlize@mdbplanning.co.za |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Documentation provided for discussion:

(Include document reference, document/plan dates and plan numbers where possible and attach to this form)

Copy of title deed, aerial photo, EA by DEA

Has pre-application been undertaken for a Land Development application with the Department of Environmental Affairs & Development Planning (DEA&DP)?

(If so, please provide a copy of the minutes)

| | |
|-----|----|
| YES | NO |
|-----|----|

Comprehensive overview of proposal:

Erf 1262 Wilderness has always been perceived to be located on the northern side of Waterside Road linking the Village and Ebb & Flow. This 9,7566ha property was surveyed and found that a small portion is located on the southern side of Waterside Road - approximately 4700m². Waterside Road therefore cuts through the property and takes up at least 1.0ha of the property. This section of Waterside Road from approximately the Freesia Lane turn off, is Divisional Road 1620. Therefore, it is a provincial road and not a municipal road.

Erf 1262, Wilderness is at present zoned Undetermined Zone in terms of the George Integrated Zoning Scheme By-law (2017). It is proposed to create single residential opportunities on the southern side of Waterside Road and a small resort (short term accommodation) on the northern side of this road dividing Erf 1262, Wilderness. The application in terms of the George Municipality: Land Use Planning By-law (2015) to make this change in land use possible is briefly as follow:

- Rezoning to subdivisinal area;
- Subdivision of the subdivisinal area 3 portions namely:
- Portion A (±7.7ha) north of Waterside Road – Open Space Zone III (nature conservation area) with consent for tourist accommodation;
- Portion B (±3700m²) south east of Waterside Road – Single Residential Zone I for 2 erven
- Portion C (±1.5ha)– Transport Zone II (public street – Divisional Road 1620 – Waterside Road)

The portion of Erf 1262, Wilderness south of the divisional road was included in the urban edge (2019) and the portion north of this road remains outside of the urban edge.

This portion proposed for urban development, is not indicated as a critical biodiversity area. It can be regarded as infill development as it forms part of a small area where 12 single residential properties are located with access from Melkhout Lane and Dumbleton Road. The access for the proposed new erven will remain from Dumbleton Road.

The northern portion of the property of ±7.7ha is proposed to be rezoned to Open Space Zone III – nature conservation area. This will link with the bordering Wilderness National Park zoned Open Space Zone IV – nature reserve. The development area on the northern side of Waterside Road is limited for Erf 1262, Wilderness. The owner will construct his primary dwelling (manager's unit) in a suitable position. This northern portion of the property is indicated as a critical biodiversity area.

An environmental authorisation for this proposal in terms of NEMA was recently issued by DEA as the competent authority.

PART C: QUESTIONNAIRES

**SECTION A:
DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT
PROCEDURES**

| Tick if relevant | | What land use planning applications are required? | Application fees payable |
|--------------------------------|------|---|--------------------------|
| X | 2(a) | a rezoning of land; | R |
| | 2(b) | A rezoning to subdivisional area; | R |
| | 2(c) | a temporary departure to use land for a purpose not provided for in the zoning scheme granted on a temporary basis; | R |
| | 2(d) | a permanent departure from the development parameters of the zoning scheme; | R |
| X | 2(e) | a subdivision of land that is not exempted in terms of section 25, including the registration of a servitude or lease agreement; | R |
| | 2(f) | an amendment, suspension or removal of restrictive conditions in respect of a land unit; | R |
| | 2(g) | an amendment, deletion or imposition of conditions in respect of an existing approval; | R |
| | 2(h) | an extension of the validity period of an approval; | R |
| | 2(i) | a consent use in terms of the relevant zoning scheme regulations; | R |
| | 2(j) | Amendment / cancellation of a general plan; | R |
| | 2(k) | a phasing, amendment or cancellation of a plan of subdivision or a part thereof; | R |
| | 2(l) | a contravention levy; | R |
| | 2(m) | A determination of a zoning; | R |
| | 2(n) | A closure of a public place or part thereof; | R |
| | 2(o) | an occasional use of land; | R |
| Tick if relevant | | What prescribed notice and advertisement procedures will be required? | Advertising fees payable |
| Y | N | Serving of notices (i.e. registered letters etc.) | R |
| Y | N | Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.) | R |
| Y | N | Additional publication of notices (i.e. Site notice, public meeting, local radio, website, letters of consent etc.) | R |
| Y | N | Placing of final notice (i.e. Provincial Gazette etc.) | R |
| TOTAL APPLICATION FEE*: | | | To be determined |

PLEASE NOTE: * Application fees are estimated on the information discussed and are subject to change with submission of the formal application.

SECTION B:

PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

| QUESTIONS REGARDING PLANNING POLICY CONTEXT | YES | NO | TO BE DETERMINED | COMMENT |
|---|----------|----------|---------------------|---------|
| Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans? | X | | | |
| Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)] | | X | | |
| Any other Municipal by-law that may be relevant to application? (If yes, specify) | | | X | |
| Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? <u> GIZS by-law </u> What is the current zoning of the property? <u> Undetermined Zone </u> What is the proposed zoning of the property? <u> Open Space Zone III, Transport Zone, Single Residential Zone I </u> Does the proposal fall within the provisions/parameters of the zoning scheme? <u> To be determined </u> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <u> To be determined </u> | | | | |

| QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS | YES | NO | TO BE DETERMINED | COMMENT |
|--|-----|----|---------------------|---------|
| Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents? | | | X | |
| Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans? | | | X | |

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

| QUESTIONS REGARDING CONSENT / COMMENT REQUIRED | YES | NO | TO BE DETERMINED | OBTAIN APPROVAL / CONSENT / COMMENT FROM: |
|--|------------|-----------|-----------------------------|--|
| Is/was the property(ies) utilised for agricultural purposes? | | X | | Western Cape Provincial Department of Agriculture |
| Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)? | | X | | National Department of Agriculture, Forestry and Fisheries (DAFF) |
| Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)? | X | | Authorisation issued | National Department of Environmental Affairs Planning (DEA) |
| Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strikethrough irrelevant) | | X | | National Department of Environmental Affairs (DEA) & DEA&DP |
| Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)? | | X | | National Department of Water & Sanitation (DWS) |
| Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)? | | | X | South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC) |
| Will the proposal have an impact on any National or Provincial roads? | X | | | National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW) |
| Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 | | X | | National Department of |

| QUESTIONS REGARDING CONSENT / COMMENT REQUIRED | YES | NO | TO BE DETERMINED | OBTAIN APPROVAL / CONSENT / COMMENT FROM: |
|--|-----|----|------------------|--|
| (Act 85 of 1993): Major Hazard Installations Regulations | | | | Labour (DL) |
| Will the proposal affect any Eskom owned land and/or servitudes? | | X | | Eskom |
| Will the proposal affect any Telkom owned land and/or servitudes? | | X | | Telkom |
| Will the proposal affect any Transnet owned land and/or servitudes? | | X | | Transnet |
| Is the property subject to a land / restitution claims? | | X | | National Department of Rural Development & Land Reform |
| Will the proposal require comments from SANParks and/or CapeNature? | X | | | SANParks / CapeNature |
| Is the property subject to any existing mineral rights? | | X | | National Department of Mineral Resources |
| Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? (strikethrough irrelevant) | | X | | Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety |

**SECTION D:
SERVICE REQUIREMENTS**

| DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES? | YES | NO | TO BE DETERMINED | OBTAIN COMMENT FROM: (list internal department) |
|---|-----|----|------------------|--|
| Electricity supply: | | | X | Directorate: Electro-technical Services |
| Water supply: | | | X | Directorate: Civil Engineering Services |
| Sewerage and waste water: | | | X | Directorate: Civil Engineering Services |
| Storm water: | | | X | Directorate: Civil Engineering Services |
| Road network: | | | X | Directorate: Civil Engineering Services |
| Telecommunication services: | | | X | |
| Other services required? Please specify. | | | X | Refuse removal |
| Development charges: | | | X | |
| | | | | |

PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

| COMPULSORY INFORMATION REQUIRED: | | | | | | |
|--------------------------------------|---|--|--|---|---|---|
| Y | N | Power of Attorney / Owner's consent if applicant is not owner (if applicable) | | Y | N | S.G. noting sheet extract / Erf diagram / General Plan |
| Y | N | Motivation report / letter | | Y | N | Full copy of the Title Deed |
| Y | N | Locality Plan | | Y | N | Site Layout Plan |
| Y | N | Proof of payment of fees | | Y | N | Bondholder's consent |
| MINIMUM AND ADDITIONAL REQUIREMENTS: | | | | | | |
| Y | N | Site Development Plan | | Y | N | Conveyancer's Certificate |
| Y | N | Land Use Plan | | Y | N | Proposed Zoning plan |
| Y | N | Phasing Plan | | Y | N | Consolidation Plan |
| Y | N | Abutting owner's consent | | Y | N | Landscaping / Tree Plan |
| Y | N | Proposed Subdivision Plan (including street names and numbers) | | Y | N | Copy of original approval letter |
| Y | N | Services Report or indication of all municipal services / registered servitudes | | Y | N | Home Owners' Association consent |
| Y | N | Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) (if applicable) Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant) | | Y | N | 1 : 50 / 1:100 Flood line determination (plan / report) |
| Y | N | Other (specify) | | Y | N | Required number of documentation copies 2 copies |

PART E: DISCUSSION

Town Planning:

- Proposed development is outside the urban edge and site specific circumstances should be motivated. Adequately address all relevant policies in the MSDF.
- Department of Environmental Affairs and Development Planning comments must be obtained to determine if this application is also an application in terms of LUPA.
- Slope analysis is required.
- Geotechnical report must be submitted with the proposed application.
- The MSDF restricts any development on slopes of 1:4. The slope of the property seems not conducive for the proposed development.
- Historic information required to explain why this portion of land was excluded from the Wilderness town layout.
- Storm water mitigation should be addressed.
- Rural development guidelines should be addressed (property is located outside the urban edge).
- Civil and electrical services report are required.

- Applicant to contact the electrical department to determine if electrical connections is possible for the proposed development.
- Applicant to contact civil and technical department with regards to access (together with the Provincial Roads Authority) to the proposed development and availability of services.

PART F: SUMMARY / WAY FORWARD

See comments in Part E. New pre-application will be required when more information becomes available.

**Please note that the above comments are subject to the documents and information available to us at the time of the pre-application meeting and we reserve our rights to elaborate on this matter further and/or request more information/documents should it deemed necessary.*

OFFICIAL: **Jeanne Fourie**

PRE-APPLICANT: Marlize de Bruyn

SIGNED:



SIGNED:

DATE: **22 November 2020**

DATE: 16 November 2020

GEORGE MUNICIPALITY



LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

Pre-application consultation is an advisory session and is required prior to submission of an application for rezoning, consent use, temporary departure and subdivision. It does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.

PART A: PARTICULARS

Reference number: _____ **Erf 1262 Wilderness** _____

Purpose of consultation: **__To submit land use application__** _____

Brief proposal: **____Rezoning & Subdivision____**

Property(ies) description: **____Erf 1262 Wilderness____**

Date: **____7 December 2020____**

Attendees:

| | Name & Surname | Organisation | Contact Number | E-mail |
|----------------------|------------------|--------------|----------------|--|
| | Jeanne Fourie | George Mun | 0448019138 | jfourie@george.gov.za |
| Pre-applicant | Marlize de Bruyn | MdB Planning | 0766 340 150 | marlize@mdbplanning.co.za |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Documentation provided for discussion:

(Include document reference, document/plan dates and plan numbers where possible and attach to this form)

Copy of title deed, aerial photo, EA by DEA

Has pre-application been undertaken for a Land Development application with the Department of Environmental Affairs & Development Planning (DEA&DP)?

(If so, please provide a copy of the minutes)

| | |
|-----|----|
| YES | NO |
|-----|----|

Comprehensive overview of proposal:

Erf 1262 Wilderness has always been perceived to be located on the northern side of Waterside Road linking the Village and Ebb & Flow. This 9,7566ha property was surveyed and found that a small portion is located on the southern side of Waterside Road - approximately 4700m². Waterside Road therefore cuts through the property and takes up at least 1.0ha of the property. This section of Waterside Road from approximately the Freesia Lane turn off, is Divisional Road 1620. Therefore, it is a provincial road and not a municipal road.

Erf 1262, Wilderness is at present zoned Undetermined Zone in terms of the George Integrated Zoning Scheme By-law (2017). It is proposed to create single residential opportunities on the southern side of Waterside Road and a small resort (short term accommodation) on the northern side of this road dividing Erf 1262, Wilderness. The application in terms of the George Municipality: Land Use Planning By-law (2015) to make this change in land use possible is briefly as follow:

- Rezoning to subdivisinal area;
- Subdivision of the subdivisinal area 3 portions namely:
- Portion A (±7.7ha) north of Waterside Road – Open Space Zone III (nature conservation area) with consent for tourist accommodation;
- Portion B (±3700m²) south east of Waterside Road – Single Residential Zone I for 2 erven
- Portion C (±1.5ha)– Transport Zone II (public street – Divisional Road 1620 – Waterside Road)

The portion of Erf 1262, Wilderness south of the divisional road was included in the urban edge (2019) and the portion north of this road remains outside of the urban edge.

This portion proposed for urban development, is not indicated as a critical biodiversity area. It can be regarded as infill development as it forms part of a small area where 12 single residential properties are located with access from Melkhout Lane and Dumbleton Road. The access for the proposed new erven will remain from Dumbleton Road.

The northern portion of the property of ±7.7ha is proposed to be rezoned to Open Space Zone III – nature conservation area. This will link with the bordering Wilderness National Park zoned Open Space Zone IV – nature reserve. The development area on the northern side of Waterside Road is limited for Erf 1262, Wilderness. The owner will construct his primary dwelling (manager's unit) in a suitable position. This northern portion of the property is indicated as a critical biodiversity area.

An environmental authorisation for this proposal in terms of NEMA was recently issued by DEA as the competent authority.

Additional information as requested is attached hereto.

PART C: QUESTIONNAIRES

**SECTION A:
DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT
PROCEDURES**

| Tick if relevant | | What land use planning applications are required? | Application fees payable |
|--------------------------------|------|---|--------------------------|
| X | 2(a) | a rezoning of land; | R |
| | 2(b) | A rezoning to subdivisional area; | R |
| | 2(c) | a temporary departure to use land for a purpose not provided for in the zoning scheme granted on a temporary basis; | R |
| | 2(d) | a permanent departure from the development parameters of the zoning scheme; | R |
| X | 2(e) | a subdivision of land that is not exempted in terms of section 25, including the registration of a servitude or lease agreement; | R |
| | 2(f) | an amendment, suspension or removal of restrictive conditions in respect of a land unit; | R |
| | 2(g) | an amendment, deletion or imposition of conditions in respect of an existing approval; | R |
| | 2(h) | an extension of the validity period of an approval; | R |
| | 2(i) | a consent use in terms of the relevant zoning scheme regulations; | R |
| | 2(j) | Amendment / cancellation of a general plan; | R |
| | 2(k) | a phasing, amendment or cancellation of a plan of subdivision or a part thereof; | R |
| | 2(l) | a contravention levy; | R |
| | 2(m) | A determination of a zoning; | R |
| | 2(n) | A closure of a public place or part thereof; | R |
| | 2(o) | an occasional use of land; | R |
| Tick if relevant | | What prescribed notice and advertisement procedures will be required? | Advertising fees payable |
| Y | N | Serving of notices (i.e. registered letters etc.) | R |
| Y | N | Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.) | R |
| Y | N | Additional publication of notices (i.e. Site notice, public meeting, local radio, website, letters of consent etc.) | R |
| Y | N | Placing of final notice (i.e. Provincial Gazette etc.) | R |
| TOTAL APPLICATION FEE*: | | | To be determined |

PLEASE NOTE: * Application fees are estimated on the information discussed and are subject to change with submission of the formal application.

SECTION B:

PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

| QUESTIONS REGARDING PLANNING POLICY CONTEXT | YES | NO | TO BE DETERMINED | COMMENT |
|---|----------|----------|---------------------|---------|
| Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans? | X | | | |
| Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)] | | X | | |
| Any other Municipal by-law that may be relevant to application? (If yes, specify) | | | X | |
| Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? <u> GIZS by-law </u> What is the current zoning of the property? <u> Undetermined Zone </u> What is the proposed zoning of the property? <u> Open Space Zone III, Transport Zone, Single Residential Zone I </u> Does the proposal fall within the provisions/parameters of the zoning scheme? <u> To be determined </u> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <u> To be determined </u> | | | | |

| QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS | YES | NO | TO BE DETERMINED | COMMENT |
|--|-----|----|---------------------|---------|
| Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents? | | | X | |
| Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans? | | | X | |

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

| QUESTIONS REGARDING CONSENT / COMMENT REQUIRED | YES | NO | TO BE DETERMINED | OBTAIN APPROVAL / CONSENT / COMMENT FROM: |
|--|------------|-----------|-----------------------------|--|
| Is/was the property(ies) utilised for agricultural purposes? | | X | | Western Cape Provincial Department of Agriculture |
| Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)? | | X | | National Department of Agriculture, Forestry and Fisheries (DAFF) |
| Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)? | X | | Authorisation issued | National Department of Environmental Affairs Planning (DEA) |
| Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strikethrough irrelevant) | | X | | National Department of Environmental Affairs (DEA) & DEA&DP |
| Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)? | | X | | National Department of Water & Sanitation (DWS) |
| Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)? | | | X | South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC) |
| Will the proposal have an impact on any National or Provincial roads? | X | | | National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW) |
| Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 | | X | | National Department of |

| QUESTIONS REGARDING CONSENT / COMMENT REQUIRED | YES | NO | TO BE DETERMINED | OBTAIN APPROVAL / CONSENT / COMMENT FROM: |
|--|-----|----|------------------|--|
| (Act 85 of 1993): Major Hazard Installations Regulations | | | | Labour (DL) |
| Will the proposal affect any Eskom owned land and/or servitudes? | | X | | Eskom |
| Will the proposal affect any Telkom owned land and/or servitudes? | | X | | Telkom |
| Will the proposal affect any Transnet owned land and/or servitudes? | | X | | Transnet |
| Is the property subject to a land / restitution claims? | | X | | National Department of Rural Development & Land Reform |
| Will the proposal require comments from SANParks and/or CapeNature? | X | | | SANParks / CapeNature |
| Is the property subject to any existing mineral rights? | | X | | National Department of Mineral Resources |
| Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? (strikethrough irrelevant) | | X | | Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety |

**SECTION D:
SERVICE REQUIREMENTS**

| DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES? | YES | NO | TO BE DETERMINED | OBTAIN COMMENT FROM: (list internal department) |
|---|-----|----|------------------|--|
| Electricity supply: | | | X | Directorate: Electro-technical Services |
| Water supply: | | | X | Directorate: Civil Engineering Services |
| Sewerage and waste water: | | | X | Directorate: Civil Engineering Services |
| Storm water: | | | X | Directorate: Civil Engineering Services |
| Road network: | | | X | Directorate: Civil Engineering Services |
| Telecommunication services: | | | X | |
| Other services required? Please specify. | | | X | Refuse removal |
| Development charges: | | | X | |
| | | | | |

PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

| COMPULSORY INFORMATION REQUIRED: | | | | | | |
|--------------------------------------|---|---|--|---|---|---|
| Y | N | Power of Attorney / Owner's consent if applicant is not owner (if applicable) | | Y | N | S.G. noting sheet extract / Erf diagram / General Plan |
| Y | N | Motivation report / letter | | Y | N | Full copy of the Title Deed |
| Y | N | Locality Plan | | Y | N | Site Layout Plan |
| Y | N | Proof of payment of fees | | Y | N | Bondholder's consent |
| MINIMUM AND ADDITIONAL REQUIREMENTS: | | | | | | |
| Y | N | Site Development Plan | | Y | N | Conveyancer's Certificate |
| Y | N | Land Use Plan | | Y | N | Proposed Zoning plan |
| Y | N | Phasing Plan | | Y | N | Consolidation Plan |
| Y | N | Abutting owner's consent | | Y | N | Landscaping / Tree Plan |
| Y | N | Proposed Subdivision Plan (including street names and numbers) | | Y | N | Copy of original approval letter |
| Y | N | Services Report or indication of all municipal services / registered servitudes | | Y | N | Home Owners' Association consent |
| Y | N | Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) / (strikethrough irrelevant) | | Y | N | 1 : 50 / 1:100 Flood line determination (plan / report) |
| Y | N | Other (specify) | | Y | N | Required number of documentation copies 2 copies |

PART E: DISCUSSION

The comments (as indicated below) provided in the pre-application dated and signed on 22 November 2020, remains unchanged and therefore still applicable:

Town Planning:

- Proposed development is outside the urban edge and site specific circumstances should be motivated. Adequately address all relevant policies in the MSDF.
- Department of Environmental Affairs and Development Planning comments must be obtained to determine if this application is also an application in terms of LUPA.
- Slope analysis is required.
- Geotechnical report must be submitted with the proposed application.
- The MSDF restricts any development on slopes of 1:4. The slope of the property seems not conducive for the proposed development.
- Historic information required to explain why this portion of land was excluded from the Wilderness town layout.
- Storm water mitigation should be addressed.
- Rural development guidelines should be addressed (property is located outside the urban edge).

- Civil and electrical services report are required.
- Applicant to contact the electrical department to determine if electrical connections is possible for the proposed development.
- Applicant to contact civil and technical department with regards to access (together with the Provincial Roads Authority) to the proposed development and availability of services.

Based on the additional information provided, herewith the following additional comments:

- The proposal departs from the principles of the MSDF and site specific circumstances should be motivated.
- The change of the urban edge will only be considered with the revision of the MSDF.
- The application will have to be sent to DEA&DP for comment to confirm in writing if a LUPA application is required, prior to submission to the Municipality.
- All cost for any new electrical supply will be for the developer. Only one point of supply per erf and each new portion will require a separate electrical supply. No construction can be done in the vicinity of the existing 11kV line. All cost related to the relocation of the existing 11kV line will be for the cost of the developer. The exact electrical servitude surrounding the 11kV line and area required to be discussed and agreed with the Electrotechnical Services. An electrical engineer to do all designs and manage construction.

PART F: SUMMARY / WAY FORWARD

Taking into consideration and addressing the comments in Part E, the application may be submitted.

**Please note that the above comments are subject to the documents and information available to us at the time of the pre-application meeting and we reserve our rights to elaborate on this matter further and/or request more information/documents should it deemed necessary.*

OFFICIAL: **Jeanne Fourie**

PRE-APPLICANT: Marlize de Bruyn

SIGNED:



SIGNED:

DATE:

11 December 2020

DATE:

16 November 2020

Pre-application: Erf 1262 Wilderness

- Proposed development is outside the urban edge and site-specific circumstances should be motivated. Adequately address all relevant policies in the MSDF.**

The largest section of Erf 1262 Wilderness is located north of Waterside Road and are outside the urban edge. The southern portion of the property, south of Waterside Road is included in the urban edge. See extract from the GMSDF, 2019:



Map 31: Wilderness and Kleinkrantz Urban Edge

Below is an extract (p. 14 & 15) from Addendum 4 to the GMSDF (2019):

| | | | |
|----|--|-------------------------------------|---|
| 33 | Wilderness urban edge: A small adjustment of the urban edge is proposed to include the narrow portion of ± 4700m ² of erf 1262 within the urban edge. A NEMA process is in process and it was determined that the remaining larger portion of the erf be zoned as Nature Conservation area. The inclusion and | M de Bruyn no. 51 (5 December 2018) | The urban edge can be adjusted in this case as it is considered a minor correction. |
|----|--|-------------------------------------|---|

| | | |
|--|--|--|
| rezoning will allow for two dwellings. | | |
|--|--|--|

- Department of Environmental Affairs and Development Planning comments must be obtained to determine if this application is also an application in terms of LUPA.**

DEA & DP will be asked during the public participation to specifically address this point. In the mean-time please note the following:

Section 10(1) of the LUPA regulations (as amended 2019) provides detail on land development that requires provincial approval. The matter was discussed with Mr. Kobus Munro (WCG – DEA & DP) who confirmed that Section 10(1)(b) provides the required information:

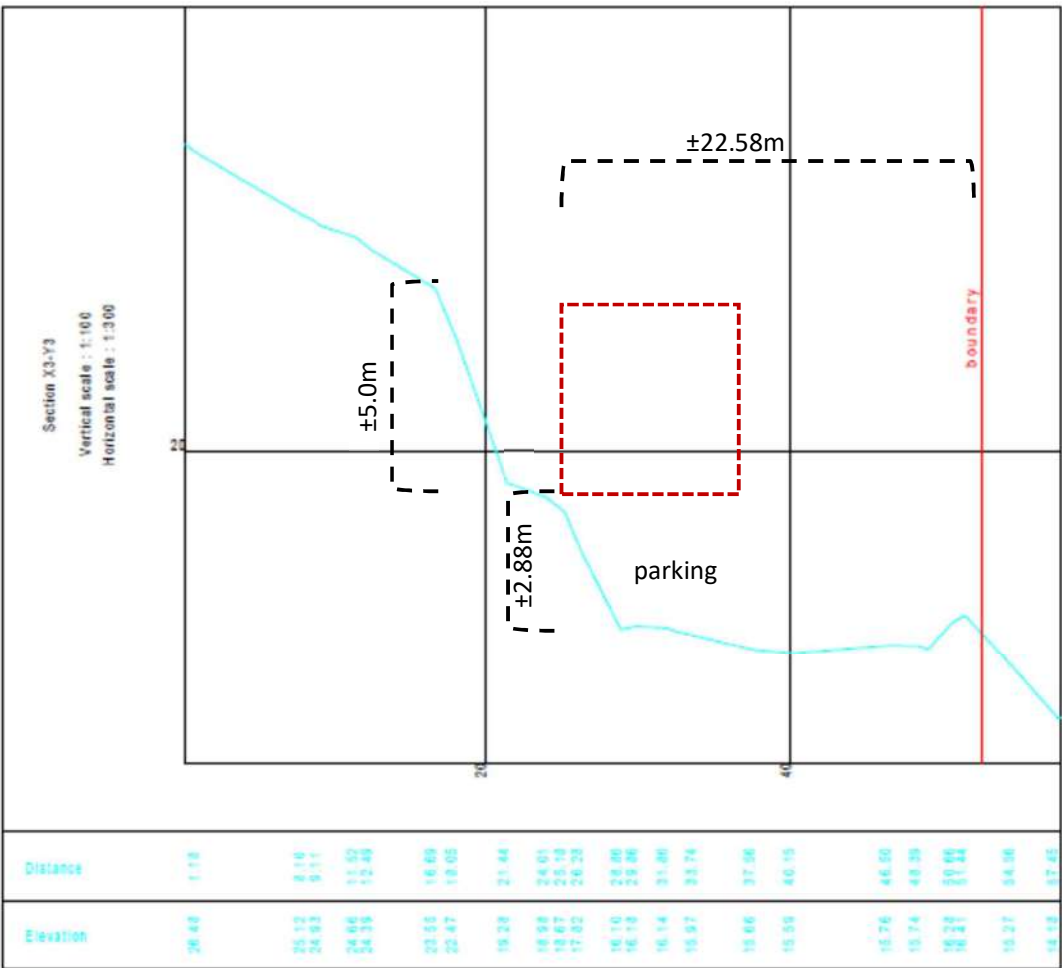
(b) proposed land development that utilises an area of five hectares or more of agricultural land that has been cultivated or irrigated during the 10-year period immediately preceding the proposed land development that involves urban development or urban expansion, including residential, resort, business, industrial and community development, utility services or transport uses, but excluding agricultural land uses or land development ordinarily associated with agricultural use such as agricultural storing and packing facilities, agricultural industries or accommodation for bona fide agricultural workers;

- Erf 1262 Wilderness is not agricultural land and has never been cultivated or irrigated.
- The small resort proposal is not urban expansion.

It is therefore our conclusion that the land development proposed for Erf 1262 Wilderness does not require a LUPA-approval.

• **Slope analysis is required**

A slope analyses was done for the area of development. The sketch below shows how the structures will be on pillars above the level area of the property where parking will be provided and ample manoeuvring space is required.



- **Geotechnical report must be submitted with the proposed application.**

Is being prepared.

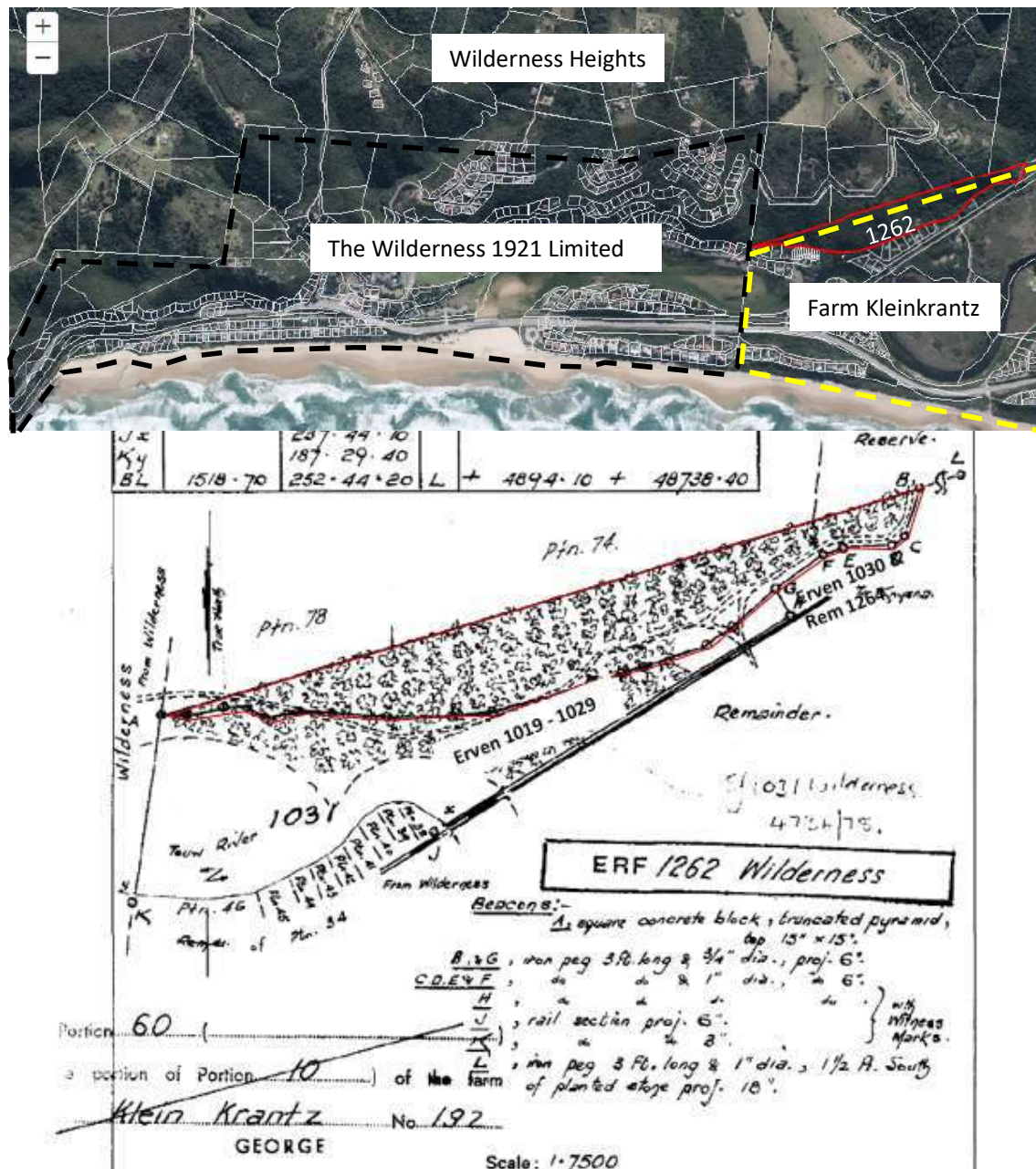
- **The MSDF restricts any development on slopes of 1:4. The slope of the property seems not conducive for the proposed development.**

There is level area available for construction.

- **Historic information required to explain why this portion of land was excluded from the Wilderness town layout.**

The relevance of this comment/question is uncertain.

The original Wilderness as established by The Wilderness 1921 a century ago, is indicated with a black dash line below. Erf 1262 Wilderness was then still a portion of Farm Kleinkrantz – see notes on attached SG diagram – and yellow dash line below.



What is Erf 1262 Wilderness today, is outlined in red in the extract of the SG diagram above. Waterside Road and the access to Fairy Knowe is visible on this diagram. Erf 1031 Wilderness was subdivided from Kleinkrantz 192/60 in 1978 to then create Erven 1019 – 1030. See General Plan 4737/78.

The compilation sheet 1766 attached hereto still shows proclamation boundaries which applied to municipal areas before 5 December 2000. It also shows that the subject property is now Erf 1262 and no longer Kleinkrantz 192/60. The former Wilderness Municipality stretched up to east of Langvlei Dunes – was expanded in 1995. See compilation sheet 4142 attached. By 1989 the subject property was included in the area of a local authority – 31 years ago.

- ***Storm water mitigation should be addressed.***

A services report (also including storm water) was prepared for the EA-process by Hessequa Consulting Engineers. Municipal officials were consulted for this report. It will be added to the land use application and further detail addressed if this land use application is approved.

- ***Rural development guidelines should be addressed (property is located outside the urban edge).***

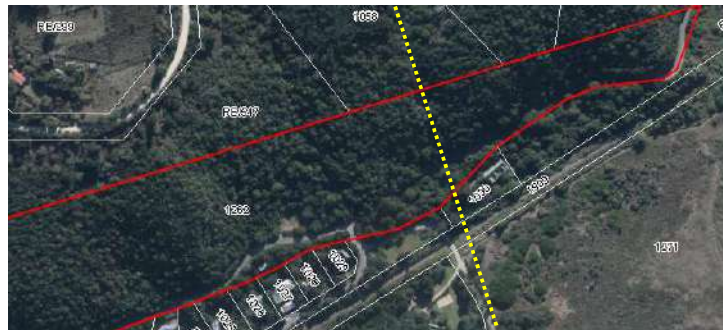
Addressed in motivation report. See comment regarding urban edge earlier in this document.

- ***Civil and electrical services report are required.***

See comment regarding storm water above.

- ***Applicant to contact the electrical department to determine if electrical connections is possible for the proposed development.***

An 11kVA line runs through the property – see image below. The relevant costs to connect will be addressed by the property owner.



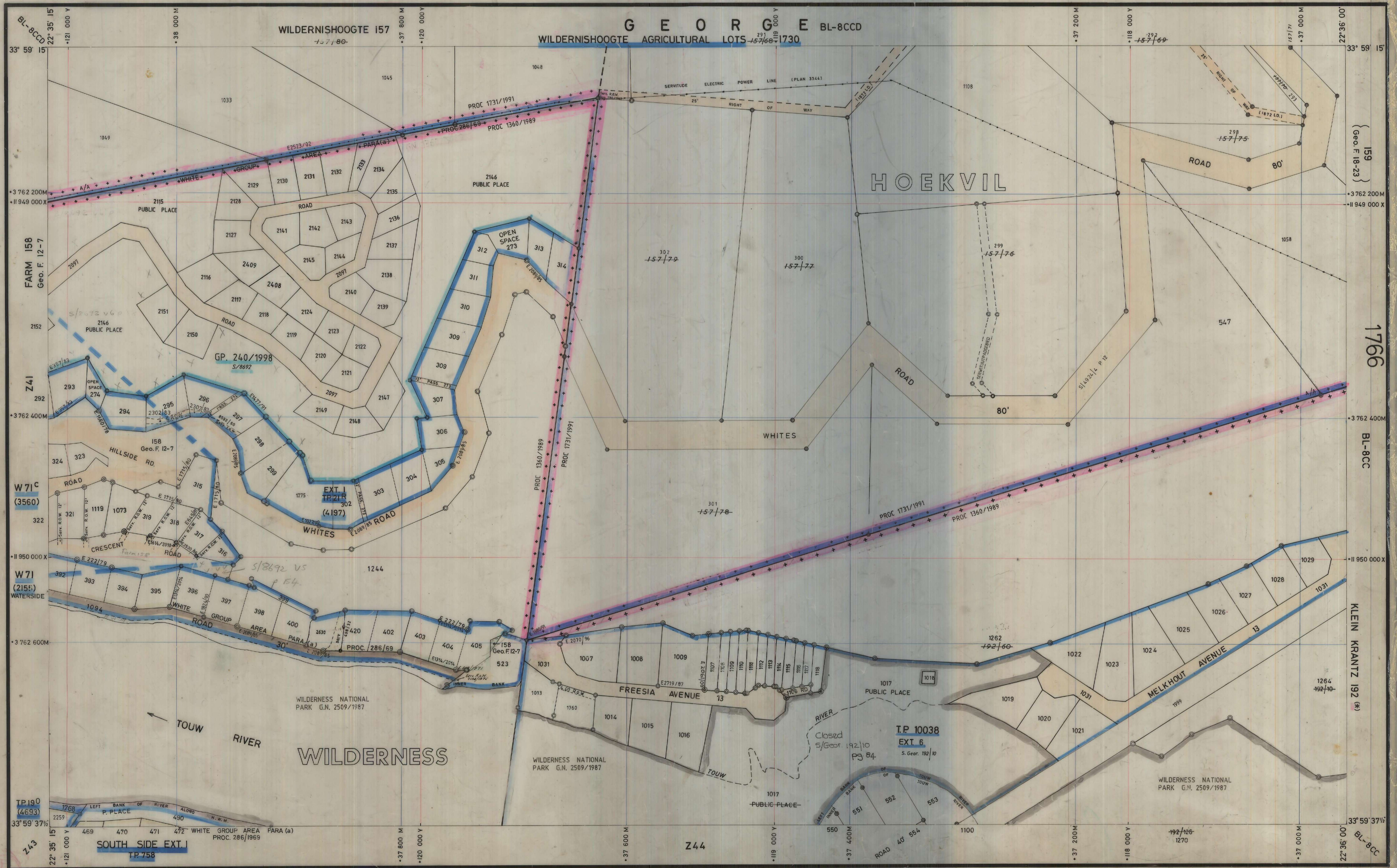
| NO | AMENDMENT | ADDITION | AUTHORITY | INTD | DATE |
|----|---------------------------------|----------|-------------------------------------|------|-----------|
| ① | Amendment of Public Health Act. | | 1/15/1910 1/15/1910 1/15/1910 | AS. | 1/15/1910 |

1:1250

WILDERNESS

MUNICIPALITY PROC 48/1996

BL-8CC
Z42



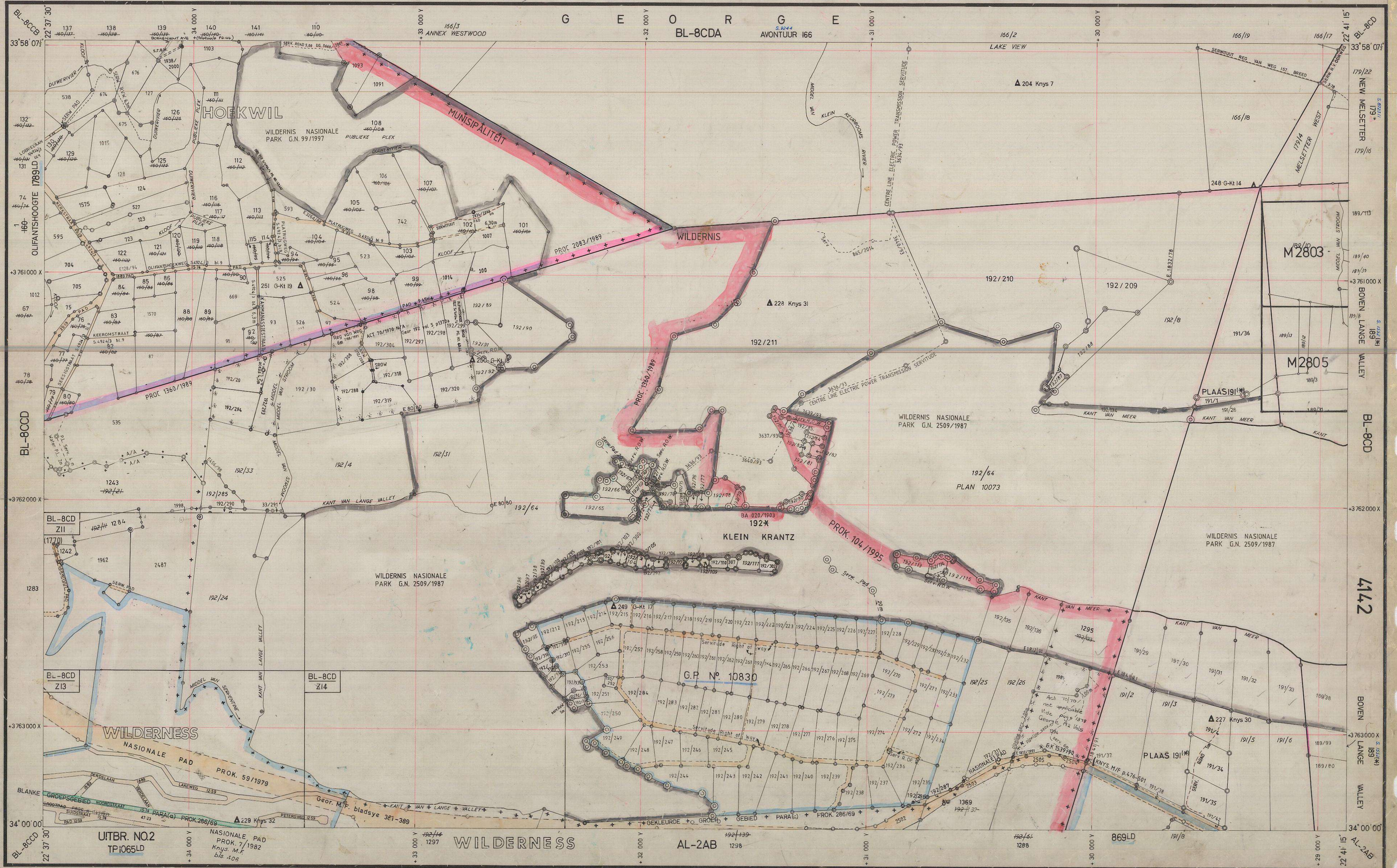
COMPILED AND DRAWN IN THE OFFICE OF THE SURVEYOR-GENERAL, CAPE TOWN.
TRIG SHEET NO. 94.
BEACONS SHOWN THUS @ = LO OR BOSMON SYSTEM
(ORIGIN HOOGEBOEG)

COPYRIGHT
1,500 C.Ft.

COMPLETED: 30-6-1970.

BL-8CC
Z42

1766





P O Box 791
6560 WILDERNESS
Email : waleaf@langvlei.co.za
2021-11-17

The Municipal Manager
George Municipality
GEORGE

Dear Sirs,

APPLICATION TO EXTEND THE COMMENTING PERIOD FOR THE PROPOSED REZONING & SUBDIVISION OF REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE MUNICIPALITY AND DIVISION

We hereby wish to apply for an extension to the commenting period for the above application.

On 2021-10-19 we received this application from Marlize de Bruyn. Upon reading the application documents we learnt that environmental authorisation had been given by DFFE in Pretoria on 2020-06-08.

The Wilderness & Lakes Environmental Action Forum was an interested and affected party right from when this proposed development was first considered. We attended a site visit on 2018-07-10 together with representatives from Sanparks, Forestry Department, Andrew West and Marlize de Bruyn. As we didn't hear anything since the site visit from Andrew West or Marlize de Bruyn, we presumed that due to the Covid-19 shutdowns, that the project had probably been shelved.

We were very surprised on 2021-10-19 when we received these documents from Marlize de Bruyn, even though we, as a registered interested and affected party, had never been requested to submit comments on the BAR. It is our right, as a registered I&AP, to submit comments on the BAR before environmental authorisation can be approved.

On 2021-11-03 we submitted an appeal to DFFE in Pretoria (see Annexure A), which they are currently adjudicating. On 2021-11-10 (only one week ago) we attended a site visit with Marlize de Bruyn. As the outcome of this appeal is crucial to this land use application, we request an extension to the commenting period.

If our application for an extension to the commenting period is declined, we hereby wish to lodge our objection to the entire proposed development. Should our request for an extension in time to submit our comments be approved, and such extension includes the time it takes for DFFE to consider our appeal, we shall withdraw our blanket objection, and comment accordingly.

In the interim we wish to comment on various statements in Marlize de Bruyn's application documents which require some answers :

"4.1.1.1 Five development principles

The last aspect in this section of SPLUMA states that development application procedures must be efficient and streamlined and timeframes must be adhered to by all parties. As clearly stated, this applies to the authorities, the applicant and all interested and affected parties included in the process."

"4.1.1.2 Public Interest

The public interest of this land use application for Remainder Erf 1262, Wilderness is limited due to its location. The proposal has already been subjected to an environmental authorisation process with public participation."

We repudiate the statement that there was public participation : we were registered as an I&AP, but neither Andrew West nor Marlize de Bruyn bothered to contact us for our comments, knowing full well that we were a registered I&AP, and we therefore had a right to comment on the BAR.

"4.2.1 GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2019)

Remainder Erf 1262, Wilderness is not addressed specifically in the GMSDF except for the inclusion of the southern section of the property into the urban edge of Wilderness.

Below is an extract (p. 14 & 15) from Addendum 4 to the GMSDF (2019):

| | | | |
|----|---|-------------------------------------|---|
| 33 | Wilderness urban edge: A small adjustment of the urban edge is proposed to include the narrow portion of ± 4700m ² of erf 1262 within the urban edge. A NEMA process is in process and it was determined that the remaining larger portion of the erf be zoned as Nature Conservation area. The inclusion and | M de Bruyn no. 51 (5 December 2018) | The urban edge can be adjusted in this case as it is considered a minor correction. |
|----|---|-------------------------------------|---|

GEORGE SDF AMENDMENT 2019: LEGISLATED PUBLIC PARTICIPATION PROCESS

| | | |
|--|--|--|
| rezoning will allow for two dwellings. | | |
|--|--|--|

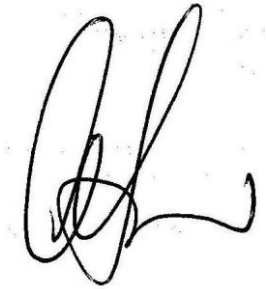
4.2.2 WILDERNESS – LAKES – HOEKWIL – LOCAL SPATIAL DEVELOPMENT FRAMEWORK (WLH LSDF) (2015)

The southern portion of Remainder Erf 1262 Wilderness is included in the urban edge (GMSDF 2019) and is accordingly a 'residential area' in the WLH LSDF, although not indicated as such in this 2015-spatial framework."

We question how part of this erf was all of a sudden included into the urban edge of Wilderness in 2019 in the GMSDF, whereas it was excluded from the urban edge in 2015 in the WLH LSDF, which is still in force. Were the public ever requested to comment on this proposal ? When the 2015 WLH LSDF was compiled, Waleaf was requested to comment and submitted inputs into that document. As this LSDF is still valid, how was the urban edge altered ?

We trust that the municipality will consider our application for an extension to the closing date for comments, to allow for DFFE to consider our appeal to the Environmental Authorisation. Should the municipality afford us this right to submit late comments, as soon as we have a response from DFFE, be it either positive or negative, we shall immediately submit full and properly motivated comments on this proposed development.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'C A Scott', written in a cursive style.

C A Scott
Secretary
WALEAF

ANNEXURE A



P O Box 791
6560 WILDERNESS
Email : waleaf@langvlei.co.za
2021-10-29

The Appeals Department
Department of Environmental Affairs
PRETORIA

Dear Sirs,

CONDONATION FOR LATE APPEAL : DEA ENVIRONMENTAL AUTHORISATION
14/12/16/3/3/1/2071 : ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE MUNICIPALITY
AND DIVISION

We hereby submit our request for condonation for submitting a late appeal, as we, as a registered interested and affected party, were only notified on 2021-10-19 of this environmental authorisation dated 2020-06-08 (see a portion thereof : annexure 1).

The Wilderness & Lakes Environmental Action Forum was an interested and affected party right from when this proposed development was first planned. We attended a site visit on 2018-07-10 (see annexure 4) together with representatives from Sanparks, Forestry Department, Andrew West and Marlize de Bruyn (town planner). As we didn't hear anything since the site visit from Andrew West, the environmental consultant, we presumed that due to the Covid-19 shutdowns, that the project had probably been shelved.

We were very surprised on 2021-10-19 when we received documents from the respective town planner, Marlize de Bruyn, stating that your Department had already issued an Environmental Authorisation, even though we, as a registered interested and affected party, had never been requested to submit comments on the BAR.

We are therefore very surprised how on the Environmental Authorisation, that it is stated that there was "public involvement".

- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014, as amended, for public involvement.

In annexure 2, in an email dated 2018-05-21, you will note that Andrew West addressed an email to both WALEAF and the writer, C A Scott, informing us of the proposed development, and requesting us to attend a site visit.

In annexure 3, Francois Naude from DEA&DP states : *"Please note that insufficient information has been presented to understand what the proposal is about and to effectively participate. It*

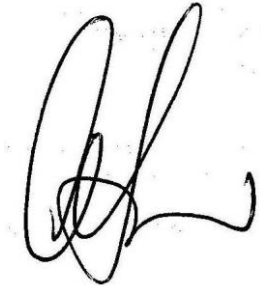
is suggested that you provide the participants with a background information document, preferably the Notice of Intent to apply report."

