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Request

HERITAGE WESTERN CAPE

Provincial Heritage Resources Management Authority of the Western Cape

Private Bag X9067

Cape Town

8000

Tel. (021) 483 9778

Fax: (021) 483 9842

Enquiries: B September

e-mail: bseptemb@pgwc.gov.za

2005-12-14

Your Reference: C13/3/6/2/2/1/1/A3

Enquiries: Bewin September

RECORD OF DECISION

Heritage Western Cape Built Environment and Landscapes Committee

Heritage Western Cape hereby notifies:

Chris Snelling, Cape Heritage Consultancy
8 Ring Road, Pinelands, 7405

of its comments and recommendations in terms of section 38(8) of the National Heritage Resources Act, 1999 (Act 25 of 1999) regarding the Notification of the Intention to Develop, Erven 663, 2003 and 3132, Melkbosstrand, Cape Town

DECISIONS, COMMENTS AND RECOMMENDATIONS:

I can hereby confirm that the NID submitted by Mr Chris Snelling in terms of Section 38 of the National Heritage Resources Act 25 of 1999 is hereby endorsed, as follows:

- That a Heritage Impact Assessment not required as the nature of the proposed development and contextual analysis reveals that the development does not warrant such action and that the recommendations contained in the Heritage Report be adopted by the consenting authority.

Please note that this approval relates to heritage related aspects of the proposal only and does not exonerate the applicant from obtaining approval from any other authority.

Yours faithfully



Bewin September
for **Accounting Officer: Heritage Resource Management Service**
copy to Blaauwberg Municipality, Cape Unicity. 7441

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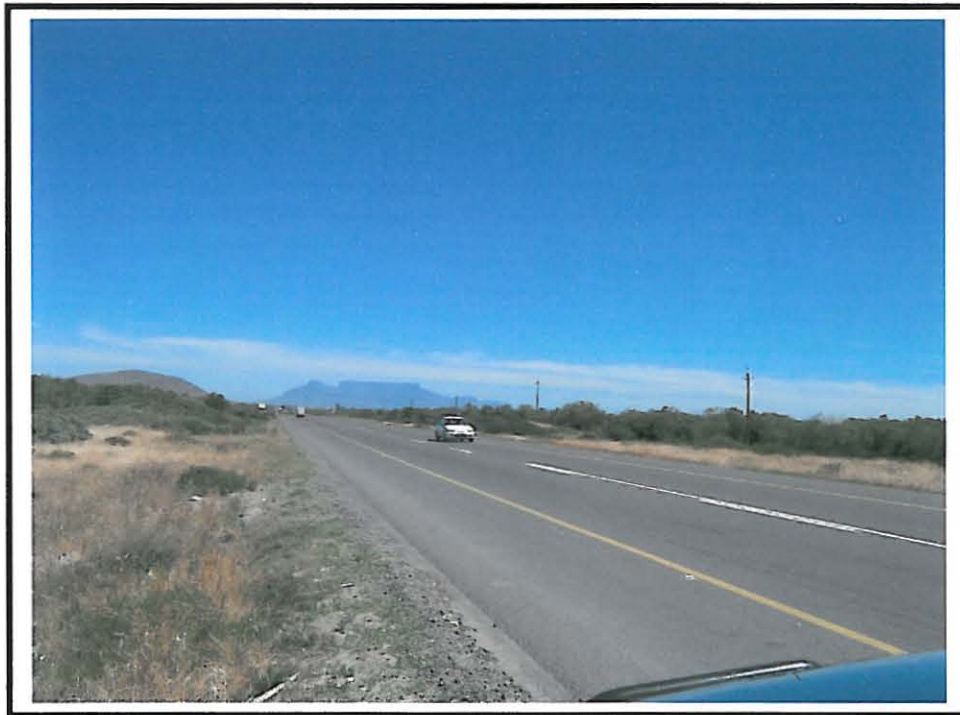
Bewin September
for **Accounting Officer: Heritage Resource Management Service**
copy to Blaauwberg Municipality, Cape Unicity. 7441

Calvin

Cape Heritage Consultancy
Christopher Snelling

**PROPOSED RESIDENTIAL DEVELOPMENT
ON ERVEN 663, 2003 AND 3132
MELKBOSSTRAND, CAPE TOWN.**

**Report Relating To The Identification Of Possible Heritage Significance.
Notification of Intent to Develop.**



Prepared for Plastow Properties 4 (Pty) Ltd
By Chris Snelling.
November. 2005.