We note with concern that the site development plan (SDP) that was sent to us (see annexure 2) differs considerable from the one which DEA approved (see annexure 1). Being a registered interested and affected party, we should have been notified of any changes to the proposed SDP. No-one requested our comments with respect to this fundamental change of the SDP. As the one approved by DEA depicted in annexure 1 is in fact Alternative C, what were all the other alternatives, as we were never requested to comment on any of these other alternatives?

Please inform us why we were excluded from the BAR process when we were a registered interested and affected party.

Thank you.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'C A Scott', with a stylized, cursive script.

C A Scott
Secretary
WALEAF

ANNEXURE 1



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

DEA Reference: 14/12/16/3/3/1/2071

Enquiries: Zamalanga Langa

Telephone: 012-395-9389 E-mail: zlanga@environment.gov.za

Mr Dion Romijn
Dion Romijn Family Trust
P.O Box 382
ONRUSRIVIER
7201

Cell: (082) 892 6405
E-mail: dromyn@telkomsa.net

PER E-MAIL / MAIL

Dear Mr Romijn

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: GN R982/983/985, AS AMENDED: PROPOSED DEVELOPMENT ON ERF 1262, WILDERNESS, WESTERN CAPE PROVINCE

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

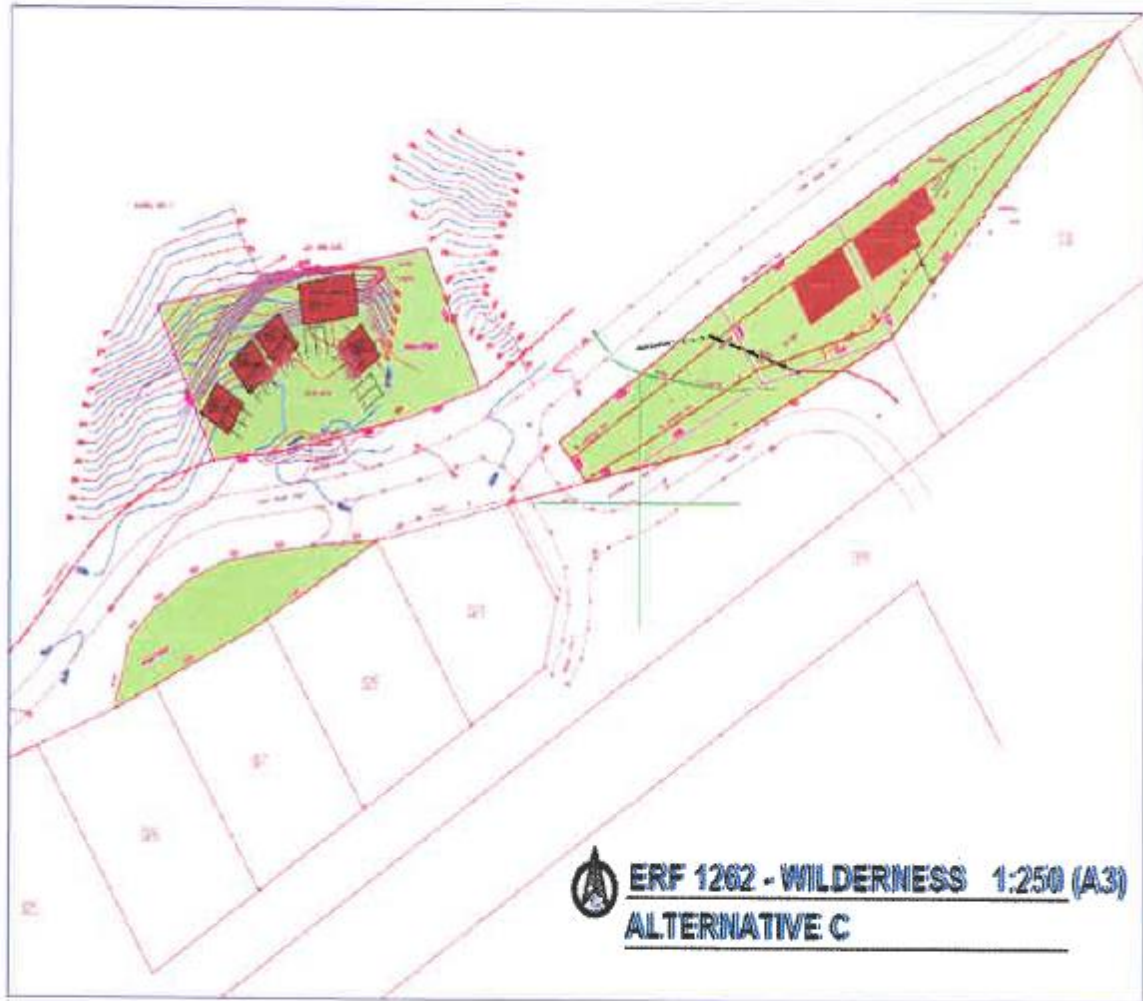
Yours faithfully

Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 08/06/2020

| | | | |
|-----|--------------------|---------------------------------------|---|
| CC: | Mr Andrew West | Andrew West Environmental Consultancy | Email: andrewwest@sat.co.za |
| | Mr Danie Swanepoel | DEA&DP | Email: cpeterson@george.gov.za |

DEA APPROVED SITE DEVELOPMENT PLAN



ANNEXURE 2

From: Andrew West [mailto:andrewwest@isat.co.za]

Sent: 21 May 2018 12:13 PM

To: Colin Fordham; Maretha Alant; Johathan Britton; 'Charles Scott'; Waleaf; MelanieKo; JeffreyS; Francois Naude; Cpetersen@george.gov.za

Subject: Erf 1262, Wilderness: Pre-application Site Meeting

Dear Participant,

Attached is Locality plan of the site (situated to the north and south of the road from Wilderness to Fairy Knowe Hotel) and proposal for an EIA Basic Assessment Application still to be submitted to the *National Department of Environmental Affairs*.

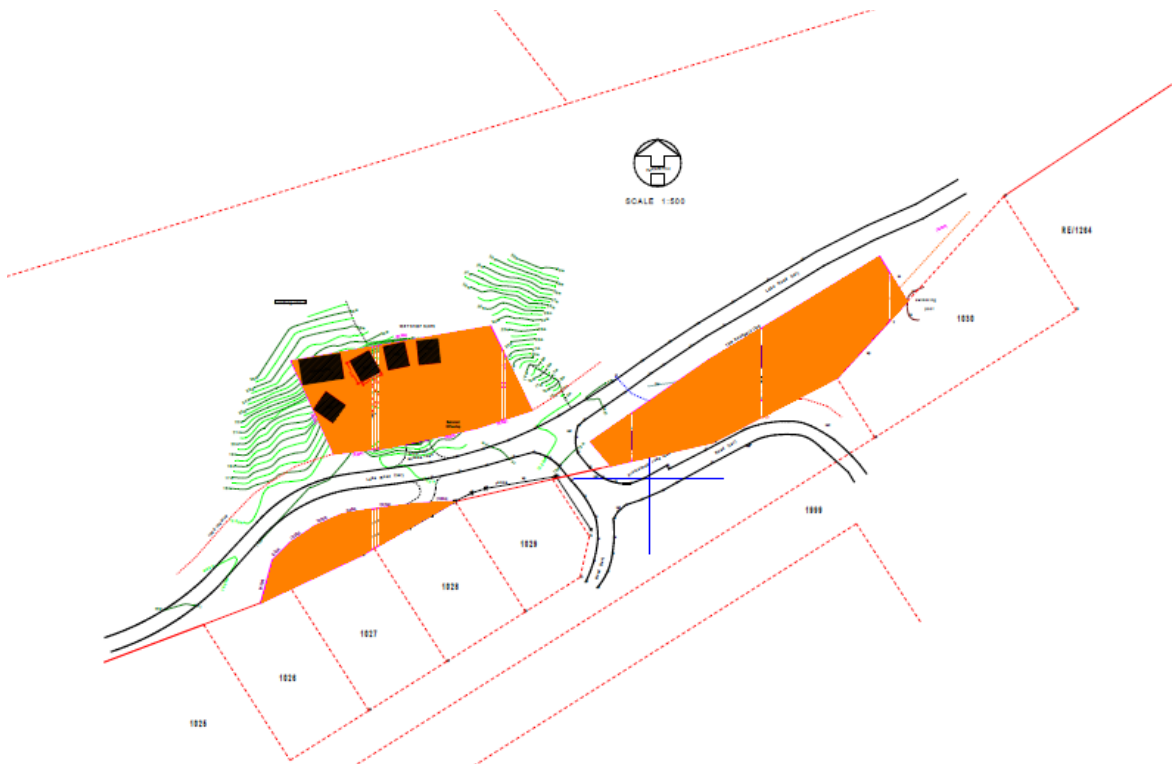
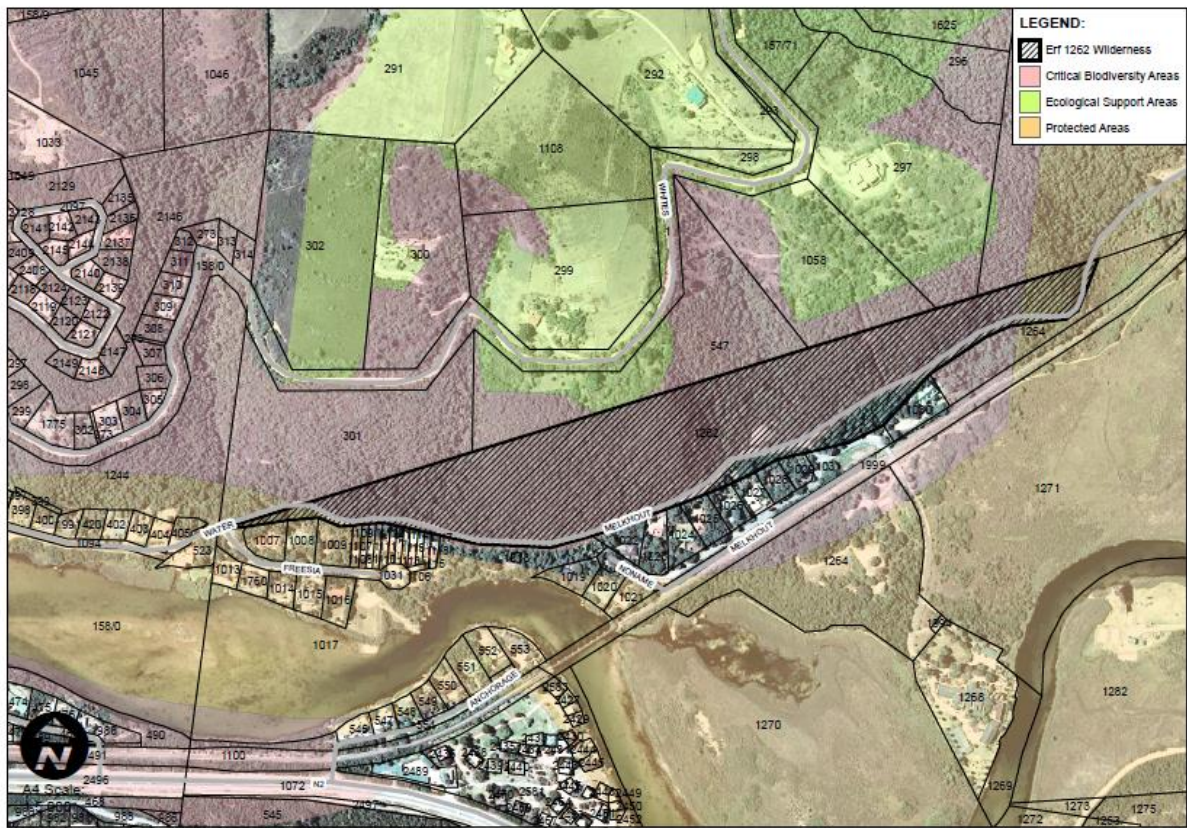
Could you please indicate your availability for a pre-application site visit together with the *Consultant Planner*, Marlize de Bruyn and other participants, as indicated.

I am suggesting the week of **28 - 31 May 2018**. Please let me know your availability.

Best Regards

Andrew

Environmental Assessment Practitioner
Andrew West Environmental Consultancy
Tel: 044-8730228 Cell: 0823336880
Email: andrewwest@isat.co.za



ANNEXURE 3

From: Andrew West [mailto:andrewwest@isat.co.za]
Sent: 31 May 2018 11:49 AM
To: Francois Naude; Colin Fordham; Maretha Alant; Johathan Britton; Waleaf; MelanieKo; JeffreyS; Cpetersen@george.gov.za
Cc: Danie Swanepoel; Malcolm Fredericks; Marlize de Bruyn
Subject: Re: FW: Erf 1262, Wilderness: Pre-application Site Meeting

Dear Francois,

Thank you for your response. The proposed dates for a site visit this week have had to change - I have sent an email to all potential Participants, to this effect.

This EIA Basic Assessment Application will be submitted to *DEA, National* who do not require a Notice of Intent to apply (pers comm. Ms. Zamalanga Langa)

However, I take note of your suggestion for more background information.

Best Regards

Andrew

Environmental Assessment Practitioner
Andrew West Environmental Consultancy
Tel: 044-8730228 Cell: 0823336880
Email: andrewwest@isat.co.za

On 31/05/18 11:12 AM, Francois Naude wrote:

From: Francois Naude
Sent: 31 May 2018 10:56 AM
To: Colin Fordham <landuseadvice@capenature.co.za>; Maretha Alant <maretha.alant@sanparks.org>; Johathan Britton <jonathan.britton@sanparks.org>; 'Charles Scott' <cascott@telkomsa.net>; Waleaf <waleaf@telkomsa.net>; MelanieKo <MelanieKo@daff.gov.za>; JeffreyS <jeffreys@daff.gov.za>; Francois Naude <Francois.Naude@westerncape.gov.za>; Cpetersen@george.gov.za
Cc: Danie Swanepoel <Danie.Swanepoel@westerncape.gov.za>; Malcolm Fredericks <Malcolm.Fredericks@westerncape.gov.za>
Subject: FW: Erf 1262, Wilderness: Pre-application Site Meeting

Dear Mr West,

Thank you for the invitation. Unfortunately this office will not be able to attend the meeting on the dates which you have indicated.

Please note that insufficient information has been presented to understand what the proposal is about and to effectively participate. It is suggested that you provide the participants with a background information document, preferably the Notice of Intent to apply report.

You may submit such information to this office at your earliest convenience.

Kind regards

Francois Naudé

Environmental Impact Management Service
Directorate Development Management (Region 3)
Department of Environmental Affairs & Development Planning
Western Cape Government

4th Floor, York Park Building, 93 York Street, George

Postal Address: Private Bag X6509, GEORGE, 6530

Tel: 044 805 8604

Fax: 044 805 8650

E-mail: Francois.Naude@westerncape.gov.za

Website: www.westerncape.gov.za/eadp



ANNEXURE 4

From: Andrew West [mailto:andrewwest@isat.co.za]
Sent: 10 July 2018 08:32 AM
To: Waleaf
Subject: Re: Erf 1262, Wilderness: Pre-application Site Meeting

Yes Charles,

Apologies for the confusion - Marlize, Maretha (SAN Parks) and I will be there today at 10.

Regards

Andrew West

On 09/07/18 05:42 PM, Waleaf wrote:

Hi,

Is it still at 10h00 ?

Regards,

Charles Scott

WALEAF

From: marlize@mdbplanning.co.za [mailto:marlize@mdbplanning.co.za]
Sent: 09 July 2018 05:07 PM
To: 'Andrew West'; 'Colin Fordham'; 'Maretha Alant'; 'Johathan Britton'; 'Waleaf'; Cpetersen@george.gov.za; 'Charles Scott'; 'MelanieKo'; 'JeffreyS'
Cc: 'Romijn'
Subject: RE: Erf 1262, Wilderness: Pre-application Site Meeting

Hi All,

Andrew and I will meet Maretha tomorrow and site and who ever else can make it.

Kind regards

Marlize



From: Andrew West <andrewwest@isat.co.za>
Sent: Monday, 09 July 2018 4:37 PM
To: marlize@mdbplanning.co.za; 'Colin Fordham' <landuseadvicesouth@capenature.co.za>; 'Maretha Alant' <maretha.alant@sanparks.org>; 'Johathan Britton' <jonathan.britton@sanparks.org>; 'Waleaf' <waleaf@telkomsa.net>; Cpetersen@george.gov.za; 'Charles Scott' <cascott@telkomsa.net>; 'MelanieKo'

<MelanieKo@daff.gov.za>; 'JeffreyS' <jeffreys@daff.gov.za>
Cc: 'Romijn' <dromyn@telkomsa.net>
Subject: Re: Erf 1262, Wilderness: Pre-application Site Meeting

Hi All,

The date does not suit enough folk so we will need to look at an alternative one for the site visit.

Thanks, Regards

Andrew

Environmental Assessment Practitioner
Andrew West Environmental Consultancy
Tel: 044-8730228 Cell: 0823336880
Email: andrewwest@isat.co.za

On 09/07/18 05:37 AM, marlize@mdbplanning.co.za wrote:

Good Morning All,

Andrew and I trust we will see you all tomorrow morning at 10:00 in Wilderness in Waterside Road close to the turn-off to the Fairy Knowe Hotel.

Kind regards

Marlize



From: Andrew West <andrewwest@isat.co.za>
Sent: Tuesday, 26 June 2018 6:42 PM
To: Colin Fordham <landuseadvicesouth@capenature.co.za>; Maretha Alant <maretha.alant@sanparks.org>; Johathan Britton <jonathan.britton@sanparks.org>; Waleaf <waleaf@telkomsa.net>; Cpetersen@george.gov.za; 'Charles Scott' <cascott@telkomsa.net>; MelanieKo <MelanieKo@daff.gov.za>; JeffreyS <jeffreys@daff.gov.za>; marlize@mdbplanning.co.za; Marlize de Bruyn <mdb.debruyn@gmail.com>
Cc: Romijn <dromyn@telkomsa.net>
Subject: Fwd: Re: Erf 1262, Wilderness: Pre-application Site Meeting

Hi Everyone,

The exercise to try and get all relevant parties on site has proved somewhat frustrating! However, we now do have an Engineer's Services Report which we are working through. Please also note that the attached Site Layout Plan must be increased to say 50% on your screen in order to see the proposed units.

I have now set a date of **Tues 10th July at 10.00** to meet on site.

Thanks, regards

Andrew

Environmental Assessment Practitioner
Andrew West Environmental Consultancy
Tel: 044-8730228 Cell: 0823336880
Email: andrewwest@isat.co.za

----- Forwarded Message -----

Subject: Re: Erf 1262, Wilderness: Pre-application Site Meeting
Date: Wed, 30 May 2018 11:23:52 +0200
From: Andrew West <andrewwest@isat.co.za>
Colin Fordham <landuseadvice@capenature.co.za>, Maretha Alant
<maretha.alant@sanparks.org>, Johathan Britton <jonathan.britton@sanparks.org>,
To: 'Charles Scott' <cascott@telkomsa.net>, Waleaf <waleaf@telkomsa.net>, MelanieKo
<MelanieKo@daff.gov.za>, JeffreyS <jeffreys@daff.gov.za>, Francois Naude
<Francois.Naude@westerncape.gov.za>, Cpetersen@george.gov.za
<Cpetersen@george.gov.za>
CC: Marlize de Bruyn <mdb.debruyn@gmail.com>

Dear Participant,

See below and attached - I have had feedback from *WALEAF* and *DAFF* and this week would have suited them, but unfortunately the week is drawing to a close.

Next week is a possibility, but some of you may be involved with the Garden Route Environmental Restoration Seminar (?) 6-8 June.

Please reply with a possible date - the site visit will not be more than an hour as all the proposed footprint developments are in easy walking distance.

Thanks, regards

Andrew

Environmental Assessment Practitioner
Andrew West Environmental Consultancy
Tel: 044-8730228 Cell: 0823336880
Email: andrewwest@isat.co.za

On 21/05/18 12:12 PM, Andrew West wrote:

Dear Participant,

Attached is Locality plan of the site (situated to the north and south of the road from Wilderness to Fairy Knowe Hotel) and proposal for an EIA Basic Assessment Application still to be submitted to the *National Department of Environmental Affairs*.

Could you please indicate your availability for a pre-application site visit together with the *Consultant Planner*, Marlize de Bruyn and other participants, as indicated.

I am suggesting the week of **28 - 31 May 2018**. Please let me know your availability.

Best Regards

Andrew

Environmental Assessment Practitioner
Andrew West Environmental Consultancy
Tel: 044-8730228 Cell: 0823336880
Email: andrewwest@isat.co.za



P O Box 791
6560 WILDERNESS
Email : waleaf@langvlei.co.za
2021-12-08

The Municipal Manager
George Municipality
GEORGE

Dear Sirs,

**APPLICATION FOR PROPOSED REZONING & SUBDIVISION FOR DION ROMIJN FAMILIE TRUST :
REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE MUNICIPALITY AND DIVISION**

We refer to our letter of 2021-11-17, and wish to retract our last paragraph on page 1 regarding our blanket objection to the entire proposed development, and update it with this present **objection to specific aspects** of the application.

As stated in our letter of 2021-11-17, we have lodged an appeal with DFFE in Pretoria, which has been acknowledged, but, to date, we have not had any feedback from them. Therefore, with regards to this application, we are of the opinion that environmental authorisation is still pending.

THE APPLICATION

The land use application for Remainder Erf 1262, Wilderness entails the following:

Rezoning in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-Law, 2015 from Undetermined Zone to Subdivisional Area;

Subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015 in the following:

- Portion A (± 7.2974 ha): Open Space Zone III (nature conservation area);
- Portion B (± 1159 m²): Single Residential Zone I (dwelling house);
- Portion C (± 1506 m²): Single Residential Zone I (dwelling house);
- Portion D (± 270.81 m²): Transport Zone II (public street);
- Portion E (± 778.97 m²): Undetermined Zone
- Remainder (± 1.8686 ha): Transport Zone II (public street).

Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015 for tourist accommodation for Portion A.

It is stated in the application that

“Remainder Erf 1262, Wilderness is at present zoned Undetermined Zone in terms of the George Integrated Zoning Scheme By-law (2017). It also carried this zoning in terms of the former Section 7 Wilderness Zoning Scheme Regulations.”

As this property is presently and was previously zoned Undetermined (USZ1), indicates that, in terms of the current George Integrated Zoning Scheme By-law, that the Primary Rights are NONE, and that the Secondary Rights are NONE. When the owners purchased this property, they were well aware that they did not have any rights to erect anything on this property. If anything is approved now, it will be a bonus.

In the application documents, it is stated that the southern section of the property falls within the urban edge of Wilderness ; see excerpt below :

“4.2.1 GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2019)

Remainder Erf 1262, Wilderness is not addressed specifically in the GMSDF except for the inclusion of the southern section of the property into the urban edge of Wilderness.

Below is an extract (p. 14 & 15) from Addendum 4 to the GMSDF (2019):

| | | | |
|----|---|-------------------------------------|---|
| 33 | Wilderness urban edge: A small adjustment of the urban edge is proposed to include the narrow portion of ± 4700m ² of erf 1262 within the urban edge. A NEMA process is in process and it was determined that the remaining larger portion of the erf be zoned as Nature Conservation area. The inclusion and | M de Bruyn no. 51 (5 December 2018) | The urban edge can be adjusted in this case as it is considered a minor correction. |
|----|---|-------------------------------------|---|

GEORGE SDF AMENDMENT 2019: LEGISLATED PUBLIC PARTICIPATION PROCESS

| | | |
|--|--|--|
| rezoning will allow for two dwellings. | | |
|--|--|--|

4.2.2 WILDERNESS – LAKES – HOEKWIL – LOCAL SPATIAL DEVELOPMENT FRAMEWORK (WLH LSDF) (2015)

The southern portion of Remainder Erf 1262 Wilderness is included in the urban edge (GMSDF 2019) and is accordingly a ‘residential area’ in the WLH LSDF, although not indicated as such in this 2015-spatial framework.”

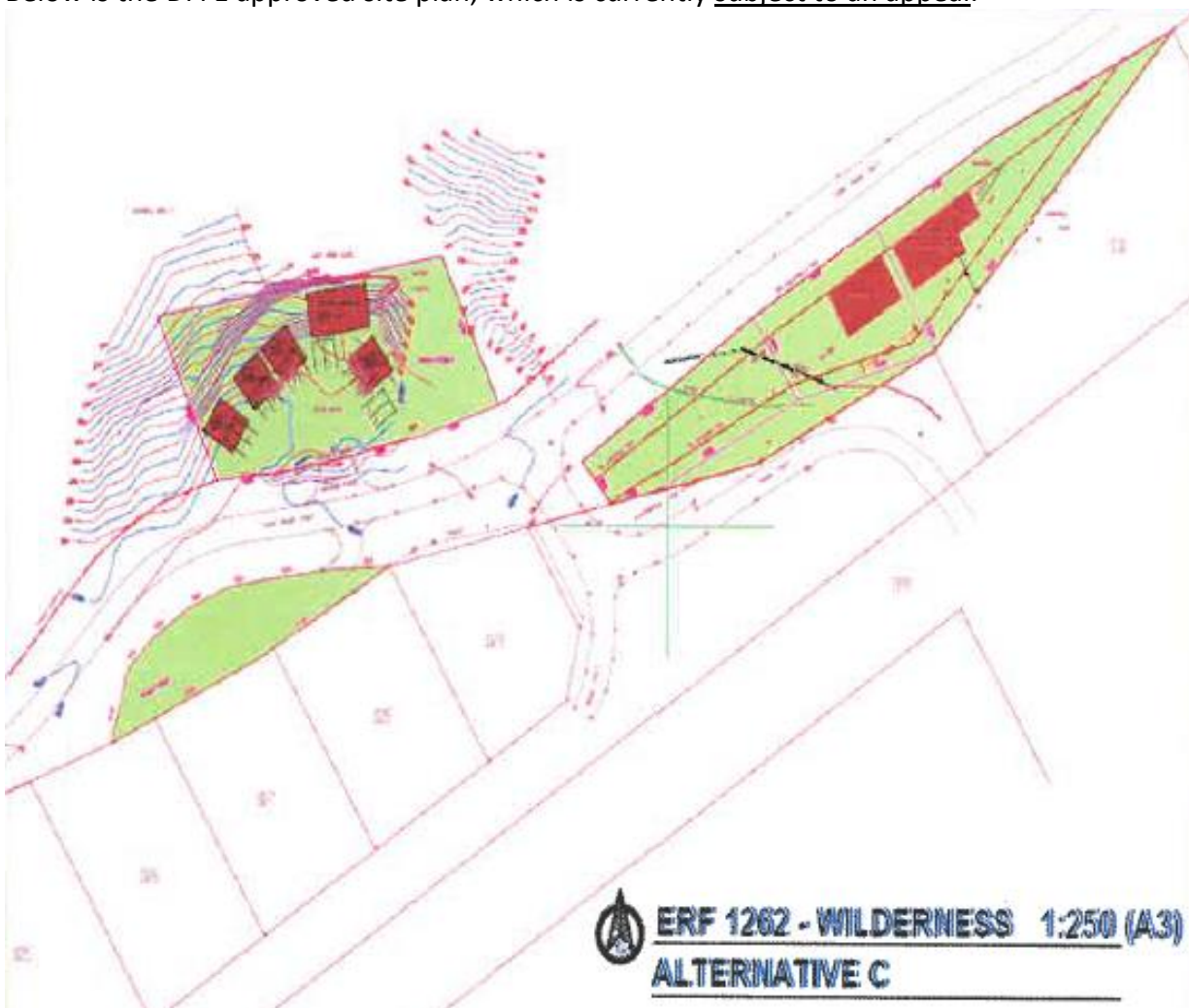
We question how part of this erf was all of a sudden included into the urban edge of Wilderness in 2019 in the GMSDF, whereas it was excluded from the urban edge in 2015 in the WLH LSDF, which is still in force. Were the public In Wilderness ever requested to comment on this proposal ? When the 2015 WLH LSDF was compiled, Waleaf was requested to comment and submitted inputs into that document. As this LSDF is still valid, how was the urban edge altered without public participation ?



The image above was taken from the George Municipal website which clearly indicates that the entire erf 1262 is outside of the urban edge.

ENVIRONMENTAL AUTHORISATION

Below is the DFFE approved site plan, which is currently subject to an appeal.



Even though we are of the opinion that the environmental authorisation is still pending, we wish to comment on the NEMA listed activities applicable to this application :

| Listed activities | Activity/Project description |
|--|--|
| <p><u>GN R983 Item 12:</u></p> <p><i>The development of –</i></p> <p><i>(x) buildings exceeding 100 square metres in size where such development occurs within 32 metres of a watercourse, measured from the edge of a watercourse</i></p> | <p>In Development Area A, the footprint of the development for the primary dwelling and the 4 Tourist Chalets as indicated will be 550 m² and in Development Area B it will be 475 m² giving a footprint development of 1 025 m² out of a total area of 95 534 m² on both the north and south side of Waterside Road.</p> |
| <p><u>GN R985 Item 6:</u></p> <p><i>The development of resorts, lodges, hotels and tourism or hospitality facilities that sleeps 15 people or more</i></p> <p>(f) In Western Cape</p> <p><i>i All areas outside urban areas</i></p> <p><i>ii Critical Biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p> | <p>In Development Area A the footprint of development for the primary dwelling and the 4 Tourist Chalets (each to accommodate 5 people i.e. a maximum of 20 at any one given time) as indicated will be 550 m² and in Development Area B it will be 475 m² giving a footprint development of 1 025 m² out of a total area of 95 534 m² on both the north and south side of Waterside Road.</p> |
| <p><u>GN R985 Item 12:</u></p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan</i></p> <p>(a) In the Western Cape Province:</p> | <p>In Development Area A, the footprint of development for the primary dwelling and the 4 Tourist Chalets as indicated will be 550 m² out of a total area 95 534 m² on Erf 1262, the property concerned.</p> |

It is noted in the above table compiled by DFFE Pretoria, referring to GN R985 Item 12, that approval has only been given to clear vegetation on Portion A, but not on Portion B (Portions B and C in the application submitted by MDB Planning). Therefore, according to the above, permission has only been given by DFFE to clear more than 300m² of indigenous vegetation (550m²) on Portion A, but as Portion B has not been included in this table, we understand that no clearing of indigenous vegetation may be permitted on Portion B.

The image below indicates the proposed developments on Portions A, B and C of the property.

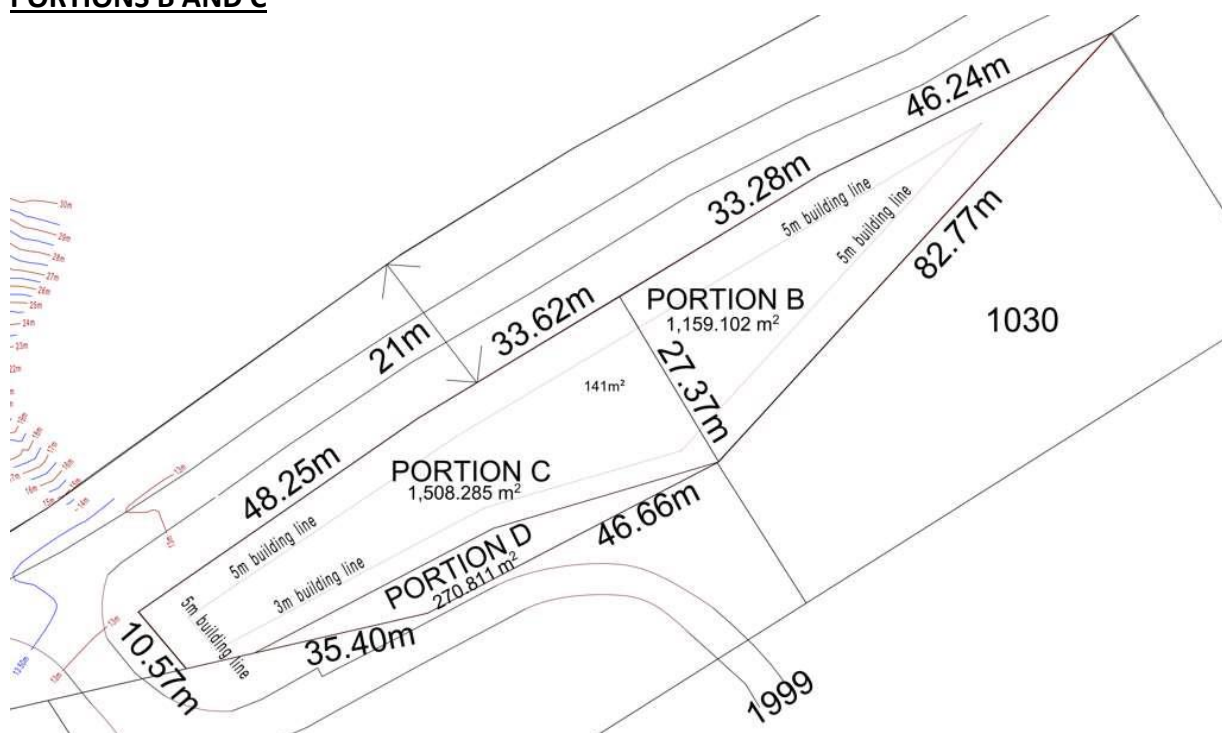


Portion A : Proposed Site for Primary Dwelling and 1 Tourist Accommodation cut into embankment : looking west



Portion A : Proposed Site for Tourist Accommodation. Units 1 and 2 cut into embankment : looking east

PORTIONS B AND C



We **object** to any buildings being constructed on Portion A or Portion B, for the following reasons :

1. Portions A and B are totally covered in mature Afromontane indigenous forest, which needs to be preserved for current and future generations. This easterly section of Waterside Road meanders through mature indigenous forest on the way to Ebb & Flow Camp in the Wilderness National Park. If we allow anything to be erected on Portions B and C, it will permanently alter the entire sense of place which is at the turn off to the historic Fairy Knowe Hotel, and Fairy Knowe Backpackers. These are both historical sites dating back decades, and any destruction of the forest on the way to these sites, will alter the entire feeling of the surroundings. (see photographs below)

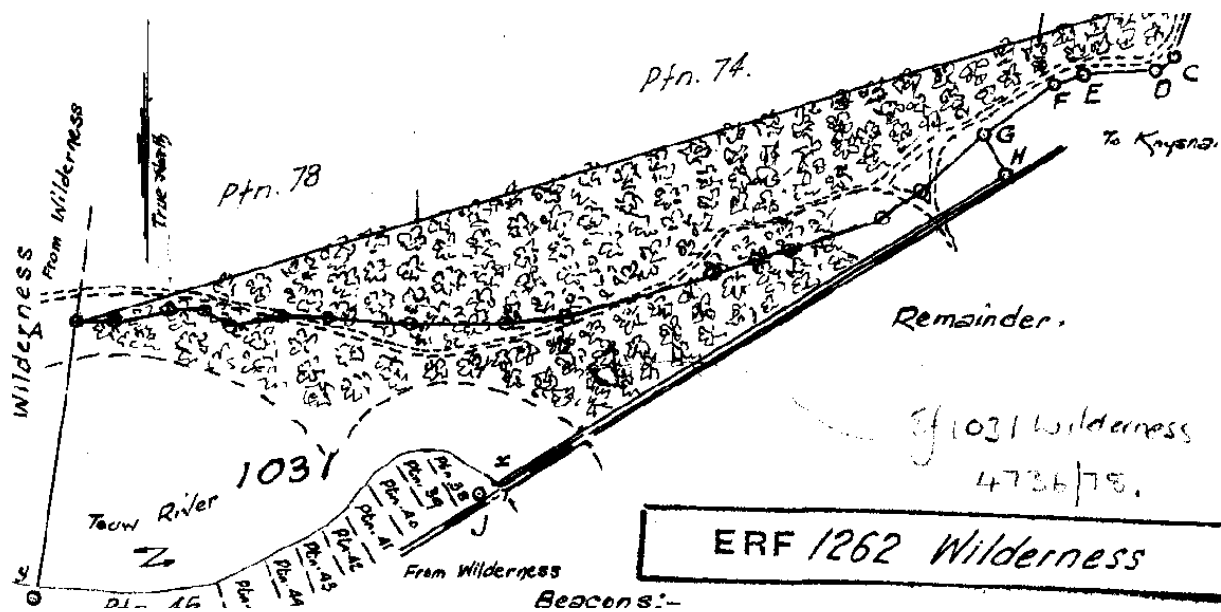


Portions A and B on the south of Waterside Road going towards Ebb & Flow Camp



Forest to be cleared if dwellings are allowed on Portions A and B

2. As stated above, under Environmental Authorisation, we understand that no clearing of indigenous vegetation may be permitted on Portions B and C.
3. In the SG image from 1969 it is noted that the old road to Fairy Knowe (dotted lines) used to be just on the western boundary of the present erf 1030, which was subdivided from erf 1262, together with erf 1031 (and other erven) in 1979.



| THE FOLLOWING DEVIATIONS HAVE BEEN MADE FROM THIS DIAGRAM | | | | | | |
|---|-------------|-----------------------------------|-----------------|--------------|-----------|--------|
| SURVEY RECORD | DIAGRAM NO. | SUBDIVISION | AREA HA./SQ. M. | TRANSFER NO. | INITIALED | REMBR. |
| E1215/78 | 4736/78 | Rem. b3. of 1031 Wilderness | 11.6567 | 1326/79 | EN. | |



We surmise that the old historic stone walls (see photograph below) which are currently in the forest on Portions A and B, are embankment retaining walls for the old road to Fairy Knowe. As these old stone walls are of historic value, and need to be protected under the Heritage Act, nothing should be built in the vicinity of these walls.



Historic walls on Portions A and B, which have heritage status.

In conclusion, we wish to comment in **RED** :

Rezoning in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-Law, 2015 from Undetermined Zone to Subdivisional Area; **NO OBJECTION**

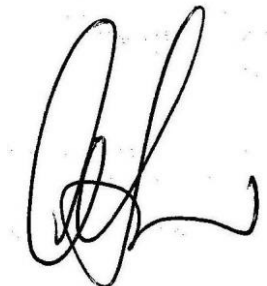
Subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015 in the following:

- Portion A (± 7.2974 ha): Open Space Zone III (nature conservation area); **NO OBJECTION**
- Portion B (± 1159 m²): Single Residential Zone I (dwelling house); **WE OBJECT¹**
- Portion C (± 1506 m²): Single Residential Zone I (dwelling house); **WE OBJECT²**
- Portion D (± 270.81 m²): Transport Zone II (public street); **NO OBJECTION**
- Portion E (± 778.97 m²): Undetermined Zone **NO OBJECTION**
- Remainder (± 1.8686 ha): Transport Zone II (public street). **NO OBJECTION**

Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015 for tourist accommodation for Portion A. **WE OBJECT³**

1. As stated above, we are opposed to destroying and clearing any of this pristine forest on Portion B.
2. As stated above, we are opposed to destroying and clearing any of this pristine forest on Portion C.
3. We object to 5 buildings being erected on Portion A, as the size of the level area is too small to accommodate 5 buildings. Perhaps a compromise could be reached if fewer buildings were planned for Portion A.

Yours faithfully,



Secretary,
for WALEAF



Wilderness Ratepayers and Residents Association

PO Box 10 Wilderness Western Cape South Africa 6560

admin@wrra.co.za www.wrra.co.za

Established 1971

Manager: Town Planning
George Municipality
PO Box 19
George 6530

11 November 2021

Attention: Jeanne Fourie
cc: Primrose Nako, Marlize de Bruyn

Re. Erf 1262 Waterside
Proposed rezoning, subdivision and consent use

1. We are pleased that the 7.3 hectares north of Waterside has been redesigned to be tightly clustered and restricted in size. That hillside is very sensitive and we ask that you confirm that the new Open Space III (nature conservation area) zoning will protect it from further development. The Critical Biodiversity Area should be visibly demarcated during and after construction.
2. The design of the chalets with parking underneath means their height will be about 8.5 metres above ground level. We suggest you request height details from the applicant. The high buildings may be too dominant on the site.
3. As stated in the application, the chalets will be used by tourists. One of the very close attractions is SANParks Ebb and Flo area including the hiking trail. Waterside Drive (DR 1620) is used by pedestrian and bicycle visitors to the Park year round and more frequently during holiday seasons. It is a relatively narrow road with several blind curves. A safe and protected pedestrian walkway should be built along the road. The applicant should engage with SANParks and the provincial roads department on this. The Municipality can make this a condition of approval.
4. The process to align the property's Open Space Zone III "with the abutting national park" should also be initiated now rather than later and be made a condition of approval.
5. We note the issue of electrical supply has yet to be determined.
6. The July 2018 draft civil engineering report refers:
 - Was it ever made final?
 - Is it still valid more than three years later?
 - Confirm that there will be no coffee shop/restaurant of any commercial establishment.
 - Confirm there will be two not four erven on the south side.
7. Are the plans for 4 person per chalet or 5?

8. The mitigation measures proposed in the June 2017 Botanical Report should be made a condition of approval.
9. The Application Form shows a heritage review is not applicable, but our understanding is that it is applicable. Since the property is greater than 5000 square metres, the applicant must submit a Notice to Intent to Develop to Heritage Western Cape.
10. The Environmental Management Programme spelled out in the June 2020 Authorization from the Department of Environmental Affairs must be adhered to and monitored and enforced.

Regards,

JMiller

John Miller
Portfolio: Development Diligence

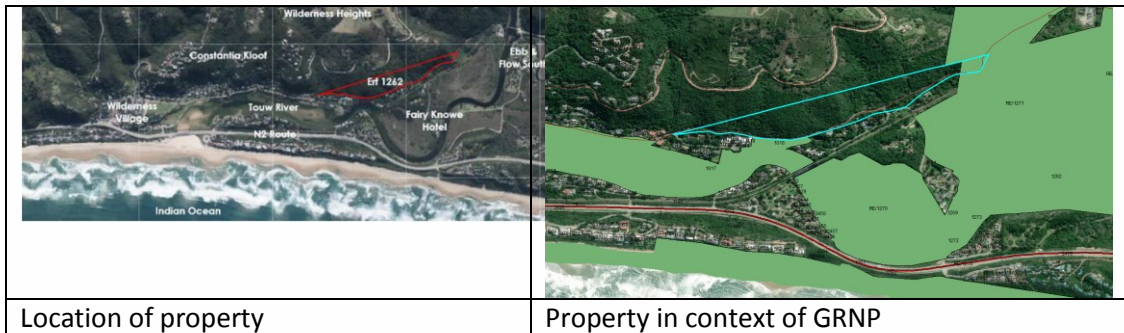
9 December 2021

Primrose Nako
Administrative Officer
George Municipality

Per email: pnako@george.gov.za

RE: PROPOSED REZONING, SUBDIVISION & CONSENT USE FOR ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE MUNICIPALITY & DIVISION

Remainder Erf 1262 is in the buffer zone of the Garden Route National Park (GRNP) and achieving a conservation outcome on this property is important to SANParks. The property measures 9.7566ha and is registered to Dion Romijn Familie Trust.



1.1 APPLICATION

This land use application for Remainder Erf 1262, Wilderness entails the following:

- Rezoning in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-Law, 2015 from Undetermined Zone to Subdivisional Area;
- Subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015 in the following:
 - Portion A (±7.2974ha): Open Space Zone III (nature conservation area);
 - Portion B (±1159m²): Single Residential Zone I (dwelling house);
 - Portion C (±1506m²): Single Residential Zone I (dwelling house);
 - Portion D (±270.81m²): Transport Zone II (public street);
 - Portion E (±778.97m²): Undetermined Zone
 - Remainder (±1.8686ha): Transport Zone II (public street).
- Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015 for tourist accommodation for Portion A.

2

Extract from Land Use application prepared by Marelize de Bruyn

SANParks takes note that an Environmental Authorisation (EA) was issued on 08/06/2020.

addo elephant
agulhas
augrabies falls
bontebok
golden gate highlands
karoo
kgalagadi transfrontier
knysna lake area
kruger
mapungubwe
marakele
mountain zebra
namaqua
table mountain
tankwa-karoo
tsitsikamma
|ai-|ais/richtersveld
vaalbos
west coast
wilderness

The infrastructure associated with this facility includes:

- Primary dwelling;
- A small scale Tourist facility with Tourist Facility/ Tourist Accommodation (consisting of 4 small units) and 2 Single Residential even to the south of the access road.

Extract from EA dated 08/06/2020.

The primary dwelling will have a footprint of 160m² with a loft of ±28m² giving it a total floor area of ±188m². The sketches of the proposed building plans prepared by the property owner are attached hereto as **Annexure 6**, shows that the dwelling is proposed to comply with the relevant development parameters applicable to a dwelling house. The two images below act as the inspiration for the primary dwelling and the tourist accommodation units.



5

Copyright ©

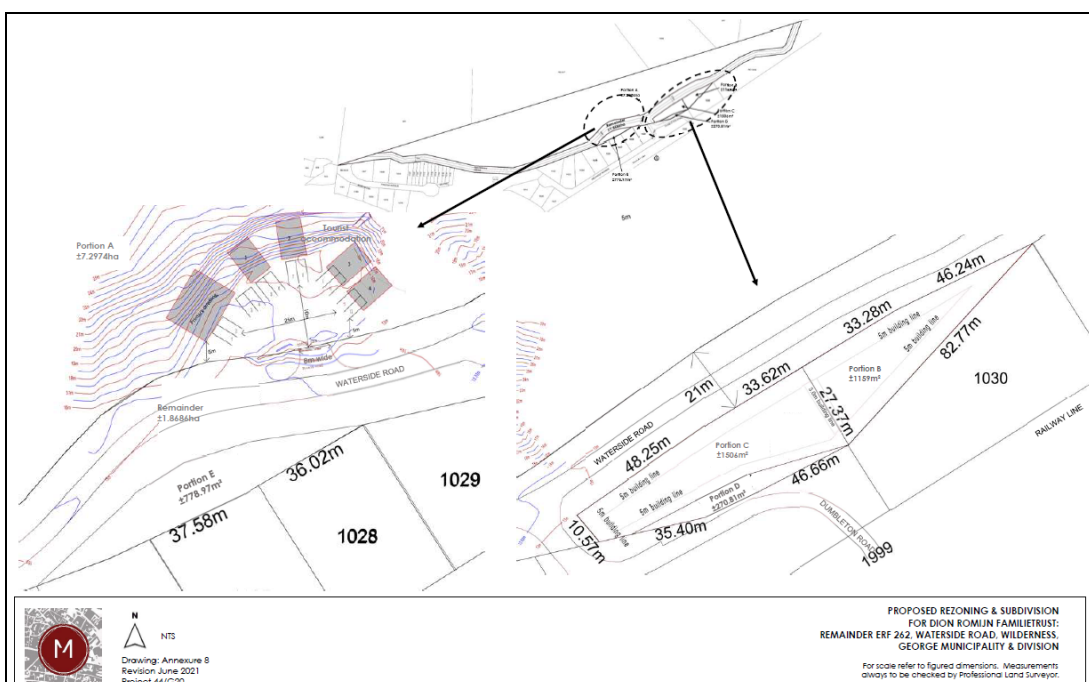
The proposed primary dwelling will have a disturbance footprint of 160m² excluding access road, gardens and associated infrastructure. The primary dwelling will be on the slope where indigenous vegetation will have to be removed, not on the level area that was previously cleared (shown as parking area below).

The photo below taken from the east to the west inside the property north of Waterside Road, shows the position of the proposed primary dwelling. In this position the dwelling will have ample sun in winter. To the right is the position of the first tourist accommodation unit.

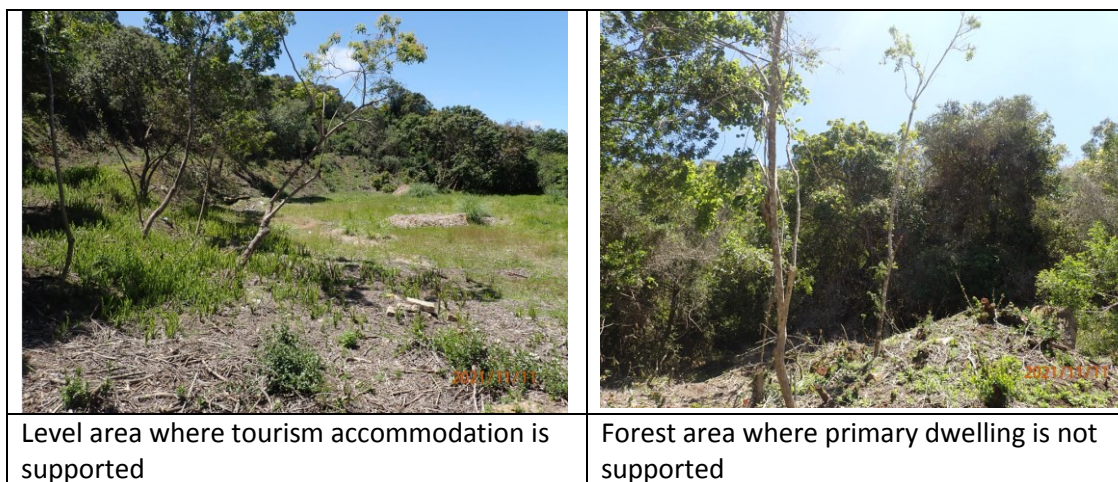


The tourist accommodation units are proposed to be ±64m² each, single storey with two bedrooms but raised to make parking possible in part underneath. The height will be lower than 8.5m. The sketches of the proposed building plans for the tourist accommodation units are attached hereto as **Annexure 7**. The total development footprint of the tourist accommodation units will be ±260m².

The proposed tourist accommodation units are proposed to be $\pm 64\text{m}^2$ each, single storey with two bedrooms but raised to make parking possible in part underneath. The total development footprint of the tourist accommodation units, excluding additional infrastructure, will be $\pm 260\text{m}^2$. Exactly where the parking is proposed is a bit confusing from the information provided.



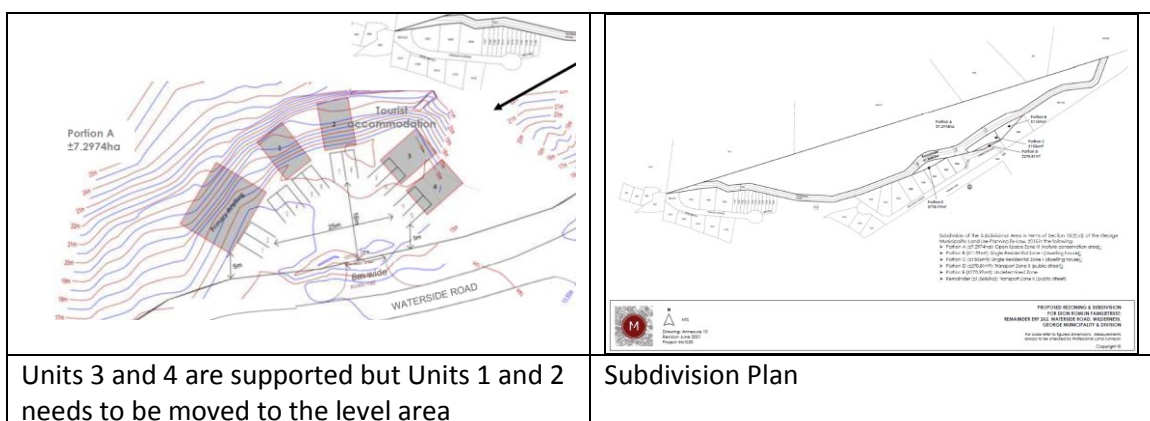
Site Development Plan



SANParks strongly supports the rezoning to Open Space Zone III (nature conservation area) on both sides of the road. However, we are very concerned about the Site Development Plan as proposed.

Northern portion of site:

- The primary dwelling with a disturbance footprint of 160m² excluding access road, gardens and associated infrastructure is not supported. The proposed dwelling is on the slope above the transformed level area and indigenous forest will be lost. This impact can be mitigated by not constructing the primary dwelling as proposed.
- The 4 tourist accommodation units with a disturbance footprint of ±64m² each, excluding associated infrastructure, could be supported on the disturbed level area. Units 3 and 4 are supported but units 1 and 2 needs to be relocated to the level area. Not constructing the primary dwelling will allow enough developable space on the level disturbed area.



Southern portion of site:

- SANParks recommends that the southern portion of the site is also rezoned to Open Space Zone III (nature conservation area) excluding the development footprint for a Single Residential Zone I (for 1 dwelling house).

- On the site visit it was not possible to reach the proposed footprints of the 2 dwellings as the area is totally overgrown with indigenous forest species. We object to the footprints of the proposed 2 dwelling houses and access road as this will have a significant negative impact on the indigenous forest that can be prevented. SANParks will support a dwelling unit in the open space where the historic wall is present. Developing in this open area may result in the loss of some trees but the access road will be significantly shorter and trees could be incorporated into the design.

To conclude, SANParks supports the Rezoning in terms of Section 15(2)(a) of the George Municipality Land Use Planning By-Law, 2015 from Undetermined Zone to Subdivisional Area but some amendments are required.

1. We support Open Space Zone III (nature conservation area) on both sides of the road to exclude the Single Residential Zone I (for 1 dwelling house) in the open area where the historic wall is present. The consent use for 4 tourism units is supported on the northern side of the property.
2. We object to the primary dwelling on the northern side of the property.
3. We support 1 dwelling unit on the southern side of the property, not 2 dwelling units as proposed and not in the footprints that were identified in the Site Development Plan.

SANParks reserves the right to revise initial comments if additional information becomes available.

Yours sincerely



Maretha Alant
Principal Planner
Garden Route National Park

| | | |
|-----|---------------------|---------------------------|
| CC: | Sandra Taljaard | SANParks |
| | Nellie Grootendorst | SANParks |
| | Marlize de Bruyn | Marlize de Bruyn Planning |
| | Charles Scott | WALEAF |
| | Priscilla Burgoyne | George Municipality |

Marlize de Bruyn Planning,
P.O. Box 2359,
George,
6530

Attention: Ms Marlize de Bruyn
By email: marlize@mdbplanning.co.za

Dear Ms Marlize de Bruyn

**PROPOSED REZONING AND SUBDIVISION FOR DION ROMIJN FAMILIE TRUST ON
THE REMAINDER OF ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE LOCAL
MUNICIPALITY, WESTERN CAPE.**

CapeNature would like to thank you for the opportunity to review the above application. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:

According to the Western Cape Biodiversity Spatial Plan (WCBSP 2017)¹ the proposed areas have Critical Biodiversity Areas (CBA 1: Terrestrial; Forest) and degraded Ecological Support Areas (ESA 2: Restore). The reasons behind WCBSP delineation on the site are the following:

- Bontebok Extended Distribution Range
- Indigenous Forest Type
- Garden Route Granite Fynbos (CR)
- Southern Cape Dune Fynbos (VU)
- Wilderness (Core) Estuary
- Eastern Fynbos Renosterveld Granite Fynbos Floodplain Wetland
- South Strandveld Western Strandveld Floodplain Wetland
- Coastal resource protection- Eden
- Water source protection – Touws
- Watercourse protection South Eastern Coastal Belt

The property has a drainage line to the north and borders the Wilderness Estuary. Furthermore, the property is within the National Strategic Water Source Area for surface water for the Outeniqua region and serves as a watercourse protection for South Eastern Coastal Belt.

¹ Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. 2017. The Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch: CapeNature.

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Associate Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack

The vegetation unit on the property is classified as **Endangered** Garden Route Granite Fynbos as listed in the 2011 NEM:BA threatened ecosystems gazette². The Garden Route Granite Fynbos will be listed as **Critically Endangered** in the draft ecosystem threat listings for the updated National Biodiversity Assessment (Skowno *et al.* 2018)³.

This is one of seven high risk **Critically Endangered** vegetation types in South Africa. Therefore, CapeNature would like to remind the applicant that mitigation must be proposed if this activity will result in the destruction of any remaining Critically Endangered vegetation.

Indigenous Forest vegetation are present at the proposed site, and we recommend obtaining a NFA licence for the removal, disturbance and / or the transplant of indigenous protected tree species⁴, from Department of Forestry, Fisheries and Environment. CapeNature will not object to the findings/recommendations as DFFE is a custodian of forestry resources in South Africa. Mitigation should be proposed if an accident occurs on site during construction or operation to protect the forest vegetation.

CBA areas are defined as: *“Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.”*

CBA objectives are:” *Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate.”*

CapeNature reminds the applicant that the WCBSP Land Use Guidelines Handbook (2017) should be used to inform and guide development activities (Pool-Stanvliet *et al.* 2017). Specific guidelines regarding CBA (both terrestrial and aquatic) loss are stipulated in the handbook.

In terms of the Alien and Invasive Species Regulations, NEM: BA, 2014, specific alien plant species are either prohibited or listed as requiring a permit; aside from restricted activities concerning, *inter alia*, their spread, and should be removed.

The level of alien infestation is therefore not seen as reducing the sensitivity of a site, nor is the subsequent removal of alien vegetation from a property regarded as a mitigation measure due to this is being a legal requirement. Infestation by alien plants does not necessarily mean that an area is not important for biodiversity as some vegetation types are particularly prone to invasive alien infestation but may recover when cleared of alien vegetation.

During the clearing of alien invasive plants, areas susceptible to erosion should be protected by installing the necessary temporary structures. It is essential to clearly mark alien and invasive plants that will be removed to avoid damaging and distinguishing indigenous vegetation. The alien vegetation that will be removed and any other moribund materials must be removed from site as they have a fire risk. The applicant must be conscious of the NEM:BA Alien and Invasive Species List⁵ and should not garden or use listed alien plants during rehabilitation.

² National Environmental Management: Biodiversity Act (10/2004): National list of ecosystems that are threatened and in need of protection. 2011.

³ Skowno, A. L., Poole, C. J., Raimondo, D. C., Sink, K. J., Van Deventer, H., Van Niekerk, L., Harris, L. R., Smith-Adao, L. B., Tolley, K. A., Zengeya, T. A., Foden, W. B., Midgley, G. F. and Driver, A. 2019. National Biodiversity Assessment 2018: The status of South Africa's ecosystems and biodiversity. Synthesis Report. Pretoria, South Africa. 214 pp.

⁴ Notice of the List of Protected Tree Species under the National Forest Act, 1998 (Act No. 84 of 1998)

⁵ National Environmental Management: Biodiversity Act 2004 (Act No. 10 of 2004). Alien and Invasive Species Lists, 2016. Government Gazette no. 864

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In terms of section 12 (1) and 2 (a) of National Veld and Forest Act⁶ adequate firebreak must be prepared and maintained around the property to reasonably prevent the spread of unwanted fires in the area. We recommend that the owner, if not registered yet, apply for membership with the Southern Cape Fire Protection Association (SCFPA).

Waste generated by the construction must be stored until it is disposed at a registered facility. Furthermore, bins and waste skips must be baboon proof. Implement the integrated waste management approach that addresses waste avoidance, reduction, re-use, recycling, recovery, treatment, and safe disposal as a last resort.⁷

An Environmental Control Officer (ECO) should be appointed to oversee the process and should be present, if possible, during the construction to oversee the process and to identify any harmful activities.

In conclusion, the impact of the proposed activity on biodiversity and ecological processes must be minimized with suitable mitigation. Furthermore, future developments should be cognisance of the impact on the surrounding ecosystems and sensitive habitats.

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

Yours sincerely,



Megan Simons
For: Manager (Landscape Conservation Intelligence)

⁶ National Veld and Forest Act 1998 (Act 101 of 1998) Government Gazette: 19515

⁷ National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008). Consultation on the draft revised and updated national waste management strategy. 2019.

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Associate Prof Denver Hendricks (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Marguerite Loubser, Mr Mervyn Burton, Dr Colin Johnson, Prof Aubrey Redlinghuis, Mr Paul Slack



INTERNAL MEMORANDUM

Lynette Groenewald
Planning and Development: Spatial Planning
E-mail: lgroenewald@george.gov.za
Tel: +27 (0)44 801 9436

Collaborator No: 2044834

To: Land Use Management

Attention: Jeanne Fourie

From: Lynette Groenewald

Tel: 044 8019436

Date: 3 Nov 2021

Regarding: Application Comments: Rezoning Subdivision and Consent: Erf 1262 Wilderness

The application divides the property into two distinct sections:

- North of Waterside Road (Road 1620), and
- South of Road 1620.

North of Waterside Road:

The area of 9.7566 is cut off from the southern portion by an existing road. The area is considered to be sensitive from an environmental perspective (CBA1 area). The MSDF2019 is clear on the protection/conservation intent relating to this area/zone. The CBA1 delineation requires, in principle, that degraded areas be rehabilitated. The Environmental Authorization did not, in our opinion, take the larger area context into consideration and is accepted with reservations.

Note the hatched areas on the map below – Erf 1262 is an essential link between two areas already noted as Environmental Protection area. The continuity of the ecological zones is of importance on a scale larger than individual property level.



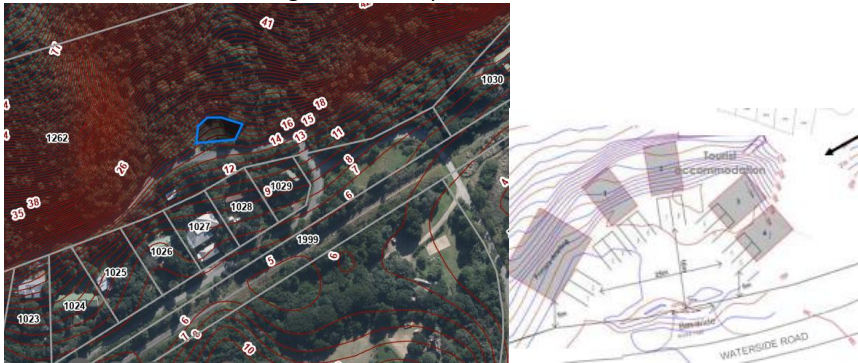
Recommendation:

- Rezoning from “undetermined” to “**Open Space Zone III**” (Nature Conservation area) is **supported** but must include the compilation of a Conservation Management Plan to the satisfaction/acceptance of Sanparks – (input from Maretha Alant).
- Sanparke supports the accommodation of tourist facilities, on the degraded area, north of the Road 1620, but not the inclusion of a residence (house) (telephonic Martha Alant).

- In view of the inclusion of the tourist accommodation, as a land use consent, the dwelling house (as allowed if a property is zoned for nature conservation purposes), **should be excluded** from the land use rights. As per the EA, a shop must also be indicated in the zoning rights as an exclusion.
- The footprint area of the development area (topography is such) that very small part of the site is available for development and the extension of the residential neighborhood north of the road is not supported, specifically in view of the CBA status and protection requirements.

With respect to the inclusion of a consent for tourist accommodation

- The review of the technical site detail, which formed the basis to allow the tourist units in terms of the Environmental Authorization, is questioned. The site development plan to show that the units are not located on a gradient steeper than 1:4.



- Note that the George Municipal data shows an area of approximately 400m² which is relatively flat (still sloped), with the surrounding area (and part of the area noted in the plan extract above), being steeper than 1:2. The draft sketch, which was included in the application shows units on steep slope.
- The conditions of the EA to be quoted in the approval letter to ensure compliance.
- The footprint area to be demarcated very clearly on the SDP, to align with the previously cleared area and not the general indication (block) shown in the EA/application memorandum. Note that the 2012/2013 aerial shows that a very small area was previously disturbed, but the disturbed area has reduced considerably as natural vegetation started growing back (Google Image 2021). Again – the CBA intent is rehabilitation. (Maintain in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate).
- Should the tourist units be allowed, based on the EA, the area on which they are situated should:
 - Not be steeper than 1:4,
 - Not be visible/screened by natural vegetation from the road (continuation of natural/protected zone, tourism route),
 - Be limited to the current disturbed footprint;
 - No garden-extensions allowed
 - Subject to the EA conditions
 - Should the proposed four units and parking/maneuvering space not be able to sit within the area (flat enough, access acceptable, screening area, retaining of indigenous trees/plant), the number of units may be decreased at SDP stage.
 - The relevant roads authority to confirm access feasibility to the proposed use prior to the granting of land use rights.
- Tourist facilities and accommodation are supported in the Wilderness area, but not to the detriment of the continuous natural areas and not if viewed as urban creep (residential).



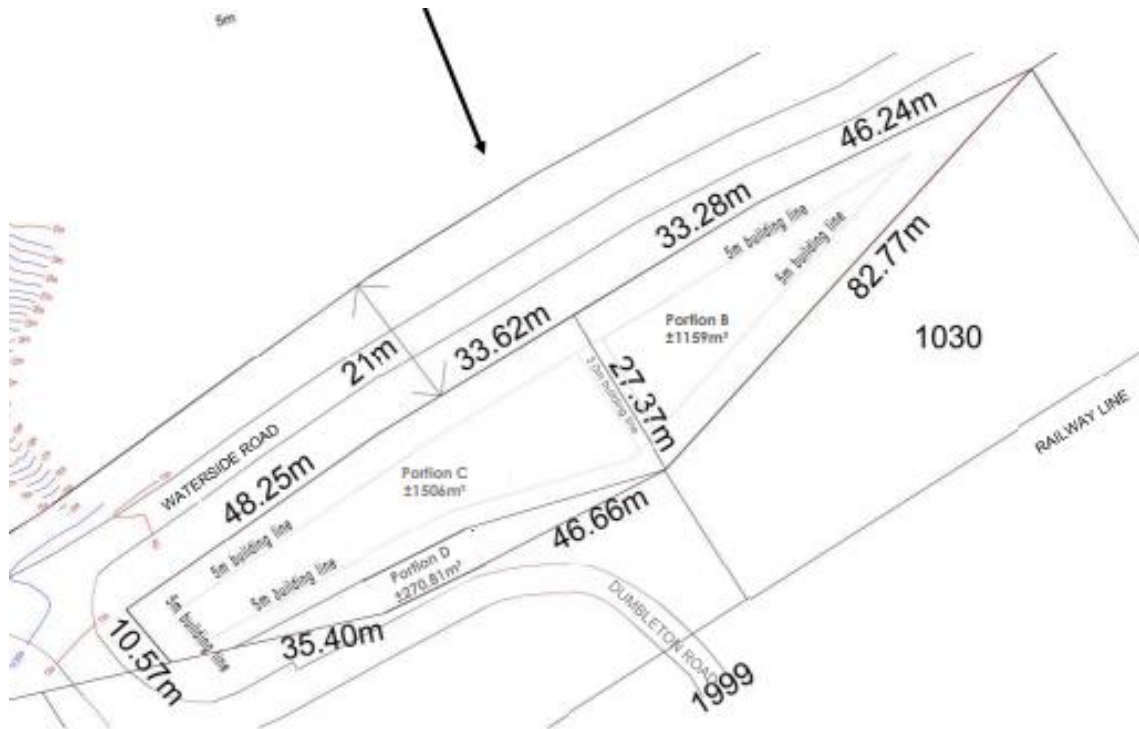
With respect to the two proposed residential erven to the south of Road 1620: The available data show that the proposed erven still fall outside the urban edge. The status of the inclusion, if any, to be established. Not all comments on the urban edge translated to the amendment of the edge during the 2019 MSDP process.

Similar to the notes regarding the developable portion of the site, the following will apply in respect of the proposed residential erven:

- Slope, not steeper than 1:4
- Natural 'screening' space to be provided along the Road 1620
- Access acceptable

It is not clear where Proposed portion B will get access and whether technically possible.

Why is Portion D not included in Portion C?



Lynette Groenewald

SPATIAL PLANNER : PLANNING AND DEVELOPMENT



MARLIZE DE BRUYN PLANNING
Consulting Town & Regional Planning

marlize@mdbplanning.co.za | +27 766 340 150 | www.mdbplanning.co.za | PO Box 2359, George, 6530
PO Box 540, Mossel Bay 6500

Ref.: 44/G21
Municipal Ref.: 2044834

The Municipal Manager
George Municipality
PO Box 19
GEORGE
6530

17 December 2021

For attention: Mr Clinton Petersen

By E-mail

**REPLY TO COMMENTS RECEIVED: PROPOSED REZONING, SUBDIVISION & CONSENT USE:
REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE MUNICIPALITY & DIVISION**

1. The abovementioned matter refers.

The 30-day public participation process for the abovementioned land use application for Remainder Erf 1262 Wilderness ended on 17 November 2021. No comments were received from neighbours. The 60 days for departments ended on 13 December 2021.

2. The following comments were received:

- Wilderness Ratepayers & Residents Association (WRRRA)
- Wilderness & Lakes Environmental Action Forum (WALEAF)
- SANParks
- CapeNature
- Department of Transport & Public Works: Road Network Management

3. No comments were received from:

- Ward Councillor
- Western Cape Forestry (DFFE)
- Sustainability Forum

4. The comments received are discussed in the paragraphs to follow:

5. **Wilderness Ratepayers & Residents Association (WRRRA) (no objection)**

- 5.1 *We are pleased that the 7.3 hectares north of Waterside has been redesigned to be tightly clustered and restricted in size. That hillside is very sensitive and we ask that you confirm that the new Open Space III (nature conservation area) zoning will protect it from further development. The Critical Biodiversity Area should be visibly demarcated during and after construction.*

Clustering as proposed is the only way as the portion of the property to be developed north of Waterside Road is limited as discussed in the motivation report. The details relevant to OSZIII are included in the zoning by-law.

- 5.2 *The design of the chalets with parking underneath means their height will be about 8.5 metres above ground level. We suggest you request height details from the applicant. The high buildings may be too dominant on the site.*

The chalets will be single level with parking underneath. The height is measured from natural ground level to the wall plate and the ridge of the roof as determined by the zoning by-law. The sketches provided with the land use application shows that the height will not exceed 8.5m. Due to the nature of the site and the vegetated character of the entire area, these small chalets cannot be dominant on the site.

- 5.3 *As stated in the application, the chalets will be used by tourists. One of the very close attractions is SANParks Ebb and Flo area including the hiking trail. Waterside Drive (DR 1620) is used by pedestrian and bicycle visitors to the Park year round and more frequently during holiday seasons. It is a relatively narrow road with several blind curves. A safe and protected pedestrian walkway should be built along the road. The applicant should engage with SANParks and the provincial roads department on this. The Municipality can make this a condition of approval.*

Such a pedestrian walkway is not the responsibility of a property owner with a limited development proposal. To provide a pedestrian walkway in this area should be the responsibility of the authorities. However the practical implication of such a walkway will result in environmental destruction – removal of vegetation, blasting of rocks, etc.

- 5.4 *The process to align the property's Open Space Zone III "with the abutting national park" should also be initiated now rather than later and be made a condition of approval.*

That is the aim of the rezoning. It creates a similar zoning to that of the abutting national park. It therefore cannot be a condition of approval.

- 5.5 *We note the issue of electrical supply has yet to be determined.*

This is addressed by the property owner and a condition of approval.

- 5.6 *The July 2018 draft civil engineering report refers:*

- *Was it ever made final?*
- *Is it still valid more than three years later?*
- *Confirm that there will be no coffee shop/restaurant of any commercial establishment.*
- *Confirm there will be two not four erven on the south side.*

The engineering report was needed for the EA process. This is now further addressed for the implementation of the development proposal following land use approval.

A coffee shop / restaurant is not included in this land use application. This land use application aims to create two erven south of Waterside Road. Paragraph 1.1 of the motivation report of this land use application summarises what is applied for.

- 5.7 *Are the plans for 4 person per chalet or 5?*

The EA, included with the land use application, states that each chalet can accommodate 5 people with a maximum of 20 people at this small resort at any given time.

- 5.8 *The mitigation measures proposed in the June 2017 Botanical Report should be made a condition of approval.*

Noted

- 5.9 *The Application Form shows a heritage review is not applicable, but our understanding is that it is applicable. Since the property is greater than 5000 square metres, the applicant must submit a Notice to Intent to Develop to Heritage Western Cape.*

The required process in terms of the National Heritage Resources Act, 1999 is being followed at present.

- 5.10 *The Environmental Management Programme spelled out in the June 2020 Authorization from the Department of Environmental Affairs must be adhered to and monitored and enforced.*

Compliance is attended to by the relevant authorities.

6. **Wilderness & Lakes Environmental Action Forum (WALEAF) (part objection)**

WALEAF at first submitted a blanket objection but then changed it to an in part objection. WALEAF also submitted a late appeal on the EA to the National Department of the Environment (DFFE).

- 6.1 *As this property is presently and was previously zoned Undetermined (USZ1), indicates that, in terms of the current George Integrated Zoning Scheme By-law, that the Primary Rights are NONE, and that the Secondary Rights are NONE. When the owners purchased this property, they were well aware that they did not have any rights to erect anything on this property. If anything is approved now, it will be a bonus.*

This property was purchased by the current owner before the GIZS came into effect on 1 September 2017. In terms of the former Wilderness Zoning Scheme Regulations (1984) a dwelling could be constructed on the property. Development rights were therefore taken away from the property which is not constitutionally fair. WALEAF's statement is therefore incorrect.

- 6.2 *In the application documents, it is stated that the southern section of the property falls within the urban edge of Wilderness. We question how part of this erf was all of a sudden included into the urban edge of Wilderness in 2019 in the GMSDF, whereas it was excluded from the urban edge in 2015 in the WLH LSDF, which is still in force. Were the public in Wilderness ever requested to comment on this proposal? When the 2015 WLH LSDF was compiled, Waleaf was requested to comment and submitted inputs into that document. As this LSDF is still valid, how was the urban edge altered without public participation?*

With the amendment of the GMSDF leading to its approval in 2019, the southern portion of Remainder Erf 1262 Wilderness was included in the urban edge following due process which included public participation. The WLH LSDF is a component of the GMSDF.

- 6.3 *WALEAF discusses the EA and deducts that no vegetation may be cleared on Portions B and C.*

By the issuing of the EA, the portion of Remainder Erf 1262 southeast of Waterside Road was already included in the urban edge. The DFFE will not issue an EA including two single residential erven if they at the same time do not allow the development thereof. Following the requested land use approval, due process will be followed for Portion B and C in terms of the OSCAE regulations.

- 6.4 *On Portion A it is proposed to erect 1 dwelling and 4 tourist accommodation units. We have visited this site on 4 different occasions, and we are of the opinion that the flat area is too small to accommodate all 5 buildings. We notice on the site development plan (see below) that 3 of the buildings are set back from the level ground to the south of them, and it appears to us that much cutting into the embankment behind them will need to be carried out if they are to be positioned there. We are totally opposed to any cutting into this embankment, as, firstly, it will destabilise the embankment, and, secondly, it will require for much indigenous vegetation to be cleared.*

As we feel that the area is too small to accommodate all 5 buildings, we therefore wish to lodge our **objection** to 5 buildings being constructed on Portion A. Perhaps a compromise could be reached if fewer buildings were planned for Portion A.

The level area is not too small to accommodate the primary dwelling and 4 chalets. The measurements show that there is ample space. From the start the property owner knew that the site is limited and therefore only there small primary dwelling and 4 small chalets are proposed for the portion north of Waterside Road. No cutting into the embankment is

proposed. WALEAF makes unfounded statements and provides no evidence why they feel the site is too small and why cutting of the embankment will take place. Land use applications are not based on feelings but facts.

- 6.5 *(WALEAF subsequently comments on Portion B and C, but refers to A and B in a few sentences. This is clearly a typing error. We corrected it in this section here.) Portions B and C are totally covered in mature Afromontane indigenous forest, which needs to be preserved for current and future generations. This easterly section of Waterside Road meanders through mature indigenous forest on the way to Ebb & Flow Camp in the Wilderness National Park. If we allow anything to be erected on Portions B and C, it will permanently alter the entire sense of place which is at the turn off to the historic Fairy Knowe Hotel, and Fairy Knowe Backpackers. These are both historical sites dating back decades, and any destruction of the forest on the way to these sites, will alter the entire feeling of the surroundings.*

The aim is not to clear Portions B & C but only the space as authorised by the National Department of Environmental Affairs. The EA authorised 2 single residential properties here following due process. Comment from local departments into the EA process concluded that 2 single residential properties can be accommodated on the south-eastern side of the property located within the urban edge. This was already addressed with the Town Planning Section in 2018 in the public participation phase of the GMSDF (2019). The two single residential erven will have access from Dumbleton Road abutting an existing residential property and close to the Fairy Know Hotel and Fairy Know Backpackers. It is regarded as infill development and the site is also not indicated as a CBA.

- 6.6 *In the SG image from 1969 it is noted that the old road to Fairy Knowe (dotted lines) used to be just on the western boundary of the present erf 1030, which was subdivided from erf 1262, together with erf 1031 (and other erven) in 1979. We surmise that the old historic stone walls (see photograph below) which are currently in the forest on Portions A and B, are embankment retaining walls for the old road to Fairy Knowe. As these old stone walls are of historic value, and need to be protected under the Heritage Act, nothing should be built in the vicinity of these walls.*

The required application process in terms of the National Heritage Resources Act, 1999 is being followed at present.

- 6.5 In conclusions WALEAF states that the land use application for Remainder Erf 1262 Wilderness is supported except for the two single residential erven and the 4 chalets.

Noted.

7. SANParks (support with amendments proposed)

- 7.1 *The proposed primary dwelling will have a disturbance footprint of 160m² excluding access road, gardens and associated infrastructure. The primary dwelling will be on the slope where indigenous vegetation will have to be removed, not on the level area that was previously cleared.*

The slope is suitable – see photos include in the motivation report – and clearing has already taken place in the position proposed for the primary dwelling. The position was chosen due to its location and having ample sun throughout the year. The chalets which will not be permanently occupied is positioned on the section of the property with less sun in winter. No more vegetation to the north of the property is to be cleared for the primary dwelling.

- 7.2 *The proposed tourist accommodation units are proposed to be ±64m² each, single storey with two bedrooms but raised to make parking possible in part underneath. The total development footprint of the tourist accommodation units, excluding additional infrastructure, will be ±260m². Exactly where the parking is proposed is a bit confusing from the information provided.*

Noted. Why the parking provision is regarded as confusing, is unclear.

7.3 SANParks strongly supports the rezoning to Open Space Zone III (nature conservation area) on both sides of the road. However, we are very concerned about the Site Development Plan as proposed. Northern portion of site:

- The primary dwelling with a disturbance footprint of 160m² excluding access road, gardens and associated infrastructure is not supported. The proposed dwelling is on the slope above the transformed level area and indigenous forest will be lost. This impact can be mitigated by not constructing the primary dwelling as proposed.
- The 4 tourist accommodation units with a disturbance footprint of ±64m² each, excluding associated infrastructure, could be supported on the disturbed level area. Units 3 and 4 are supported but units 1 and 2 needs to be relocated to the level area. Not constructing the primary dwelling will allow enough developable space on the level disturbed area.

As stated, and as shown to SANParks on site, no more indigenous vegetation will be lost for the primary dwelling. These statements are unfortunately not correct. The proposed zoning of the property – Open Space Zone III – does allow for a primary dwelling. SANParks support the zoning and therefore cannot oppose the primary land use right associated with it.

The tourist accommodation units are to be developed on the level area with two towards the northern slope. Parking is to be provided on the level area. The measurements on the plan provided show that there is ample space.

All structures proposed are small when considering that the Wilderness area is characterised by large dwellings. The property owners consider the environment in their proposal.

Southern portion of site:

- SANParks recommends that the southern portion of the site is also rezoned to Open Space Zone III (nature conservation area) excluding the development footprint for a Single Residential Zone I (for 1 dwelling house).
- On the site visit it was not possible to reach the proposed footprints of the 2 dwellings as the area is totally overgrown with indigenous forest species. We object to the footprints of the proposed 2 dwelling houses and access road as this will have a significant negative impact on the indigenous forest that can be prevented. SANParks will support a dwelling unit in the open space where the historic wall is present. Developing in this open area may result in the loss of some trees but the access road will be significantly shorter and trees could be incorporated into the design.

The portion of Remainder Erf 1262 Wilderness is included in the urban edge with the zoning proposed to be Single Residential Zone I – the same as other properties located here. Initially more than 2 erven were proposed for the southern side of Waterside Road. Following site visits with amongst others, SANParks during the EA process it was concluded that 2 erven can be accommodated here – the property was not as overgrown then and was easily reached by all the officials present. The 2 erven were therefore authorised in terms of NEMA by the national department.

For the construction of the 2 dwelling on the two erven proposed, the required process in terms of the OSCAE-regulations will be followed.

7.4 SANParks concludes with the following

- We support Open Space Zone III (nature conservation area) on both sides of the road to exclude the Single Residential Zone I (for 1 dwelling house) in the open area where the historic wall is present. The consent use for 4 tourism units is supported on the northern side of the property.
- We object to the primary dwelling on the northern side of the property.
- We support 1 dwelling unit on the southern side of the property, not 2 dwelling units as proposed and not in the footprints that were identified in the Site Development Plan.

Noted and discussed in the paragraphs above.

8. **CapeNature (no objection)**

- 8.1 CapeNature discusses the environmental information & legislation applicable to the subject property. A firebreak around the property is suggested as well as the property owner becoming a member of the Southern Cape Fire Protection Association (SCFPA). An ECO will also be needed for the implementation stages.

Noted

9. **Department of Transport & Public Works: Road Network Management (no objection)**

- 9.1 This Department offers no objection with certain requirements:

- That the existing access to the northern section of the property be closed and moved.
- That an acceptable access towards the north be determined in conjunction with the roads department of the District Municipality. Site lines have to be cleared.
- Access to Portions B & C be from Minor Road 6890 (OP06890) as suggested abutting Erf 1030 Wilderness. The design must be in accordance with this department's standards.
- A servitude right of way in favour of Portion B to be registered.
- Access to Portion E must be determined and evaluated by this Department.
- The proposed Remainder (the road reserve of DR01620) and Portion D (part of the road reserve of OP0680) must be transferred to this Department.

The new position for access to the northern portion will be determined together with the relevant officials and indicated on the final site development plan to be submitted following the land use approval.

The design for the access to Portion B & C will also be addressed with the relevant professionals when needed.

The servitude access will be addressed in terms of Section 24 of the planning by-law following land use approval.

If required, the access to Portion E will be addressed with the relevant officials.

The registration of the proposed Remainder and Portion D will be addressed following the land use approval.

Concluding

5. **The five comments** received is addressed in the paragraphs above and also the motivation report.
6. It is trusted that this land use application for Remainder Erf 1262 Wilderness can now be concluded successfully.

Yours Faithfully



MARLIZE DE BRUYN Pr. Pln.
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Ref.: 44/G21
Municipal Ref.: 2044834

The Municipal Manager
George Municipality
PO Box 19
GEORGE
6530

9 March 2022

For attention: Mr Clinton Petersen

By E-mail

**REPLY TO INTERNAL COMMENTS RECEIVED: PROPOSED REZONING, SUBDIVISION & CONSENT USE:
REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE MUNICIPALITY & DIVISION**

1. The internal comments received on 4 March 2022 refers.
2. The comments received are discussed in the paragraphs to follow:
3. **Directorate Civil Engineering Services (CES)**
 - 3.1 The development conditions are noted as well as the statement regarding discrepancies in the civil services report. An updated report will be provided to the Department.
4. **Directorate Electrotechnical Services (ETS)**
 - 4.1 The property owner's engineers are already attending to the detail as required. Consultation will take place as needed with the relevant officials.
5. **Environmental Services**
 - 5.1 The following was stated: *The proposal has already been subjected to an environmental authorization process with public participation." Environmental authorization to do what... please clarify? Clearing of vegetation has taken place as can be seen from the photos in the application. Was a permit obtained to do this? The Portion A (±7.2974ha): Open Space Zone III (nature conservation area) needs an Environmental management plan.*

The environmental authorisation (EA) is part of the land use application submission. The limited clearing (weeds, etc) that took place, is in terms of the EA. This was discussed between the ECO, Mr. Andrew West, and the Town Planning Section's Mr. Clinton Petersen during 2021.

6. Spatial Planning Section

North of Waterside Road

- 6.1 *The area of 9.7566 is cut off from the southern portion by an existing road. The area is considered to be sensitive from an environmental perspective (CBA1 area). The MSDP2019 is clear on the protection/conservation intent relating to this area/zone. The CBA1 delineation requires, in principle, that degraded areas be rehabilitated. The Environmental Authorization did not, in our opinion, take the larger area context into consideration and is accepted with reservations.*

We agree that the largest extent of this property is sensitive due to its steep slopes which cannot be developed. The small section of the property which was used for the storage of road building material and also many times just a dumping ground is limited in extent and ideally located to provide people with the opportunity to enjoy the natural environment of Wilderness.

The report by Dr. Jan Vlok, a renowned botanist, should be considered by the municipal officials just like it was an important consideration for the National Department of Forestry, Fisheries and Environment (DFFE) who issued the EA (environmental authorisation) which is their competency for properties surrounding national parks. Dr. Vlok's report is part of the land use application submission but attached here for easy of reference. Dr. Vlok concluded that the disturbed area north of Waterside Road can be considered for development. The biodiversity levels are low with the careful development which will not impair local or regional ecological processes. Dr. Vlok also states that the portion is also located abutting an access road (Waterside Road).

Dr. Vlok provides mitigation measures with his conclusion stating that the positive impact of conserving most of this property to act as an ecological corridor, will far outweigh potential negative impacts of the limited development proposed.

With this land use application, the northern section of Erf 1262 Wilderness will be protected with the appropriate zoning and an environmental management plan. SANParks always seek a conservation outcome of which this proposal is an excellent example.

It should also be noted that *CapeNature*, commenting from a biodiversity perspective, states that according to the Western Cape Biodiversity Spatial Plan (WCBSP, 2017) the development area had CBA 1 and degraded ESA 2 areas. It is not only a CBA 1-property. The WCBSP Land Use Guidelines Handbook (2017) guides development activities. Low impact biodiversity sensitive land uses are regarded as appropriate for CBA 1-areas. Dr. Jan Vlok concluded that the development proposal for Remainder Erf 1262 Wilderness is not negative considering biodiversity.

- 6.2 *Erf 1262 is an essential link between two areas already noted as Environmental Protection area. The continuity of the ecological zones is of importance on a scale larger than individual property level.*

The Environmental Protection Area is the national park which is divided by roads (Waterside Road, Melkhout Avenue & Dumbleton Road) and existing residential development. The developable area here are limited and utilised accordingly for a century. Also, the developable area of Erf 1262 Wilderness located north of Waterside Road has been utilised by authorities for at least 40 years. Now the area is being maintained and rid of weeds, refuse and invasive species with limited development proposed.

- 6.3 *Sanparke supports the accommodation of tourist facilities, on the degraded area, north of the Road 1620, but not the inclusion of a residence.*

This is addressed in our letter of reply dated 17 December 2022. Please see paragraph 7 of said letter for the complete information/statements.

A primary dwelling is a primary land use right for Open Space Zone III – nature conservation area. The EA and the zoning provide a conservation outcome. The property owner follows the process to ensure the protection of the property bordering onto the National Park and will be subject to the requirements of the environmental management plan perpetually but should then be deprived of the primary land use right to always be present at the property? As stated in our land use application the development footprint proposed is less than what was authorised through the EA.

The primary dwelling is proposed to have a footprint of 160m² with a loft of ±28m² giving a total floor area of 188m². The four tourist accommodation units will have a development footprint of ±260m². The floor space totals 448m² with a footprint of ±420m². 448m² of construction is asked in exchange for ±7.2974ha of nature conservation area.

6.4 *A shop must be indicated as an exclusion from the zoning rights.*

A shop is not part of the land use application – please see Paragraph 3 of our motivation report.

6.5 *The footprint area of the development area (topography is such) that very small part of the site is available for development and the extension of the residential neighbourhood north of the road is not supported, specifically in view of the CBA status and protection requirements.*

The proposal for the northern section of Remainder Erf 1262 Wilderness is not a residential neighbourhood but a small resort. From discussions with the responsible officials when the George Integrated Zoning By-law was finalised in 2017, it was clear that Open Space Zone III (nature conservation area) aims to provide tourist accommodation opportunities also for private residents who aims to protect a property just like e.g. SANParks do. SANParks provide a wide range of tourist accommodation facilities.

Also note Dr. Vlok's findings regarding the property north of Waterside Road.

6.6 *Subsequently detail of the development proposal is listed.*

The developable area is not as small as perceived and the slope is not excessive. It is trusted that the municipal officials will visit the site. Old photos (also included in the motivation report) shows how the property owner has been improving the disturbed area to the benefit of the remainder of the property. The EA is in terms of national legislation and will continuously be complied with as required. The developable area was invested by weeds, invasive alien species and a dumping area for construction material and other waste. This is no more.

South of Waterside Road

6.7 *It is stated that the proposed two erven still fall outside of the urban edge.*

Please see Paragraph 4.2.1 of our motivation report. Note the extract from Addendum 4 to the GMSDF (2019). The municipal viewer was just never updated but this has been attended to recently.

6.8 *It is stated that it is unclear where Portion B will obtain access.*

Please see Paragraph 4.1.1.3 (p. 12) of our motivation report. Access to the two Single Residential Zone I erven will be from Dumbleton Road with a servitude to be registered over Portion C to Portion B. This servitude will be registered in terms of Section 24 of the planning by-law following the completion of the land use application.

6.9 *Why Portion D is not included in Portion C is questioned.*

Portion D is a portion of Dumbleton Road's reserve and therefore given off.

Concluding

7. The development proposal for Remainder Erf 1262 Wilderness is a low-key proposal with a ±7.2974ha conservation outcome. The development proposal for both sides of Waterside Road is less than initially proposed in the EA-process. A larger construction footprint was proposed for the developable area of the nature conservation area with a tourist facility (coffee shop). The latter was excluded from the EA-process due to comments received and was subsequently not included in the land use application process.

8. The construction area is also smaller than proposed as indicated in our motivation report and earlier in this letter. A minimum of 4 residential opportunities were initially proposed for the areas south of the road but was reduced to only 2 with the finalisation of the EA, issued by the National Department of Forestry, Fisheries and Environment (DFFE).
9. Regarding the comment received from the Department of Transport & Public Works: Road Network Management (see the paragraph 9 of our reply to comments received dated 17 December 2021), the property owner has been in consultation with official from the Oudtshoorn office of this Department. The property owner will address the access in accordance with the requirements and update the SDP as needed.
10. It is trusted that this land use application for Remainder Erf 1262 Wilderness can now be concluded successfully.

Yours Faithfully



MARLIZE DE BRUYN Pr. Pln.

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Our Ref: HM/ EDEN/ GEORGE/ ERF 1262
Case No.: 19111209KB1118E
Enquiries: Natalie Kendrick
E-mail: natalie.kendrick@westerncape.gov.za
Tel: 021 483 5959

Dr Peter Nilssen
 peter@carm.co.za



FINAL COMMENT
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

HERITAGE IMPACT ASSESSMENT: PROPOSED REZONING & SUBDIVISION FOR PRIVATE DWELLINGS AND TOURIST ACCOMMODATION ON REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS, GEORGE, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 19111209KB1118E

The matter above has reference.

This matter was discussed at the joint Impact Assessment Committee (IACom) and Archaeology, Palaeontology and Meteorites Committee (APM) meeting held on 16 February 2022.

FINAL COMMENTS:

The Committee endorsed the Heritage Specialist Impact Statement by Dr Nilssen, dated 11 January 2022, for remainder erf 1262 Waterside Road, Wilderness, proposed rezoning and subdivision.

HWC reserves the right to request additional information as required.
 Should you have any further queries, please contact the official above and quote the case number.

.....
 Colette Scheermeyer
Deputy Director



Heritage Western Cape
Erfenis Wes-Kaap
ILifa leMveli leNtshona Koloni

22 February 2022

www.westerncape.gov.za/cas

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 • **Tel:** +27 (0)21 483 5959 • **E-mail:** ceoheritage@westerncape.gov.za

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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

DEA Reference: 14/12/16/3/3/1/2071

Enquiries: Zamalanga Langa

Telephone: 012-395-9389 E-mail: zlanga@environment.gov.za

Mr Dion Romijn
Dion Romijn Family Trust
P.O Box 382
ONRUSRIVIER
7201

Cell: (082) 892 6405
E-mail: dromyn@telkomsa.net

PER E-MAIL / MAIL

Dear Mr Romijn

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: GN R982/983/985, AS AMENDED: PROPOSED DEVELOPMENT ON ERF 1262, WILDERNESS, WESTERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was

sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083; or

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 08/06/2020

| | | | |
|-----|--------------------|---------------------------------------|---|
| CC: | Mr Andrew West | Andrew West Environmental Consultancy | Email: andrewwest@isat.co.za |
| | Mr Danie Swanepoel | DEA&DP | Email: cpeterson@george.gov.za |





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The proposed development on ERF 1262 in Wilderness, in the George Local Municipality

Western Cape Province

Garden Route District Municipality

| | |
|---------------------------------------|--|
| Authorisation register number: | <i>14/12/16/3/3/1/2071</i> |
| Last amended: | <i>First issue</i> |
| Holder of authorisation: | <i>DION ROMIJN FAMILY TRUST</i> |
| Location of activity: | <i>WESTERN CAPE PROVINCE: On Erf 1262 of Wilderness in the George Local Municipality</i> |

This Environmental Authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

MS

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

DION ROMIJN FAMILY TRUST

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr Dion Romijn
Dion Romijn Family Trust
P.O Box 382
ONRUSRIVIER
7201
Cell: (082) 892 6405
E-mail: dromyn@telkomsa.net

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3, as amended (GN R983 and R985, as amended):

| Listed activities | Activity/Project description |
|--|--|
| <p><u>GN R983 Item 12:</u></p> <p><i>The development of –</i></p> <p><i>(x) buildings exceeding 100 square metres in size where such development occurs within 32 metres of a watercourse, measured from the edge of a watercourse</i></p> | <p>In Development Area A, the footprint of the development for the primary dwelling and the 4 Tourist Chalets as indicated will be 550 m² and in Development Area B it will be 475 m² giving a footprint development of 1 025 m² out of a total area of 95 534 m² on both the north and south side of Waterside Road.</p> |
| <p><u>GN R985 Item 6:</u></p> <p><i>The development of resorts, lodges, hotels and tourism or hospitality facilities that sleeps 15 people or more</i></p> <p>(f) In Western Cape</p> <p><i>i All areas outside urban areas</i></p> <p><i>ii Critical Biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p> | <p>In Development Area A the footprint of development for the primary dwelling and the 4 Tourist Chalets (each to accommodate 5 people i.e. a maximum of 20 at any one given time) as indicated will be 550 m² and in Development Area B it will be 475 m² giving a footprint development of 1 025 m² out of a total area of 95 534 m² on both the north and south side of Waterside Road.</p> |
| <p><u>GN R985 Item 12:</u></p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan</i></p> <p>(a) In the Western Cape Province:</p> | <p>In Development Area A, the footprint of development for the primary dwelling and the 4 Tourist Chalets as indicated will be 550 m² out of a total area 95 534 m² on Erf 1262, the property concerned.</p> |

| Listed activities | Activity/Project description |
|--|------------------------------|
| <i>i Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA</i> <i>ii Within critical biodiversity areas identified in bioregional plans</i> | |

as described in the Basic Assessment Report (BAR) dated February 2020 at:

Farm Name: Erf 1262

21 Digit SG code:

| | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| C | 0 | 2 | 7 | 0 | 0 | 0 | 9 | 0 | 0 | 0 | 0 | 1 | 2 | 6 | 2 | 0 | 0 | 0 | 0 | 0 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

| Site Boundary Coordinates | Latitude | Longitude |
|---------------------------|------------------|----------------|
| | 33°59 '31.65"S | 22°35 '34.55"E |
| | 33°59'24.87"S | 22°36'05.08"E |
| | 33°59'22.82"S | 22°35'54.65"E |
| | 33° 59' 32.39" S | 22°35'42.84"E |

the location indicated in the locality plan, attached as Annexure 2 of this authorisation for the proposed development on Erf 1262 of Wilderness, George Local Municipality in the Western Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- Primary dwelling;
- A small scale Tourist facility with Tourist Facility/ Tourist Accommodation (consisting of 4 small units) and 2 Single Residential erven to the south of the access road.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The Layout Alternative 3 (referred Alternative C on Layout Map) for the proposed development on Erf 1262 in wilderness within jurisdiction of George Local Municipality in the Western Cape Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of five (05) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

13. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and strictly adhered to.

Frequency and process of updating the EMPr

14. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.

15. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
16. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R982 of 04 December 2014, as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
17. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R982 of 04 December 2014, as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
18. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R982 of 04 December 2014, as amended.

Monitoring

19. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 19.1. The ECO must be appointed before commencement of any authorised activities.
 - 19.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 19.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 19.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

20. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
21. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
22. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R982 of 04 December 2014, as amended.
23. The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
24. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended, and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the approved EMPr.
25. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and Competent Authority in respect of this development.

Notification to authorities

26. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

27. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

28. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

29. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
30. No structures should be erected outside the boundaries of Area A.
31. No indigenous trees with a diameter at breast height (d.b.h.) of more than 200 mm should be removed from areas A – C.
32. No concrete foundations for structures or any hard surfaces (e.g. parking) may be established under the canopies of any of the remaining trees (with d.b.h. > 300 mm). The flooring of all the housing units and recreational areas that occur amongst the remaining trees should ideally be lifted > 500 mm above ground level to ensure that root development of remaining trees is not impaired.
33. All the alien vegetation that occurs within Areas A – C must be eradicated.
34. Soil erosion along the water channel at the eastern boundary of Area A must be curbed.
35. The undeveloped portion of the property must be rezoned to Open Space III and the management thereof must be aligned with those of the abutting National Park to act as an east-west corridor.
36. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
37. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping. Copies of the permit/s must be included in the EMPr.

38. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the Botanical Study / BAR dated February 2020 must be implemented to reduce the risk of erosion and the invasion of alien species.
39. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
40. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).
41. Ensure that "Duty of Care" to the environment in terms of Section 28 of the National Environmental Management Act (Act 107 of 1998) is implemented.
42. Protect and manage the ecological corridors as far as possible in order to ensure that there is landscape wildlife connectivity.
43. The development will not include a restaurant, coffee shop or any other such commercial venture and no such venture will in future be allowed on the property.
44. Waste, which is not authorised for disposal on site as part of the approved development, must be dealt with according to relevant legislation or the Department's policies and practices.
45. The holder of Environmental Authorisation must prevent the occurrence of nuisance conditions or health hazards.
46. No effluent must be discharged into any storm water drain or furrow, whether by commission or by omission.
47. The applicant must limit the commercial activities of potential tourists in the development area (reduction of noise impact)

General

48. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 48.1. at the site of the authorised activity;
 - 48.2. to anyone on request; and
 - 48.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.

49. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 08/06/2020



Mr Sabelo Malaza

**Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs**

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the BAR dated February 2020;
- b) The comments received from South African National Parks, Department of Environmental Affairs and Development Planning, Department of Agriculture, Forest and Fisheries, Breede-Gouritz Catchment Management Agency, Cape Nature, George Municipality and interested and affected parties as included in the BAR dated February 2020;
- c) Mitigation measures as proposed in the BAR dated February 2020 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix 5 of the BAR; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act No.107 of 1998, as amended.