8 Ringwood Drive, Pinelands. 7405
Tel: 021 531 8001 / Fax: 021 531 8302
Cell: 082 8515410
E-mail: capemanchris@xsinet.co.za

18/11/2005

1. BACKGROUND AND BRIEF.

I have been commissioned by Plastow Properties 4 (Pty) Ltd to conduct a visual inspection of, and background research into the site in order to identify any heritage or cultural resources of significance present on the site, consistent with the National Heritage Resources Act, (NHRA), Act 25 of 1999.

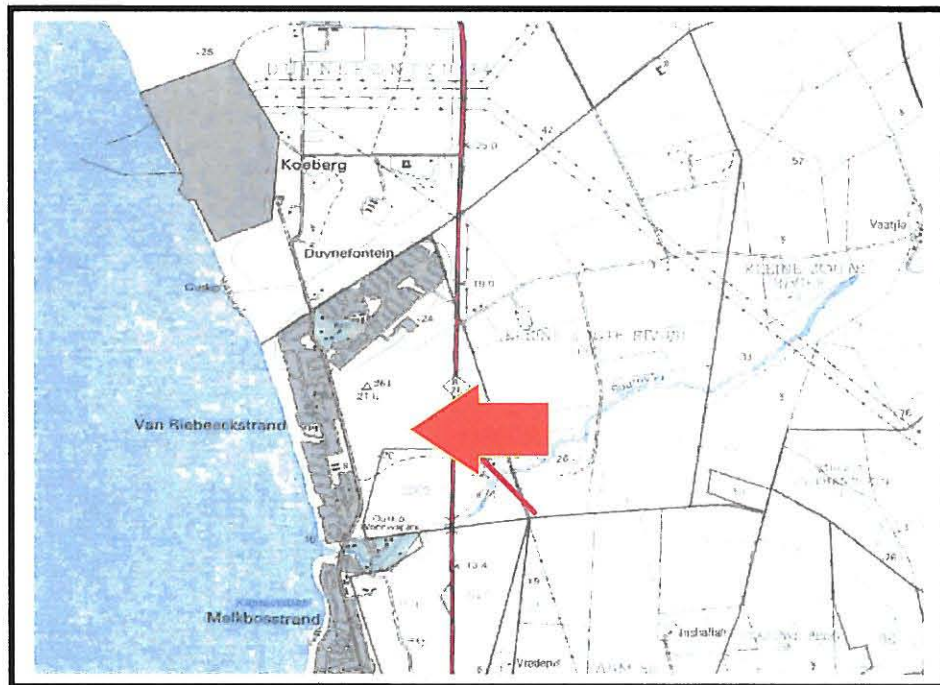
It is intended to rezone, consolidate, subdivide and develop three erven, (some 215ha in total) in Melkbosstrand into what the developers term “a unique low density, village style, architecturally sensitive integrative development”. Full details of the development are included in annexure A: “Application for rezoning to Subdivisional area and subdivision of the remainder of erf 3132, remainder erf633 and erf 2003 Melkbosstrand”, being made to the City of Cape Town-Blaauwberg Region.

The purpose of this investigation is to provide sufficient information for the provincial heritage resources authority, (Heritage Western Cape), to determine whether or not further assessment or evaluation of the heritage resources of the site is required. The findings are to be presented in a heritage statement that will accompany the Environmental Impact Assessment being submitted to the Provincial Department of Environmental Affairs and Development Planning in terms of the Environmental Conservation Act.

This Heritage Statement is supplementary to an archaeological study that has been conducted separately and was considered by the Archaeological Permit Committee of Heritage Western Cape.

The Archaeological Permit Committee agreed that the proposed development could proceed with conditions. The Record of Decision and Conditions are attached to this report as Annexure B.

2. THE SITE.



The location of the site is fully discussed in the application document: Appendix A: Briefly: The site is located between the R27 West Coast Road to the East and Otto du Plessis Drive and the village of Melkbosstrand to the West.

The suburb of Dwynefontein lies to the North of the Site and the Ou Skip Caravan Park and the Klien Sout River lie to the South. The total area falls within a five-kilometer radius of the Koeberg nuclear power station.



Aerial Photograph. The site is bordered in yellow.