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) There is a need for affordable holiday accommodation in the wilderness area and this development seeks to address this need.
- c) The BAR dated February 2020 identified all legislation and guidelines that have been considered in the preparation of the BAR dated February 2020.
- d) The methodology used in assessing the potential impacts identified in the BAR dated February 2020 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014, as amended, for public involvement.

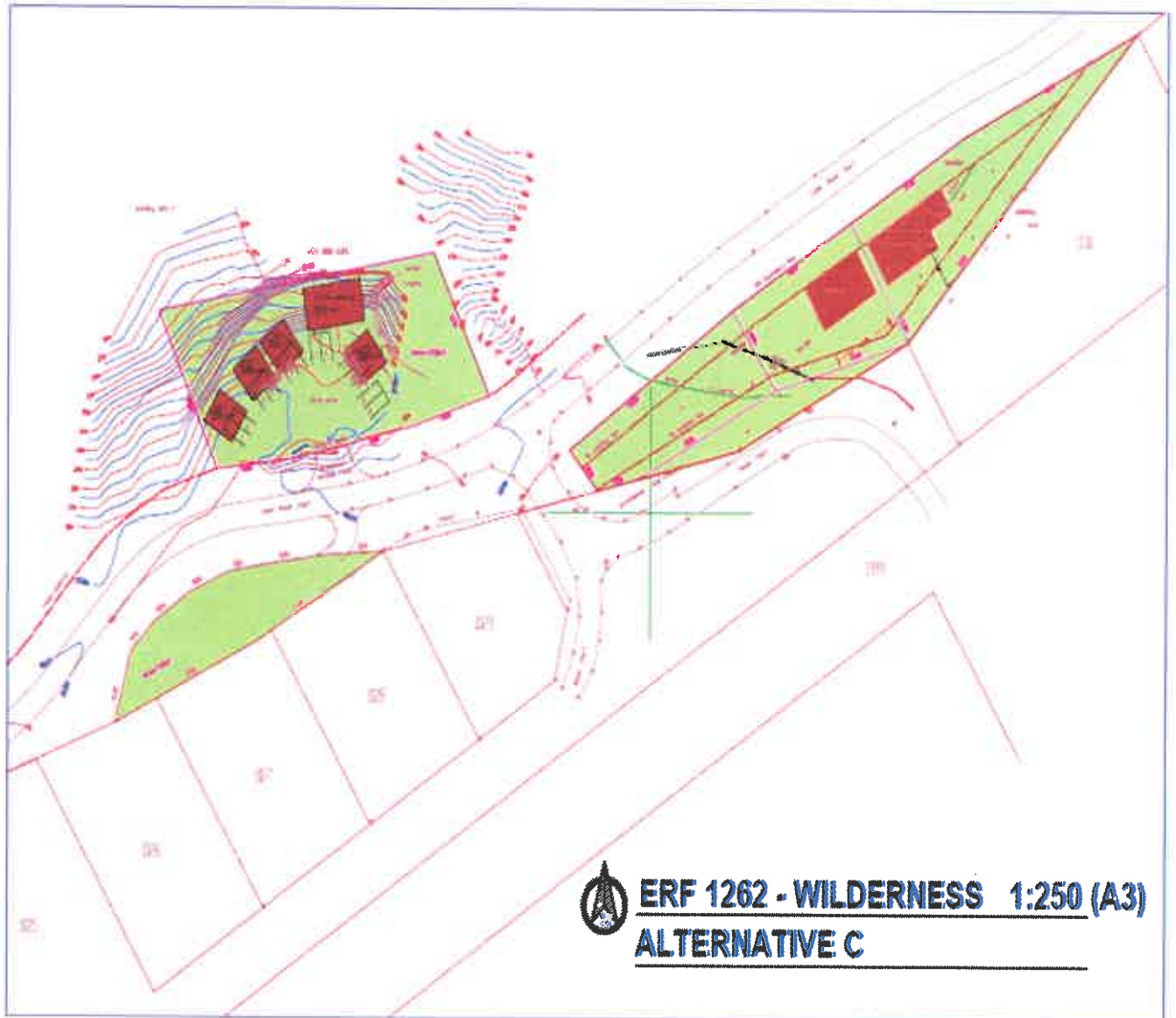
3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated February 2020 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the BAR dated February 2020 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

Annexure 2: Layout Plan





Western Cape
Government

TRANSPORT & PUBLIC WORKS: ROADS

Chief Directorate: Road Planning

Email: Grace.Swanepoel@westerncape.gov.za

Tel: +27 21 483 4669

Room 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/BPL-12/15 (Job 27415)

ENQUIRIES: Ms G Swanepoel

DATE: 15 December 2021

The Municipal Manager
George Municipality
PO Box 29

GEORGE

6530

Attention: Ms J Fourie

Dear Madam

PROPOSED REZONING AND SUBDIVISION: REMAINDER ERF 1262 ALONG DIVISIONAL ROAD 1260 (DR01620; WATERSIDE ROAD), WILDERNESS, GEORGE MUNICIPALITY & DIVISION

1. The following refer:
 - 1.1 The District Roads Engineer, Oudtshoorn's memorandum 2019 12 13 Job no. 27415 dated 13 December 2019 to this Chief Directorate.
 - 1.2 Marlize De Bruyn Planning's undated motivational report 44/G20.
2. Erf 1262, Wilderness is found within an area of rolling terrain with difficult access (possibilities) off both DR01620 and Minor Road 6890 (OP06890; Dumbleton Road). Both roads for which this Branch is the Road Authority.
3. This Branch offers no objection to this proposed development, provided that the following are adhered to:
 - 3.1 The existing access off DR01620 at ±km2.44 LHS, where the required minimum safe sight distances are not available, is permanently closed with material similar than the existing fence in that vicinity.
 - 3.2 An acceptable access location off DR01620 to the north in favour of proposed Portion A must be produced for evaluation and approval in terms of Roads Ordinance 19 of 1976. It must be noted that most likely will the developer's engineer and the roads department of Garden Route District Municipality must work together to clear sight

lines to provide sufficient proof of accessibility in accordance to this Branch's accepted safe standards.

- 3.3 Proposed Portions B and C are provided with a suitable (single) access off OP06890 at the existing access to Erf 1030. A design in accordance to this Branch's standards must be submitted for approval in terms of Roads Ordinance 19 of 1976 before construction thereof may commence.
- 3.4 A servitude right of way off OP06890 via the access mentioned in paragraph 3.3 up to and in favour of proposed Portion B must be registered and brought into place.
- 3.5 Proposed Portion E must be provided with an acceptable access location. A vehicular access, unless if a servitude right of way is registered over one of the adjacent southern erven, appears to be impossible. Such an acceptable access must be produced for evaluation and approval in terms of Roads Ordinance 19 of 1976.
- 3.6 Both the proposed Remainder (representing the road reserve of DR01620) and Portion D (to be included as the road reserve of OP06890) must be carried over to this Branch at no cost to this Branch. The process to complete this requirement must be agreed with this Branch's Mr P Pienaar (e-mail: Pieter.Pienaar@westerncape.gov.za; Tel: 021 483 2105).
- 3.7 If any fence and / or wall, which differs from this Branch's standard fencing, will be applied for, then the applicant must acknowledge in writing to construct and maintain that fence and / or wall in full at his own cost.
- 3.8 The 5m Building Lines (Roads Ordinance 19 of 1976) adjacent to both sides of both the DR01620 and OP06890 road reserves must be maintained.
4. Upon compliance to the abovementioned conditions (in full) will this Branch respond (to an application) with the required subdivision approval in terms of Act 21 of 1940, for which this Branch is the Controlling Authority.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS

ENDORSEMENTS

1. George Municipality

Attention: Ms J Fourie (e-mail: jfourie@george.gov.za)

2. Marlize De Bruyn Planning

Attention: Ms M de Bruyn (email: marlize@mdbplanning.co.za)

3. Garden Route District Municipality

Attention: Mr JG Daniels (email)

4. District Roads Engineer
Oudtshoorn

5. Mr E Burger (e-mail)

6. Mr SW Carstens (e-mail)

**SPECIALIST BOTANICAL
IMPACT REPORT
FOR PROPOSED HOUSING DEVELOPMENT
ON ERF 1262 OF WILDERNESS (GEORGE).**

This report was prepared during June 2017 by:

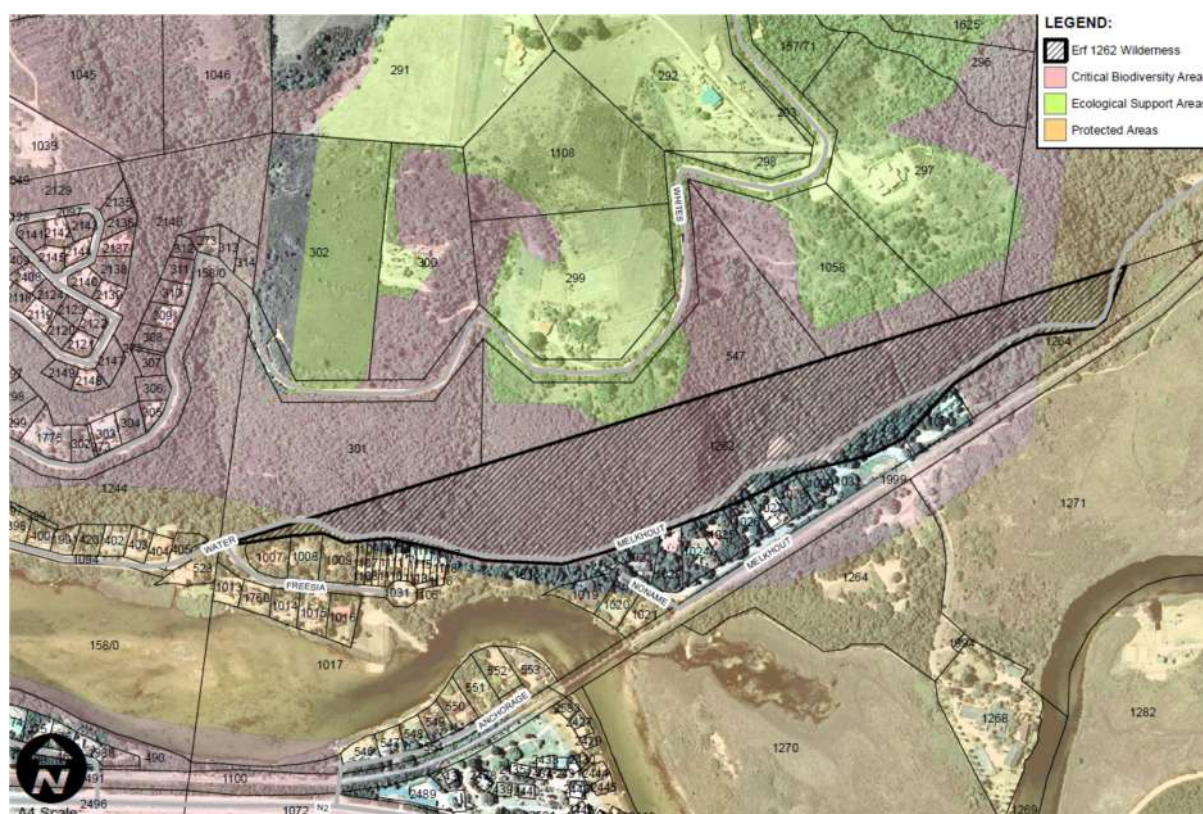
**Regalis Environmental Services CC
P.O. Box 1512
6620 Oudtshoorn
Tel: 044-2791987
Email: janvlok@mweb.co.za**

INTRODUCTION

The landowner of erf 1262 (see Map 1) of Wilderness (George) wishes to establish a number of housing units on this property. Regalis Environmental Services was appointed to consider potential development sites and to do a botanical survey of the proposed development sites, in particular to determine sites where;

- (i) No rare or threatened plant species are present, and;
- (ii) The proposed development will not have a significant negative impact on any threatened vegetation type, critical biodiversity area or important ecological process of the area.

Jan Vlok of RES surveyed the area during May 2017 and the results of my field study are provided here. My declaration of independence is provided as Appendage 1, the impact assessment in Appendage 2 and my CV as Appendage 3.



Map 1: Location of Erf 1262.

METHODOLOGY AND UNCERTAINTY REGARDING STUDY RESULTS

The national status of the affected vegetation type was determined by means of consulting Mucina *et al* (2006) and the regional significance of the affected vegetation was determined by means of consulting the fine-scale conservation plan for the region (Vromans *et al*, 2010) and adjustments by Pence (2014). I am thus confident that the proposed recommendations carefully consider national and regional conservation principles as are prescribed in the Guideline for biodiversity specialists (DEA&DP, 2005).

The proposed development sites were surveyed on foot to determine the ecological condition of the sites and to establish if rare or endangered plant species (*sensu* Raimondo *et al*, 2009) are or may be present.

Only forest vegetation occurs at the development sites (no fire dependent species are thus affected) and I cannot foresee that any important species were overlooked during the field surveys. I am thus confident that my field study results and recommendations are complete and sound.

RESULTS OF STUDY

On a national level the vegetation is mapped as Southern Afrotemperate Forest (status = Least Threatened), most of the property was mapped as a Critical Biodiversity Area (CBA) and the eastern boundary of the property abuts a protected area (National Park). Only the part of the property that occurs south of Melkhout drive was not mapped as a CBA (see Map 1).

Most of the section of the property north Melkhout drive consists of near pristine Southern Afrotemperate Forest. An area adjacent to and north of Melkhout drive was cleared many years ago for an unknown reason and some forest tree species established along the boundary of the forest, but not in the central part of the cleared area (see Photo 1).



Photo 1: Cleared area north of Melkhout drive. Note establishment of pioneer and secondary pioneer tree species along the edge of the forest.

The tree and shrub species that established along the outer perimeter of the forest are all early pioneer species and consists of; *Buddleja saligna*, *Diospyros dichrophylla*, *Grewia occidentalis*, *Heteromorpha arborescens*, *Pittosporum viridiflorum*, *Searsia lucida*,

Tarchonanthus littoralis and *Virgilia divaricata*. Three secondary pioneer tree species (*Pterocelastrus tricuspidatus*, *Searsia chirendensis* and *Trimeria trinervis*) established deeper into the disturbed area, along with the liana's *Rhoicissus tomentosa* and *R. tridentata*. Here the understory is poor in species, consisting mostly of *Dietes iridioides* and the alien fern *Nephrolepis exaltata*. Other alien species present here are *Acacia mearnsii*, *Cortaderia selloana*, *Lantana camara* and *Paraserianthes lophantha*. The open area is poor in species with only *Arctotheca calendulacea*, *Chasmanthe aethiopica*, *Eragrostis plana*, *Geranium incanum*, *Helichrysum cymosum*, *H. foetidum*, *H. petiolare*, *Nidorella ivifolia*, *Passerina vulgaris*, *Senecio ilicifolius*, *S. juniperinus* and *Sporobolus fimbriatus* present, along with alien species such as *Canna indica*, *Paspalum dilatatum* and *Pennisetum clandestinum*.

The parts of the property that occur south of Melkhout drive also consists of Southern Afrotemperate Forest, but these forest patches were severely disturbed a number of years ago. It seems that most of the forest vegetation was cleared, with only a few large trees left standing, including one very large *Afrocarpus falcatus* and a few large *Apodytes dimidiata*, *Ekebergia capensis*, *Searsia chirendensis*, *Sideroxylon inerme* and *Vepris lanceolata* trees (see Photo 2). A few shrub and tree species established amongst the large trees. They are mostly *Carissa bispinosa*, *Diospyros dichrophylla*, *Grewia occidentalis*, *Gymnosporia buxifolia*, *Halleria lucida*, *Searsia crenata*, *S. lucida* and the alien species *Acacia mearnsii* and *Cestrum laevigatum*. As is typical of such disturbed forests, the canopy of the smaller trees is largely overgrown with lianas, mostly by *Rhoicissus digitata* and *R. tomentosa*, but also the alien *Anredera cordifolia* (Madeira vine) (see Photo 3). The understory is also poorly developed here with mostly only *Dietes iridioides*, *Helichrysum cymosum*, *Isoglossa ciliata*, *Panicum deustum* and *Setaria megaphylla* present.

No rare or threatened plant species were found (or are likely to occur) in these disturbed forest areas, but one large specimen of the specially protected *Sideroxylon inerme* is present south of Melkhout drive.



Photo 2: Forest vegetation south of Melkhout drive, with a few large trees emerging above canopy.

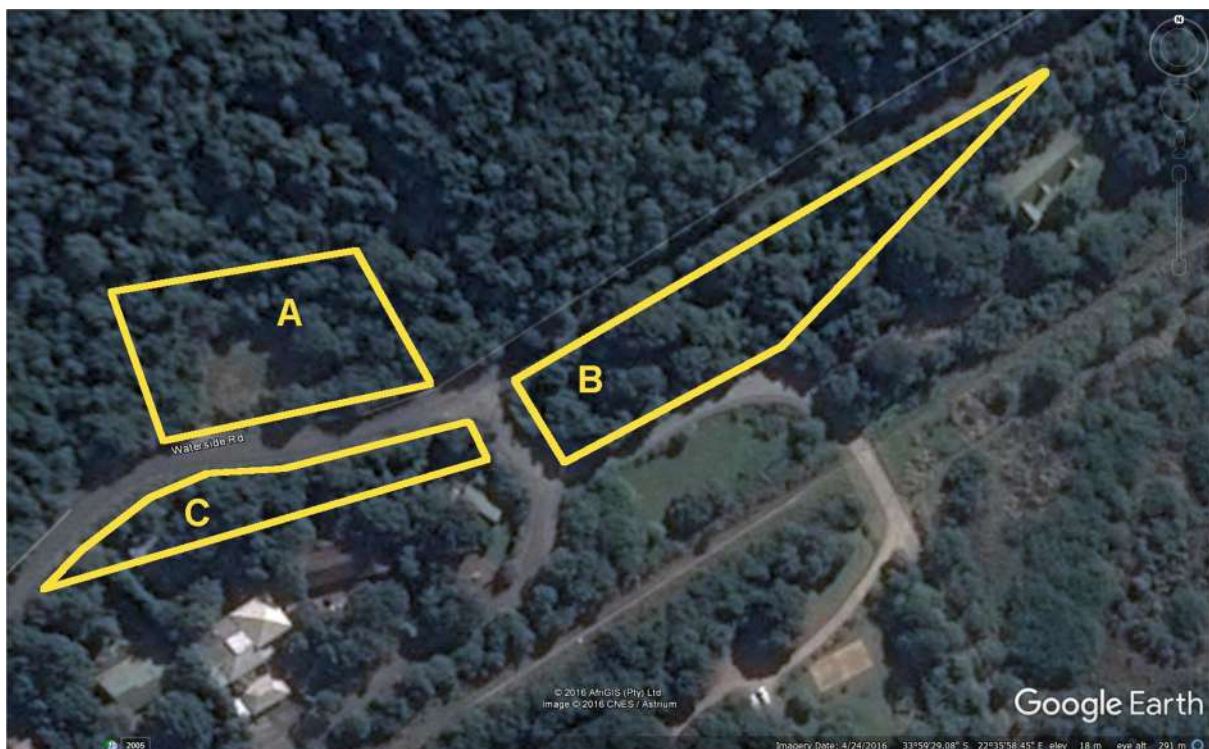


Photo 3: Dense layer of lianas in lower canopy, with the alien Madeira vine in the center.

CONCLUSIONS AND RECOMMENDATIONS

Most of this property is of considerable significance to conservation as it consists of near-pristine Southern Afrotemperate Forest, has been mapped as a Critical Biodiversity Area and as it is adjacent to a National Park.

The one area north and two areas south of Melkhout drive, where the forest was disturbed can, however, be considered for development. These sites abut an urban area and are not located within fire-prone vegetation or fire-risk sites. Within these previously disturbed areas the biodiversity levels are low. Careful development within these potential development sites (indicated on Map 2) will not impair local or regional ecological processes as all the sites are located along the southern boundary of the property where access roads are already established. There are no water drainage lines within these potential development areas, but water drainage areas occur along the western and eastern boundaries of development area A. Soil erosion of the drainage channel at the eastern boundary of area A is exacerbated by storm water that originates from the housing development at the top of ridge, outside the boundary of erf 1262.



Map 2: Three potential development sites on erf 1262 where the

Mitigation measures required to limit negative impacts within sites A-C are as follows:

1. No structures should be erected outside the boundaries of area A.
2. No indigenous trees with a diameter at breast height (d.b.h.) of more than 200 mm should be removed from areas A-C.
3. No concrete foundations for structures or any hard surfaces (for e.g. parking areas) may be established under the canopies of any of the remaining trees (with d.b.h. > 300 mm). The flooring of all the housing units and recreational areas that occur amongst the remaining trees should ideally be lifted > 500 mm above ground level to ensure that root development of remaining trees is not impaired.
4. All the alien vegetation that occurs within areas A-C must be eradicated.
5. Soil erosion along the water channel at the eastern boundary of area A must be curbed.
6. The undeveloped portion of the property should be rezoned to Open Space III and the management thereof should be aligned with those of the abutting National Park to act as an east-west corridor.

If the above mitigation measures are carefully followed the positive impact of conserving most the property to act as an ecological corridor, will far outweigh potential negative impacts of the limited development within areas A-C on this property.

REFERENCES

Mucina, L., Rutherford, M.C. and Powrie, L.W. (eds.), 2006. Vegetation Map of South Africa, Lesotho and Swaziland. 1:1 000 000 scale sheet maps. SANBI, Pretoria.

Raimondo, D., Von Staden, L., Foden, W., Victor, J.E., Helme, N.A., Turner, R.C.,

Kamundi, D.A. & Manyama, P.A., 2009. Red List of South African plants.

Strelitzia 25, SANBI, Pretoria.

Pence, G.Q.K., 2014. Western Cape Biodiversity Framework 2014. Status Update: Critical Biodiversity Areas of the Western Cape. Unpublished CapeNature report.

Vromans, D.C., Maree, K.S., Holness, S., Job, V. & Brown, A.E., 2010. The Garden Route biodiversity sector plan. SANBI, Kirstenbosch.

Appendage 1: Declaration of independence

I, J.H.J. Vlok, as the appointed independent Specialist hereby declare that I:

- act/ed as an independent Specialist in this application / EIA process;
- regard the information contained in this report to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant, environmental assessment practitioner and/or competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2010 (specifically in terms of regulation 17 and 32 of GN No. R. 543) and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the specialist report will be distributed or made available to any interested and affected parties registered in the EIA process, administered by the appointed environmental assessment practitioner, with a reasonable opportunity to participate and to provide comments;
- have provided the environmental assessment practitioner / competent authority with access to all information at my disposal regarding the application / EIA process, whether such information is favourable to the applicant or not.
- am aware that a false declaration is an offence in terms of regulation 71 of GN. No. R. 543.



Signature of the Specialist:

Regalis Environmental Services CC

Name of company:

12th June 2017

Date:

Appendix 2: Impact Assessment for development within areas indicated as A-C on Map 2.

Without proposed mitigation actions

| Impact description | Extent | Magnitude | Duration | Probability | Confidence | Reversibility | Significance |
|---|--------|-----------|-----------|-------------|------------|---------------|--------------|
| The loss of sensitive forest vegetation. | Local | High | Long term | Definite | Certain | Irreversible | Medium |
| Soil compaction and alteration of water drainage systems. | Local | High | Long term | Probable | Sure | Irreversible | Medium |

With proposed mitigation actions

| Impact description | Extent | Magnitude | Duration | Probability | Confidence | Reversibility | Significance |
|---|--------|-----------|------------|-------------|------------|---------------|--------------|
| The loss of sensitive forest vegetation. | Local | Low | Long term | Definite | Certain | Reversible | Low |
| Soil compaction and alteration of water drainage systems. | Local | Low | Short term | Probable | Sure | Reversible | Low |

Appendix 3: CV of botanist who conducted the survey and prepared the report.

CURRICULUM VITAE

Johannes Hendrik Jacobus Vlok

Biographical Information

Birth: 6th December 1957, Calvinia, South Africa.
Identity Number: 571206 5133 089
Criminal Record: None.
Married to Anne Lise Schutte-Vlok and we have one daughter, Marianne Helena Vlok.

Education

1975 Matriculated at Bellville High School.
1982 Diploma in Forestry, Saasveld Forestry College.
1997 MSc (*Cum Laude*), University of Natal.

Employment

1982-1990. Department of Forestry (later Water Affairs, Forestry and Environmental Affairs), as research technician.
1990-1997. Cape Nature Conservation, as regional botanist.
1997-present. Self employed as environmental advisor (Regalis Environmental Services).

Research Output

One book and more than 30 scientific and popular articles published in international & national journals as primary or as co-author. Delivered three keynote and >20 other verbal papers at scientific forums on ecological and floristic studies. Delivered >300 presentations to civil society in public meetings and *via* other media (radio, newspaper and television) on plant ecology and conservation. Current ResearchGate rating = 24.3 with almost 800 citations of my papers.

Awards

2003. Leslie Hill medal. **Succulent Society of South Africa.**
2006. Gold award. **C.A.P.E.**
2006. Certificate of Appreciation. **Western Cape Conservation Stewardship Association.**
2008. Special Award. **CapeNature**
2010. Marloth medal. **Botanical Society of South Africa.**

| |
|---|
| Consultation & Advisory Capacity |
|---|

Consultant to WWF-SA, Cape Nature and SANPARKS to determine conservation status of land. Several of the studies resulted in the purchase of the properties, now amounting to a value of >R50 million.

Consultant to National, Provincial and private institutions for vegetation restoration projects, environmental impact assessment and environmental management plans. Some of these assignments won national awards.

Referee for international and national scientific articles and donor funded grants.

Classified, described and mapped Forest, Subtropical Thicket, Fynbos and Succulent Karoo vegetation units in four major donor funded projects.

Expert witness in Magistrate and Supreme Court cases.

Research associate and subject moderator for NMMU (Saasveld campus).

Heritage Impact Assessment

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003. Requested by Heritage Western Cape on 27 November 2019
(HWC Case No. 19111209KB1118E, DEA&DP Ref No. 14/12/16/3/3/1/2071)

Proposed Rezoning & Subdivision for Private Dwellings and Tourist Accommodation on Remainder Erf 1262, Waterside Road, Wilderness, George Municipality & Division

prepared for

Marlize De Bruyn Planning, P.O. Box 2359, George, 6530,
marlize@mdbplanning.co.za, Mobile: +27 (0) 766340150, and **The Applicant**, Dion Romijn Familie Trust, P.O. Box 382, Onrusrivier, 7201, Cell +27 (0) 82 892 6405, E-mail dromyn@telkomsa.net

prepared by



Dr. Peter Nilssen, PO Box 2635, Mossel Bay, 6500
082 783 5896 | peter@carm.co.za

23 November 2021
Final revision after Community Consultation – 11 January 2022

Executive Summary

Site Name

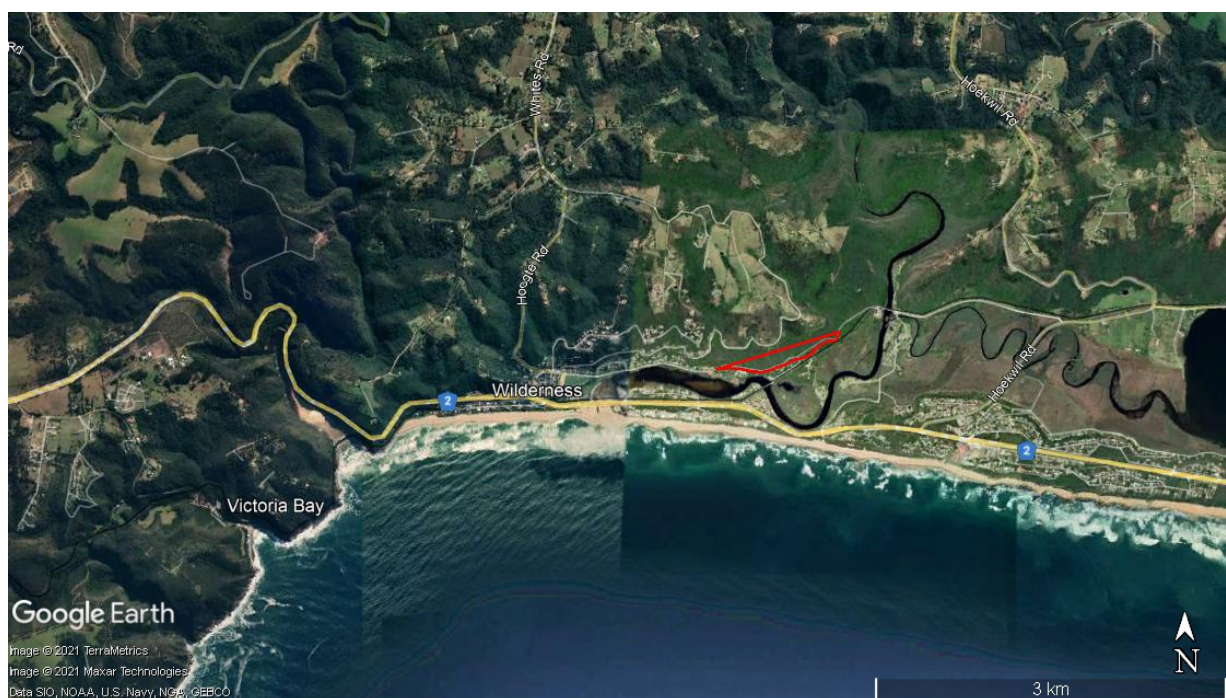
No known or named heritage site.

Location

Off Waterside Road, Remainder Erf 1262, Wilderness, Western Cape Province.

The approximate centre points of the two proposed development areas are at 33°59'28.68" S 22°35'54.70" E and 33°59'28.34" S 22°36'00.05" E.

Locality Plan



Red polygon represents the affected property, Remainder Erf 1262, Wilderness. (A4 version on pg 51)

Description of Proposed Development

To create two single residential opportunities on the southern side of Waterside Road and a small tourist resort (1 dwelling – manager's accommodation - for long term accommodation and 4 units for short term tourist accommodation) on the northern side of Waterside Road that runs through the southern part of Remainder Erf 1262, Wilderness.

Identified Heritage Resources

Through a desktop study, a literature review, an examination of Surveyor-General diagrams and historic aerial photographs as well as a field investigation, it was determined that the built environment offered the only heritage resource on the affected property that is protected by the NHRA.

The aesthetic value of the cultural landscape and scenic route is considered to be of high national and local significance and should not be negatively impacted by the project.

Anticipated Impacts on Heritage Resources

The proposed creation of two residential opportunities may require the partial destruction of historic sandstone walling that is protected under Sections 34 and 35 of the NHRA.

The anticipated impact of the proposal on the aesthetic value of the cultural landscape and scenic route will be negligible due to the size and nature of the proposed development, as well as the fact that the development areas are not visible from the N2 scenic route.

Recommendations

- Provided that the below recommendations are implemented, there are no fatal flaws or objections to the authorisation of the proposed development on grounds of the heritage study.
- The portion of well preserved stone walling to the west of the large yellow wood tree, which will be left intact, should be conserved in perpetuity.
- Although the stone walling is not considered to be of high heritage value or significance, and even though a portion of the walling will be conserved, the demolition of a portion of the historic walling requires a destruction permit from Heritage Western Cape under Section 34 of the NHRA. A demolition permit must also be obtained from the Local Authority.
- Due to limited access during the field investigation, the development site between Waterside Road and Dumbleton Road should be inspected by a suitably qualified and accredited archaeologist after vegetation clearing and before commencement of construction. In the event that more stone walling associated with the earlier road alignment is discovered, it should be adequately documented prior to its destruction under permit from HWC. It is noted, however, that Marlize de Bruyn could not see any further walling when the area was more accessible during a previous site visit.
- Apart from the above, no further heritage related studies or mitigation / management measures are necessary.
- Where applicable, the Environmental Control Officer or Contractor(s) or future owner(s) must be briefed about the potential of sub-surface archaeological resources (e.g., historic middens, shell middens, stone tools, fossil bones, human remains, etc) and should report any discovery of such heritage resources during the construction phase to Heritage Western Cape. Any such resources are protected under Section 35(4) of the NHRA and must be protected from further disturbance until investigated by HWC and/or a suitably qualified archaeologist. Any work in mitigation will require a permit and, if deemed appropriate, should be commissioned and completed before construction continues in the affected area and will be at the expense of the developer.
- In the event of exposing human remains during construction, then the find should be protected from further disturbance and work in the immediate area should be halted. The find will fall into the domain of SAHRA and must be reported to them, and will require inspection by a professional archaeologist to determine the way forward. Any disturbance to a human burial older than 60 years will require a permit in terms of Section 36 (3)(a). Graves and burial grounds are the property of the state and may

require excavation and curation in an approved institution. Any work associated with the find will also be at the cost of the developer.

- All of the above recommendations should be included in the conditions of authorisation as well as the Environmental Management Program (EMPr) if an EMPr is being developed for the proposed development.

Author(s) / Contributor(s) and Date

Archaeological specialist study: Peter Nilssen, October and November 2021

Basic Historical, Archival and Deeds study: Kathleen Schulz, 16th November 2021

Glossary

Historic: period comprising the last few hundred years in South Africa (from around the year 1488) of colonial (mostly western European people) occupation

Hominin: Any member of the tribe Hominini, the evolutionary group that includes modern humans and now-extinct bipedal relatives

Stone Age: period of hominin occupation with stone implements being the dominant and often only surviving technology, spanning the period between approximately 3 million years ago and 2 thousand years ago

Abbreviations

| | |
|---|--|
| ASAPA: Association of Southern African Professional Archaeologists | LSA: Later Stone Age |
| BA: Basic Assessment | MSA: Middle Stone Age |
| CRM: Cultural Resources Management | NCW: Not Conservation Worthy |
| EA: Environmental Authorisation | NEMA: National Environmental Management Act (Act No. 107 of 1998) |
| EIA: Environmental Impact Assessment | NHRA: National Heritage Resources Act (Act No. 25 of 1999) |
| EMPr: Environmental Management Program | NID: Notification of Intent to Develop |
| ESA: Early Stone Age | PPP: Public Participation Process which includes Community Consultation |
| GPS: Global Positioning System | SAHRA: South African Heritage Resources Agency |
| HIA: Heritage Impact Assessment | SAHRIS: South African Heritage Resources Information System |
| HWC: Heritage Western Cape | |

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1. Introduction

The Dion Romijn Familie Trust appointed this author to undertake a Heritage Impact Assessment for the proposed development on parts of Remainder Erf 1262, Wilderness, Western Cape Province (Figures 1 and 2). The approximate centre points of the two proposed development areas are at 33°59'28.68" S 22°35'54.70" E and 33°59'28.34" S 22°36'00.05" E (see green polygons in Figure 2).

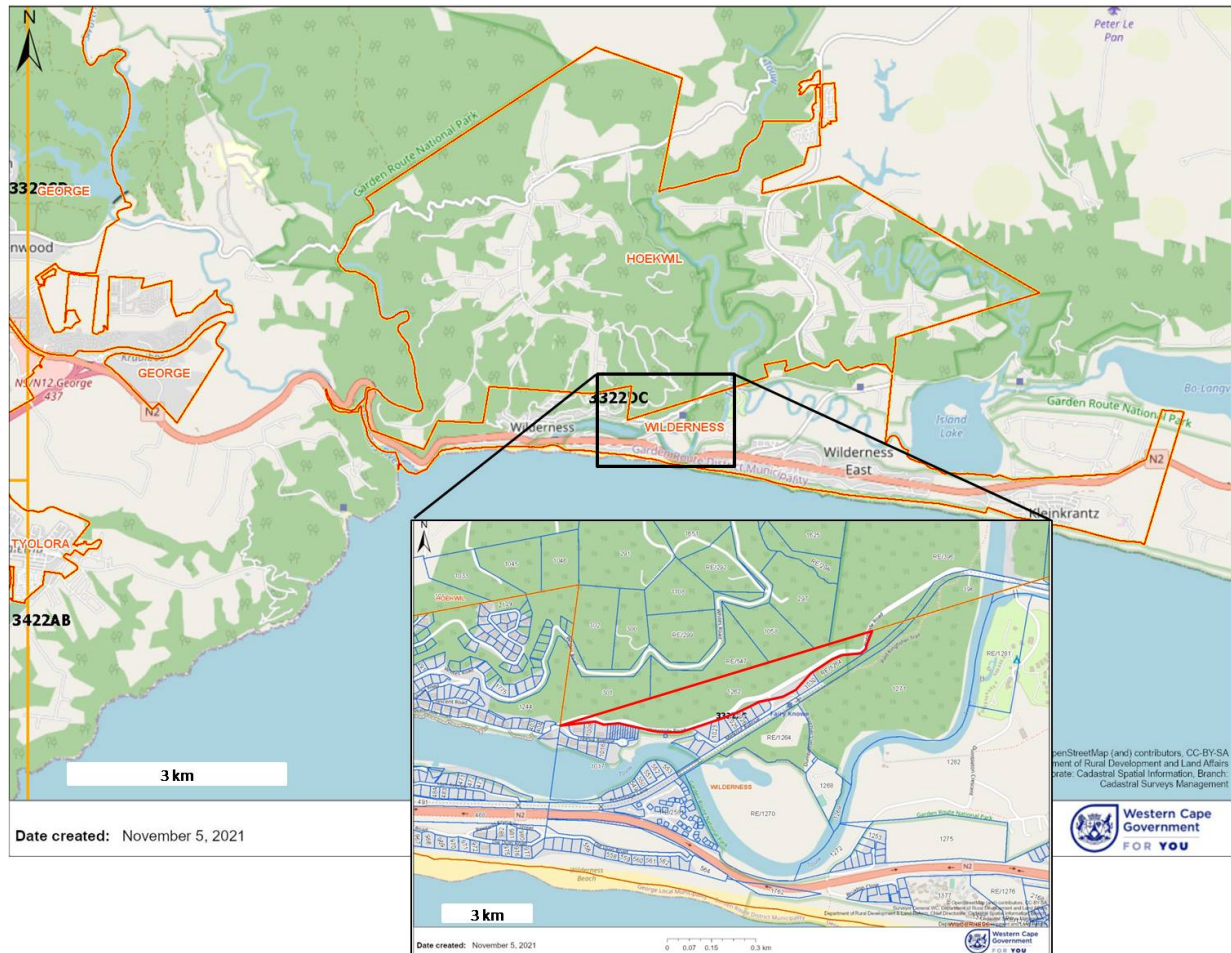


Figure 1. General location of Remainder Erf 1262, Wilderness, Western Cape Province (red polygon). Enlarged portion of 1:50 000 topographic map 3322DC. Courtesy of the Surveyor General WC, Department of Rural Development and Land Affairs (<https://gis.elsenburg.com/apps/cfm/#>). (A4 version on pg 52)

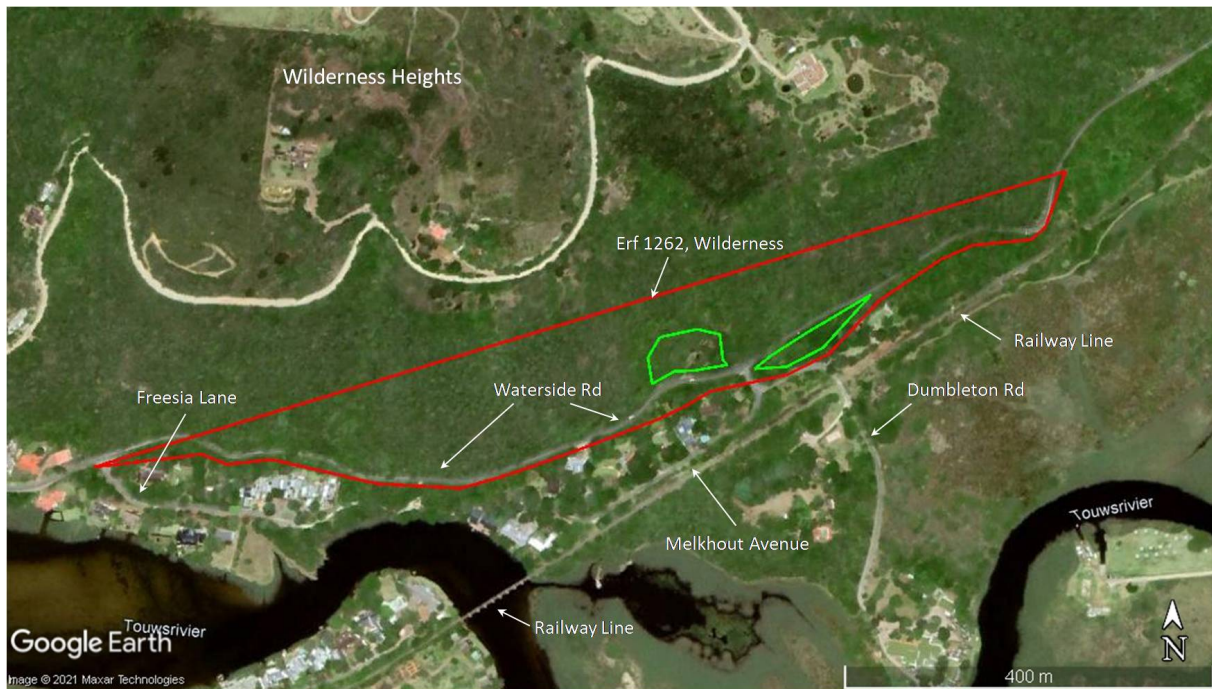


Figure 2. Aerial image showing Remainder Erf 1262 (red polygon) and the two areas proposed for development (green polygons). Note that Waterside Road (DR 1620) runs along the southern portion of the property. Courtesy of Google Earth, the applicant, and Marlize De Bruyn Planning. (A4 version on pg 53)

1.1. Background to the Proposed Project

1.1.1. Project Description

The applicant proposes to develop a tourist accommodation facility in the area north of Waterside Road and an opportunity for two residential units in the area south of Waterside Road (see green polygons in Figure 2 and see Figure 3). Two alternative Site Development Plans as well as the No-Go option were considered during the environmental application process. The layout shown in Figure 3 is the final result of this iterative process and is considered to be the most suitable from both the environmental and applicant's perspectives.

"The use of this property is proposed to change to residential south of Waterside Road and nature conservation with limited tourist accommodation opportunities north of the public road cutting through the property" (De Bruyn 2021, pg. 4).

"The EA indicates that the footprint of development north of Waterside Road for the primary dwelling and 4 chalets are 550m² and south of Waterside Road where two residential erven are proposed, the development footprint is indicated as 475m². This gives a total of 1025m² development footprint for the structures" (De Bruyn 2021, pg. 2).

"The proposed development of Remainder Erf 1262, Wilderness was the subject of an environmental authorisation (EA) process. Only a small portion of this property is developable. The portion of the property where the primary dwelling and 4 tourist accommodation units are proposed provides ample space for parking and construction" (De Bruyn 2021, pg. 4).

Structures will be limited in size and will be constructed of wood at the base of the slope. Parking will be available on the level area close to the existing access, which will be upgraded and retained. The chalets and primary dwelling will be accessed via wooden stairs from the parking area (De Bruyn 2021).

“The primary dwelling will have a footprint of 160m² with a loft of ±28m² giving it a total floor area of ±188m²” (De Bruyn 2021, pg. 5). “The tourist accommodation units are proposed to be ±64m² each, single storey with two bedrooms but raised to make parking possible in part underneath. The height will be lower than 8.5m. The total development footprint of the tourist accommodation units will be ±260m²” (De Bruyn 2021, pg. 6).

“The development footprint of the primary dwelling and the 4 tourist accommodation units is ±420m² which is substantially less than the 550m² development footprint included in the EA” (De Bruyn 2021, pg. 6).

“The portions of the property south of Waterside Road was assessed and following site visits by officials from Western Cape Forestry, SANParks and DEA, it was concluded that two dwelling units could be developed here. It can be regarded as infill development as it forms part of a small area where 12 single residential properties are located with access from Melkhout Lane and Dumbleton Road. During 2019 the urban edge was adjusted accordingly. Access to the proposed two Single Residential Zone I properties will be from Dumbleton Road and not from Waterside Road” (De Bruyn 2021, pg. 7).

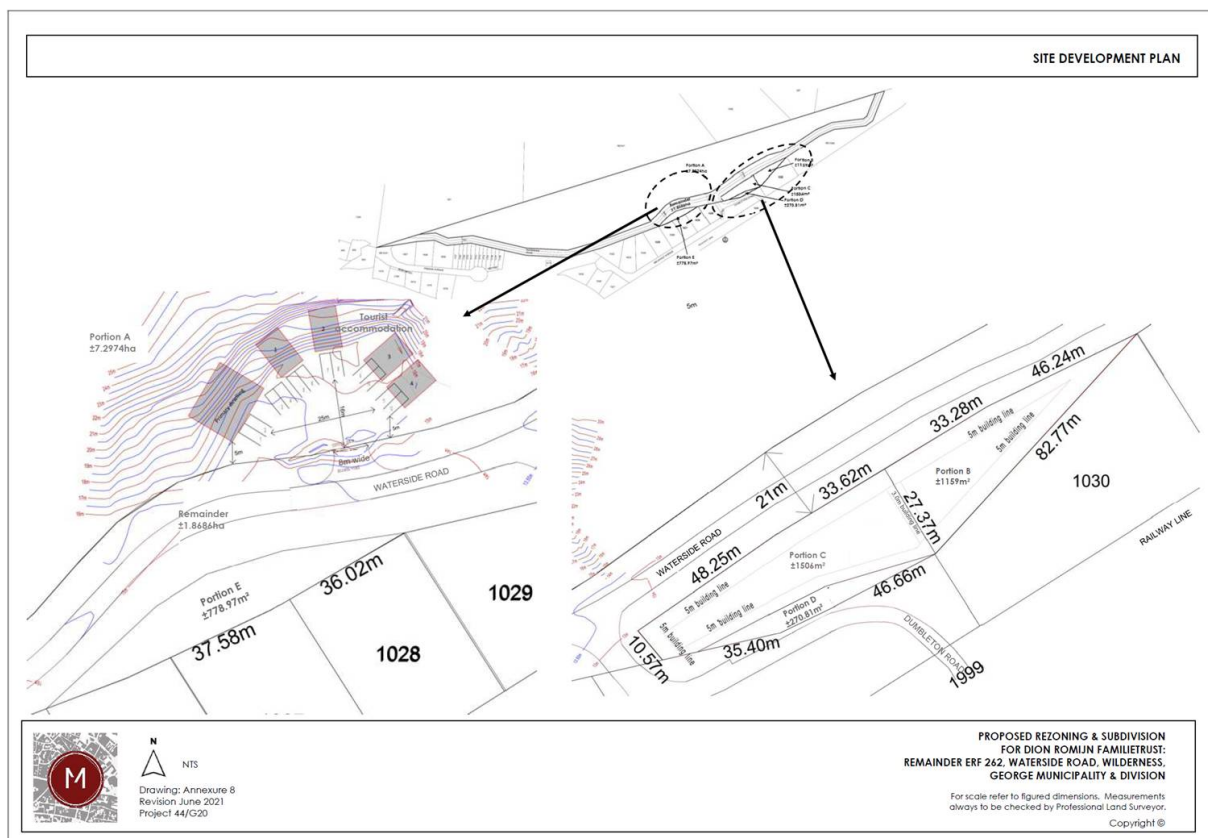


Figure 3. Final and current Site Development Plan for Remainder Erf 1262, Wilderness. Courtesy of Marlize De Bruyn Planning and the applicant. (A4 version on pg 54)

1.1.2. Identification of Alternatives

The two areas earmarked for development are the only developable areas on the property. The remainder of the property has very steep slopes that will require substantial disturbance and alteration to facilitate development, and as a result, will have significant negative impacts on the landscape, ecology and aesthetic appeal of the site. There are no desirable or feasible alternative options for development on the property.

1.1.3. Aspects of the Project Relevant to the Heritage Study

Because the proposed development involves vegetation clearing, earthmoving activities, and construction, it has the potential to damage or disturb tangible heritage resources in both buried and above-ground contexts (archaeological and palaeontological) as well as intangible heritage resources such as the aesthetic or visual value (sense of place) of the area or any heritage resources that may be present in the affected area. The latter is relevant as the property is within the distant view shed from the N2 (important scenic route) and Waterside Road is a secondary scenic route through the Wilderness area. It is noted that the development areas on the property are not visible from the N2.

1.2. Terms of Reference

This author was appointed to compile a Heritage Impact Assessment (HIA) that meets the requirements of Heritage Western Cape (HWC) and that is founded on both a desktop study and a site investigation. The overall purpose of a HIA is to identify heritage resources in the affected area, to assess their significance and sensitivity, to determine the potential impacts on such resources, and to make recommendations to avoid and/or minimize such impacts by means of management and/or mitigation measures. This study was undertaken according to best practice principles and meets standards required by the heritage authorities in terms of the National Heritage Resources Act, No. 25 of 1999.

Summary objectives of a HIA:

- To identify and assess the nature, sensitivity and significance of heritage resources in the receiving environment;
- To identify the impact of the proposed development on such resources as well as options for mitigation and/or management in order to minimize potential negative impacts; and
- To identify heritage resources and issues that may require further investigation.