3. LEGISLATIVE REQUIREMENTS.

In terms of section 38(1) of the NHRA, the proposed development involves the subdivision of a site that exceeds 5000sq meters in extent. Normally this would require the developer notifying the responsible heritage resources authority, (Heritage Western Cape) of the proposed development and furnishing it with details regarding the location, nature and extent of the proposed development. Thereafter, in terms of section 38(2) of the NHRA, if the heritage resources authority has reason to believe that heritage resources will be affected by the development, it would have 14 days in which to notify the developer to submit an impact assessment report, or notify the developer that the section does not apply.

However, in terms of section 38(8) of the NHRA, the provisions of section 38 DO NOT apply to a development as described in subsection (1), “ if the evaluation of the impact of such development on the heritage resources is required in terms of the Environmental Conservation Act, 1989, or the integrated environmental management guidelines issued by the Department of Environmental Affairs and Tourism, or the minerals Act, 1991, or any other legislation: **Provided that the consenting authority must ensure that the evaluation fulfills the requirements of the relevant heritage resources authority in terms of section 38(3), and any comments and recommendations of the relevant heritage resources authority with regard to such development have been taken into account prior to the granting of the consent**”.

Melkbosstrand Erf 2003 & Environs

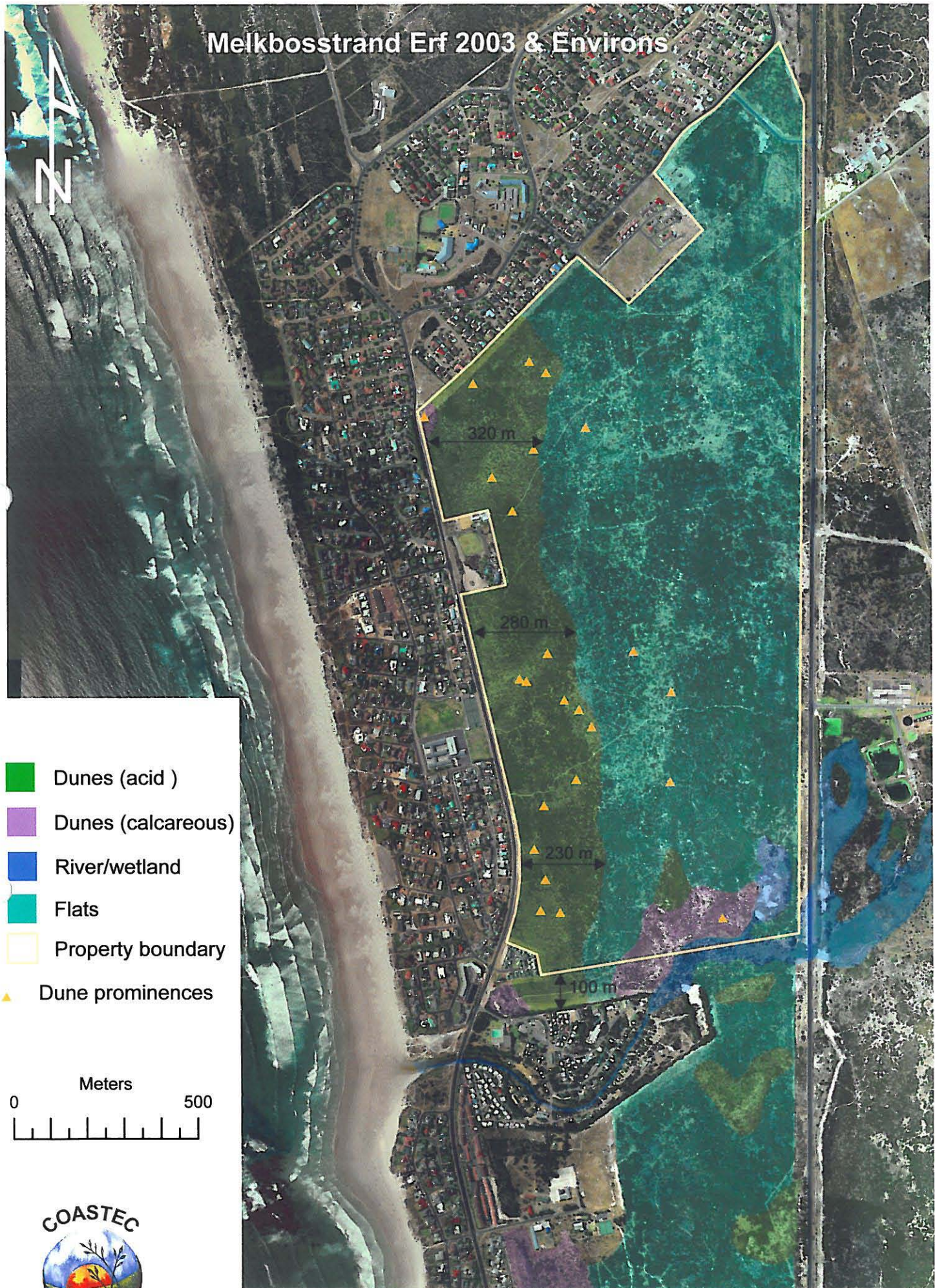


Figure 2. Contextual habitat analysis



BOUNDARIES OF THE SITE
 SHOWN IN BLACK
 WITH COLOURS AND PATTERNS
 AS SHOWN ON THIS PLAN