A Notification of Intent to Develop (NID) was received by HWC on 18 November 2019, to which they responded on 27 November 2019 with the following:

NOTIFICATION OF INTENT TO DEVELOP: THE PROPOSED TOURIST FACILITY ON ERF 1262, WILDERNESS, GEORGE, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 19111209KB1118E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 18 November 2019. This matter was discussed at the Heritage Officers meeting held on 25 November 2019.

You are hereby notified that, since there is reason to believe that the proposed tourist facility on Erf 1262, Wilderness, George, will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of section 38(3) of the NHRA be submitted. This HIA must have specific reference to the following:

- HIA consisting of an archaeological study

The required HIA must have an integrated set of recommendations.

The comments of relevant registered conservation bodies and the relevant Municipality must be requested and included in the HIA where provided. Proof of these requests must be supplied.

Include the Structure relating to the SOP between HWC/DEADPI.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

1.3. Scope and Purpose of the Report

"A Heritage Impact Assessment (HIA) must provide insight into the impact of the proposed development on heritage resources and provide mitigation measures to limit the effect of that impact. The HIA must provide the heritage authority with sufficient information to properly assess the significance of resources on and around a site and to understand the short, medium- and long-term consequences of the proposed development on heritage resources so that the heritage authority can make an informed comment or decision on the impacts of a proposed development" (Heritage Western Cape 2021, pg. 2).

The purpose of a HIA is to identify significant heritage resources prior to development so that such resources can be protected and/or managed without detrimental and unnecessary negative impacts resulting from development activities. This HIA aims to fulfil the requirements of the heritage authorities so that they can issue a comment to meet the legislative requirements of the George Municipality. Where necessary, a HIA provides management and/or mitigation requirements that must be complied with and included in the conditions of authorisation in the event that a project is approved.

1.4. The Author

Dr Peter Nilssen has a PhD in archaeology (University of Cape Town, 2000), and is a Professional member - in good standing - of the Association of Southern African Professional Archaeologists (ASAPA), including the Cultural Resource Management section of the same association since 1989 (ASAPA professional member # 097). He is an accredited Principal Investigator for archaeozoology (specialist analysis), Coastal, Shell Midden and Stone Age

archaeology; Field Director for Colonial Period archaeology; and Field Supervisor for Iron Age archaeology and Rock Art. He has worked as a professional archaeologist in Cultural Resource Management since 1989 and has completed more than 240 heritage-related impact assessments and mitigation projects as Principal Investigator.

Peter co-initiated and co-directed archaeological research into Middle Stone Age cave sites at the Provincial Heritage Site of the Pinnacle Point Site Complex (PPSC) near Mossel Bay, which he identified with Jonathan Kaplan in 1997. A brief CV is given in Appendix A.

1.5. Declaration of independence

As the appointed independent specialist (professional archaeologist and specialist heritage practitioner) for this project, I hereby declare that I:

- act as an independent specialist in this application;
- regard the information contained in this report as it relates to my specialist input/study to be true and correct;
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2014 and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant, EAP and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2014 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2014 (specifically in terms of regulation 13 of GN No. R. 982) and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification; and
- am aware that a false declaration is an offence in terms of regulation 48 of GN No. R. 982.

2. Legislative Context

2.1. National Heritage Resources Act (NHRA), Act No. 25 of 1999

The NHRA protects a variety of heritage resources as follows:

- Section 34: structures older than 60 years;
- Section 35: prehistoric and historical material (including ruins) more than 100 years old as well as military remains more than 75 years old, palaeontological material and meteorites;
- Section 36: graves and human remains older than 60 years and located outside of a formal cemetery administered by a local authority; and
- Section 37: public monuments and memorials.

Following Section 2, the definitions applicable to the above protections are as follows:

- Structures: “any building, works, device or other facility made by people and which is fixed to land, and includes any fixtures, fittings and equipment associated therewith”;
- Place (falling under structures): b) “a building or other structure which may include equipment, furniture, fittings and articles associated with or connected with such building or other structure”; c) “a group of buildings or other structures which may include equipment, furniture, fittings and articles associated with or connected with such group of buildings or other structures”; d) “an open space, including a public square, street or park”; and e) “in relation to the management of a place, includes the immediate surroundings of a place”;
- Palaeontological material: “any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or trace”;
- Archaeological material: a) “material remains resulting from human activity which are in a state of disuse and are in or on land and which are older than 100 years, including artefacts, human and hominid remains and artificial features and structures”; b) “rock art, being any form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and which is older than 100 years, including any area within 10m of such representation”; c) “wrecks, being any vessel or aircraft, or any part thereof, which was wrecked in South Africa, whether on land, in the internal waters, the territorial waters or in the maritime culture zone of the Republic, as defined respectively in sections 3, 4 and 6 of the Maritime Zones Act, 1994 (Act No. 15 of 1994), and any cargo, debris or artefacts found or associated therewith, which is older than 60 years or which SAHRA considers to be worthy of conservation”; and d) “features, structures and artefacts associated with military history which are older than 75 years and the sites on which they are found”;
- Meteorite: “any naturally-occurring object of extraterrestrial origin”;
- Grave: “means a place of interment and includes the contents, headstone or other marker of such a place and any other structure on or associated with such place”; and
- Public monuments and memorials: “all monuments and memorials a) “erected on land belonging to any branch of central, provincial or local government, or on land belonging to any organisation funded by or established in terms of the legislation of such a branch of government”; or b) “which were paid for by public subscription, government funds, or a public-spirited or military organisation, and are on land belonging to any private individual.”

Section 3(2) describes the types of heritage resources that should be considered to form part of the National Estate. These are as follows:

- (a) “places, buildings, structures and equipment of cultural significance”;
- (b) “places to which oral traditions are attached or which are associated with living heritage”;
- (c) “historical settlements and townscapes”;
- (d) “landscapes and natural features of cultural significance”;
- (e) “geological sites of scientific or cultural importance”;
- (f) “archaeological and palaeontological sites”;

(g) “graves and burial grounds, including” (i) “ancestral graves”; (ii) “royal graves and graves of traditional leaders”; (iii) “graves of victims of conflict”; (iv) “graves of individuals designated by the Minister by notice in the Gazette”; (v) “historical graves and cemeteries”; and (vi) “other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983)”;

(h) “sites of significance relating to the history of slavery in South Africa”;

(i) “movable objects, including” (i) “objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens”; (ii) “objects to which oral traditions are attached or which are associated with living heritage”; (iii) “ethnographic art and objects”; (iv) “military objects”; (v) “objects of decorative or fine art”; (vi) “objects of scientific or technological interest”; and (vii) “books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)”.

Section 3(3) describes the types of cultural significance that a place or object might have in order to be considered part of the National Estate. These are as follows:

- a) “its importance in the community, or pattern of South Africa’s history”;
- b) “its possession of uncommon, rare or endangered aspects of South Africa’s natural or cultural heritage”;
- c) “its potential to yield information that will contribute to an understanding of South Africa’s natural or cultural heritage”;
- d) “its importance in demonstrating the principal characteristics of a particular class of South Africa’s natural or cultural places or objects”;
- e) “its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group”;
- f) “its importance in demonstrating a high degree of creative or technical achievement at a particular period”;
- g) “its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons”;
- h) “its strong or special association with the life or work of a person, group or organisation of importance in the history of South Africa”; and
- i) “sites of significance relating to the history of slavery in South Africa”.

Although cultural landscapes do not have a dedicated Section in the NHRA, they are protected under the definition of the National Estate (Section 3). Section 3(2)(c), (d) and (e) list “historical settlements and townscapes”, “landscapes and natural features of cultural significance”, and “geological sites of scientific or cultural importance” as part of the National Estate. With the exception of (f) and (i), all the points in Section 3(3) are applicable to cultural landscapes.

Human occupation and use of the landscape and its features results in a visually more or less evident modification of that landscape. Human use of the environment, however, may have no visually detectable altering effect at all, but nevertheless, this imprinting of human behaviour on the environment, and the relationship between people and the landscape is what is implied by the term “cultural landscape” (see UNESCO 2008 for definitions, significance and preservation of cultural landscapes).

Cultural landscapes are defined and informed by several elements including, but not limited to; natural landscape features, geology, biomes, palaeontology, archaeology / anthropology, oral histories, public memory, the built environment and social and written

histories. The value of cultural landscapes are determined through professional interpretation and opinion, community and public values, as well as environmental and heritage legislation.

The requirements of an impact assessment report concerning heritage resources (Heritage Impact Assessment [HIA]) are given as follows in the NHRA:

Section 38(3) states that, “the responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2)(a): Provided that the following must be included”:

- (a) “The identification and mapping of all heritage resources in the area affected”;
- (b) “an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7”;
- (c) “an assessment of the impact of the development on such heritage resources”;
- (d) “an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development”;
- (e) “the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources”;
- (f) “if heritage resources will be adversely affected by the proposed development, the consideration of alternatives”; and
- (g) “plans for mitigation of any adverse effects during and after the completion of the proposed development”.

Section 38(8) of the NHRA states that if an impact assessment is required by any other legislation, then it must include a heritage component that satisfies the requirements of Section 38(3). The comments of the relevant heritage authority must be sought and considered by the consenting authority prior to the issuing of a decision. Under the National Environmental Management Act (No. 107 of 1998; NEMA), as amended, the project is subject to a Basic Assessment (BA). The report presented here provides the heritage component. HWC are required to provide comment on the proposed project in order to facilitate final decision making by the DEA.

2.2. National Environmental Management Act (NEMA), Act No. 107 of 1998, as amended

“The proposed development of the subject property required authorisation in terms of the National Environmental Management Act, 1998 (NEMA). The environmental authorisation (EA) was granted by the national Department of Environmental Affairs (DEA) on 8 June 2020. The EA indicates that the footprint of development north of Waterside Road for the primary dwelling and 4 chalets are 550m² and south of Waterside Road where two residential erven are proposed, the development footprint is indicated as 475m². This gives a total of 1025m² development footprint for the structures” (De Bruyn 2021, pg 2).

The following table presents NEMA requirements for specialist reports and where those requirements are covered in this report.

| NEMA requirements for Specialist Reports | | |
|--|--|--|
| Appendix 6 | Specialist Report content as required by the NEMA 2014 EIA Regulations, as amended | Section |
| 1 (1)(a) | (i) the specialist who prepared the report; and (ii) the expertise of that specialist to compile a specialist report including a curriculum vitae; | Title page & Section 1.4 and Appendix A |
| (b) | a declaration that the specialist is independent in a form as may be specified by the competent authority; | Section 1.5 |
| (c) | an indication of the scope of, and the purpose for which, the report was prepared; | Section 1.2 & 1.3 |
| (cA) | an indication of the quality and age of the base data used for the specialist report; | desktop study up to 2021 and fieldwork data obtained in October 2021; see Sections 4 & 5 |
| (cB) | a description of existing impacts on the site, cumulative impacts of the proposed development and levels of acceptable change; | Section 6 |
| (d) | the duration, date and season of the site investigation and the relevance of the season to the outcome of the assessment; | Section 4 |
| (e) | a description of the methodology adopted in preparing the report or carrying out the specialised process, inclusive of equipment and modelling used; | Section 4 |
| (f) | details of an assessment of the specific identified sensitivity of the site related to the proposed activity or activities and its associated structures and infrastructure, inclusive of a site plan identifying site alternatives; | Section 6 |
| (g) | an identification of any areas to be avoided, including buffers; | Sections 5, 6 & 7 |
| (h) | a map superimposing the activity including the associated structures and infrastructure on the environmental sensitivities of the site including areas to be avoided, including buffers; | Section 5 and associated Figures |
| (i) | a description of any assumptions made and any uncertainties or gaps in knowledge; | Section 4.6 |
| (j) | a description of the findings and potential implications of such findings on the impact of the proposed activity, or activities; | Section 5 |
| (k) | any mitigation measures for inclusion in the EMPr; | Sections 5, 6 & 7 |
| (l) | any conditions for inclusion in the environmental authorisation; | Section 7 |
| (m) | any monitoring requirements for inclusion in the EMPr or environmental authorisation; | Section 7 |
| (n) | a reasoned opinion- (i) whether the proposed activity or portions thereof should be authorised; and (iA) regarding the acceptability of the proposed activity or activities; and (ii) if the opinion is that the proposed activity or portions thereof should be authorised, any avoidance, management and mitigation measures that should be included in the EMPr, and where applicable, the closure plan; | Sections 7 & 9.1 |
| (o) | a description of any consultation process that was undertaken during the course of preparing the specialist report; | Sections 4.5 & 8 |
| (p) | a summary and copies of any comments received during any consultation process and where applicable all responses thereto; and | Section 8 |
| (q) | any other information requested by the competent authority. | Not at this time |
| 2 | Where a government notice gazetted by the Minister provides for any protocol or minimum information requirement to be applied to a specialist report, the requirements as indicated in such notice will apply. | Section 1, 2 & 4 |

2.3. George Municipality: Land Use Planning By- Law, 2015

Currently the process is in a “land use application for Remainder Erf 1262, Wilderness entails the following:

- Rezoning in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By- Law, 2015 from Undetermined Zone to Subdivisional Area;

- Subdivision of the Subdivisional Area in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015 in the following:
 - Portion A (± 7.2974 ha): Open Space Zone III (nature conservation area);
 - Portion B (± 1159 m²): Single Residential Zone I (dwelling house);
 - Portion C (± 1506 m²): Single Residential Zone I (dwelling house);
 - Portion D (± 270.81 m²): Transport Zone II (public street);
 - Portion E (± 778.97 m²): Undetermined Zone
 - Remainder (± 1.8686 ha): Transport Zone II (public street).
- Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015 for tourist accommodation for Portion A" (De Bruyn 2021, pg 2).

2.4. Application Timeline

The land use application to the George Municipality is currently being considered following re-submission in May 2021.

3. Physical Environmental Context

3.1. Site Context

Remainder Erf 1262 is 9.7566ha in extent and is registered to the Dion Romijn Familie Trust (title deed T86344/97). Originally known as Kleinkrantz 192/60, a portion of Kleinkrantz 192/10, the property was later numbered by the Surveyor-General as a Wilderness Erf when it was included in the municipal area of the former Wilderness Municipality (De Bruyn 2021).

The elongated property is situated some 2km east of the village of Wilderness and about 1km west of Ebb & Flow (Wilderness National Park). Waterside Road (DR 1620) runs through the southern portion of the property, linking Wilderness and Ebb & Flow.

The small holdings of Wilderness Heights are situated north of the property, above its steep northerly slopes. Residential properties are scattered to the south of the southern boundary and are accessed from Waterside Road via Freesia Lane, Melkhout Avenue and Dumbleton Road. Further south are a disused railway line and the Touws River (Figure 2).

The property is situated amid a mixture of land use including village, low density residential, rural, nature reserve and undeveloped land. Boasting spectacular scenery from the N2, and with the Indian Ocean shoreline and Touws River estuary on its doorstep, the Wilderness portion of the Garden Route is a popular destination for local and international travellers.

3.2. Site Description

Currently undeveloped, most of the property is densely vegetated with indigenous species that will be protected by appropriate zoning. Examples of the affected environment are shown in Figures 4, 5 and 6, but also see Figure 2.

Two relatively small, level areas of the property are developable, while the remainder of the site is steeply sloped (Figure 2). The level area north of Waterside Road, the

proposed site for a small tourist resort, was used periodically till at least 2009 by the Provincial Roads Authority to store materials for road building (Figures 4 & 5; De Bruyn 2021). This activity would have involved significant movement of heavy vehicular and pedestrian traffic in the area that would have had significant impacts on surface sediments.

A levelled strip some 4m to 5m wide and about 50m in length is cut into the northern slope above the flat area earmarked for development. This feature was most likely created by the Provincial Roads Authority for storage space or temporary shelter (possibly to place containers or other temporary structures) above the low lying flat area that probably became wet during rains (Figures 4 & 5). This feature is not a road as it does not lead anywhere and it is not present in any of the earlier SG Diagrams or historic aerial photographs, suggesting that it is more recent and likely associated with the use of the area by the Provincial Roads Authority. The levelled area ends at the erosion gully shown in Figure 5 and does not extend further to the east. The use of this area would have had a significant negative impact on heritage resources, particularly archaeological resources, if any were present in the area prior to the above-mentioned road building activities. From a heritage standpoint, this existing disturbance by the Provincial Roads Authority renders this space suitable for development.

Although grass and other vegetation cover are present, several areas have exposed ground surfaces including the above-mentioned cutting into the northern slope and a large erosion gully at the eastern extent of the levelled area (Figure 5). These exposures provide for moderate archaeological visibility in this previously disturbed area. No overhangs or rock shelters occur in the affected area.

The developable area south of Waterside Road and north of Dumbleton Road is the proposed site for two residential opportunities (Figure 2). A residential development is already in place immediately to the east of the affected area as well as to the west of Dumbleton Road. Similarly vegetated, this area is mostly inaccessible and ground surfaces are covered with leaf litter and vegetable matter. Examples of this area are shown in Figure 6.



Figure 4. Examples of the receiving environment north of Waterside Road (see green polygon in Figure 2). This area is earmarked for a small tourist resort. The vehicle on the left is parked next to the access point and proposed development site. Note previously disturbed, cleared area with dumps of road metal and building rubble. Dashed white line indicates levelled area (top right) that is faintly visible in bottom left image. The existing access point will be used (top right). The bottom right image is taken from the levelled area, looking down onto the lower lying flat area. Note large broken piece of concrete slab. Direction of views is indicated with compass bearing acronyms.



Figure 5. Examples of the receiving environment north of Waterside Road (see green polygon in Figure 2). Note exposed profile of the cutting for levelled area (top left) and erosion gully at eastern extent of level area (top right). Dashed white line indicates levelled area (bottom - $\pm 180^\circ$ panorama). Erosion gully (top right) is at the right end of the dashed line. Direction of views is indicated with compass bearing acronyms.



Figure 6. Examples of the receiving environment north (top left) and south (top right and bottom) of Waterside Road (see green polygon in Figure 2). Top right and bottom left images are taken along Dumbleton Road. The area south of Waterside Road is earmarked for two residential opportunities that will be accessed from Dumbleton Road. Direction of views is indicated with compass bearing acronyms.

3.3. History and Evolution of the Site and Context

Remainder Erf 1262 was originally part of the farm Klein Krantz 192 (1577 morgan or 1351,0159 ha in extent) that was first owned in 1818 by Johannes Jurgen Vivier as described in diagram number 406/1818 held in George Quitrents Volume 2 folia 7 dated 20th January 1818 (Cape Town Deeds Office).

Subsequent 19th Century ownership details of Klein Krantz 192 are as follows:

1. Title number 65/1841 dated 8th July estate J J Vivier to Abraham Christoffel Vivier
2. Title No. 33/1844 dated 9th January A C Vivier to Gerrit Hendrik Meyer.
3. Title No. 107/1844 dated 15th March G H Meyer to Paul Gerber.
4. Title No. 219/1871 dated 23rd August. Estate Late P Gerber to:-
1/32 share Paul Johannes Gerber
“ Frans Anthony Gerber
“ Catharina Margaretha Gerber
“ Magdalena Hendrina Gerber
“ Children of the late F A Gerber:-

| | |
|--------------------------------------|------------------------|
| 1/8 share | Paul Johannes Gerber |
| " | Solomon Gerber |
| " | Barend Gerber |
| " | Maria Elizabeth |
| " | Catharina Margaretha |
| " | Frans Anthony |
| " | Pieter |
| " | Hendrik Jacobus |
| " | Sarah Maria |
| Children of the late B Joh. H Gerber | |
| 1/8th share | Hendrik Jacobus Gerber |
| " | Maria Elizabeth |
| " | Jacobus Stephanus |
| " | Jan Hendrik |
| " | Magdalena Hendrina |

All the above family members held ownership title under Title Deed number 219/1871 (Cape Town Deeds Office, all the above Title Deed numbers).

In 1904 an amended grant was issued under George Quitrents Volume 4 folio 15 dated 2nd August 1904. New ownership was not researched as it is not relevant to the current investigation. The diagrams and context of Klein Krantz 192 at this time are shown in Figures 7 and 8. It is clear that the area including what is now known as Remainder Erf 1262 was densely vegetated (Figure 6) and no structures or infrastructure is visible in the drawings of the property in the early 1900s (Figures 7 and 8).



Figure 7. 1904 diagram of Klein Krantz 192 with enlarged portion including Remainder Erf 1262 (Cape Town Deeds Office. George Quitrent Number: 4/15). Note illustration of dense vegetation cover and no structures or roads are indicated or visible in the area including Remainder Erf 1626.

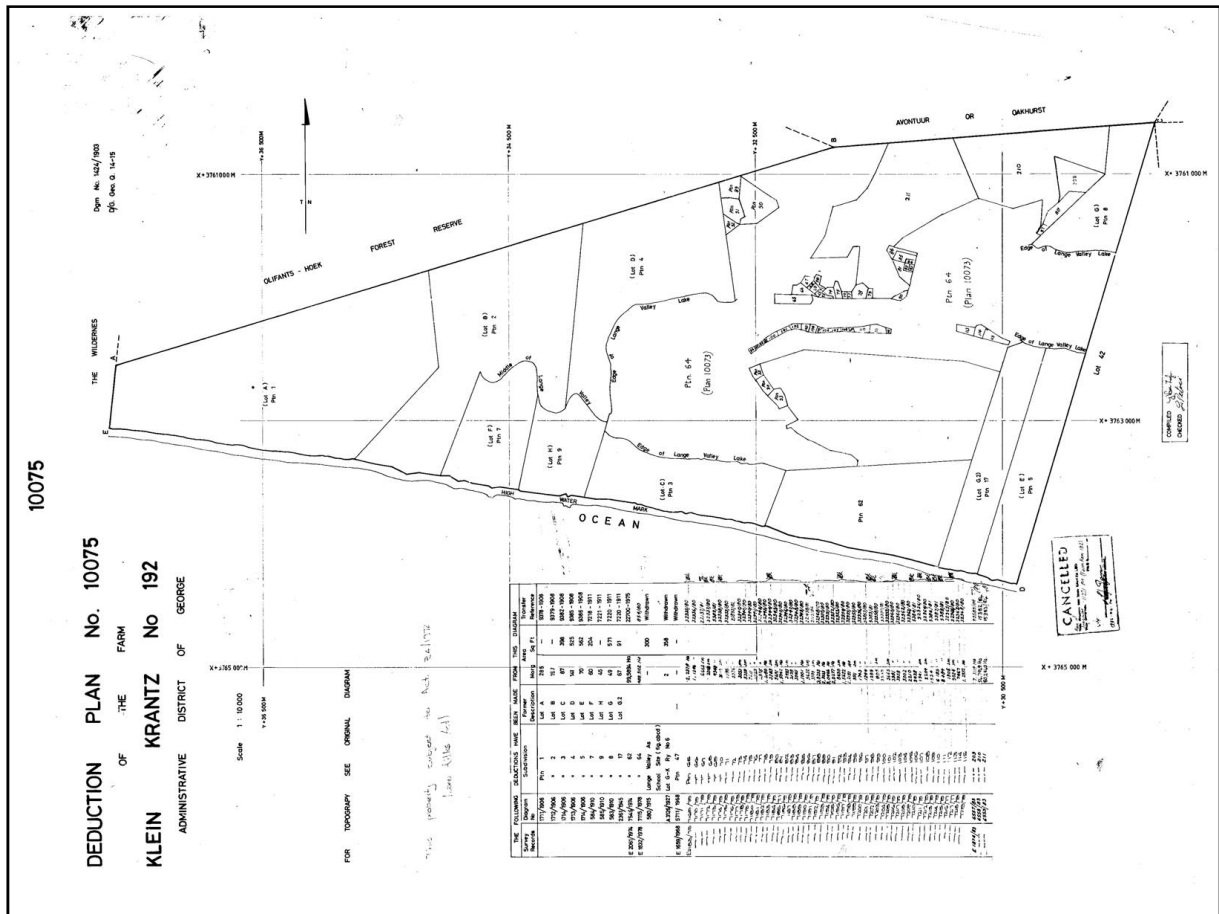


Figure 8. A 1903 Surveyor-General Diagram, number 1424/1903 (Cape Town Deeds Office).

In October 1922 Roderick E. Dumbleton bought portion 10 of Klein Krantz, measuring 92 morgen 450 square roods (79.202 ha). This portion became known as Fairy Knowe, the present day hotel site (Figure 9 - Cape Town Deeds Office, Title Deed Number 9247/1922 and Surveyor-General's Office Diagram number 435/1918).

At this time the area now known as Remainder Erf 1262 was still densely vegetated and although not very clear, a close inspection of a zoomed in version of the diagram does not reveal any structures on the affected property. Lines at the eastern extent of the affected area appear to represent roads that may relate to those visible in the historic aerial images as well as the SG Diagram of 1969 (Figures 11, 12 and 13). The parallel lines to the south of the affected area represent the servitude for the railway line that is also indicated in Figure 11 and visible in Figures 12 and 13.

An overlay of the 1918 SG Diagram and Google Earth imagery, however, shows that the only clear alignment of the lines indicated with red arrows in Figure 9 is the line south of the railway line that aligns with Dumbleton Road (Figure 10). This road does not extend north of the railway line in the 1918 SG Diagram, suggesting that it was built sometime between 1918 and 1936. Although not certain, it is possible that the two easternmost lines indicated with red arrows in Figure 9 represent a road (today's Waterside Road) or a boundary. The short line north of the railway line indicated by the second red arrow from the left in Figure 9 (1918 diagram), aligns with the boundary line section labelled as "G-H" in Figure 11 (1969 diagram).

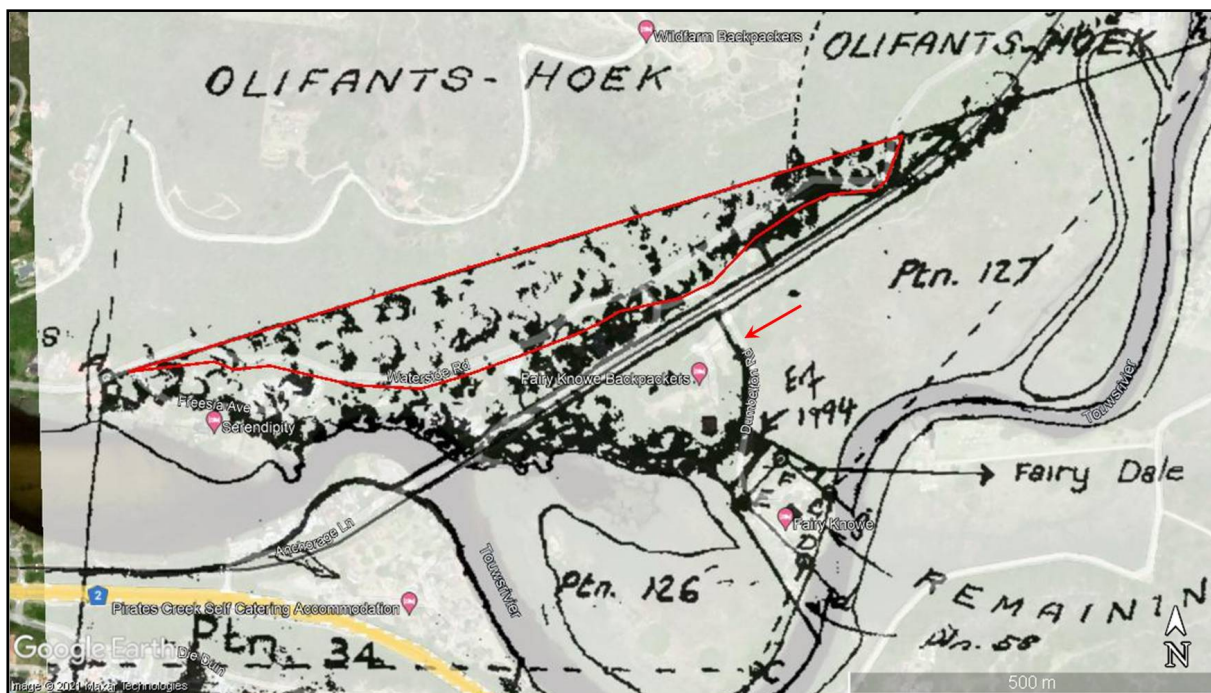


Figure 10. Annotated portion of the 1918 SG Diagram overlaid on Google Earth aerial imagery showing alignment of the line south of railway line in the 1918 diagram with Dumbleton Road (red arrow). Red polygon represents Remainder Erf 1262.

According to Title Deed number 33864/1969 and SG Diagram number 3695/1969, Portion 60 of portion 10 Klein Krantz 192 was registered for the first time in 1969, measuring 25 morgen (21.4175 ha). Ownership was not researched as it is not relevant to the scope of this report.

Originally known as Kleinkrantz 192/60, a portion of Kleinkrantz 192/10, the property was later numbered by the Surveyor-General (SG) as a Wilderness Erf when it was included in the municipal area of the former Wilderness Municipality (De Bruyn 2021). According to the above-mentioned Title Deed and Surveyor-General Diagram shown in Figure 11, Remainder Erf 1262 was first renamed and registered in 1969. The original diagram number 435/1918 referred to on the 1969 diagram shown in Figure 11 is for Erf 1264, but Remainder Erf 1262 is represented as the densely vegetated area in the northern part of the diagram (Figures 9 and 10). The approximate extent of Remainder Erf 1262 is shown with the red polygon in Figure 10. Note that the overlay is not perfect and hence the alignments are slightly off. Nevertheless, the proximity, orientation, relationships and dimensions of certain features are reliable enough for matching and identification.

Apart from roads, with some indicated in the 1918 and 1969 SG Diagrams and visible in the 1936 and 1957 aerial photographs (Figures 12 and 13), and the area that was used by the Provincial Roads Authority to store road building materials, the property has not been used or developed and its context has remained relatively unchanged over the past 200 years or so.

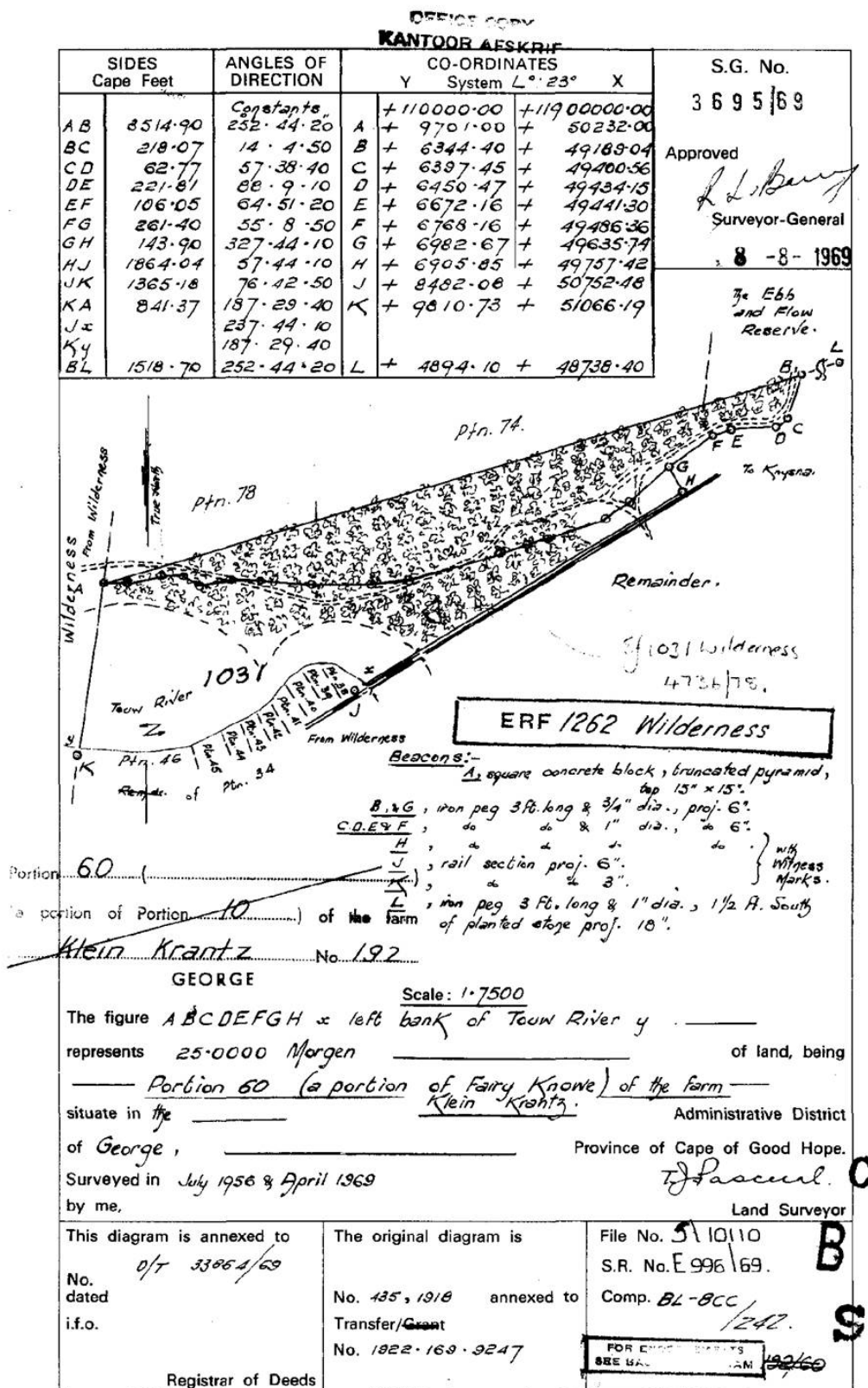


Figure 11. Surveyor-General Diagram 3695/69 (dated 1969) of Remainder Erf 1262, Wilderness (<http://csq.dla.gov.za/esio/searchindex.htm>).

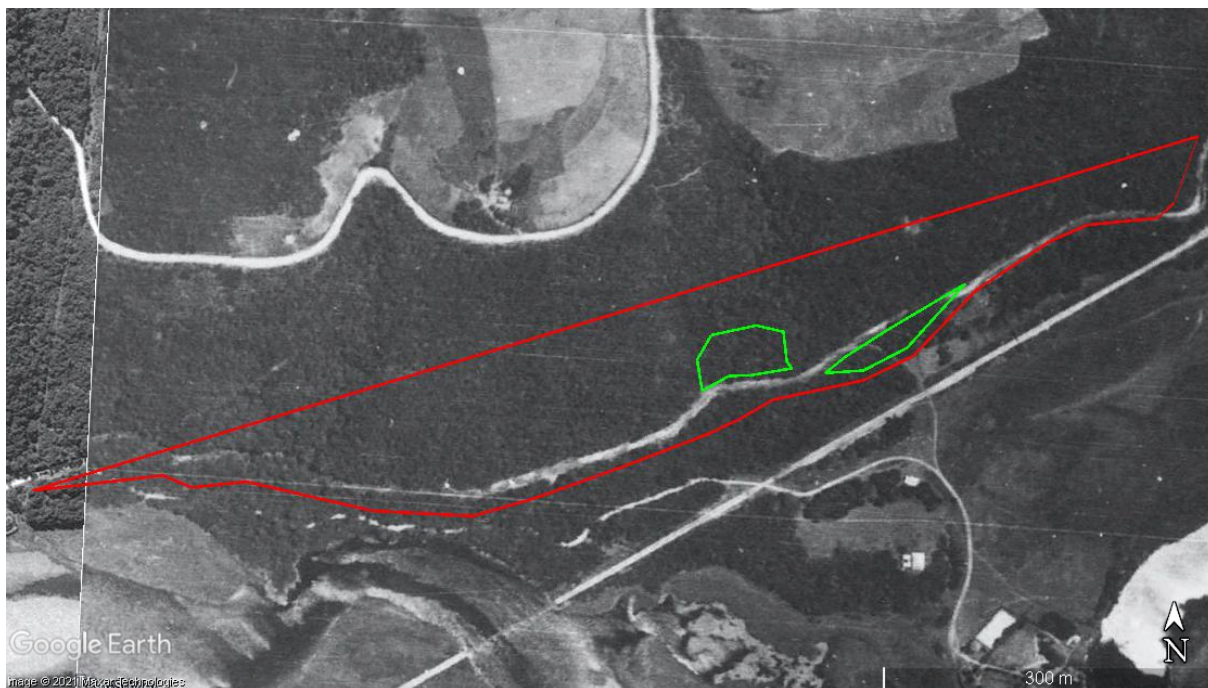


Figure 12. A 1936 aerial photograph of the study area with Waterside Road and other minor roads already present (ordered from Cape Town Surveys and Mapping, Mowbray from email address: sales@dalrrd.gov.za). Red polygon represents Remainder Erf 1262 and green polygons represent areas proposed for development.

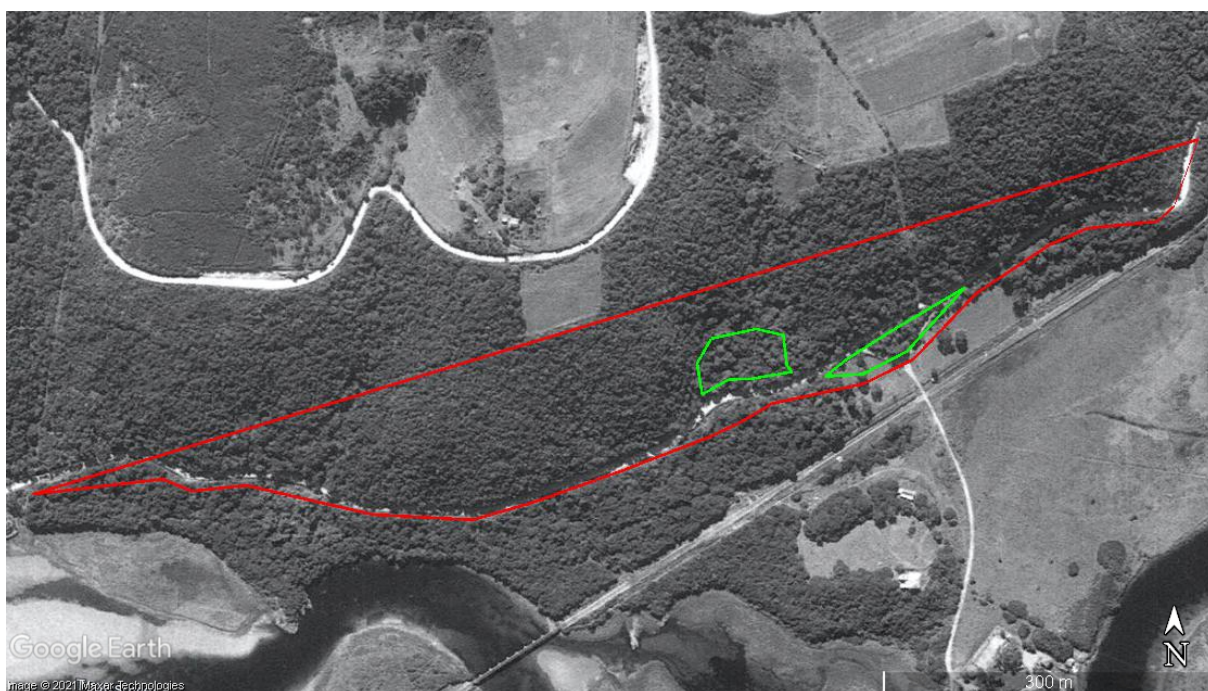


Figure 13. A 1957 aerial photograph of the study area with Waterside Road and other minor roads already present (ordered from Cape Town Surveys and Mapping, Mowbray from email address: sales@dalrrd.gov.za). Red polygon represents Remainder Erf 1262 and green polygons represent areas proposed for development.

4. Methods

4.1. Desktop Study, Literature Review & Information Sources

A desktop study and literature review was conducted to gain an understanding of the overall landscape and heritage context of the site proposed for development. The focus of the desktop study and literature review was on aerial imagery, the motivation report prepared by Marlize De Bruyn (De Bruyn 2021), historic records, the SAHRIS database, and previous work done in the immediate surroundings with the aim of identifying the types of heritage resources and concerns already documented, and how these inform the assessment being conducted here. In addition to this author's own work experience in the area and assistance from colleagues, information sources are listed in Table 1.

Table 1: Information sources.

| Data / Information | Source | Date | Type | Description |
|---|---|--------------------|---------------------|---|
| Maps & Aerial Photographs | Chief Directorate: National Geo-Spatial Information http://www.cdngiportal.co.za/cdngiportal/ | Historic & Current | Spatial | Maps of various type and scale, and aerial images |
| Maps & Aerial Photographs | CapeFarmMapper https://gis.elsenburg.com/apps/cfm/# | Historic & Current | Spatial | Maps of various type and scale, and aerial images |
| Aerial Photographs and for Superimposing Spatial Data | Google Earth Software Application or https://earth.google.com/web/ | Historic & Current | Spatial | Aerial images and overlays of SDPs, GPS data, Surveyor General Diagrams and aerial images |
| Cadastral Data | CapeFarmMapper https://gis.elsenburg.com/apps/cfm/# | Current | Spatial | Cadastral boundaries and extents |
| Cadastral Data | Chief Directorate: National Geo-Spatial Information http://www.cdngiportal.co.za/cdngiportal/ | Various | Survey Diagrams | Historical & current diagrams, survey data and registration dates |
| Cadastral Data | Chief Surveyor-General http://csg.dla.gov.za/d ata.htm | Current & Historic | Survey Diagrams | Historical & current diagrams, survey data and registration dates |
| Background Information | South African Heritage Resources Information System (SAHRIS) https://sahris.sahra.org.za/map/reports | Current | Reports and Spatial | Previous impact assessments for developments in the immediate surroundings area |
| Palaeontological Sensitivity | South African Heritage Resources Information System (SAHRIS) https://sahris.sahra.org.za/map/palaeo | Current | Spatial | Map showing palaeontological sensitivity and required actions based on the sensitivity. |
| Title Deeds | Deeds Office https://www.deeds.gov.za/index.php | Historic & Current | Ownership | Registration of property ownership |

4.2. Field Survey

The site was accessed by vehicle on 26 October 2021. Initially, this author met Marlize De Bruyn for a show-and-tell of the property, placement of the proposed development, and the location of stone walling to the south of Waterside Road. Thereafter a foot survey of the affected parts of the property was conducted independently. Due to very steep slopes and impenetrable vegetation covering most of the property, the foot survey was limited to accessible areas in and around the two areas proposed for development. The survey tracks shown in Figures 14 give an indication of the coverage achieved during the site investigation. Apart from a few exposed areas referred to above, ground surfaces were obscured by vegetation cover and forest / leaf litter. Like the fore-mentioned stone walling, above-ground features or structures would be visible in areas that could be accessed.

A Garmin Etrex x30 hand held GPS unit (set to map datum WGS84) was used for navigating to the development sites, for recording the survey tracks of the fieldwork, and to fix the localities of finds and observations. A comprehensive digital photographic record was made with a Samsung Galaxy A70 mobile phone, which includes location information of photographs. The complete set of GPS and photographic data is available from this author on request.



Figure 14. Aerial image showing Remainder Erf 1262 (red polygon), the two areas proposed for development (green polygons), and survey tracks (white lines). Courtesy of Google Earth, the applicant, and Marlize De Bruyn Planning.

4.3. Specialist Studies

The archaeological specialist study requested by HWC was conducted by this author and is incorporated into this HIA.

4.4. Grading

According to Section 7(1) of the NHRA, heritage resources are graded according to their National (Grade I), Provincial (Grade II) or Local (Grade III) significance. Grading facilitates the identification of the suitable level of management for a heritage resource. SAHRA (national heritage authority) manages Grade I, HWC (or other provincial heritage authority) manages Grade II, and a local planning authority manages Grade III heritage resources. Although these authorities are responsible for grading, anyone may recommend grading.

Although not completed, Section 7(2) of the NHRA intends for provincial heritage authorities to formulate a more detailed grading system for heritage resources of local significance (Grade III). HWC distinguishes between heritage resources of high (Grade IIIA), medium (Grade IIIB) and low (Grade IIIC) local significance, while Not Conservation Worthy (NCW) describes those of low or no significance that require no further management or mitigation measures (Heritage Western Cape 2016).

4.5. Community Consultation

A Public Participation Process in terms of NEMA EIA regulations was completed in 2020 and there were no comments received in terms of heritage related issues. The draft HIA was submitted to relevant registered heritage conservation bodies and the George Municipality for comment as required by HWC in their response to the NID application (Section 1.2).

4.6. Assumptions and Limitations

This assessment assumes that all background information and the location of sites proposed for development that were provided by the project team are correct and current. This assessment is for the planned development activity on the affected portions of the property and excludes any future plans for the remainder of the property.

Apart from heritage resources identified in historic and current information sources, the assessment is limited to heritage resources exposed at the surface or that have an above-ground component. Wherever soft surface sediments are present, it cannot be ruled out entirely that archaeological resources may be buried beneath the surface.

The most significant limitations to access and visibility were impenetrable, dense vegetation cover and leaf / forest litter in the studied areas. Nevertheless, sufficient observations of accessible areas and patches of exposed and eroded ground surfaces were made for the purpose of this assessment.

5. Findings of the Heritage Study

This section documents the identification and assessment of the significance of all heritage resources as set out in Sections 3 (2), 3 (3) and/or prescribed under Sections 6 (2) and 7 of the NHRA as per the heritage assessment criteria. Identified heritage resources are also mapped and tabulated.

5.1. Palaeontology

An inspection of the PalaeoSensitivity map on the SAHRIS website, accessed on 19 November 2021, revealed that Remainder Erf 1262 falls within an area that is shaded grey. This means that the area's palaeontological sensitivity is insignificant or zero, and that no palaeontological studies are required (Figure 15). It was noted on site that apart from soft surface sediments, the only hard geological sediment that was visible consists of quartzitic sandstone, which has no fossil bearing potential.

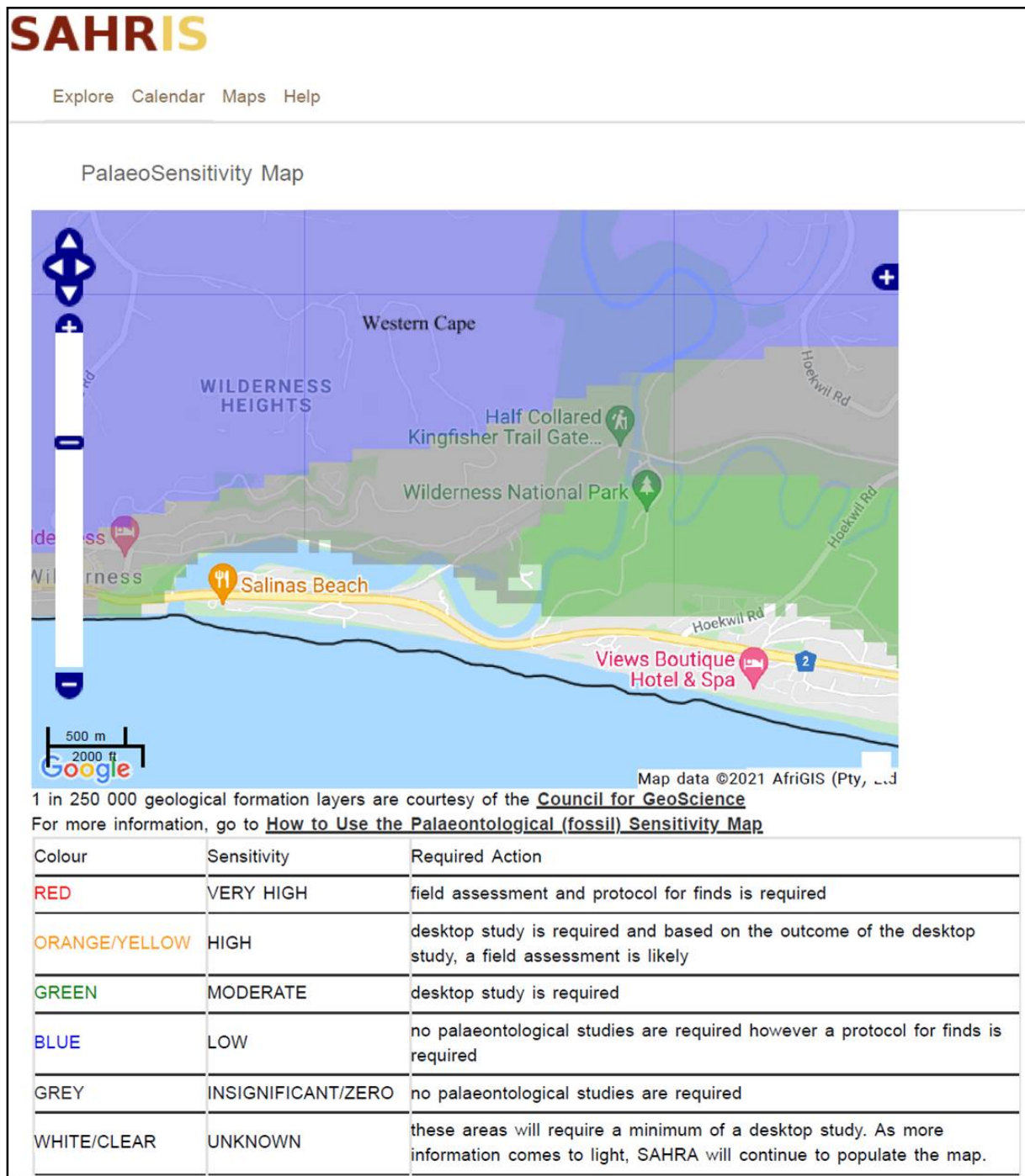


Figure 15. Enlarged portion of the SAHRIS PalaeoSensitivity map with the study area in the centre of the image, shaded grey (<https://sahris.sahra.org.za/map/palaeo>).