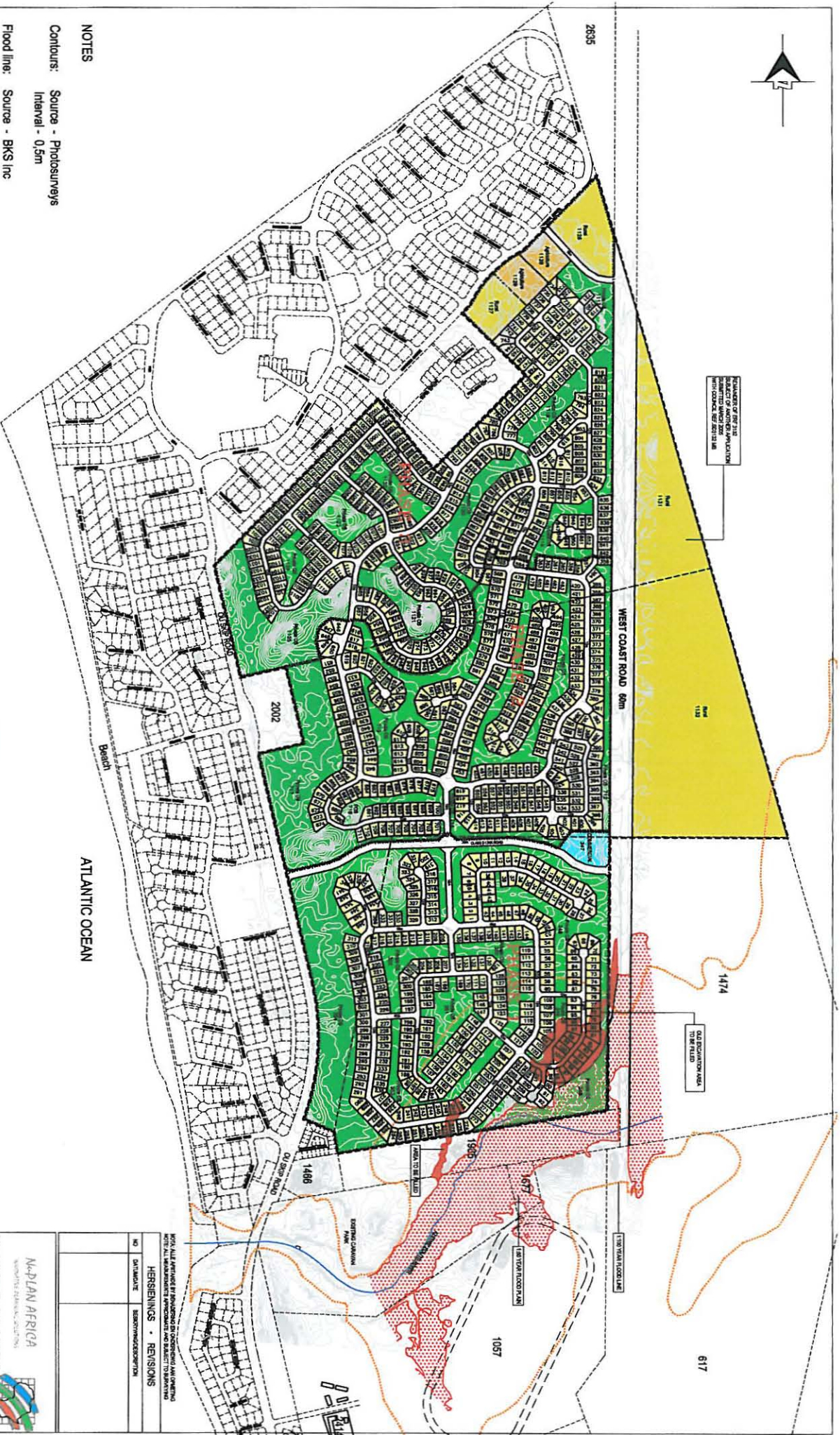
OLD EXHAUSTION POND
 TO BE FILLED

617

100 YEAR FLOOD LINE

WEST COAST ROAD 60m

2635



ATLANTIC OCEAN

NOTES

Contours: Source - Photosurveys
 Interval - 0,5m

Flood line: Source - BKS Inc

ZONING	LAND USE	PTN/NRS N	AREA(m ²)	%
PHASE 1				
Single dwelling residential	Dwelling house	1 - 348	28,18	43,61
Commercial	Convenient shops	347	0,97	1,62
	Private open space	348 - 354	7	38,77
Private road	Private road	355	7,18	3,03
Public road	Public road	1 R2	1 R2	
SUB-TOTAL		354	63,98	100
PHASE 2				
Single dwelling residential	Dwelling house	356 - 711	28,25	53,82
	Private open space	712 - 717	17,50	33,34
Private road	Private road	718	6,74	12,84
Public road	Public road			
SUB-TOTAL		363	52,49	100

ZONING	LAND USE	PTN/NRS N	AREA(m ²)	%
PHASE 3				
Single dwelling residential	Dwelling house	719 - 1118	28,89	47,33
	Private open space	1117 - 1125	9	27,33
	Private open space	1126 - 1127	2	4,15
	Private open space	1128 - 1129	2	3,10
Agriculture	Agriculture	1130	9,71	15,44
Private road	Private road			
Public road	Public road			
SUB-TOTAL			82,89	100
REMAINDER				
Rural	Rural	1131 - 1132	28,24	13,29
Public road	Public road		8,84	4,18
TOTAL			212,45	

- Open Spaces to be landscaped
- Natural veld to be rehabilitated
- Subdivisional area boundary
- Phase boundary
- Flood line: 1:100 year
- Flood line: 1:50 year

MELKBOSSSTRAND
 ER 2003 AND REM. OF
 ERVEN 633 & 3132

PROPOSED SUBDIVISION

DATE: 16 AUGUSTUS 2005
 DRAWN: AV
 SCALE: TS

TEK.Nr 2.421 - S1 - 01
 DWG.No

NADLAN AFRICA
 ARCHITECTURAL & ENGINEERING

MELKBOSSSTRAND
 ER 2003 AND REM. OF
 ERVEN 633 & 3132

Project: Project
 Date: 16 AUGUSTUS 2005
 Drawn: AV
 Scale: TS

TEK.Nr 2.421 - S1 - 01
 DWG.No

NOT ALL AREAS BY ENVIRONMENTAL ENGINEERING ARE SHOWN
 WITH ALL NECESSARY APPROVALS AND SUBJECT TO SURVEY

NO. 1 DATE: 16/08/2005
 DRAWN: AV
 SCALE: TS

It is therefore the intention of this report to assess the heritage significance of the site in order to determine whether any further heritage assessment (consistent with the NHRA), will in fact be required.

4. ASSESSMENT CRITERIA.

The cultural significance of the site must be considered in terms of criteria consistent with section 3(3) of the NHRA. Assessment Criteria are consistent with section 7 of the Act and Gazette Regulations of 2003-05-30.

The site does not fall within any declared or proposed heritage area, either in terms of the NHRA or municipal regulations, nor are there any structures on the site, let alone ones of any heritage significance.

Although it is felt extremely unlikely that the significance of the site is enough to warrant heritage protection, even at the most rudimentary local level, it is recognized that the view traveling down the R27 looking toward Table Mountain, (the site on the right hand side) is a unique one, though obviously not limited to this particular location alone. Any assessment therefore must take this particular aspect of the cultural landscape into account.

5. STATEMENT OF SIGNIFICANCE.

Subsequent to the promulgation of the NHRA in 1999, there has been no policy and hence no grading criteria formally adopted at provincial or even local level in this instance, which can be used to determine the level of significance of heritage resources. The criteria used below therefore is based on the South African Heritage Resources Agency's National Heritage Site Nomination Form, which has been designed to assist with grading heritage resources in terms of section 3(3) of the Act.