5.2. Archaeology

Although archaeological resources, of both historic and prehistoric origin are common along this stretch of the South African coastline, this specific portion of the Garden Route has not been investigated in detail, and to the best of my knowledge, no heritage-related studies have been conducted in the immediate surroundings of the affected property (SAHRIS database). Therefore, we do not know much about the heritage resources in this particular area. Nevertheless, given what occurs to the east and west, it is expected that open air shell middens and scatters of Stone Age implements may be found in the landscape. If present, rock shelters or caves are likely to contain archaeological materials. Historic structures along the shoreline and outside of commercial centres are most commonly associated with recreational use of the coastal landscape. Historic structures further inland are associated with early colonial settlements and agricultural activities.

Because of predictable food sources, the coastal zone has been a frequently inhabited environment for many thousands of years. Significant archaeological sites have been found along the coast including the Provincial Heritage Sites of Cape St Blaize Cave and Pinnacle Point Site Complex at Mossel Bay, and Nelson Bay Cave and Matjies River Rock Shelter near Plettenberg Bay. Nevertheless, to the best of my knowledge, no registered, officially graded, or significant heritage sites occur in the immediate surroundings of the study area.

5.2.1. Desktop Study

According to the SAHRIS database, only one heritage related study was conducted in the surroundings, about 7km to the north-east, involving the approximately 1000ha extent of the farm Hoogekraal 182 (Hart & Halkett 2003). The finds of this study included a dispersed scatter of Early Stone Age artefacts and historic period structures, including a stone boundary wall of likely late 18th Century origin.

This author is aware of a rock shelter with anthropogenic sediments on Erf 271, Wilderness, which is situated along Whites Road and about 1,5km to the west of the current study area. It is not known whether or not any further investigations have been undertaken into the archaeology associated with this rock shelter.

5.2.2. Field Investigation

Apart from the relatively recent activities associated with road maintenance and road building by the Provincial Roads Authority, the only tangible heritage resource identified within the studied area is a length of stone walling that was initially pointed out by Marlize De Bruyn, and that was also identified by the project's land surveyor. The feature is referred to as stone walling as it is not a free standing wall and does not appear to form part of a dwelling or structure. The location of the walling is shown in Figure 16, with coordinate data presented in Table 2, and examples of the feature are shown in Figures 17 and 18.

While much of the feature is partially in ruins, the best preserved part is at its western extent, near Waterside Road and west of a large yellow wood tree that will be preserved (Figure 18). The walling is about 40m in length and due to its partially buried state and only being observable from one side, its width is unclear. The height of the wall varies from its highest point of between 1,5m and 2m at its western extent to the lowest point of less than

100cm at its eastern extent. Constructed of un-retouched quartzitic sandstone blocks and pieces, there is no mortar, and the packing is not layered and fairly rough, unlike the neat, layered stone packing commonly seen in historic stone walls, structures or dwellings.

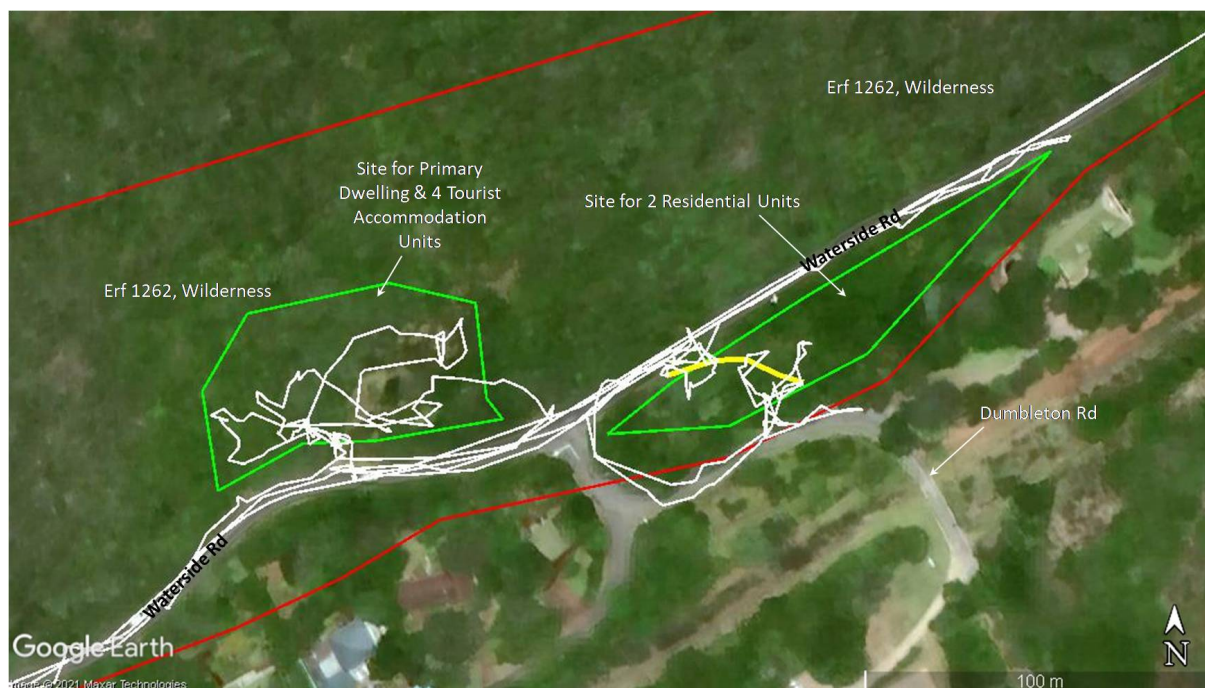


Figure 16. Enlarged area from Figure 14 showing property boundary (red), proposed sites for development (green), survey tracks (white) and historic stone walling (yellow). (A4 version on pg 55)

Table 2. List of heritage resources identified during the field survey.

| Waypoint | Location | Description | Significance (Grade) |
|----------|----------------------------------|---|----------------------|
| 1262a | S33° 59' 28.7" E22° 35' 58.3" | Stone walling in quartzitic sandstone. Likely late 19 th Century, appears to be in place by 1918, road verge or marker, well preserved | Low (IIIC) |
| 1262b | S33° 59' 28.6" E22° 35' 58.8" | Stone walling in quartzitic sandstone. Likely late 19 th Century, appears to be in place by 1918, road verge or marker, well preserved | Low (IIIC) |
| 1262c | S33° 59' 28.6" E22° 35' 59.2" | Stone walling in quartzitic sandstone. Likely late 19 th Century, appears to be in place by 1918, road verge or marker, partial ruins | Low (IIIC) or NCW |
| 1262d | S33° 59' 28.8" E22° 35' 59.8" | Stone walling in quartzitic sandstone. Likely late 19 th Century, appears to be in place by 1918, road verge or marker, partial ruins | Low (IIIC) or NCW |



Figure 17. Examples of stone walling, partially in ruins. Note large yellow wood tree trunk in top left image. All views are roughly toward the north. White scale bar is 50cm long.



Figure 18. Example of best preserved part of stone walling. Scale bar is 100cm (1m) long. (A4 version on pg 56)

Using Google Earth to import spatial graphics, the GPS data of the stone walling was overlaid on the 1918 and 1969 SG Diagrams, as well as the 1936 and 1957 aerial images (Figures 19, 20 and 21). As already discussed above in Section 3.3, there is no indication of a road to the north of the railway line in the 1918 SG Diagram although the road south of the railway was already shown to be in place (Figures 9 and 10).

It is clear that the walling aligns with the original exit road leading from what is now known as Waterside Road, and aligns with the section of today's Dumbleton Road shortly before it crosses the railway line to the south. Today the exit road from Waterside Road is called Dumbleton Road and the exit point is located a bit further to the west, between the two sites proposed for development as shown in Figure 16.

It is clear from the above that the stone walling was the western and southern "verge" or retaining wall of the western fork of the original road that exited from Waterside Road and crossed the railway line along the same alignment already indicated in the 1918 SG Diagram and visible in the 1936 and 1957 aerial images (Figures 20 and 21). Although the eastern fork of the road crossing the railway line and linking with Waterside Road as indicated in Figure 19 is not entirely clear in the 1936 aerial image, it is clearly visible in the 1957 image (Figures 20 and 21). This suggests that the eastern fork was constructed sometime between 1936 and 1957.



Figure 19. Enlarged portion of 1969 SG Diagram (Figure 11) with overlay of stone walling indicated with the yellow line.

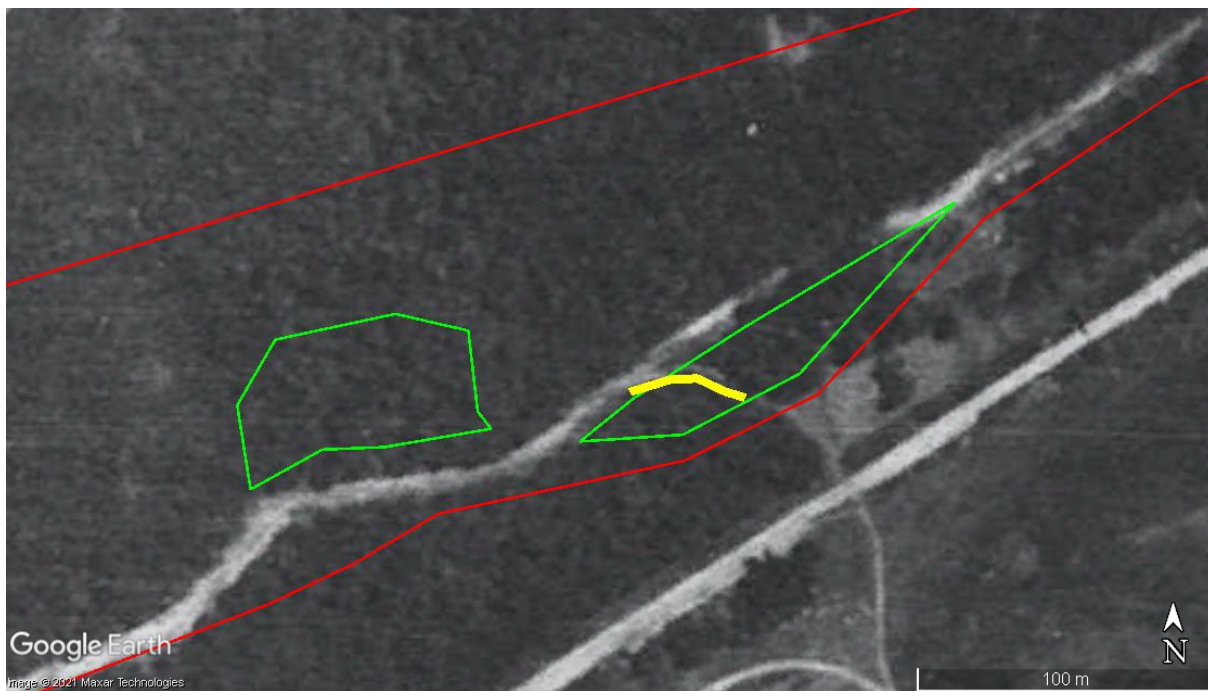


Figure 20. Enlarged portion of 1936 aerial photograph (Figure 12) with overlay of stone walling indicated with the yellow line.



Figure 21. Enlarged portion of 1957 aerial photograph (Figure 13) with overlay of stone walling indicated with the yellow line.

5.3. Graves

While prehistoric human burials are usually unmarked and can occur anywhere in the landscape (usually in soft substrates), historic graves are usually marked and located fairly close to dwellings or homesteads. Even though no graves are known to occur in the study

area and none were identified during fieldwork, the presence of graves currently obscured by vegetation or surface sediments cannot be ruled out entirely.

5.4. Historical Aspects and the Built Environment

5.4.1. Desktop Study

This section is dealt with above in Section 3.3. Apart from the aforementioned history of the property and road building, no further evidence of the built environment was found.

5.4.2. Field Investigation

The only tangible evidence of history and the built environment is that of road building and the remains of stone walling associated with a portion of the early road system as discussed above in Section 5.2.2.

5.5. Cultural Landscapes and Scenic Routes

5.5.1. Landscape Development

While the surroundings of Wilderness were certainly inhabited during prehistoric times, there is no evidence of significant archaeological sites such as rock shelters in the affected parts of the property, and therefore, there is no clear prehistoric component to the cultural landscape of Remainder Erf 1262. The only evidence for the use of the property during historic times relates to transport infrastructure, and includes the road running through the property and the railway line to the south of the property. None of the proposed development will impact these components of the cultural landscape.

5.5.2. Scenic Route

The proposed development site is about 600m from the important scenic route of the N2 highway running through the Garden Route. Nevertheless, even though the slopes to the north of the proposed development sites are visible from the N2, the two development sites are not visible as these are in the lowest lying parts of the property and are obscured by vegetation and existing intervening developments such as the Fairy Knowe hotel (Figure 22).

The densely vegetated sides of Waterside Road and the winding nature of the road means that the development sites on both the north and south sides of Waterside Road will only be visible very briefly from a passing vehicle (Figures 4 and 6). There are no places to stop a motor vehicle at these points and hence the visual impact will only be experienced momentarily as one drives through. Similar visual impacts already exist along Waterside Road and hence the proposed development will have negligible additional impact to the aesthetic value of the area. The two single residential opportunities south of Waterside Road are likely to be visible only from Dumbleton Road as is the case with existing residential developments in Dumbleton Road and Melkhout Avenue. Residential developments along the latter roads are completely obscured from Waterside Road by dense vegetation.



Figure 22. Looking NNW and toward Remainder Erf 1262 (red) and the development sites (green) from the N2 scenic route. The Fairy Knowe hotel is on the banks of the Touws River in the middle right of the image.

5.6. Statement of Significance and Provisional Grading

Section 38(3)(b) of the NHRA requires an assessment of the significance of all identified heritage resources. In terms of Section 2(vi), “cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance. The reasons that a place may have cultural significance are outlined in Section 3(3) of the NHRA (see Section 2 above).

The palaeontological sensitivity is rated as insignificant or zero.

The historic stone walling associated with road building is the only identified tangible heritage resource and is considered to be of low local significance (Grade IIIC) where it is well preserved; and not conservation worthy (NCW) where the walling is partially in ruins.

In the event of the chance discovery of human remains, these will be considered to be of high significance at the local level (Grade IIIA).

The cultural landscape of the wider Wilderness area and Garden Route is considered to be an important South African attraction for its aesthetic value, and is therefore considered to be of high significance at the local level (Grade IIIA). For reasons discussed above, the cultural landscape and scenic route value of Remainder Erf 1262, on the other hand, is considered to be of medium local significance (Grade IIIB).

5.7. Summary of Heritage Indicators

Historic period stone walling associated with road building is considered to be of low local significance (Grade IIIC).

- Indicator: Protected archaeological resources must not be damaged or destroyed without a permit from HWC in terms of Section 34 of the NHRA.

The cultural landscape and scenic route associated with the N2 is considered to be of medium local significance (Grade IIIB).

- Indicator: The aesthetic value of the cultural landscape and scenic route should not be negatively impacted by the development.

6. Assessment of Impacts

The impacts to heritage resources will result from the construction phase of development and these will be to archaeological resources and the cultural landscape and scenic route. No further heritage resources are anticipated to be impacted by the proposed development

6.1. Construction Phase

6.1.1. Impacts to Archaeological Resources

Because they are a non-renewable resource, impacts to archaeological resources will be permanent and will occur during the construction phase of development. Because the cultural significance is considered to be low, an intensity rating of low is given. The overall impact significance without mitigation is considered to be low negative (Table 3).

Mitigation involves the protection and conservation of the better preserved portion of stone walling situated west of the large yellow wood tree. This will result in the partial preservation of the heritage resource and therefore the post-mitigation significance rating of the impact will be low positive.

There are no fatal flaws regarding impacts to archaeological resources.

Table 3. Assessment of Impacts on Archaeological Resources

| Potential impacts on archaeological resources | |
|--|------------------|
| Nature and status of impact: | Direct, negative |
| Extent and duration of impact: | Local, permanent |
| Intensity | Low |
| Probability of occurrence: | Definite |
| Degree to which the impact can be reversed: | High |
| Degree to which the impact may cause irreplaceable loss of resources: | Low |
| Cumulative impact prior to mitigation: | Low |
| Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High) | Low, negative |
| Degree to which the impact can be | High |

| | |
|---|--|
| mitigated: | |
| Proposed mitigation: | Preservation of portion of heritage resource |
| Cumulative impact post mitigation: | Low |
| Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High) | Low, positive |

Mitigation: It is recommended that the better preserved portion of the stone walling be conserved in perpetuity while the remainder may be destroyed under permit from HWC in terms of Section 34 of the NHRA. This will offset the partial loss of the heritage resource.

6.1.2. Impacts to the Cultural Landscape and Scenic Route

Even though the cultural landscape and scenic route of the general area are considered to be of high local significance, the development site itself is of medium local significance, but the affected areas are not visible from the N2 scenic route. Therefore, the extent and intensity of the impacts are considered to be local and low. The significance of impacts prior to and after mitigation will be low negative provided that the proposed height restriction of the development is adhered to.

There are no fatal flaws regarding the cultural landscape and scenic route.

Table 4. Assessment of Impacts on the Cultural Landscape & Scenic Route

| | |
|--|--|
| Potential impacts on the cultural landscape and scenic route | |
| Nature and status of impact: | Direct, negative |
| Extent and duration of impact: | Local, permanent |
| Intensity | Low |
| Probability of occurrence: | Low - unknown |
| Degree to which the impact can be reversed: | High |
| Degree to which the impact may cause irreplaceable loss of resources: | Low |
| Cumulative impact prior to mitigation: | Low |
| Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High) | Low, negative |
| Degree to which the impact can be mitigated: | High |
| Proposed mitigation: | Ensure that the visibility of development from N2 is kept to a minimum by restricting the height to that of development in the immediate surroundings. |
| Cumulative impact post mitigation: | Low |
| Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High) | Low, negative |

6.2. Evaluation of Impacts Relative to Sustainable Social and Economic Benefits

Section 38(3)(d) of the NHRA requires an evaluation of the impacts on heritage resources relative to the sustainable social and economic benefits to be derived from the development.

Given the absence of prehistoric heritage resources in the affected area, there are no anticipated direct negative impacts to the heritage of indigenous societies. The impacts to the cultural landscape and scenic route are anticipated to be negligible. As a result, the negative impacts of the proposed developments on heritage resources will be low, while the proposed tourist facility and two residential opportunities will provide some contribution to the local economy of Wilderness and its community during the construction and operational phases of the project. Albeit small, the benefits of the proposed development to sustainable social and economic development outweigh its negligible negative impacts on heritage resources.

6.3. Existing Impacts to Heritage Resources

Historic and contemporary road building activities have impacted both areas earmarked for development. Any heritage resources that were present in the area north of Waterside Road prior to its use by the Provincial Road Authority would have been damaged, disturbed or destroyed over the past twenty years or so. Similarly, any prehistoric heritage resources that were present in the area involving the forked road leading to and crossing the railway line would have been damaged, disturbed or destroyed by the historic road building between 1918 and 1957. Subsequent residential developments in the area may have impacted the early road's stone walling, but natural processes, disuse and lack of maintenance would also result in the slow ruination of the structure. Natural processes like weathering, decay, bioturbation and erosion will also have a continual negative impact on exposed and buried archaeological resources.

The cultural landscape and scenic route of the area is under continual threat due to the popularity of coastlines and resulting coastal developments. Nevertheless, because of limited undeveloped space, the severe limitation of development on the steep slopes enveloping Wilderness, as well as the Wilderness National Park and proposed conservation of the bulk of Remainder Erf 1262, the immediate surroundings and local cultural landscape are not currently under threat from development.

6.4. The No-Go Alternative

If the development does not proceed, then the site will remain as is with continued impacts of natural processes. Considering that the socio-economic benefits from the proposed development outweigh its negative impacts on heritage resources, the proposed development is preferable to the No-Go option. An additional benefit of the development is the preservation of a heritage resource associated with early road building in the area.

6.5. Cumulative Impacts

Other than the archaeological remains in the rock shelter on Whites Road, we do not know whether or not infrastructural and residential developments in the immediate surroundings have impacted negatively on heritage resources. Most of the existing developments in Wilderness did not undergo heritage impact assessments, and hence it is expected that some anthropogenic materials were lost to development. The small scale of the proposed development will have negligible additional cumulative impact on heritage resources, especially since this study has considered the heritage context and sensitivity of the affected area. The cumulative impact to the cultural landscape and scenic route is also considered to be negligible as the development sites are not visible from the N2 scenic route. Overall, the proposed development is not considered as a concern with respect to cumulative impacts.

6.6. Levels of Acceptable Change

No negative impacts to tangible heritage resources should occur until such resources are evaluated and then studied, sampled or conserved as deemed necessary in accordance with their cultural significance. Impacts of developments on cultural landscapes and scenic routes should not be permitted if they significantly alter or diminish the aesthetic appeal and value of a landscape as seen from commonly used viewpoints such as public transportation routes. Due to the location, size and secluded nature of the sites and proposed development, impacts on the landscape are considered to be negligible and within acceptable levels of change.

6.7. Consideration of Alternatives and Plans for Mitigation

As discussed earlier, there are no alternative localities suitable for development on the property. The proposed small tourist resort north of Waterside Road will have no known impact on tangible heritage resources and its impact on the cultural landscape and scenic route will be negligible. Development of higher density or structures with a higher vertical component than those that are proposed will not be acceptable. The proposal for two residential opportunities south of Waterside Road is in keeping with existing developments south of Waterside Road. The proposal will in all likelihood impact on the identified historic stone walling, but this impact will be limited and the proposal provides an opportunity to preserve a part of the heritage resource.

A destruction permit for the stone walling must be obtained from HWC in terms of Section 34 of the NHRA prior to any construction work. A demolition permit may also be needed from the local authority. The stone walling west of the large yellow wood tree should be left intact.

Given the limited access and visibility during the time of fieldwork, it is recommended that the area south of Waterside Road should be inspected for further archaeological remains after vegetation clearing so that these can be assessed and documented if present.

7. Input to the Environmental Management Program

If an Environmental Management Program (EMPr) is applicable to the project, then it should make provision for the following:

- New owners of the residential opportunity containing the historic walling should be made aware of the heritage resource and requirements concerning its partial destruction and partial conservation.
- Contractors and their staff should be made aware of the potential for the chance discovery of heritage resources and human remains and that any such finds must be left undisturbed and reported to HWC or an archaeologist as soon as possible.
- Contractors and their staff should be made aware of the portion of stone walling that will be preserved and ensure that it is not damaged during construction.

8. Consultation with Heritage Conservation Bodies

In accordance with HWC requirements, this report was sent to the following organisations for review and comment (see Appendix B as proof of request for comment):

- Simon van der Stel Foundation, Southern Cape;
- The George Heritage Trust; and
- George Local Municipality.

The commenting period was open from 30 November 2021 to 5 January 2022.

The comments and responses table below contains the total feedback received from I&APs. A full record of correspondence is available from this author if needed. Note that, while no feedback was received from the George Municipality, both the Simon Van Der Stel Foundation and the George Heritage Trust support the findings, assessment and recommendations of this HIA.

Table 5. Comments and responses from the community consultation process

| I&AP | Comment | Response |
|--|--|---------------|
| 1. Simon Van Der Stel Foundation, Southern Cape: Mr IP (Nati) De Swardt, 044 889 0047 / 083 752 9340, natiedes@telkomsa.net | <p>Thank you for resending the documentation on the Remainder of Erf 1262, Wilderness.</p> <p>The documentation is clear, comprehensive and well presented and we would like to compliment the compilers on the standard achieved. It is a pleasure to read and, in our view, is an example of how the process should run.</p> <p>The area is well known and a site visit was not conducted. The documentation was studied in detail.</p> <p>It is noted that Western Cape Forestry, SANParks and the DEA have been involved. Also that the required EA processes have been adhered to. The proposed development conforms to the stipulations of the urban edge. Substantial disturbance and</p> | None required |

| | | |
|---|--|---------------|
| | <p>alteration of the terrain will be avoided. Plans are in place in the event archaeological finds are made.</p> <p>The new structures will be limited in size and wood will be used as building material. Impact on tangible heritage resources will be minimal .Part of the stone wall will be retained and protected.</p> <p>The cumulative impact on the cultural landscape and the scenic route will be negligible.</p> <p>The Simon van der Stel Foundation: Southern Cape concurs with the recommendations in paragraph 10 of the report. We do not oppose the granting of the necessary permits in terms of the National Heritage Resources Act (NHRA) of 1999 by Heritage Western Cape.</p> | |
| <p>2. The George Heritage Trust, c/o Henry Paine, 082 2269 466, to thegeorgeheritagetrust@gmail.com</p> | <p>I have read through your excellent document carefully and have found it to be both interesting as well as thoroughly informative of the issues involved. I am acquainted with the site and have not made a site visit as I do not think it necessary considering this and the thoroughness of the report.</p> <p>Your section 6 Assessment of Impacts as well as your Reasoned Opinion in section 9.1 refers: the Trust is in full support of all.</p> <p>With respect to the intangible aspects of the heritage of the Wilderness area, specifically the views and vistas that the property is a part of, the Trust is very happy in supporting the low impact that this project will have.</p> | None required |
| <p>3. George Municipality – Clinton Petersen (cpetersen@george.gov.za)</p> | No response or comment received | None required |

9. Conclusions

Table 6 lists the heritage indicators and how they will be responded to as necessary.

Table 6: Heritage indicators and project responses.

| Indicator | Project Response |
|---|---|
| Historic period stone walling associated with road building is protected and may not be damaged or destroyed without a permit in terms of Section 34 of the NHRA. | A permit for partial destruction must be obtained from HWC in terms of Section 34 of the NHRA. |
| Historic period stone walling associated with road building is protected by the NHRA and should be avoided by future development. | The conservation of the better preserved portion of the walling should be included in the conditions of authorisation and EMPr if applicable. |
| The aesthetic value of the cultural landscape and scenic route should not be negatively impacted by the project. | The assessment has shown that impacts will be negligible and contained by the small and vertically limited nature of development. |

From a heritage standpoint there are no further concerns associated with the proposed development.

9.1. Reasoned Opinion of the Specialist

Impacts to heritage resources are considered to be negligible and can be mitigated so as to result in the partial conservation of a heritage resource that would otherwise have remained undetected or destroyed through natural and human processes and activities. Given the project's low impact to the heritage value of the area and the positive, albeit small, contribution to the local economy, the proposal is considered to be preferable to the No-Go option. It is this author's opinion, therefore, that the proposed development should be authorized in full.

10. Recommendations

- Provided that the below recommendations are implemented, there are no fatal flaws or objections to the authorisation of the proposed development on grounds of the heritage study.
- The portion of well preserved stone walling to the west of the large yellow wood tree, which will be left intact, should be conserved in perpetuity.
- Although the stone walling is not considered to be of high heritage value or significance, and even though a portion of the walling will be conserved, the demolition of a portion of the historic walling requires a destruction permit from Heritage Western Cape under Section 34 of the NHRA. A demolition permit must also be obtained from the Local Authority.
- Due to limited access during the field investigation, the development site between Waterside Road and Dumbleton Road should be inspected by a suitably qualified and accredited archaeologist after vegetation clearing and before commencement of construction. In the event that more stone walling associated with the earlier road alignment is discovered, it should be adequately documented prior to its destruction

under permit from HWC. It is noted, however, that Marlize de Bruyn could not see any further walling when the area was more accessible during a previous site visit.

- Apart from the above, no further heritage related studies or mitigation / management measures are necessary.
- Where applicable, the Environmental Control Officer or Contractor(s) or future owner(s) must be briefed about the potential of sub-surface archaeological resources (e.g., historic middens, shell middens, stone tools, fossil bones, human remains, etc) and should report any discovery of such heritage resources during the construction phase to Heritage Western Cape. Any such resources are protected under Section 35(4) of the NHRA and must be protected from further disturbance until investigated by HWC and/or a suitably qualified archaeologist. Any work in mitigation will require a permit and, if deemed appropriate, should be commissioned and completed before construction continues in the affected area and will be at the expense of the developer.
- In the event of exposing human remains during construction, then the find should be protected from further disturbance and work in the immediate area should be halted. The find will fall into the domain of SAHRA and must be reported to them, and will require inspection by a professional archaeologist to determine the way forward. Any disturbance to a human burial older than 60 years will require a permit in terms of Section 36 (3)(a). Graves and burial grounds are the property of the state and may require excavation and curation in an approved institution. Any work associated with the find will also be at the cost of the developer.
- All of the above recommendations should be included in the conditions of authorisation as well as the Environmental Management Program (EMPr) if an EMPr is being developed for the proposed development.

11. References

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DEA&DP and HWC. 2015. Operational Agreement / Standard Operating Procedure (SOP): Coordination of Environmental Impact Assessments (EIAs) & Heritage Impact Assessments (HIAs).

De Bruyn, M. 2021. Proposed Rezoning & Subdivision for Dion Romijn Familie Trust, Remainder Erf 1262, Waterside Road, Wilderness, George Municipality and Division.

Hart, T. and D. Halkett, 2003. Scoping Heritage Impact Assessment of Farm Hoogekraal 182 Wilderness Lakes Area, South Western Cape. (SAHRIS MAPID 00396)

Heritage Western Cape (HWC), 2021. Notification of Intent to Develop, Heritage Impact Assessment, (Pre-Application) Basic Assessment Reports, Scoping Reports and Environmental Impact Assessments, Guidelines for Submission to Heritage Western Cape.

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Heritage Western Cape (HWC). 2016. Grading: purpose and management implications. Document produced by Heritage Western Cape, 16 March 2016.

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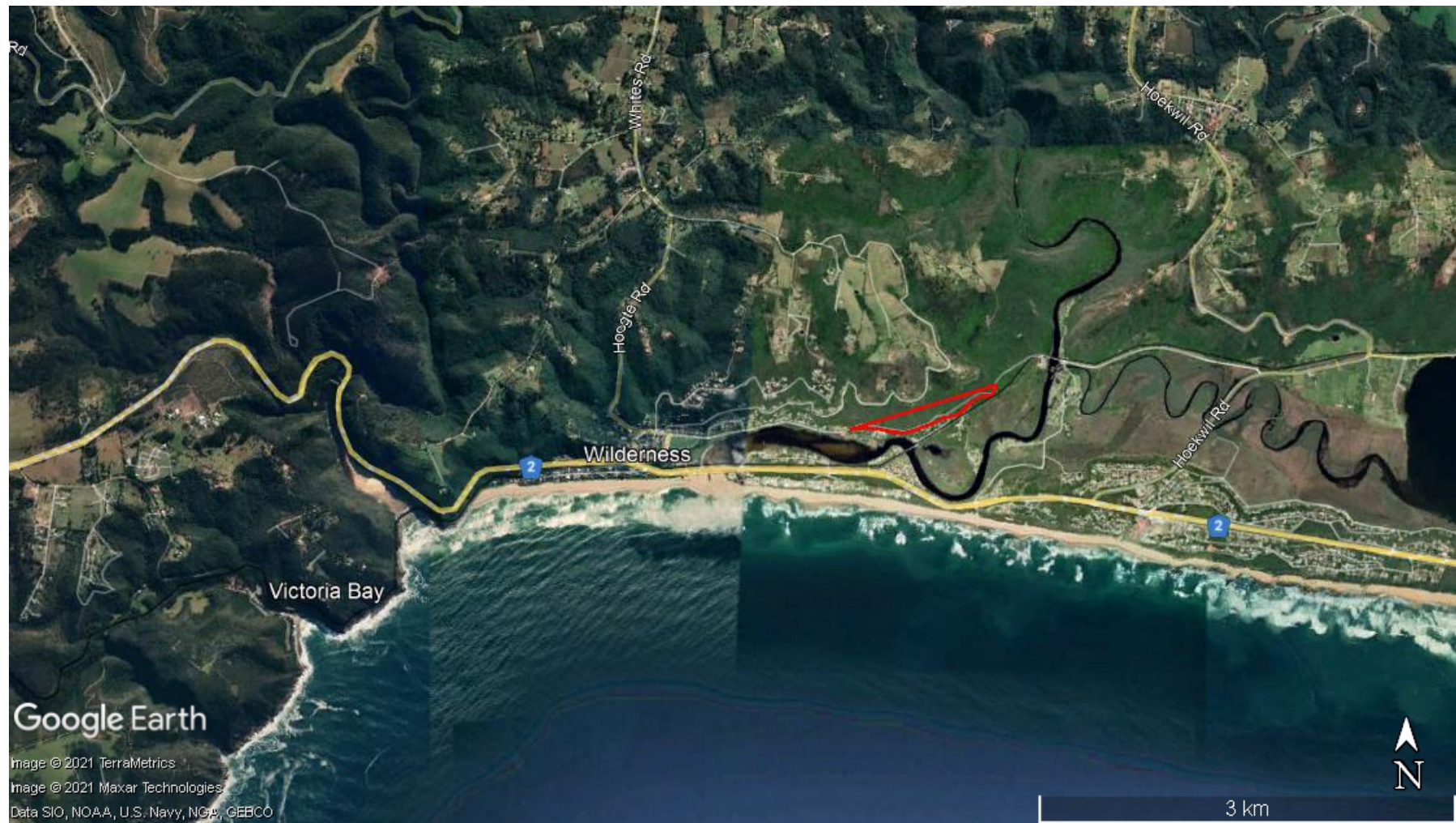
SAHRA APM, 2012. Compliance to SAHRA Minimum Standards for Phase 1 Archaeological Impact Assessments.

SAHRA, 2017. Minutes of the Heritage Impact Assessment Workshop Held on the 23 October 2017 from 09h00 -17h00, at The Castle Of Good Hope Boardroom, Cape Town.

SAHRA APM, 2018. Compliance to SAHRA Minimum Standards, SAHRIS Requirements and Section 38 of the NHRA.

UNESCO, 2008. Operational guidelines for the implementation of the World Heritage Convention, 2008.

Winter, S. & Oberholzer, B. 2013. Heritage and Scenic Resources: Inventory and Policy Framework for the Western Cape. Report prepared for the Provincial Government of the Western Cape Department of Environmental Affairs and Development Planning.



Red polygon represents the affected property, Remainder Erf 1262, Wilderness.

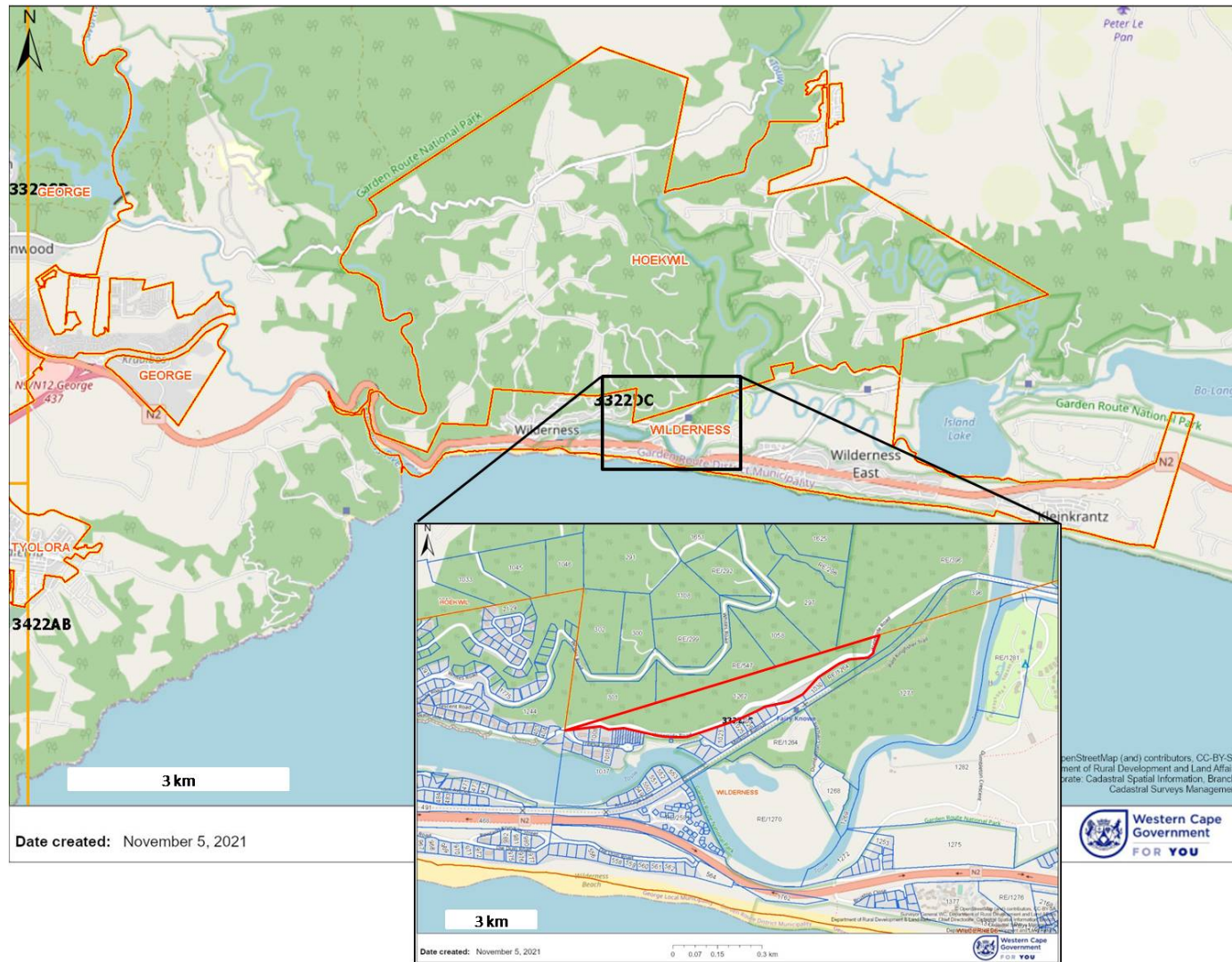


Figure 1. General location of Remainder Erf 1262, Wilderness, Western Cape Province (red polygon). Enlarged portion of 1:50 000 topographic map 3322DC. Courtesy of the Surveyor General WC, Department of Rural Development and Land Affairs (<https://gis.elsenburg.com/apps/cfm/#>).

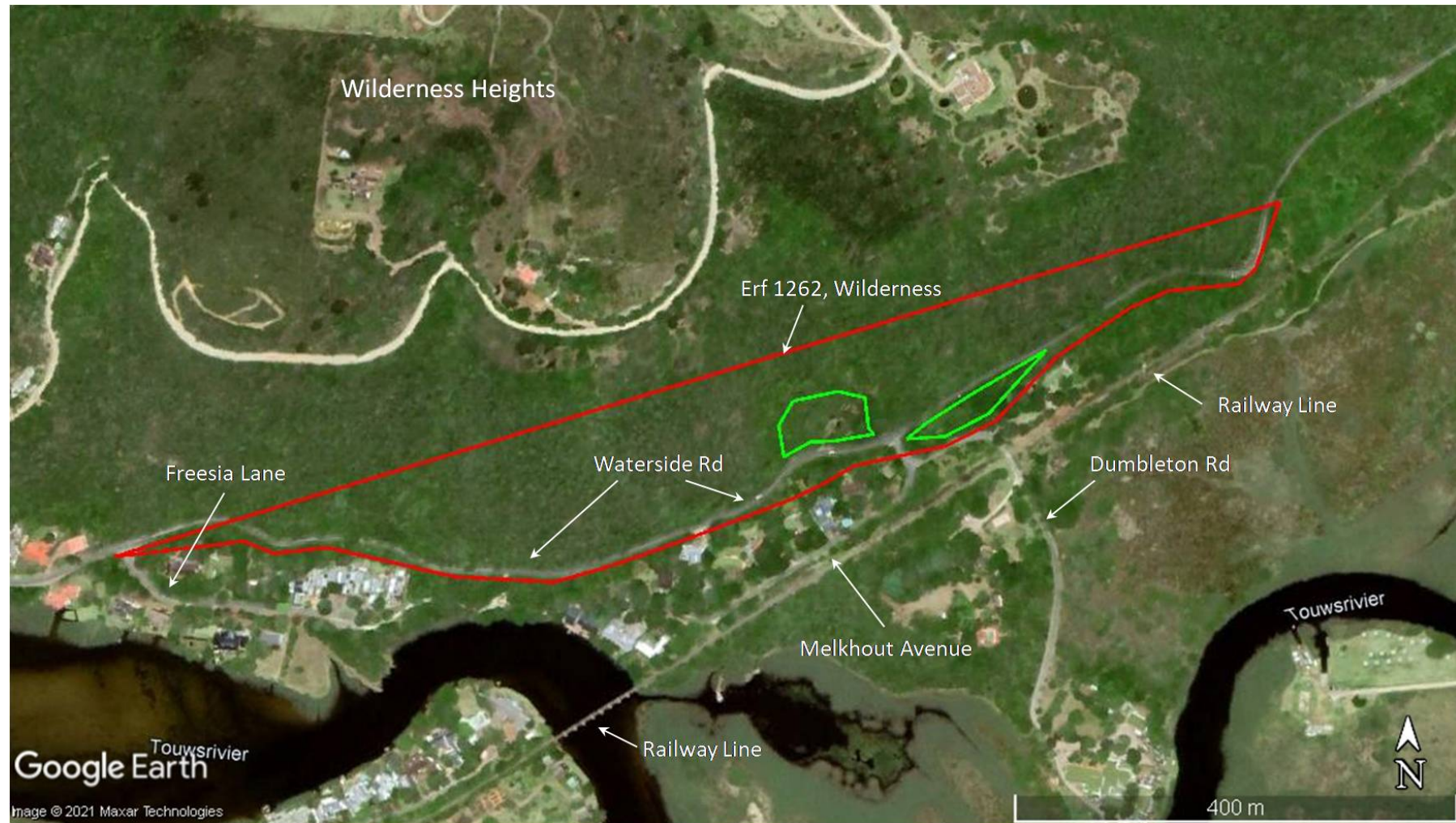


Figure 2. Aerial image showing Remainder Erf 1262 (red polygon) and the two areas proposed for development (green polygons). Note that Waterside Road runs along the southern portion of the property. Courtesy of Google Earth, the applicant, and Marlize De Bruyn Planning.

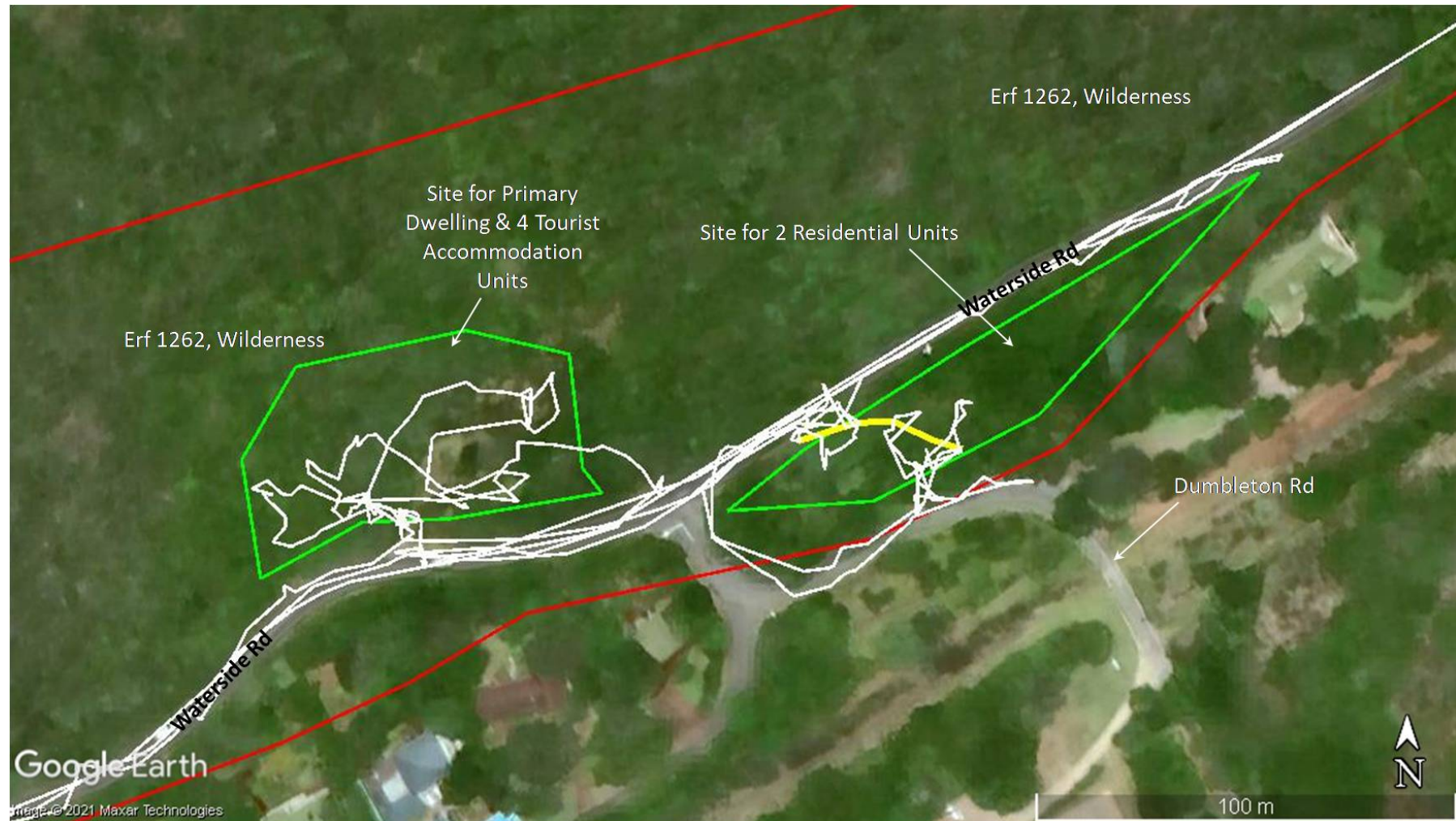


Figure 16. Enlarged area from Figure 14 showing property boundary (red), proposed sites for development (green), survey tracks (white) and historic stone walling (yellow).



Figure 18. Example of best preserved part of stone walling. Scale bar is 100cm (1m) long.

Appendix A: Curriculum vitae

BIOGRAPHICS:

Names & Surname: Peter John Nilssen
Address: 41, 21st Avenue
Mossel Bay
6500
South Africa
Postal Address: P.O. Box 2635
Mossel Bay
6500
South Africa
Telephone/Contact: Cellular phone: (27) 082 783 5896
E-mail: peter@carm.co.za
Identity Number: 641214 5081 080
Nationality: South African
Family Status: Married with two children
Drivers Licence: Code 02, 11/02/1987
Code 08, 15/12/1982
Health: Excellent
Languages: English
Afrikaans

EDUCATION

School: Rondebosch Boys High School, 1978 - 1982
School Certificate: Cape Senior Certificate, Full Matriculation
Exemption
University: University of Cape Town (UCT), South Africa
Degrees: Ph.D. in archaeology (2000), BA (HONS) 1989,
and BA (archaeology) 1988

PROFESSIONAL ACCREDITATION & AFFILIATION

Professional member of the Association of Southern African Professional Archaeologists (ASAPA) since 1989, including the Cultural Resource Management section of the same association (ASAPA professional member # 097).

Accreditation:

- Principal Investigator for archaeozoology (specialist analysis), coastal & shell midden archaeology and Stone Age archaeology;
- Field Director for Colonial Period;
- Field Supervisor for Iron Age and Rock Art.

Affiliation:

Honorary Research Associate of Iziko – South African Museum, Cape Town

PROFESSIONAL EMPLOYMENT

| <u>Date</u> | <u>Employer</u> | <u>Description</u> |
|--------------------|----------------------------|---------------------------|
| 1989 - 1994 | Prof. J.E. Parkington, UCT | Research Assistant |
| 1990 – 1992 | Prof. J.E. Parkington, UCT | Tutor for excavations |
| 1991 & 1992 | Dept. Archaeology, UCT | Tutor - Archaeology |

| | | |
|-----------------|---|---|
| 1995 & 1996 | Prof. A. Sillen, UCT | Research Assistant |
| 1993 - 1999 | Various scientists | Faunal analysis |
| 1991 - 1999 | Archaeology Contracts Office (UCT) Agency for CRM (J Kaplan) | Cultural Resource Management |
| 1999 - 2004 | Prof. C.W. Marean, State University of New York, Stony Brook, USA | Contracted researcher and Faunal analyst |
| 2000 - 2001 | Dr. C.S. Henshilwood, IZIKO | Faunal analysis, Blombos Cave |
| 2003 | Prof. Judith C. Sealy, UCT | Faunal analysis |
| 2004 - 2006 | Institute of Human Origins (IHO) Arizona State University, Tempe, USA | Co- Director & researcher, Pinnacle Point Site Complex (PPSC) Mossel Bay |
| 2007 to present | self employed | Archaeological & Heritage Consultant |
| 2013 to present | Point of Human Origins | Founder and owner – archaeo-tourism PPSC |

EXPERIENCE:

Considerable fieldwork (survey, recording, mapping & excavation) and project experience in both archaeological research (Western Cape Province) and cultural resource management (CRM - Western, Eastern and Northern Cape Provinces of South Africa as well as Lesotho) spanning much of the Southern African prehistoric (Stone Age and Pastoralist) and historic (Colonial) periods.

CRM Project types include:

- Notification of Intent to Develop & accompanying Heritage Statements
- Archaeological specialist studies
- Heritage Impact Assessments
- Research & CRM archaeological excavations in Historic and Prehistoric sites

Development types:

- Single and complex residential & industrial
- Golf course
- Nature reserve / game farm
- Solar and wind energy facilities
- Roads, walkways, pipelines, cables & power lines
- Dams
- Mines

PUBLICATIONS & REPORTS

Book:

- Nilssen, Peter. 2011. Hunting or Scavenging in the Early and Middle Stone Ages of Africa – Experimental archaeology and reconstructing hominid strategies of carcass acquisition and butchery in the Upper Pleistocene and Plio-Pleistocene. VDM Verlag Dr. Muller GmbH & Co. KG (ISBN 978-3-639-37474-2)

Peer Review Publications:

- Nilssen, Peter and Craig Foster. 2017. The key to our future is buried in the past – philosophical thoughts on saving us from ourselves. The Digging Stick Vol 34, 1

- Antonieta Jerardino, Jonathan Kaplan, Rene Navarro and Peter Nilssen. 2016. Filling in the gaps and testing past scenarios on the Central West Coast: Hunter-gatherer subsistence and mobility at 'Deurspring 16' Shell Midden, Lamberts Bay, South Africa. *The South African Archaeological Bulletin* June 2016.
- McGrath, J.R., Cleghorn, N., Gennari, B., Henderson, S., Kyriacou, K., Nelson-Viljoen, C., Nilssen, P., Richardson, L., Shelton, C., Wilkins, J., & Maeran, C.W. 2015. The Pinnacle Point Shell Midden Complex: a Mid to Late Holocene Record of Later Stone Age Coastal Foraging Along the Southern Cape Coast of South Africa. *South African Archaeological Bulletin* 70 (202): 209–219.
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- Marean, C. W., Nilssen, P. J., Brown, K., Jerardino, A., and D. Stynder (2004) “Paleoanthropological Investigations of Middle Stone Age Sites at Pinnacle Point, Mossel Bay (South Africa): Archaeology and Hominid Remains from the 2000 Field Season.” *PaleoAnthropology*
- Marean, C.W., Bar-Matthews, M., Nilssen, P.J., Fisher, E., Herries, A., and Karkanas, P. 2006. Paleoclimatic context of the origins of modern humans in South Africa: Based on speleothems isotopic record. *Geochimica et Cosmochimica Acta* 70(18) DOI: 10.1016/j.gca.2006.06.788
- Yoshiko Abe, Curtis W. Marean, Peter J. Nilssen, Zelalem Assefa, and Elizabeth Stone 2002. “The analysis of cut marks on archaeofauna: a review and critique of quantification procedures, and a new image-analysis GIS approach.” *American Antiquity* 67:
- C.W. Marean, Y. Abe, P.J. Nilssen, and E. Stone 2001. “Estimating the minimum number of skeletal elements (MNE) in zooarchaeology: a review and a new image-analysis GIS approach.” *American Antiquity* 66:333-348.
- Jerardino, R. Navarro, and P. Nilssen, 2001. An approach to the study of Cape rock lobster (*Jasus lalandii*) exploitation in the past: morphometric equations for estimating carapace length from mandible sizes. *South African Journal of Science* 97:59-62.
- D'Errico, F, C. Henshilwood and P. Nilssen 2001. An engraved bone fragment from c. 70,000-year-old Middle Stone Age levels at Blombos Cave, South Africa: implications for the origin of symbolism and language. *Antiquity* 75 (288): 309-318.
- Nilssen, Peter John. 2000. An actualistic butchery study in South Africa and its implications for reconstructing hominid strategies of carcass acquisition and butchery in the upper pleistocene and plio-pleistocene. Published PhD dissertation, University of Cape Town, South Africa.
- Nilssen, Peter. 1994. Framing the present to capture the past: An example of videography in actualistic research. *The South African Archaeological Bulletin* Vol. XLIX (160): 100-102.
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- Parkington, J., Nilssen, P., Reeler, C. and Henshilwood, C. 1992. Making sense of space at Dunefield Midden campsite, western Cape, South Africa. *Southern African Field Archaeology*. 1 (2): 63-71.

Heritage-related Reports & Impact Assessments:

More than 240 reports completed to date

A full CV with complete list of reports is available on request.

Appendix B: Proof of request to comment on HIA

Re: Community Consultation in terms of the NHRA - Remainder Erf 1262, Wilderness

Subject: Re: Community Consultation in terms of the NHRA - Remainder Erf 1262, Wilderness
From: Peter Nilssen <peter@carm.co.za>
Date: 2021/11/30, 10:49 am
To: natiedes@telkomsa.net, thegeorgeheritagetrust@gmail.com, cpetersen@george.gov.za
CC: Marlize de Bruyn <marlize@mdbplanning.co.za>, dromyn@telkomsa.net

Dear All

In the event that your email inbox could not receive the files I sent previously, then please use the below link (copy and paste the link into your search engine such as Google Chrome, Brave, etc) to download the files referred to in my below correspondence. I have checked that the link works, but **please note that the link EXPIRES IN 7 DAYS.**

Apologies for any inconvenience and please remember to confirm receipt of this email and to confirm that you were able to download the files sent to you via the below link. Please contact me on 0827835896 if you need assistance or have any queries.

<https://we.tl/t-mTiUjflRdp>

Thanks and best wishes
Peter

On 2021/11/30 10:39 am, Peter Nilssen wrote:

Dear All,

My previous email (included below without attachments) with attachments has failed to some recipients and therefore I will share the files via "wetransfer", but please accept the below email as NOTICE.

Thanks and best wishes
Peter

On 2021/11/30 10:28 am, Peter Nilssen wrote:

Dear Registered Conservation Bodies,

1. Simon Van Der Stel Foundation, Southern Cape: Dr IP (Nati) De Swardt,
2. The George Heritage Trust, c/o Mr Henry Paine, and
3. The George Municipality – Mr Clinton Petersen.

I trust this finds you well.

This project has already undergone a Public Participation Process as part of the NEMA EIA regulations and no comments concerning heritage related issues were received.

Heritage Western Cape (HWC) requested a Heritage Impact Assessment (HIA attached here) as well as a community consultation process in terms of the National Heritage Resources Act, 25 of 1999 (NHRA). The notice for the community consultation process is pasted below and is also attached in PDF format. It is to this end that I write and attach the HIA for the project for your perusal and comment.

The 30 day commenting period is set to close on 5 January 2022, but if you are able to respond before that date, then that would be much appreciated.

Kindly confirm receipt of this email and the two above-mentioned attachments.

I look forward to your confirmation of receipt and subsequent responses, but please do not hesitate to contact me for any further information.

Sincerely and best wishes
Peter Nilssen
0827835896
(contact details below)

NOTICE

APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT, 1999, ACT 25 OF 1999
(THE NHRA)

Please note that an application is being made in terms of Section 38(8) of the NHRA regarding the following property:

ERF/FARM PORTION Remainder Erf 1262, Wilderness SUBURB/FARM_

TOWN Wilderness LOCAL/ DISTRICT MUNICIPALITY George __

STREET ADDRESS_ Off Waterside Road, Wilderness _

Short Description of the work to be done: Alterations/Demolition_ Rezoning & Subdivision for Private Dwellings and Tourist Accommodation on Remainder Erf 1262, Waterside Road, Wilderness, George Municipality & Division

A copy of the application can be obtained from:

Name: Dr Peter Nilssen

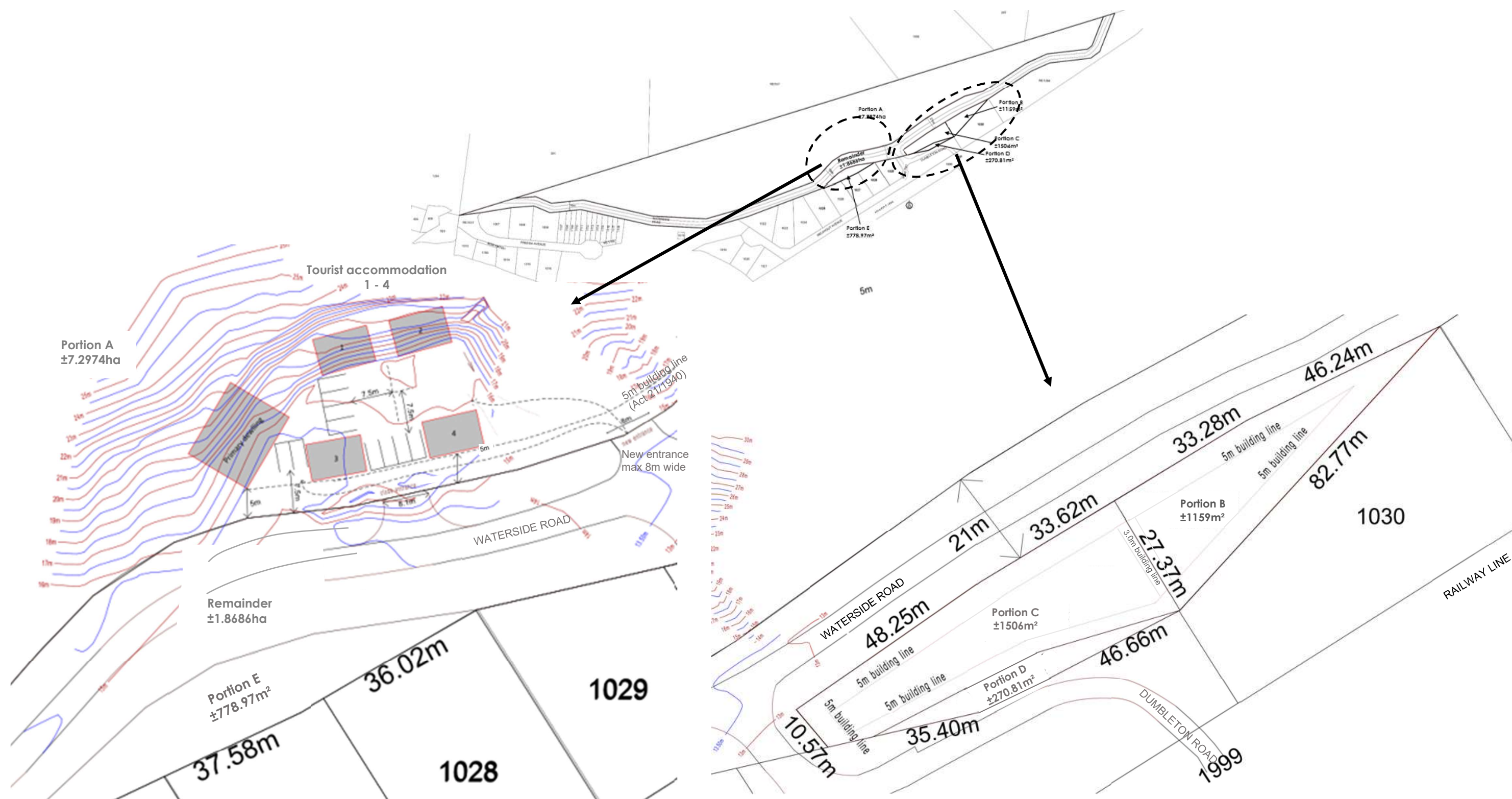
e-mail: peter@carm.co.za

Telephone: 082 783 5896

Postal Address: PO Box 2635, Mossel Bay, 6500

Any person wishing to object or comment **on heritage grounds** to the application must make such comment /objection in writing to the above address on or before **5 January 2022**. (or 30 days from the date of receiving this notice).

Kindly note that objections or comments that are not made on heritage grounds will not be considered.

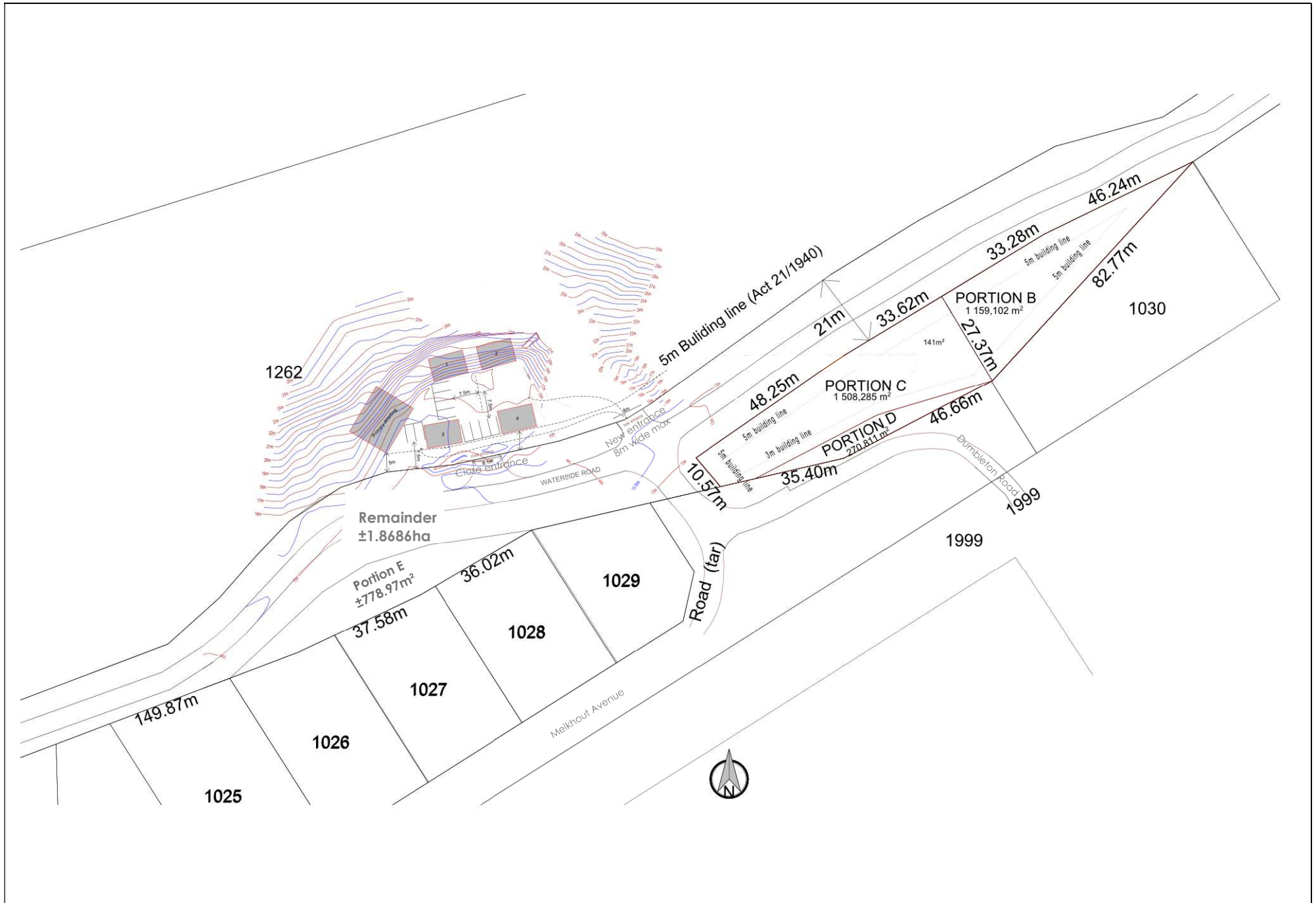


Drawing: Annexure 8
Revision May 2022
Project 44/G20

**PROPOSED REZONING & SUBDIVISION
FOR DION ROMIJN FAMILIETRUST:
REMAINDER ERF 262, WATERSIDE ROAD, WILDERNESS,
GEORGE MUNICIPALITY & DIVISION**

For scale refer to figured dimensions. Measurements
always to be checked by Professional Land Surveyor.

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DION ROMIJN FAMILY TRUST

DRAFT SERVICES REPORT FOR CIVIL ENGINEERING SERVICES FOR THE DEVELOPMENT ON ERF 1262, WILDERNESS

HESRIV-31-368

Revision 2.0

MARCH 2022

PREPARED BY:

CLIENT:

DION ROMIJN FAMILY TRUST
MR D ROMIJN
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Mobile : 083 447 9297

Email : gpepler.hri@wispnet.co.za

DOCUMENT CONTROL

| DATE | REVISION | COMMENT |
|---------------|----------|-----------------------|
| 22 June 2018 | 0 | Civil Services Report |
| 10 July 2018 | 1 | Civil Services Report |
| 17 March 2022 | 2 | Civil Services Report |

ABBREVIATIONS

| | | |
|----------------|---|---|
| AADD | : | Annual Average Daily Demand (water) |
| AADWF | : | Annual Average Dry Weather Flow (sewer) |
| PWWF | : | Peak Wet Weather Flow (sewer) |
| CES | : | Community Engineering Services |
| GLS | : | GSL Consulting Engineers |
| GM | : | George Municipality |
| ha | : | hectare |
| HCE | : | Hessequa Consulting Engineers CC |
| kℓ | : | kilolitre |
| kℓ/d | : | kilolitre per day |
| ℓ/c/d | : | kilolitre per capita per day |
| m | : | metres |
| masl | : | metres above mean sea level |
| Mℓ | : | mega litre |
| m ³ | : | cubic metre, i.e. one kilolitre |
| mm | : | millimetre |
| TWL | : | Top of Water Level |
| VAT | : | Value added tax |
| WTW | : | Water Treatment Works |
| WWTW | : | Waste Water Treatment Works |

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INTRODUCTION

Hessequa Consulting Engineers have been appointed by Mr D Romijn for the planning and design of civil engineering services for the development proposal on Erf 1261 in Wilderness in the Western Cape. This report is based on a desk top study which was compiled after discussions with the Client and George Municipality.

The report will discuss the design criteria and specifications which will be applied to civil engineering services required for the development.

The area of the proposed development is situated to the north and south of Waterside Road.

EXTEND OF THE DEVELOPMENT

The proposed development consists of the following:

North of Waterside Road:

Main dwelling (Single residential)

Resort : 4 Units

South of Waterside Road:

Single residential : 2 erven (Portions B & C)

CIVIL ENGINEERING SERVICES

Proposed designs are based on the design standards of the *Guidelines for the Provision of Engineering Services and Amenities in Residential Township Development* as published by the CSIR as well as the minimum requirements of George Municipality.

All materials and workmanship shall comply with the specifications as set out in the South African National Standards for Civil Engineering (SANS).

1.1 MASS EARTHWORKS

No mass earthworks will be required. Where earth disturbance is necessary it will be executed with precaution thus ensuring minimal impact to the environment. The parking area for the resort units, the single residential erf and the restaurant/coffee shop are situated on an almost level platform which will be shaped to ensure the free draining of storm water.

Localised depressions will be filled with G7 material from commercial sources and compacted to 93% MAASTO density.

1.2 ROADS

A single access from Waterside Road to the 4 x resort units and 1 x single residential erf will be made. Portions B & C will have one access from Dumbleton Road. The surface finishing has not been finalised but can consist of gravel, segmented paving or crushed stone.

The basis of the road and pavement design for the proposed development is set out in the table below:

| Table 1 Road Design Criteria | |
|---|---|
| Parameter | Specification |
| Surface Treatment | Gravel/Segmented Paving/Crushed Stone |
| Upper Selected and Sub-base from commercial sources | 150mm G5 (95% MAASHTO) on 150mm G7 (93% MAASHTO) on 150mm Roadbed prep in-situ Material (90% MAASHTO) |
| Sub-grade | (No geotechnical have been conducted at this stage. |
| Carriage Way Width | 5-9m |
| Design Speed | 30 km/h |
| Maximum Gradient | 16% over 30m max |
| Minimum Gradient | 0.45% |
| Cross Fall | 3% |
| Bellmouths | 8m Radius |

1.3 STORM WATER

1.3.1 Major Systems

The stormwater system forms an integral part of the site development plan. The system rests on three legs namely the minor system, the major system and an emergency system. This proposed development is not affected by any floodline.

No major storm water system is envisaged.

Various stormwater harvesting methods will be investigated to support water for garden and open spaces thereby reducing the municipal water demand. Parking areas will be constructed to ensure free flow of storm water to the existing storm water infrastructure in Waterside Road.

1.3.2 Minor Systems

Storm water infrastructure will be constructed in accordance with the standard requirements and specifications as agreed with the George Municipality.

Surface runoff from roofs will be collected in rain water tanks. Rain water tank over flows and storm water from parking areas will be channelled to open spaces which will be shaped as attenuation ponds. The emergency system recognizes failure of the minor and major system by storms greater than provided for in major system or in the event of malfunction of the minor system by providing continuous overland flow routes to minimize flooding of developed areas.

The following measures are proposed to mitigate the impact of post development storm water runoff from the proposed development:

- a) Installation of 5,0 kℓ water tanks at each resort unit and single residential erf.
- b) Open Spaces will be utilised as recreation areas as well as stormwater detention areas where the concentration of stormwater runoff will be minimised through the application of landscaping techniques, i.e. by creating grass lined swales, undulations and depressions.

1.4 WATER

1.4.1 WATER SOURCE

Water, for the proposed development, will be available from the existing water reticulation.

1.4.2 WATER DEMAND

In accordance with the design standards of the *Guidelines for the Provision of Engineering Services and Amenities in Residential Township Development* the total water demand will be as follows:

North of Waterside Road:

| | | |
|--|---|------------------|
| • 4 Resort Units : 4 units @ 600 ℓ/unit/day | = | 2,400 ℓ/d |
| • Main Dwelling (Single Residential) : 1,200 ℓ/day | = | <u>1,200</u> ℓ/d |
| Sub Total | | 3,60 kℓ/d |

South of Waterside Road:

| | | | |
|--|---|--------------|-------------|
| • 2 Single Residential Erven : 2 erven @ 1,200 l/erf/day | = | <u>2,40</u> | l/d |
| Sub Total | | 2,40 | kℓ/d |
| TOTAL (Annual Average Daily Demand) | | 6,00 | kℓ/d |
| | | 0,069 | ℓ/s |

The proposed development falls in the Low Risk Group 1.

- Fire flow criteria (Low risk) = 15 ℓ/s @ 7 m for 2 hours.

The required storage capacity for Fire Flow is 108m³

1.4.3 STORAGE CAPACITY

The required storage volume, for the development, is as follows:

- | | | |
|--|---|--------------------|
| • Storage Volume : 2 x 6 m ³ plus 108m ³ | = | 120 m ³ |
| Equal | | 0,12 Mℓ |

1.4.4 BULK WATER DISTRIBUTION

Details of the interconnecting pipework required will be finalised in conjunction with George Municipality. An existing 100 AC water main is located in Melkhout Avenue to the south of Waterside Road. It is at this stage envisaged that a new 75mm water main will be constructed between the existing water main and the proposed development. The connection will ensure sufficient water for domestic use as well as for fire flow. Where possible, water saving methods e.g. rainwater harvesting, stormwater harvesting, rainwater tanks, low flow shower heads etc., will be implemented.

1.4.5 INTERNAL WATER RETICULATION

A new 75 mm class 12 MPVC water mains complete with isolating valves and fire hydrant will be provided. The resort units and restaurant will have a single connection with bulk water meter. Each residential erf will be fitted with a 25mm house connection. Erf connections shall consist of HDPE PE80 PN12,5 pipes. Typical details are shown on drawing HESRIV-31-368/W01.

The basis of the water reticulation design for the proposed development is summarised in the table below:

| Table 2 Water Reticulation Design Criteria | |
|---|---------------------------|
| PARAMETER | GUIDELINE |
| Pipe materials for erf connections | HDPE PE80 PN12,5 |
| Pipe materials for reticulation mains | MPVC (Class 12) |
| Minimum diameter for reticulation mains | 75mm |
| Minimum diameter for Single Residential connections | 25mm |
| Resort/Restaurant connection | 50mm |
| Valves | 75mm AVK (open clockwise) |
| Fire Hydrants | 75mm AVK London V |
| Water meter | 25/50mm Elster Kent |

1.5 SEWAGE TREATMENT AND SEWER MAINS

1.5.1 WASTE WATER FLOW

In accordance with the *Guidelines for the Provision of Engineering Services and Amenities in Residential Township Development* it is expected that 80% of the Average annual water daily demand will end up in the wastewater system.

The annual average dry weather flow (AADWF) equals 80% of 6 kl/d = 4,80 kl/d = 0,056 l/s. (Fully developed)

Waterborne sewerage will be provided in the development. Sewerage will gravitate to an existing 160mm PVC sewer main south of Waterside Road.

1.5.2 SEWER RETICULATION

A waterborne sewer reticulation system comprising of 160mm class 34 PVC sewer mains with solid shaft fibre cement manholes complete with ductile iron double lipped manhole covers is proposed.

The connection to each 4 x resort unit and 3 x single residential erven will be done with a 110mm Ø Class 34 uPVC connection pipe work.

1.5.3 DESIGN CRITERIA

The following minimum design criteria shall be applicable to sewer pipework:

- Design parameters: Average daily flow as per Red Book for the different housing categories
Peak factor – Harmon formula : Extraneous flow – 15% : Minimum velocity – 0.7m
- Minimum cover to pipes: 0.80m
- Minimum pipe size : 110mm diameter for each of the 4 x resort units and 3 x single residential erven. The connecting main between separate 110mm PVC connections will be a 160mm PVC sewer main.
- Minimum gradients : 110mm diameter connection at 1:60 and 160mm diameter main lines at 1:100.
- Maximum manhole spacing of 80m and rodding eyes will be constructed at all directional deviations.

1.6 ELECTRICAL SLEEVES

The position of electrical sleeves (110/160mm Class 34 PVC) will be determined in consultation with the Electrical Engineer.

1.7 SOLID WASTE

Solid waste of the George Municipality is currently discharged at PetroSA solid waste dump site.

Solid waste for residential purposes is based on an estimated 3,5 kg/person/day. The estimated solid waste generated per day is as follows:

4 Resort Units : 4 persons @ 3,5kg/p/d = 0,014 ton/day

3 Single Residential Erven : 4 persons @ 3,5kg/p/d = 0,042 ton/day

Total : 0,056 ton/day = 0,042 m³/day (volume).



GIDEON PEPLER Pr Tech Eng
HESSEQUA CONSULTING ENGINEERS

17 March 2022

ANNEXURE A : DRAWINGS

HESRIV-31-368-W01 : WATER RETICULATION TYPICAL DETAILS

HESRIV-31-368-S01 : SEWER RETICULATION TYPICAL DETAILS



Department of Environmental Affairs and Development Planning
Development Management (Region 3)
DEADPEIAAdmin.George@westerncape.gov.za
Gavin.Benjamin@westerncape.gov.za
Private Bag X6509, George, 6530
4th Floor, York Park Building, 93 York Street, George

REFERENCE NUMBER: 15/3/2/12/BG1
ENQUIRIES: Gavin Benjamin
DATE OF ISSUE: 09 JULY 2021

Marlize de Bruyn Planning
PO Box 2359
GEORGE
6530

Attention: Marlize de Bruyn

Email: marlize@mdbplanning.co.za

Dear Madam

GEORGE MUNICIPALITY: APPLICABILITY OF LUPA: PROPOSED REZONING & SUDIVISION: REMAINDER ERF 1262, WATERSIDE ROAD, WILDERNESS

1. The request for comment, dated 24th June 2021, whether LUPA Section 53 is applicable on an application for rezoning, subdivision & consent use the Remainder of Erf 1262, Waterside Road, Wilderness in terms of Section 15(2)(a), (d) & (o) of the George Municipality: By Law on Municipal Land Use Planning (2015), refers.
2. A section 53 land development application is only triggered in respect of an application that utilises an area of five hectares or more of agricultural land that has been cultivated or irrigated in the preceding 10-year period.
3. It is noted that the property to be developed is larger than 5ha in extent but the proposed development is not regarded as urban expansion. It also appears on Cape Farm Mapper and aerial photography data available that none of the property (although agricultural land) has ever been irrigated or used for agricultural purposes.

4. Based on the available information, this Department confirms that the proposal does not constitute a land development requiring provincial approval in terms of section 53 of LUPA.

Yours faithfully

MR. GAVIN BENJAMIN

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION3)


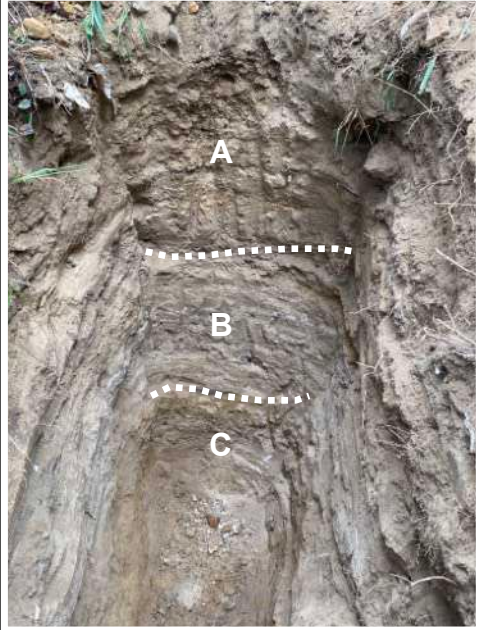
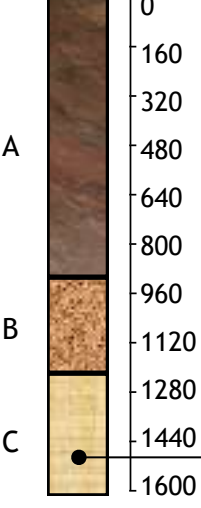
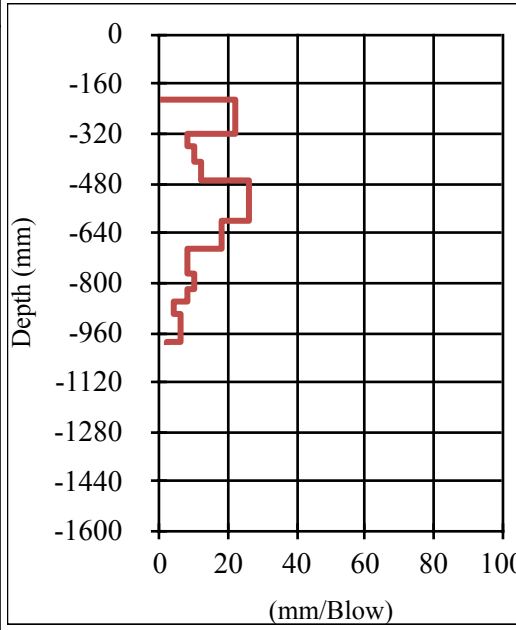
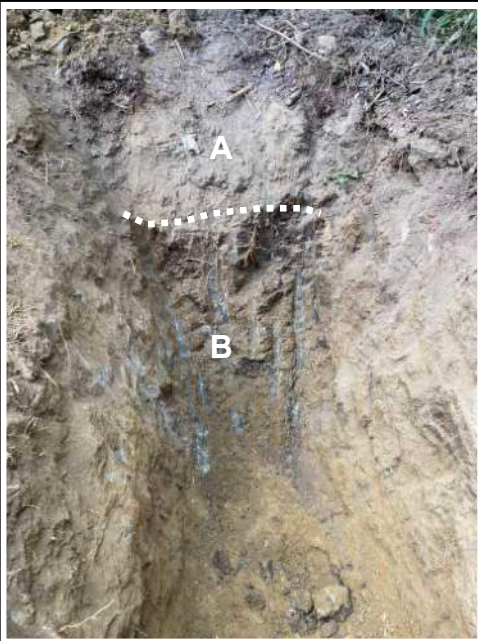
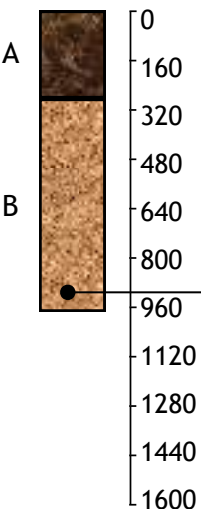
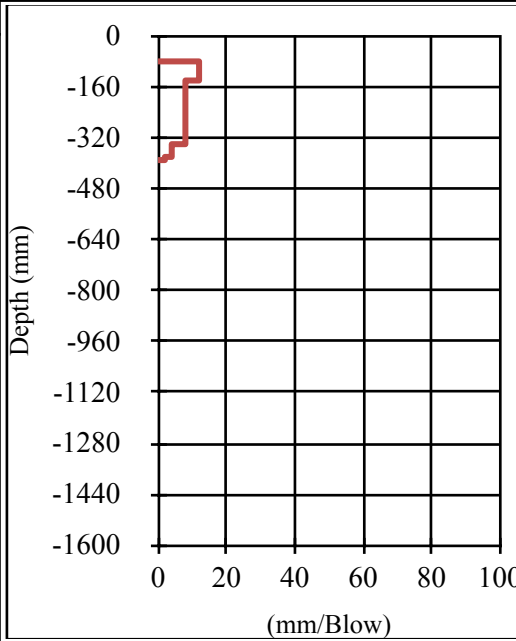
WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING


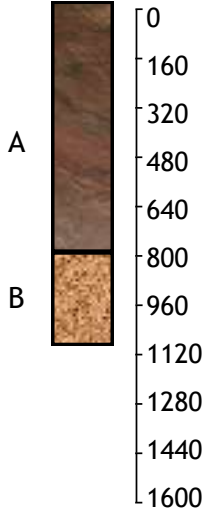

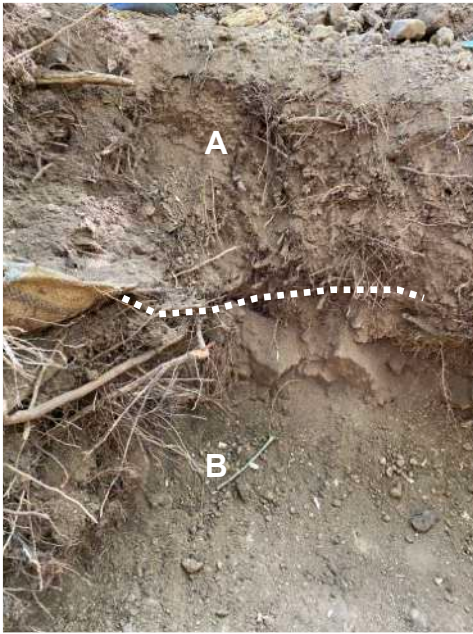
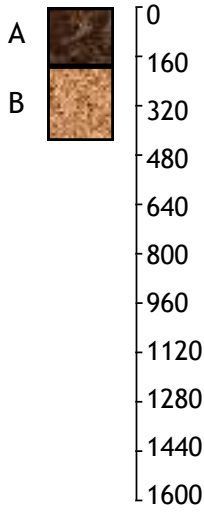

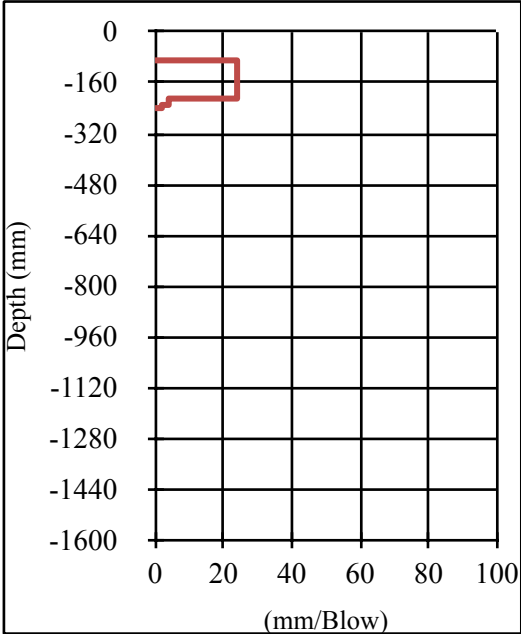
DATE OF DECISION: **09 JULY 2021**

Copies to:

The Municipal Manager: George Municipality

Email: mhwelman@george.gov.za

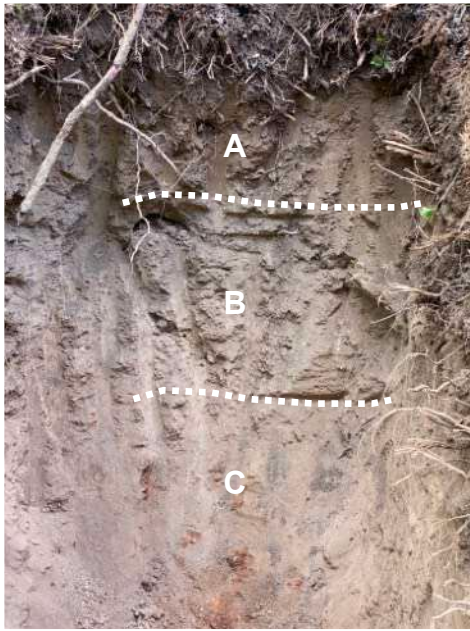
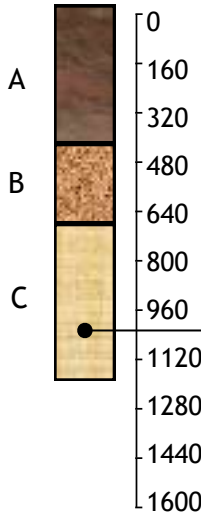
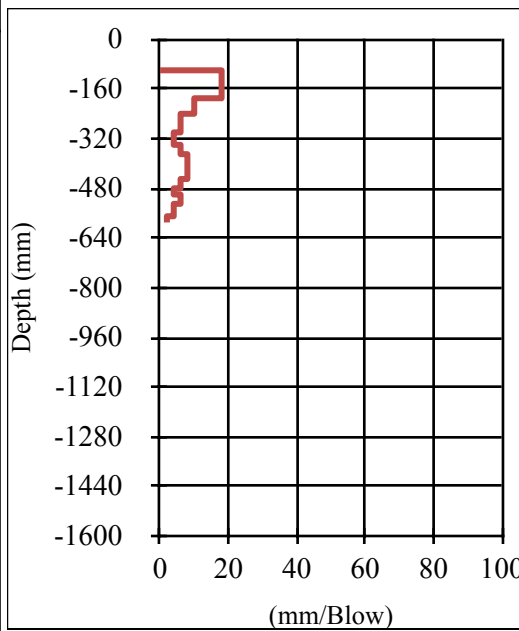
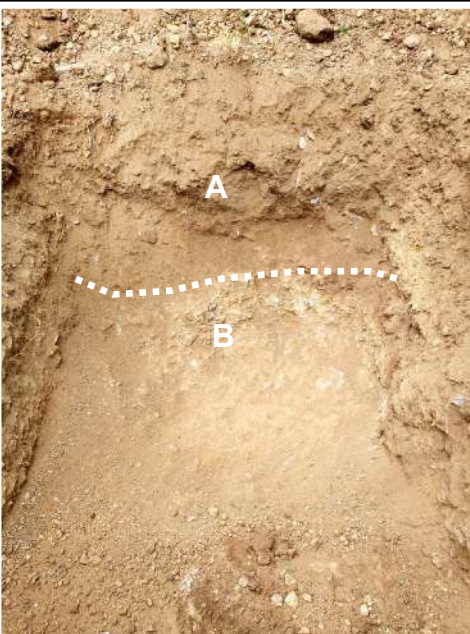
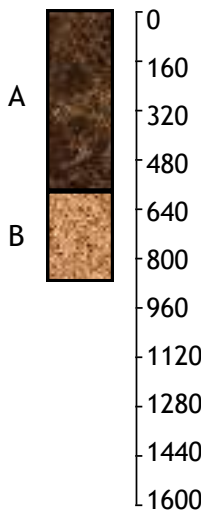
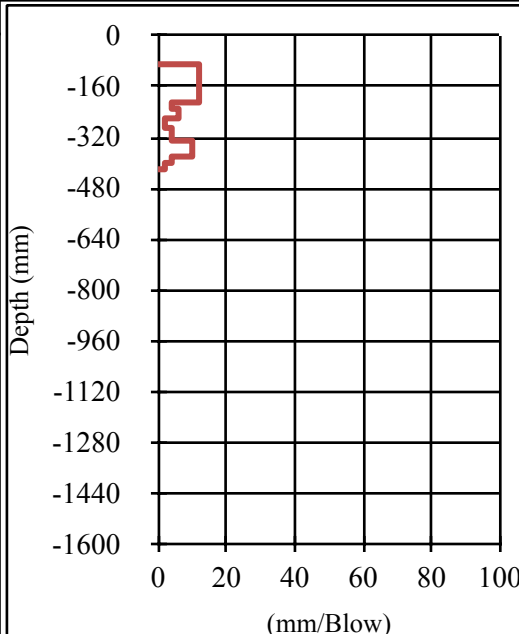
| GEOTECHNICAL SOIL PROFILE | | | | | | | | | |
|---|-------------|---|--|--------------------------------|----------|--|--|--|--|
| Client: | Dion Romijn | | | | | | | | |
| Project: | ERF 1262 | | | | | | | | |
| Area: | Wilderness | | | | | | | | |
| Date: | 02.03.2021 | | | | | | | | |
| Excavator: | By Hand | | | | | | | | |
| <div style="text-align: right;">  </div> | | | | | | | | | |
| Photo of Test Pit | | TP 1 | | Date: NGL | Co-ords: | Dynamic Cone Penetrometer (DCP) | | | |
|  | |  | | Key to symbols: ● Sample taken | | Groundwater | | | |
| | | | | (0 to 900) | | Slightly moist, dark brown to light orange, medium dense to loose, intact, GRAVELY SILTY SAND , imported. (Fill. Organic Matter & Plastic Rubble present in layer) | | | |
| | | | | (900 to 1200) | | Slightly moist, light brown, medium dense, intact, SAND , transported. (Sand. Slight Organic Matter, Pebbles, Cobbles & Quartzitic Boulders present in layer). | | | |
| | | | | (1200 to 1600) | | Slightly moist, light orange to dark orange, medium dense, intact, SILTY SAND , residual. (Weathered Sandstone) | | | |
| | | | | Foundation Indicator | |  | | | |
| NHBRC SOIL CLASSIFICATION | | S | | | | | | | |
| Photo of Test Pit | | TP 2 | | Date: NGL | Co-ords: | Dynamic Cone Penetrometer (DCP) | | | |
|  | |  | | Key to symbols: ● Sample taken | | Groundwater | | | |
| | | | | (0 to 300) | | Slightly moist, dark brown, medium dense to dense, intact, GRAVELY SILTY SAND , transported. (Topsoil. Organic Matter & Quartzitic Pebbles present in layer) | | | |
| | | | | (300 to 1000) | | Slightly moist, dark orange, medium dense to dense, fissured, SILTY SAND , residual. (Weathered Sandstone, Organic Matter present in layer) | | | |
| | | | | | | Foundation Indicator | | | |
| | | | | | |  | | | |
| NHBRC SOIL CLASSIFICATION | | S | | | | | | | |

| GEOTECHNICAL SOIL PROFILE | | | | | | | | | |
|---|--|---|--|---|--|--------------|--|---|--|
| Client: Dion Romijn | | | | | | | | | |
| Project: ERF 1262 | | | | | | | | | |
| Area: Wilderness | | | | | | | | | |
| Date: 02.03.2021 | | | | | | | | | |
| Excavator: By Hand | | | | | | | | | |
| <div>EvS Civil Services</div> | | | | | | | | | |
| Photo of Test Pit | | TP 3 | | Date: NGL | | Co-ords: | | Dynamic Cone Penetrometer (DCP) | |
|  | |  | | Key to symbols: ● | | Sample taken | |  Groundwater | |
| | | (0 to 800) | | Slightly moist, dark brown to light grey, medium dense to loose, intact, GRAVELY SILTY SAND , imported. (Fill. Organic Matter , Plastic & Building Rubble, and Quartzitic Boulders present in layer) | | | | | |
| | | (800 to 1100) | | Slightly moist, dark brown, medium dense, intact, SILTY SANDY GRAVEL , imported. (Fill. Organic Matter, Asphalt and Quartzitic Boulders present in layer) | | | | | |
| Photo of Test Pit | | TP 4 | | Date: NGL | | Co-ords: | | Dynamic Cone Penetrometer (DCP) | |
|  | |  | | Key to symbols: ● | | Sample taken | |  Groundwater | |
| | | (0 to 200) | | Slightly moist, dark brown, medium dense to dense, intact, SILTY SAND , imported. (Fill. Rubble present in layer) | | | | | |
| | | (200 to 450) | | Slightly moist, light brown to dark orange, medium dense to dense, intact, GRAVELY SAND , residual. (Weathered Quartzitic Sandstone) | | | | | |
| | | | | Refusal @450mm on Quartzitic Sandstone | | | | | |
| | | | |  | | | | | |

GEOTECHNICAL SOIL PROFILE

EvS
Civil Services

Client: Dion Romijn
Project: ERF 1262
Area: Wilderness
Date: 02.03.2021
Excavator: By Hand

| Photo of Test Pit | | TP 5 | | | | Dynamic Cone Penetrometer (DCP) | |
|---|---|--|---|--|--|---|--|
|  |  | (0 to 450) | Slightly moist, dark brown, medium dense, intact, SILTY SAND , transported. (Topsoil. Organic Matter present in Layer) | | |  | |
| | | (450 to 700) | Slightly moist, light brown, medium dense, pinholed, SANDY SILT , transported. (Historical Topsoil. Organic Matter present in layer). | | | | |
| | | (700 to 1200) | Slightly moist, dark red orange, medium dense to dense, intact, SILTY SAND , residual. (Weathered Sandstone) | | | | |
| | | → Foundation Indicator | | | | | |
| Photo of Test Pit | | TP 6 | | | | Dynamic Cone Penetrometer (DCP) | |
|  |  | (0 to 600) | Slightly moist, dark brown, medium dense, intact, SILTY SANDY GRAVEL , imported. (Fill. Organic Matter present in layer) | | |  | |
| | | (600 to 900) | Slightly moist, light yellow medium dense, intact, SANDY GRAVEL , residual. (Weathered Quartzitic Sandstone). | | | | |
| | | Refusal @900mm on Quartzitic Sandstone | | | | | |
| | | | | | | | |
| NHBRC SOIL CLASSIFICATION | | S | | | | | |



TESTPRO LABORATORY
Materials Testing Laboratory

5 Voorbaai Crescent, Bayview, Hartenbos
Tel.: (044) 6950831

P.O. Box 35, Hartenbos, 6520
e-mail: jaco@testpro.co.za



| | |
|------------|--------------------------------|
| Client: | EvS Civils |
| | P.O Box 3337 |
| | Knysna |
| | 6570 |
| Attention: | Eddie van Straaten, 0789885369 |

FOUNDATION INDICATOR TEST REPORT

| | | |
|-------------------------|-----------------------------------|----------------|
| Job No: | TP14868 | |
| Sample No: | 558 | |
| Project Information: | Dion Romijn: Erf 1262, Wilderness | |
| Number of pages: | 2 | |
| Date Received: | 08/03/2021 | |
| Sampled by: | Client | |
| Delivered by: | Client | |
| Sampling plan: | - | |
| Source of sample | Erf 1262 | |
| Condition of sample: | Good | |
| Material description: | Clayey Sand | |
| Tests Requested/Method: | Foundation Indicator | |
| | Grading | SANS 3001-GR1 |
| | Atterberg Limits | SANS 3001-GR10 |
| | Hydrometer | SANS 3001-GR3# |
| | | |
| | | |
| | | |
| | | |
| Sampling Method: | | |
| Date Completed: | 24/03/2021 | |



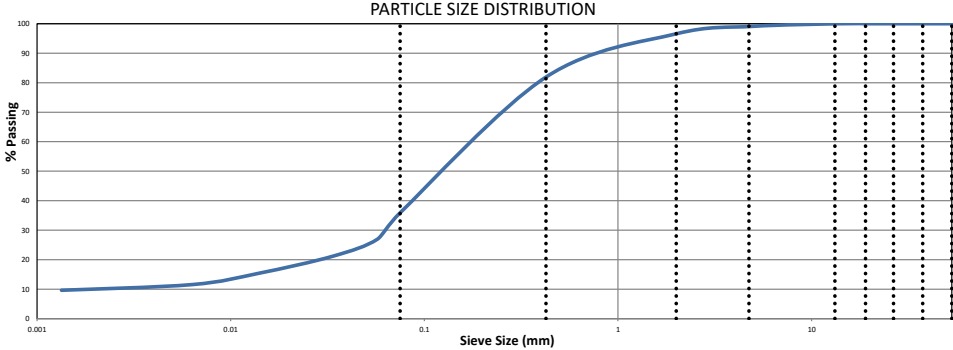
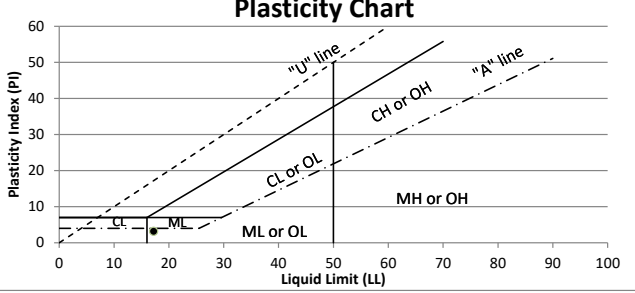
Deviations/Notes

Table 2: ARD taken as 2.65
Hydrometer analysis done on -2.00mm fraction
Sampled by client - Testpro Laboratory can not guarantee the outcome of the test results.
Atterberg Limits analysis done on -0.425mm fraction.

Remarks:

- Opinions & Interpretations are not included in our schedule of Accreditation.
- The samples were subjected and analyzed according to SANS.
- The results reported relate only to the sample tested, Further use of the above information is not the responsibility or liability of TESTPRO Laboratory.
- This document is the correct record of all measurements made, and may not be reproduced other than with full written approval from the Technical Manager of TESTPRO Laboratory.
- Measuring equipment is traceable to national standards (Where applicable).
- All tests marked (#) are not included in our schedule of Accreditation.
- Samples will be retained, for a one month period, before disposal.