5.1. General Assessment:

The site is sandwiched between the R27 to the east and Otto Du Plessis drive and the developed areas of Melkbosstrand to the west. The north edge of the site is also abuts a developed area: Duynfontein. To the South of the site lies the Ou Skip caravan park. The site is densely covered in alien Rooikraans. There are a few raised dunes along the west edge of the site. Other than the views experienced when looking toward Table Mountain to the south, there is at face value, nothing of heritage value that would warrant investigation for inclusion in Section 3(2) of the NHRA, unless archaeological or palaeontological finds indicate otherwise.

5.2. Historical Value.

Historic Value can be said to include association with the life or work of a person or group, be associated with an historic event, use or activity or illustrate a historic period. In the South African context this includes giving importance to the evolution of cultural landscapes and settlement patterns as well as its significance relating to the history of slavery.

a). Importance in the evolution of cultural landscapes and settlement patterns.

The site is not felt to be of any importance in this regard..

b). Strong or special association with the life or work of a person, group or organization of importance in history.

The site is not felt to have any significance in this regard.

c). It has significance relating to the history of slavery.

There is no record of this site having any importance at all in this regard. It is not considered significant.

5.3 Aesthetic Value.

Based on criteria in SAHRA's site nomination form, in this instance it is felt that the aesthetic value is determined by "its importance to the aesthetic values of the setting demonstrated by a landmark quality or having an impact on important vistas or otherwise contributing to the identified aesthetic qualities of the cultural environs or the natural landscape within which it is located".

It is difficult to assess this value given that almost the entire site is covered with alien vegetation. It cannot be said either to exhibit any of the qualities of landscape associated with the West Coast. There is always however, a particularly evocative image when looking or traveling south down the R27 looking toward Table Mountain. This landscape or aspect is enhanced by virtue of the fact that the land on either side of the R27 is undeveloped at this point. Certainly the quality of this aspect of the landscape diminishes considerably once one reaches the beginning of the built up areas. The creation of a green or undeveloped visual buffer along this edge would be of benefit in retaining this aspect.

5.4 Scientific Value.

Any scientific value is tied to the potential archaeological significance of the site. The archaeological aspects of the application have been dealt with by Heritage Western Cape. See RoD: Appendix B.

5.5 Social Value.

Social Value can be said to include strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

The entire West Coast Region is known to have been traversed extensively by nomadic Khoisan groups. Any precolonial significance in regard to this site is unknown at this stage and would be subject to any archaeological finds should they happen. The site is not known to have any current significance to any groups.

6. DEGREES OF SIGNIFICANCE.

6.1. Rarity.

The degree of rarity of an object or place is considered by its degree of importance in regard to rare, endangered or uncommon structures, landscapes or phenomena.

It is only the view of Table Mountain that is of significance in this regard. This is discussed elsewhere.

6.2. Representivity.

Assessing the degree of Representivity relates to its importance in demonstrating the principal characteristics of a range of landscapes or environments, the attributes of which identify it as being characteristic of its class, or the importance in demonstrating the principal characteristics of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the nation, province or town.

As discussed above it is difficult to assess an evolving landscape. I do not however believe that the site is of any heritage significance in this regard.

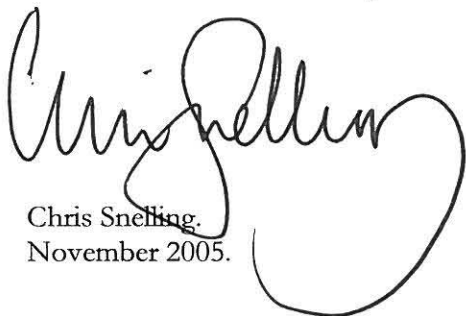
7. CONCLUSION AND RECOMMENDATIONS.

The site on its own is felt to be of minimal, if any, heritage value, (unless any archaeological finds dictate otherwise).

The significance of the site is that it is tied to a wider landscape, in that it forms part of what could be considered a unique, indeed iconic, approach toward Cape Town as experienced looking toward Table Mountain. Certainly when one arrives at the suburban outskirts of Cape Town, (now at Parklands and marching increasingly outward), and development is up to the road edge; this particular quality is lost in its entirety.

It is strongly recommended therefore that in order to retain this visual aspect that an appropriate visual and physical buffer, ("green edge") is retained along the entire edge of the site that abuts the R27 in order to minimize any potential impact that development would have.