Jacobus
Phillipus
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Digitally signed
by Jacobus
Phillipus Van
Rensburg
Date: 2021.03.24
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Technical Signatory
Jaco van Rensburg

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--------------------------------|---|-----------------------------------|---|------|----------|----------------------------------|----------|--|------------------|---|--|-------------------|-----------|----|------|----|--------------|----|----------|----|--------------|----|--------------|----|--|----------|--------|----------|-------------|--------|--------|--------|
|  TESTPRO LABORATORY Materials Testing Laboratory | |  sanas Testing Laboratory 10952 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 Voorbaai Crescent, Bayview, Hartenbos | | P.O. Box 35, Hartenbos, 6520 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Tel.: (044) 6950831 | | e-mail: jaco@testpro.co.za | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Client: | EvS Civils | Date: | 24/03/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | P.O. Box 3337 | | Job nr: TP14868 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Knysna | Specification: | USCS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 6570 | | Sample Number: 558 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Attention: | Eddie van Straaten, 0789885369 | Project: | Dion Romijn: Erf 1262, Wilderness | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FOUNDATION INDICATOR TEST REPORT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Material Description | Clayey Sand | | Depth | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | NGL -1200mm to -1600mm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Source | Erf 1262 | Position / Layer | TP1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Moisture Content | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Date Received | 08/03/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Date Tested | 18/03/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sieve Size | % Pass |  <p style="text-align: center;">PARTICLE SIZE DISTRIBUTION</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 75 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 63 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 50 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 37.5 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 99 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 97 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.425 | 82 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.075 | 35.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0572 | 26.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0337 | 21.2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0140 | 15.4 | | |  <p style="text-align: center;">Plasticity Chart</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0063 | 11.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0013 | 9.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grading Modulus | 0.9 | <table border="1"> <tr> <td>Activity</td> <td>0.32</td> <td>Inactive</td> </tr> <tr> <td>USCS² Classification</td> <td colspan="2">Sandy ML</td> </tr> <tr> <td>NHBRC Site Class</td> <td colspan="2">S</td> </tr> <tr> <td rowspan="5">USCS²</td> <td>Lean Clay</td> <td>CL</td> </tr> <tr> <td>Silt</td> <td>ML</td> </tr> <tr> <td>Organic Clay</td> <td>OL</td> </tr> <tr> <td>Fat Clay</td> <td>CH</td> </tr> <tr> <td>Elastic Silt</td> <td>MH</td> </tr> <tr> <td>Organic Silt</td> <td>OH</td> <td></td> </tr> <tr> <td rowspan="3">Activity</td> <td>< 0.75</td> <td>Inactive</td> </tr> <tr> <td>0.75 - 1.25</td> <td>Normal</td> </tr> <tr> <td>> 1.25</td> <td>Active</td> </tr> </table> | | Activity | 0.32 | Inactive | USCS ² Classification | Sandy ML | | NHBRC Site Class | S | | USCS ² | Lean Clay | CL | Silt | ML | Organic Clay | OL | Fat Clay | CH | Elastic Silt | MH | Organic Silt | OH | | Activity | < 0.75 | Inactive | 0.75 - 1.25 | Normal | > 1.25 | Active |
| Activity | 0.32 | | | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| USCS ² Classification | Sandy ML | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NHBRC Site Class | S | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| USCS ² | Lean Clay | | | CL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Silt | ML | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Organic Clay | OL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fat Clay | CH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Elastic Silt | MH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Organic Silt | OH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Activity | < 0.75 | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0.75 - 1.25 | Normal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | > 1.25 | Active | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Atterberg Limits | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Liquid Limit | LL | 17 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plastic Limit | PL | 14 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Linear Shrinkage | LS | 1.5 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plasticity Index | PI ₄₂₅ | S/P | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grain Size Distribution ¹ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gravel | Coarse | 75 - 20mm | 0.0 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fine | 20 - 5.00mm | 0.9 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sand | Coarse | 5.00 - 2.00mm | 2.5 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Medium | 2.00 - 0.425mm | 14.7 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fine | 0.425 - 0.075mm | 46.0 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Silt | | 0.075 - 0.002mm | 26.0 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Clay | | <0.002mm | 9.9 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Swell | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| M/C at compaction (%) | - | Swell after 4 days (%) | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <div style="display: flex; justify-content: space-between;"> <div> ^{*1} Unified Soil Classification system on grain size ^{*2} Unified Soil Classification system </div> <div> Digitally signed by Jacobus Phillipus Van Rensburg Date: 2021.03.24 16:44:57 +02'00' Technical Signatory Jaco van Rensburg </div> </div> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



TESTPRO LABORATORY
Materials Testing Laboratory

5 Voorbaai Crescent, Bayview, Hartenbos
Tel.: (044) 6950831

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e-mail: jaco@testpro.co.za



| | |
|------------|--------------------------------|
| Client: | EvS Civils |
| | P.O Box 3337 |
| | Knysna |
| | 6570 |
| Attention: | Eddie van Straaten, 0789885369 |

FOUNDATION INDICATOR TEST REPORT

| | | |
|-------------------------|-----------------------------------|----------------|
| Job No: | TP14868 | |
| Sample No: | 583 | |
| Project Information: | Dion Romijn: Erf 1262, Wilderness | |
| Number of pages: | 2 | |
| Date Received: | 08/03/2021 | |
| Sampled by: | Client | |
| Delivered by: | Client | |
| Sampling plan: | - | |
| Source of sample | Erf 1262 | |
| Condition of sample: | Good | |
| Material description: | Silty Sand | |
| Tests Requested/Method: | Foundation Indicator | |
| | Grading | SANS 3001-GR1 |
| | Atterberg Limits | SANS 3001-GR10 |
| | Hydrometer | SANS 3001-GR3# |
| | | |
| | | |
| | | |
| | | |
| Sampling Method: | | |
| Date Completed: | 24/03/2021 | |

Deviations/Notes

Table 2: ARD taken as 2.65
Hydrometer analysis done on -2.00mm fraction
Sampled by client - Testpro Laboratory can not guarantee the outcome of the test results.
Atterberg Limits analysis done on -0.425mm fraction.

Remarks:

- Opinions & Interpretations are not included in our schedule of Accreditation.
- The samples were subjected and analyzed according to SANS.
- The results reported relate only to the sample tested, Further use of the above information is not the responsibility or liability of TESTPRO Laboratory.
- This document is the correct record of all measurements made, and may not be reproduced other than with full written approval from the Technical Manager of TESTPRO Laboratory.
- Measuring equipment is traceable to national standards (Where applicable).
- All tests marked (#) are not included in our schedule of Accreditation.
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by Jacobus
Phillipus Van
Rensburg
Date: 2021.03.24
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Technical Signatory
Jaco van Rensburg

| TESTPRO LABORATORY Materials Testing Laboratory | | sanas Testing Laboratory T0952 | | | |
|--|---|--|-----------------------------------|----------|---|
| 5 Voorbaai Crescent, Bayview, Hartenbos Tel.: (044) 6950831 | | P.O. Box 35, Hartenbos, 6520 e-mail: jaco@testpro.co.za | | | |
| Client: | EvS Civils P.O. Box 3337 Knysna 6570 | Date: | 24/03/2021 | | |
| Attention: | Eddie van Straaten, 0789885369 | Job nr: | TP14868 | | |
| | | Sample Number | 583 | | |
| | | Order no: | EVS149 | | |
| | | Project: | Dion Romijn: Erf 1262, Wilderness | | |
| FOUNDATION INDICATOR TEST REPORT | | | | | |
| Material Description | Silty Sand | | Depth | | |
| Source | Erf 1262 | Position / Layer | TP2 | | |
| | | Moisture Content | - | | |
| | | Date Received | 08/03/2021 | | |
| | | Date Tested | 18/03/2021 | | |
| Sieve Size | % Pass | PARTICLE SIZE DISTRIBUTION | | | |
| 75 | 100 | | | | |
| 63 | 100 | | | | |
| 50 | 100 | | | | |
| 37.5 | 100 | | | | |
| 28 | 100 | | | | |
| 20 | 100 | | | | |
| 14 | 100 | | | | |
| 5 | 100 | | | | |
| 2 | 98 | | | | |
| 0.425 | 83 | | | | |
| 0.075 | 41.8 | | | | |
| 0.0563 | 35.2 | | | | |
| 0.0332 | 29.3 | | | | |
| 0.0138 | 23.5 | | | | |
| 0.0063 | 19.5 | | | | |
| 0.0013 | 15.6 | | | | |
| Grading Modulus | 0.8 | | | | |
| Plasticity Chart | | Activity | 0.52 | Inactive | |
| | | USCS ² Classification | Sandy ML | | |
| | | NHBRC Site Class | S | | |
| | | USCS ² | Lean Clay | CL | |
| | | | Silt | ML | |
| | | | Organic Clay | OL | |
| | | | Fat Clay | CH | |
| | | | Elastic Silt | MH | |
| | | Organic Silt | OH | | |
| | | Activity | < 0.75 | Inactive | |
| 0.75 - 1.25 | Normal | | | | |
| > 1.25 | Active | | | | |
| Atterberg Limits | | Potential Expansiveness | | | |
| Liquid Limit | LL | | | 22 | % |
| Plastic Limit | PL | | | 14 | % |
| Linear Shrinkage | LS | | | 3.5 | % |
| Grain Size Distribution¹ | | | | | |
| Gravel | Coarse | 75 - 20mm | 0.0 | % | |
| | Fine | 20 - 5.00mm | 0.4 | % | |
| Sand | Coarse | 5.00 - 2.00mm | 1.4 | % | |
| | Medium | 2.00 - 0.425mm | 15.5 | % | |
| | Fine | 0.425 - 0.075mm | 40.8 | % | |
| Silt | | 0.075 - 0.002mm | 25.6 | % | |
| Clay | | <0.002mm | 16.2 | % | |
| Swell | | | | | |
| M/C at compaction (%) | - | Swell after 4 days (%) | - | | |
| | | | | | |
| ^{*1} Unified Soil Classification system on grain size ^{*2} Unified Soil Classification system | | Digitally signed by Jacobus Phillipus Van Rensburg Rensburg Date: 2021.03.24 16:49:15 +0200 Technical Signatory Jaco van Rensburg | | | |



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Materials Testing Laboratory

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| | |
|------------|--------------------------------|
| Client: | EvS Civils |
| | P.O Box 3337 |
| | Knysna |
| | 6570 |
| Attention: | Eddie van Straaten, 0789885369 |

FOUNDATION INDICATOR TEST REPORT

| | | |
|-------------------------|-----------------------------------|----------------|
| Job No: | TP14868 | |
| Sample No: | 584 | |
| Project Information: | Dion Romijn: Erf 1262, Wilderness | |
| Number of pages: | 2 | |
| Date Received: | 08/03/2021 | |
| Sampled by: | Client | |
| Delivered by: | Client | |
| Sampling plan: | - | |
| Source of sample | Erf 1262 | |
| Condition of sample: | Good | |
| Material description: | Clayey Silty Sand | |
| Tests Requested/Method: | Foundation Indicator | |
| | Grading | SANS 3001-GR1 |
| | Atterberg Limits | SANS 3001-GR10 |
| | Hydrometer | SANS 3001-GR3# |
| | | |
| | | |
| | | |
| | | |
| Sampling Method: | | |
| Date Completed: | 24/03/2021 | |

Deviations/Notes

Table 2: ARD taken as 2.65
Hydrometer analysis done on -0.075mm fraction
Sampled by client - Testpro Laboratory can not guarantee the outcome of the test results.
Atterberg Limits analysis done on -0.425mm fraction.



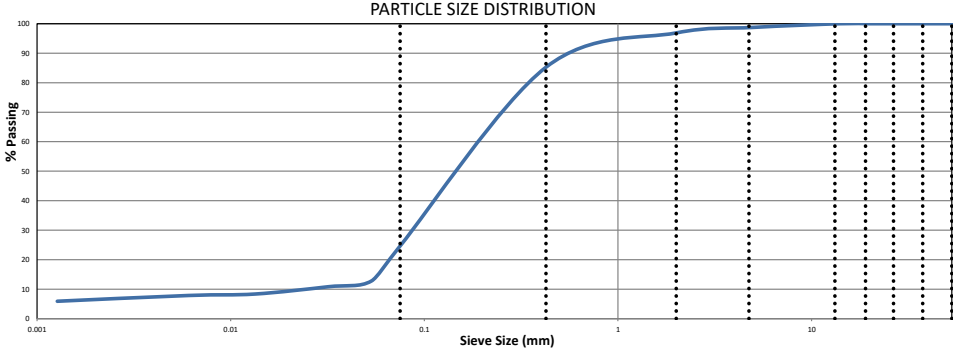
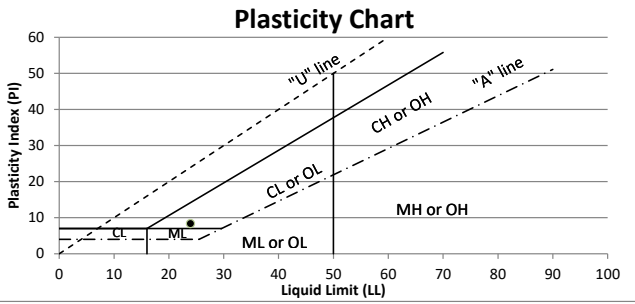
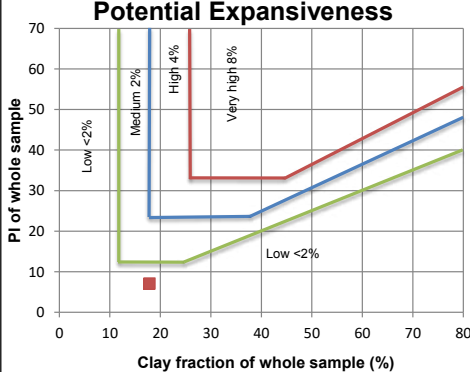
Remarks:

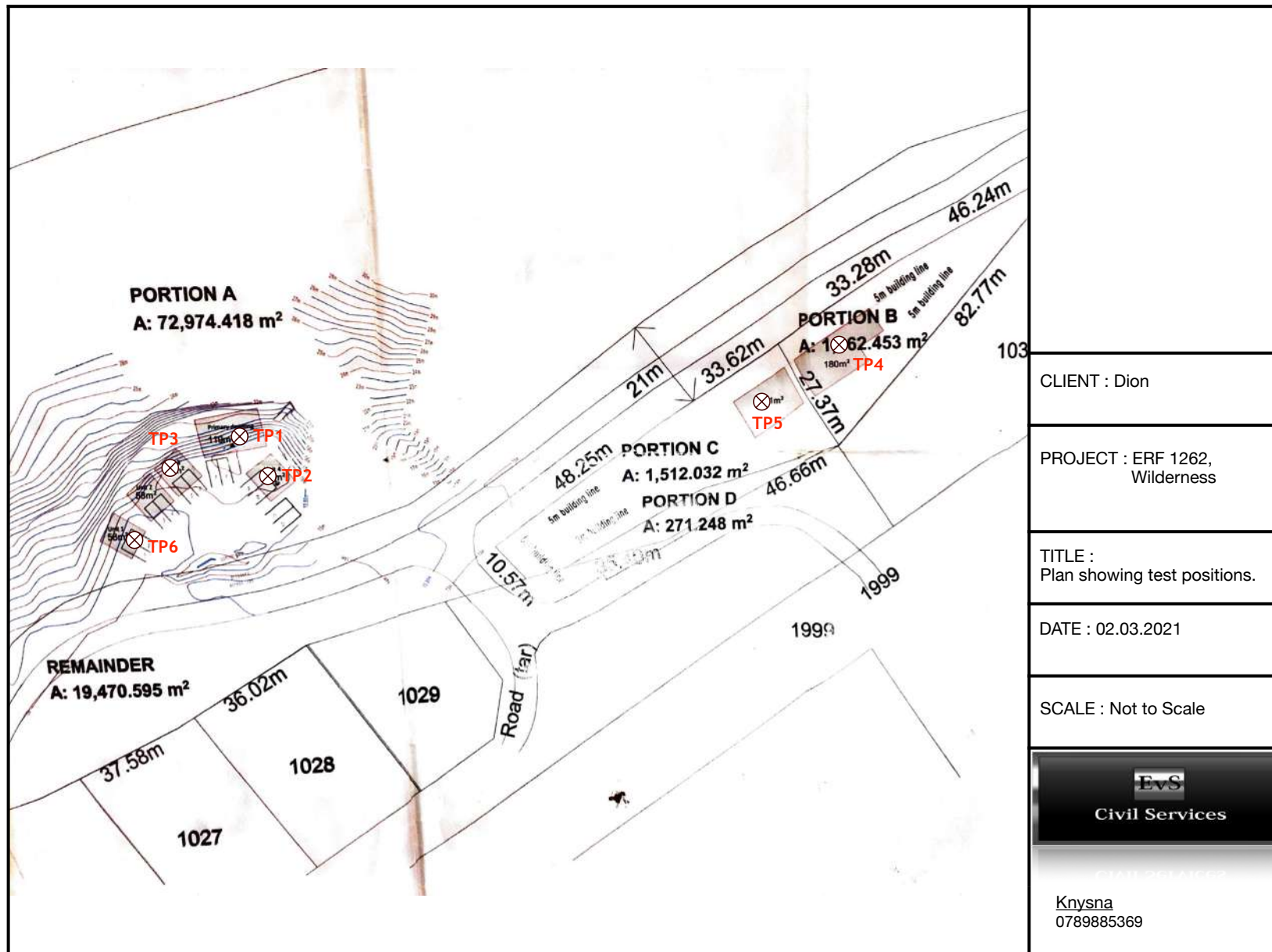
- Opinions & Interpretations are not included in our schedule of Accreditation.
- The samples were subjected and analyzed according to SANS.
- The results reported relate only to the sample tested, Further use of the above information is not the responsibility or liability of TESTPRO Laboratory.
- This document is the correct record of all measurements made, and may not be reproduced other than with full written approval from the Technical Manager of TESTPRO Laboratory.
- Measuring equipment is traceable to national standards (Where applicable).
- All tests marked (#) are not included in our schedule of Accreditation.
- Samples will be retained, for a one month period, before disposal.

Jacobus
Phillipus
Van
Rensburg

Digitally signed
by Jacobus
Phillipus Van
Rensburg
Date: 2021.03.24
16:52:46 +02'00'

Technical Signatory
Jaco van Rensburg

|  TESTPRO LABORATORY Materials Testing Laboratory | |  sanas Testing Laboratory T0952 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--------------------------------|---|-----------------------------------|----------|------|-----------------------|----------------------------------|------------------------|-----|------------------|------|-------------|-------------------|------------------|------|--------|---------------|------------------|-------------------|----------|----------------|--|----|--------------|-----------------|----------|--------|----------|-------------|-----------------|--------|--------|------|--|----------|-----|---|--|--|
| 5 Voorbaai Crescent, Bayview, Hartenbos | | P.O. Box 35, Hartenbos, 6520 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Tel.: (044) 6950831 | | e-mail: jaco@testpro.co.za | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Client: | EvS Civils | Date: | 24/03/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | P.O. Box 3337 | | Job nr: TP14868 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Knysna | Specification: | USCS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 6570 | | Sample Number 584 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Attention: | Eddie van Straaten, 0789885369 | Project: | Dion Romijn: Erf 1262, Wilderness | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FOUNDATION INDICATOR TEST REPORT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Material Description | Clayey Silty Sand | Depth | NGL -700mm to -1200mm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Source | Erf 1262 | Position / Layer | TP5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Moisture Content | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Date Received | 08/03/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Date Tested | 18/03/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sieve Size | % Pass | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 75 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 63 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 50 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 37.5 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 99 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 97 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.425 | 85 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.075 | 24.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0533 | 12.8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0317 | 10.8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0134 | 8.3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0061 | 7.8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.0013 | 5.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grading Modulus | 0.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  <p>PARTICLE SIZE DISTRIBUTION</p> | |  <p>Plasticity Chart</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | <table border="1"> <tr> <td>Activity</td> <td>1.35</td> <td>Active</td> </tr> <tr> <td>USCS² Classification</td> <td colspan="2">Sandy ML</td> </tr> <tr> <td>NHBRC Site Class</td> <td colspan="2">S</td> </tr> <tr> <td rowspan="6">USCS²</td> <td>Lean Clay</td> <td>CL</td> </tr> <tr> <td>Silt</td> <td>ML</td> </tr> <tr> <td>Organic Clay</td> <td>OL</td> </tr> <tr> <td>Fat Clay</td> <td>CH</td> </tr> <tr> <td>Elastic Silt</td> <td>MH</td> </tr> <tr> <td>Organic Silt</td> <td>OH</td> </tr> <tr> <td rowspan="3">Activity</td> <td>< 0.75</td> <td>Inactive</td> </tr> <tr> <td>0.75 - 1.25</td> <td>Normal</td> </tr> <tr> <td>> 1.25</td> <td>Active</td> </tr> </table> | | Activity | 1.35 | Active | USCS ² Classification | Sandy ML | | NHBRC Site Class | S | | USCS ² | Lean Clay | CL | Silt | ML | Organic Clay | OL | Fat Clay | CH | Elastic Silt | MH | Organic Silt | OH | Activity | < 0.75 | Inactive | 0.75 - 1.25 | Normal | > 1.25 | Active | | | | | | | |
| Activity | 1.35 | Active | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| USCS ² Classification | Sandy ML | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NHBRC Site Class | S | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| USCS ² | Lean Clay | CL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Silt | ML | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Organic Clay | OL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fat Clay | CH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Elastic Silt | MH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Organic Silt | OH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Activity | < 0.75 | Inactive | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 0.75 - 1.25 | Normal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | > 1.25 | Active | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <tr> <th colspan="4">Atterberg Limits</th> </tr> <tr> <td>Liquid Limit</td> <td>LL</td> <td>24</td> <td>%</td> </tr> <tr> <td>Plastic Limit</td> <td>PL</td> <td>16</td> <td>%</td> </tr> <tr> <td>Linear Shrinkage</td> <td>LS</td> <td>5.0</td> <td>%</td> </tr> <tr> <td>Plasticity Index</td> <td>PI₄₂₅</td> <td>8</td> <td>%</td> </tr> </table> | | Atterberg Limits | | | | Liquid Limit | LL | 24 | % | Plastic Limit | PL | 16 | % | Linear Shrinkage | LS | 5.0 | % | Plasticity Index | PI ₄₂₅ | 8 | % |  <p>Potential Expansiveness</p> | | | | | | | | | | | | | | | | | |
| Atterberg Limits | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Liquid Limit | LL | 24 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plastic Limit | PL | 16 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Linear Shrinkage | LS | 5.0 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plasticity Index | PI ₄₂₅ | 8 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <tr> <th colspan="4">Grain Size Distribution¹</th> </tr> <tr> <td rowspan="2">Gravel</td> <td>Coarse</td> <td>75 - 20mm</td> <td>0.0</td> <td>%</td> </tr> <tr> <td>Fine</td> <td>20 - 5.00mm</td> <td>1.2</td> <td>%</td> </tr> <tr> <td rowspan="3">Sand</td> <td>Coarse</td> <td>5.00 - 2.00mm</td> <td>1.9</td> <td>%</td> </tr> <tr> <td>Medium</td> <td>2.00 - 0.425mm</td> <td>11.6</td> <td>%</td> </tr> <tr> <td>Fine</td> <td>0.425 - 0.075mm</td> <td>60.6</td> <td>%</td> </tr> <tr> <td>Silt</td> <td></td> <td>0.075 - 0.002mm</td> <td>18.5</td> <td>%</td> </tr> <tr> <td>Clay</td> <td></td> <td><0.002mm</td> <td>6.2</td> <td>%</td> </tr> </table> | | Grain Size Distribution ¹ | | | | Gravel | Coarse | 75 - 20mm | 0.0 | % | Fine | 20 - 5.00mm | 1.2 | % | Sand | Coarse | 5.00 - 2.00mm | 1.9 | % | Medium | 2.00 - 0.425mm | 11.6 | % | Fine | 0.425 - 0.075mm | 60.6 | % | Silt | | 0.075 - 0.002mm | 18.5 | % | Clay | | <0.002mm | 6.2 | % | | |
| Grain Size Distribution ¹ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gravel | Coarse | 75 - 20mm | 0.0 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fine | 20 - 5.00mm | 1.2 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sand | Coarse | 5.00 - 2.00mm | 1.9 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Medium | 2.00 - 0.425mm | 11.6 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fine | 0.425 - 0.075mm | 60.6 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Silt | | 0.075 - 0.002mm | 18.5 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Clay | | <0.002mm | 6.2 | % | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <tr> <th colspan="4">Swell</th> </tr> <tr> <td>M/C at compaction (%)</td> <td>-</td> <td>Swell after 4 days (%)</td> <td>-</td> </tr> </table> | | Swell | | | | M/C at compaction (%) | - | Swell after 4 days (%) | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Swell | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| M/C at compaction (%) | - | Swell after 4 days (%) | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>^{*1} Unified Soil Classification system on grain size</p> <p>^{*2} Unified Soil Classification system</p> | | <p>Jacobus Phillipus Van Rensburg</p> <p>Digitally signed by Jacobus Phillipus Van Rensburg Date: 2021.03.24 16:53:14 +0200</p> <p>Technical Signatory Jaco van Rensburg</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



CLIENT : Dion

PROJECT : ERF 1262,
Wilderness

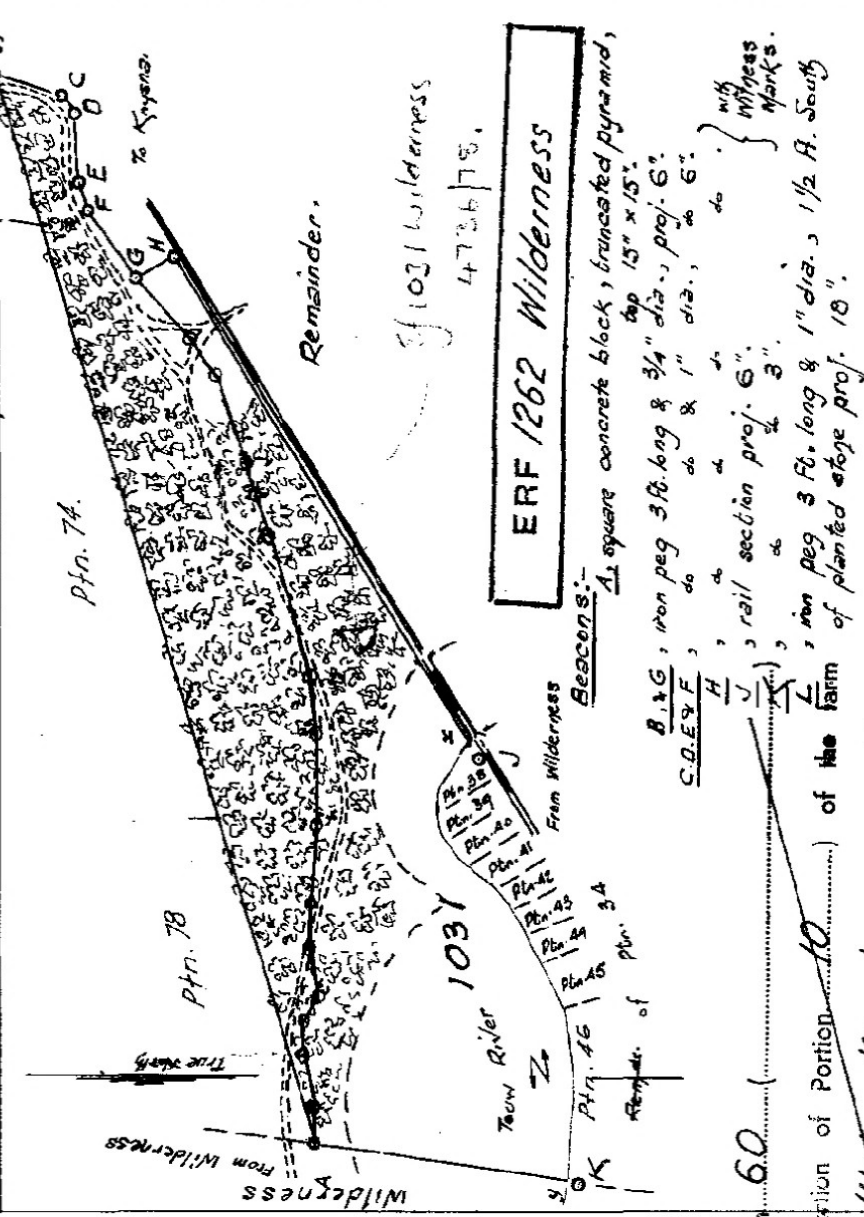
TITLE :
Plan showing test positions.

DATE : 02.03.2021

SCALE : Not to Scale

KANTOOR AFSKRIF

| SIDES Cape Feet | ANGLES OF DIRECTION | CO-ORDINATES | | | S.G. No. |
|--------------------|------------------------|--------------|--------|----------|---|
| | | Y | System | X | |
| AB 3514.90 | Constante | +110000.00 | +119 | 00000.00 | 3695169 Approved <i>R. L. Banting</i> Surveyor-General 8-8-1969 |
| BC 218.07 | 232.44.20 | A + 9701.00 | + | 50232.00 | |
| CD 62.77 | 14.4.50 | B + 6344.40 | + | 49189.04 | |
| DE 221.81 | 57.38.40 | C + 6397.45 | + | 49400.56 | |
| EF 106.05 | 88.9.10 | D + 6450.47 | + | 49434.15 | |
| FG 261.40 | 64.51.20 | E + 6672.16 | + | 49441.30 | |
| GH 143.90 | 55.8.50 | F + 6768.16 | + | 49486.36 | |
| HJ 1864.04 | 327.44.10 | G + 6982.67 | + | 49635.74 | |
| JK 1365.18 | 57.44.10 | H + 6905.85 | + | 49757.42 | |
| KA 841.37 | 76.42.50 | J + 8482.08 | + | 50752.48 | |
| L 1518.70 | 187.29.40 | K + 9610.73 | + | 51066.19 | |
| | 237.44.10 | | | | |
| | 187.29.40 | | | | |
| | 252.44.20 | L + 4894.10 | + | 48738.40 | |



Portion 60 (a portion of Portion 10) of the farm of planted stage proj. 10" of land, being

The figure ABCDEFGH & left bank of Toun River y

represents 25.0000 Morgen

— Portion 60 (a portion of Farm Knoene) of the farm —

situate in the —

of George, —

Surveyed in July 1956 & April 1969

by me, —

Province of Cape of Good Hope.

Administrative District

Land Surveyor

| | | |
|----------------------------|---|---------------------------|
| This diagram is annexed to | The original diagram is | File No. 510110 |
| No. 0/1 33864/69 | No. 435, 1918 annexed to Transfer/Grant | S.R. No. E 996 169. |
| dated | No. 1922.169.9247 | Comp. BL-8CC |
| i.f.o. | Registrar of Deeds | FOR DEEDS OFFICE SEE BACK |

12

Jan S. de Villiers en Seun
 Prokureurs
 Kaapstad

GRP/lc

Opgestel deur my

Aktebesorger
 PRETORIUS, G.R.

| | |
|------------------|-------|
| SS&L REG DUTY | 35,00 |
| FOOT FEE | |

| | |
|------------------|--|
| ESTERLAAR: DATUM | |
| VERVOLG: INTERCH | |
| VERVOLG: DATUM | |
| VERVOLG: DATUM | |
| VERVOLG: DATUM | |
| VERVOLG: DATUM | |

| | |
|---|------------------------|
| GETRANSPORTEER AAN/ DIAN ROMINA FAMILIE RUST 17/2160/2011 | TRANSFERRED TO |
| RESTANT/REMAINDER | |
| T 000044721/2015 | |
| 12 AUG 2015 | REGISTRATEUR/REGISTRAR |

| |
|------------|
| T 86344-97 |
|------------|

TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

HANS WERNER MENNEN**GUILLAUME RUST PRETORIUS**

Aktebesorger, voor my, Registrateur van Aktes in Kaapstad, verskyn het, behoorlik daartoe gemagtig deur 'n Volmag geteken te **PRETORIA** op **24 APRIL 1997** en aan hom verleen deur

GEORGE WILSENACH

Identiteitsnommer 320714 5046 00 7

en

LOURENSA ELISABET WILSENACH

Identiteitsnommer 380320 0041 00 6

Getroud in gemeenskap van goed met mekaar

EN die Komparant q.q. het verklaar dat sy lasgewers op **21 APRIL 1997** werklik en wettig verkoop het en dat hy, die genoemde Komparant in sy hoedanigheid voormeld, hiermee in volkome en vrye eiendom sedeer en transporteer aan en ten gunste van

WILDERNISS RESERVE (EIENDOMS) BEPERK

NR. 96/04920/07

dié se opvolgers in titel of regverkrygendes

RESTANT ERF 1262 WILDERNESS

in die Munisipaliteit Wilderness,

Afdeling GEORGE, Provinsie Wes-Kaap;

GROOT 9,7566 (Nege Komma Sewe Vyf Ses Ses) Hektaar;

AANVANKLIK OORGEDRA kragtens Transportakte Nr. 33864/1969 met Kaart Nr. 3695/69 wat daarop betrekking het en gehou kragtens Transportakte Nr. T41173/1982.

A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. 9247/1922.

B. GEREGTIG op die voordeel van die volgende voorwaarde vervat in die Aanhangsel A tot voormelde Transportakte Nr. 9247/1922, naamlik:

"(III) That Roderick Erskine and his successors in title to the remainder of Oakhurst shall have a right of way on horse-back, on foot and to drive animals along the course of the existing footpath across Annex Westwood, for the purpose of gaining access to and egress from "Fairy Knowe."

WESHALWE die Komparant, q.q., afstand doen van al die regte en titel wat die bogenoemde

TRANSPORTGEWERS

voorheen op genoemde eiendom gehad het en gevolglik ook erken dat **hulle** geheel en al van die besit daarvan onthef is en nie meer daarop geregtig is nie, en dat, kragtens hierdie Akte bogenoemde

TRANSPORTNEMER MAATSKAPPY

dié se opvolgers in titel of regverkrygendes tans en voortaan daarop geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat; en ten slotte verklaar hy dat die koopsom **R27 279,00** is en dat hereregte betaal is op R50 000,00 (Vyftig Duisend Rand) synde die redelike waarde van die eiendom ingevolge Artikel 5(6) van Wet 40/1949.

TEN BEWYSE waarvan ek, die genoemde Registrateur van Aktes, tesame met die Komparant, q.q., hierdie Akte onderteken en met die Ampseël bekragtig het.

ALDUS GEDOEN en geteken op die Kantoor van die Registrateur van Aktes in Kaapstad, Provinsie van die Kaap die Goeie Hoop, op die 4 dag van die maand September in die jaar van onse Heer Eenduisend Negehoonderd Sewe-en-Neëntig (1997).


q.q.

In my teenwoordigheid


REGISTRATEUR VAN AKTES

CONEYANCER'S CERTIFICATE

IN TERMS OF SECTION 38(1)(n) OF THE GEORGE MUNICIPALITY: LAND USE PLANNING BY LAW

APPLICATION DETAILS:

[Description of Land Development Application with specific reference to –

Date of Application: SEP 2020

Applicable Subsection/s: (a) (d) (o)

in terms of Section 15(2) of the Bylaw]

I the undersigned,

ILSE PRETORIUS WITH IDENTITY NUMBER 760206 0025 083

a duly qualified and admitted Conveyancer, practicing at:

**ILSE PRETORIUS ATTORNEY, CONVEYANCER AND NOTARY WITH BUSINESS
ADDRESS AT MILKWOOD VILLAGE, 2352 BEACON ROAD, WILDERNESS**

do hereby certify as follows:

1. I have perused the following Title Deed/s and conducted a search behind the pivot of the said title deed/s at the Deeds Office, Cape Town:

In respect of:

REMAINDER OF ERF 1262 WILDERNESS

IN THE MUNICIPALITY AND DIVISION OF GEORGE

PROVINCE WESTERN CAPE

IN EXTENT 9,7566 (NINE COMMA SEVEN FIVE SIX SIX) Hectares



REGISTERED in the name of: **WILDERNISS RESERVE (EIENDOMS) BEPERK**

REGISTRATION/ IDENTITY NUMBER: **96/04920/07**

2. I have appraised myself with the details of the abovementioned Land Development Application
3. The abovementioned Title Deed/s contains no conditions restricting the contemplated Land Uses in terms of the abovementioned Land Development Application.

SIGNED at WILDERNESS on this 25th day of SEPTEMBER 2020

A handwritten signature in black ink, appearing to be 'Ilse Pretorius', written over a horizontal line.

ILSE PRETORIUS

CONVEYANCER

(LPC NUMBER 93583)

Deeds Office Property

WILDERNESS, 1262, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Deeds Office CAPE TOWN
Date Requested 2021/08/03 10:31
Information Source DEEDS OFFICE
Reference -



PROPERTY INFORMATION

Property Type ERF
Erf Number 1262
Portion Number 0 (REMAINING EXTENT)
Township WILDERNESS
Local Authority OUTENIQUA DC
Registration Division GEORGE RD
Province WESTERN CAPE
Diagram Deed T33864/1969
Extent 97566 H
Previous Description -
LPI Code C02700090000126200000

OWNER INFORMATION

Owner 1 of 1

Company Type
Name DION ROMIJN FAMILIE TRUST
Registration Number 2160/2011
Title Deed T44721/2015
Registration Date 2015/05/12
Purchase Price (R) 900,000
Purchase Date 2015/01/30
Share
Microfilm Reference -
Multiple Properties NO
Multiple Owners NO

ENDORSEMENTS (1)

| # | Document | Institution | Amount (R) | Microfilm |
|---|-------------------|-------------|------------|-----------|
| 1 | FMLY GE RD 192/60 | - | - | |

HISTORIC DOCUMENTS (2)

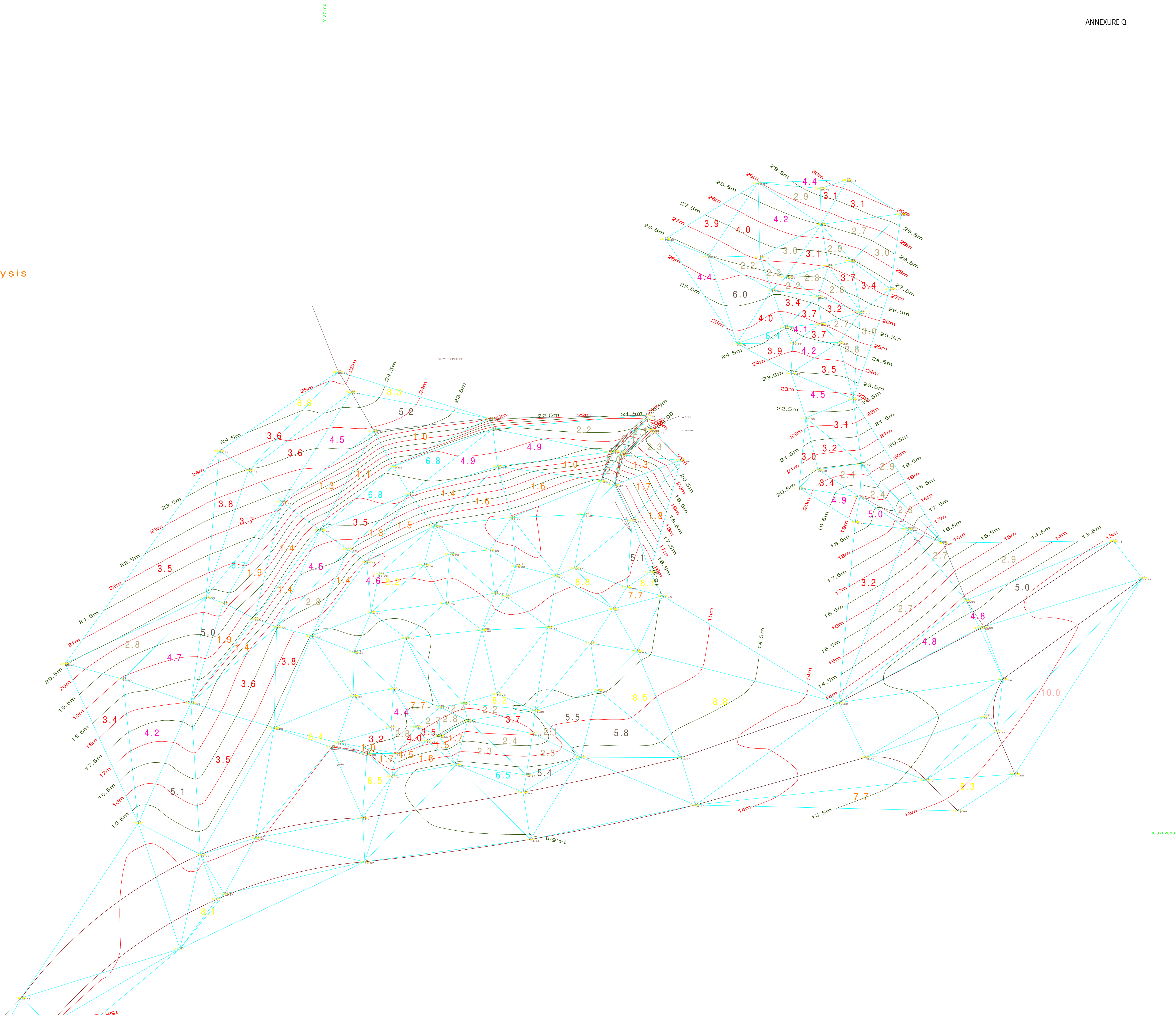
| # | Document | Owner | Amount (R) | Microfilm |
|---|-------------|----------------------------|------------|-----------|
| 1 | T41173/1982 | WILSENACH GEORGE | - | - |
| 2 | T86344/1997 | WILDERNISS RESERVE PTY LTD | 27,279 | - |

DISCLAIMER

This report contains information gathered from our suppliers and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. WinDeed will not be liable for any damage caused by reliance on this report. This report is subject to the terms and conditions of the [WinDeed End User Licence Agreement \(EULA\)](#).

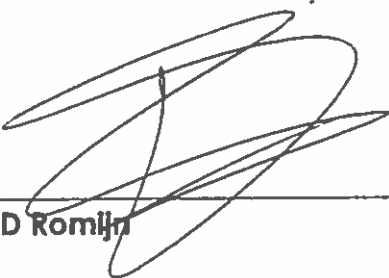
Slope (1:_) analysis

| |
|-----------------|
| $10 > 9.001$ |
| $9.001 > 8$ |
| $8 > 6.998$ |
| $6.998 > 5.999$ |
| $5.999 > 5$ |
| $5 > 4$ |
| $4 > 3.000$ |
| $3.000 > 2$ |
| $2 > 1$ |



POWER OF ATTORNEY

I, **Dion Romijn**, the undersigned, authorised representative of the registered owner, **Dion Romijn Familietrust of Erf 1262, Wilderness, George Municipality and Division, Western Cape Province**, hereby instruct *Marlize de Bruyn of Marlize de Bruyn & Associates Consulting Town & Regional Planning* to submit the necessary land use application for for the property in terms of the Land Use Planning By-law.

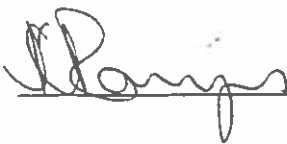



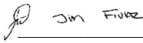
D Romijn

10/11/2021

Date



Witnesses:



| CES Development Charges Calculator | | | | Version 3.00 | | June 2020 | | |
|--|------------------------------------|-------------------|-------------|---------------------------|--------------------------|-----------------|--------|--|
|  | | | | Erf Number | 1262 | | | |
| | | | | Allotment area | Wilderness | | | |
| | | | | Water & Sewer System | George System | | | |
| | | | | Road network | Coastal resorts | | | |
| | | | | Elec DCs Area/Region | Wilderness Network | | | |
| | | | | Elec Link Network | LV | | | |
| | | | | Elec Development Type | Normal | | | |
| | | | | Developer/Owner | Dion Romijn Familietrust | | | |
| | | | | Erf Size (ha) | 1,01 | | | |
| | | | | Date (YYYY/MM/DD) | 2022-07-22 | | | |
| Current Financial Year | 2022/2023 | | | | | | | |
| Collaborator Application Reference | 2044834 | | | | | | | |
| Code | Land Use | | Unit | Total Existing Right | | Total New Right | | |
| RESIDENTIAL | | | | | | | | |
| | | | | Units | | Units | | |
| | Single Res > 1000m² Erf (Upmarket) | | unit | | 1 | | 2 | |
| | Single Res > 650m² Erf (Normal) | | unit | | | | 4 | |
| | Second/Additional Dwelling | | unit | | | | 1 | |
| GENERAL BUSINESS | | | | | | | | |
| | Restaurant, Quality (Sit-down) | | m² GLA | m² Erf | FAR | m² GLA | m² Erf | |
| | | | | | | - | 250 | |
| | | | | | | | 1 | |
| | | | | | | | 250,00 | |
| Is the development located within Public Transport (PT1) zone? | | | | Please select | | | | |
| | | | | No | | | | |
| Calculation of bulk engineering services component of Development Charge | | | | | | | | |
| Service | Units | Additional Demand | Unit Cost | Amount | VAT | Total | | |
| Roads | trips/day | 247,75 | R 1 006,03 | R 249 244,02 | R 37 386,60 | R 286 630,62 | | |
| Sewerage | kl/day | 3,85 | R 43 481,05 | R 167 293,34 | R 25 094,00 | R 192 387,34 | | |
| Water | kl/day | 5,37 | R 36 320,84 | R 194 933,94 | R 29 240,09 | R 224 174,03 | | |
| Total bulk engineering services component of Development Charge payable | | | | R 611 471,30 | R 142 792,92 | R 703 191,99 | | |
| Link engineering services component of Development Charge | | | | | | | | |
| Total Development Charge Payable | | | | | | | | |
| City of George | | | | Developer/Owner | | | | |
| Calculated (CES): JM Fivaz | | | | Calculated (ETS): C Spies | | | | |
| Signature :  | | | | Signature : _____ | | | | |
| Date : July 22, 2022 | | | | Date: July 22, 2022 | | | | |
| NOTE : In relation to the increase pursuant to section 66(5B)(b) of the Planning By-Law (as amended) in line with the consumer price index published by Statistic South Africa) using the date of approval as the base month | | | | | | | | |
| Notes: | | | | | | | | |
| Departmental Notes: | | | | | | | | |

For the internal use of Finance only

| Service | Financial codeUKey number | Total |
|-------------|---------------------------|----------------|
| Roads | 20160623 020158 | R 286 630,62 |
| Sewerage | 20160623 018776 | R 192 387,34 |
| Water | 20160623 021593 | R 224 174,03 |
| Electricity | 20160623 021336 | R 391 553,76 |
| Transfers | 20160623 019267 | R 0,00 |
| | | R 1 094 745,75 |

| Development Charges Calculator | | | | Version 1.00 | | 2021/12/03 | |
|--|---|------------------------|-------------------|------------------------------------|------------------------|-----------------|-------------|
|  | | | | Erf Number | 1262 | | |
| | | | | Allotment area | Wilderness | | |
| | | | | Elec DCs Area/Region | Wilderness Network | | |
| | | | | Elec Link Network | MV | | |
| | | | | Elec Development Type | Normal | | |
| | | | | Developer/Owner | D Romijn Familie Trust | | |
| | | | | Erf Size (ha) | 0 | | |
| | | | | Date (YYYY/MM/DD) | 2022-04-25 | | |
| | | | | Current Financial Year | 2021/2022 | | |
| | | | | Collaborator Application Reference | 2044834 | | |
| Code | Land Use | | Unit | Total Existing Right | | Total New Right | |
| RESIDENTIAL | | | | Units | Units | Units | |
| | Single Res > 1000m² Erf (Upmarket) | | unit | | 1 | 2 | |
| | Peak calculated kVA (Consulted) 33% diversity benefit is granted. | | Actual kVA (DBMD) | | | 41,52 | |
| OTHERS | | | | | kVA | kVA | |
| Is the development located within Public Transport (PT1) zone? | | | | Please select | | | |
| | | | | No | | | |
| Calculation of bulk engineering services component of Development Charge | | | | | | | |
| Service | Units | Existing demand (ADMD) | New demand (ADMD) | Unit Cost | Amount | VAT | Total |
| Electricity | kVA | 5,78 | 25,40 | R 1 529,25 | R 30 003,31 | R 4 500,50 | R 34 503,81 |
| Total bulk engineering services component of Development Charge payable | | | | | R 30 003,31 | R 4 500,50 | R 34 503,81 |
| Link engineering services component of Development Charge | | | | | | | |
| Total Development Charge Payable | | | | | | | |
| City of George | | | | | | | |
| Calculated (ETS):  | | | | | | | |
| Signature : _____ | | | | | | | |
| Date : April 25, 2022 | | | | | | | |
| NOTE : In relation to the increase pursuant to section 66(5B)(b) of the Planning By-Law (as amended) in line with the consumer price index published by Statistic South Africa) using the date of approval as the base month | | | | | | | |
| Notes: | | | | | | | |
| Departmental Notes: | | | | | | | |

For the internal use of Finance only

| Service | Financial codeUKey number | Total |
|-------------|---------------------------|-------------|
| Electricity | 20160623 021336 | R 34 503,81 |
| | | R 34 503,81 |