Given that the site does not enjoy any formal protection in terms of the National Heritage Resources Act, is of minimal heritage value on its own and that I believe the further assessment of the site and approval can and should be done through relevant Environmental and Municipal legislation only, I do not consider it necessary for any further heritage related assessment of the site to be conducted.



Chris Snelling.
November 2005.

PHOTOGRAPHIC STUDY



1. Photos 1-4. Panorama along the west edge of the site, (Otto du Plessis Drive) looking north

2. to south. The buildings in photo 1 are not part of the site.



3.

4..



R27. Looking South toward Table Mountain.

Looking North West from the R43.

ANNEXURE A
Rezoning Application to City of Cape Town.

CITY OF CAPE TOWN - BLAAUWBERG REGION

APPLICATION FOR REZONING TO SUBDIVISIONAL AREA AND SUBDIVISION OF THE REMAINDER OF ERF 3132, REMAINDER ERF 633 AND ERF 2003 MELKBOSSTRAND.

APPLICATION DETAILS

Registered owners : Remainder erf 3132 : David John McDonald
: Erf 633 : Jacobus P Smith & Others
: Erf 2003 : De Villiers & Jacobs (Pty) Ltd.

Title Deed Numbers: Remainder erf 3132 : T32460/1995
: Remainder Erf 633 : T12208/1996 & Other
: Erf 2003 : T76689/1992

Applicant : NuPlan Africa Town Planners
: P O Box 46007
: Kernkrag
: 7440
: Tel : 021 553 0474
: Fax : 021 553 1768
: e-mail : nuplan.ts@mweb.co.za

Contact person : Theo Steyn
: Cell number: 082 4404 893

Project reference Nr.: 2.421

Date : August 2005

KEY POINT SUMMARY

MELKBOSSTRAND REMAINDER ERVEN 3132, 633 AND ERF 2003

APPLICATION FOR REZONING AND SUBDIVISION FOR A RESIDENTIAL ESTATE

1. This application is supported by clear precedent : development rights have previously been granted for dense development of approximately 550 erven on approximately 60 ha of it and partially serviced.
2. The development is place bound and separated from the outer edge of the Koeberg buffer land holdings by the precedent setting and extensive suburb of Duinefontein established by the Koeberg developer and operator and sandwiched between applicant's land and Koeberg.
3. The development will materially assist safety in event of disaster and emergency through provision of much needed public road providing the essential evacuation route not only for the residents of the development but for the very large and significant proportion of the current residents of Melkbosstrand, and reducing evacuation time significantly. The cost saving to the City roads budget will be R2.5million.
4. There are numerous precedents for development, including of a more dense nature, adjacent to the development, and closer to Koeberg. Once applicants' develop, there will be no further sites for which precedent is set.
5. The development proposal is low density, environmentally sensitive and of good quality.
6. Incipient land invasion of the site by informal dwellers will be halted and R30million rands contributed for use by the City at its discretion including no doubt to address the housing backlog.
7. Extensive job creation opportunities for employees and small businesses will be created, including during construction over three years and permanently which will assist many trapped unemployed living in townships and impoverished suburbs not far from Melkbos.
8. The applicants will contractually undertake a comprehensive package of BEE procurement and contracting targets for commitment as set out herein.
9. Melkbos will grow to critical self sustaining mass and retail and commercial businesses strengthened by 1100 new households. The further economic spin-offs will have an incredible knock-on effect in Melkbos and the northern corridor.

10. There will be a deliberate strategy to attract and ensure black people will have opportunity to buy, due to availability of erven, and thereby enjoy the beaches and facilities of this beautiful suburb. Black people, which term the developers understand to include all who were disadvantaged through our history will be encouraged to purchase to ensure harmonious integration.
11. The development of the urban fabric of this portion of Melkbos will be matured. A rates base of more than one billion rands of rateable value will be created.
12. Middle income earners, who are finding the cost of household formation in Cape Town to be prohibitive, will be provided with an opportunity to secure good quality home for their families.

CONTENT

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 - 1.2 The application
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 - 2.5 Zoning and Land Use
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ANNEXURES

1. Powers of Attorney
2. Title Deeds
3. Conveyancer Certificates
4. Bond Holders Consent
5. Atlantic Beach
6. Klein Melkbos
7. Carpe Diem
8. Milkwood Place
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15. Services Report
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17. Rezoning Application form
18. Subdivision Application form

PLANS

1. Regional Locality
2. Local Locality
3. Aerial Photographic Image
4. Proposed subdivision plan Nr. 2.421- S1- 01

1. THE APPLICATION

1.1 Purpose of the application

The purpose of this application is to obtain approval for a unique low density, village style, architecturally sensitive integrative development in Melkbosstrand.

Applicant is NuPlan Africa, duly mandated by:

De Villiers & Jacobs (Pty) Ltd, registration number 1986/01953/23 being the registered owner of erf 2003 at Melkbosch Strand represented by its managing director Mr. Pieter Smit De Villiers;

The registered owners of remainder erf 633 Melkbosch Strand, among whom the authorized representatives are Messrs. Jacobus Petrus Smith and Jan de Munck; and

Mr. David McDonald resident of Melkbosstrand, the registered owner of remainder erf 3132 at Melkbosch Strand.

1.2 The application

This application is being lodge by NuPlan Africa on behalf of the registered owners of erven 663, 2003 and 3132 Melkbosstrand to apply for:

- rezoning to subdivisional area in terms of section 17 of the Land Use Planning Ordinance (Ordinance 15 of 1985), and
- subdivision in terms of section 24 of the Land Use Planning Ordinance (Ordinance 15 of 1985)
- consent from Council in terms of the Land Use Planning Ordinance (Ordinance 15 of 1985)
- approval of the Constitution of the Home Owners Association in terms of section 29 of the Land Use Planning Ordinance (Ordinance 15 of 1985)

2. THE SUBJECT PROPERTIES

2.1 Regional locality

The regional locality is depicted on attached plan nr. 1. The subject properties is adjacently located within the town of Melkbosstrand, a village style town to the north of Bloubergstrand, within the jurisdictional area of the City of Cape Town.

2.2 Local locality

Erf 2003 as illustrated on plan nr. 2 enclosed, stretches from the boundary of the West Coast Road to the east, almost to the boundary of Ou Skip Road, to which it has a access road servitude as of right registered in the title deeds, and borders on an unused Escom servitude on the south, and adjacent property being erf 633 in the North. It is roughly rectangular in shape.

Erf 633 is sandwiched between erven 2003 and 3132 as illustrated on plan 2. It stretches from the R27 West Coast Road across to Otto du Plessis Road with an arm traveling along a dune in front of erf 2003 parallel to Otto du Plessis and touching the edge of the Kingfisher medium density mini cluster house development. The portion to the west of the R27 is roughly 60ha in extent.

Erf 3132 is sandwiched between erf 633 and Duinefontein as illustrated on plan 2. It too stretches to the R27 where it is bifurcated by a small feeder road linking the R27 to Duinefontein, which road is the property of the registered owner of erf 3132 who allows discretionary access on it. It stretches down abutting Duinefontein to Otto du Plessis Road, running along the road. The key portion is also approximately sixty (60) hectares in extent.

2.3 Ownership details

The following ownership details pertain to the properties as per their respective title deeds:

ERF NUMBER	TITLE DEED	OWNER	EXTENT
2003	T76689/1992	DE VILLIERS & JACOBS BK	49,9987 HA
Remainder 663	T12208/1996 & other	JACOBUS PETRUS SMITH & OTHERS	86,1813 HA
Remainder 3132	T32460/1975	DAVID JOHN MCDONALD	78,7905 HA

Powers of Attorney in favour of NuPlan Africa are attached as Annexure 1. Annexures 2 contains copies of the respective Title Deeds. Conveyancer certificates, certifying that no restrictive title conditions occur in the title deeds are attached as Annexure 3. Erven 2003 and 663 are not bonded, whilst the consent of the bond holder on erf 3132 is attached as Annexure 4.

2.4 Physical properties

The properties can be described as relatively flat, rural veld, with no distinguishing features, almost totally infested with alien vegetation like rooikrans.

More detail on the fauna and flora features of the properties is fully described in the enclosed Environmental Sensitivity Assessment, (Annexure16).

An assessment of the heritage properties of the site and the application to SAHRA is dealt with as a separate application, the outcome of which will be forwarded on receipt.

2.5 Zoning and Land Use

The properties is currently zoned for RURAL purposes in terms of the applicable zoning scheme for the area.

The land is at present vacant land with no land use activity. The properties are not utilized for any particular purpose and have not been farmed the last ten years, and possibly not farmed historically. No physical structures occur.

There have not been, insofar as the owners can establish, any persons living on the sections of the property being envisaged for development, informally or otherwise.

3. MELKBOSSTRAND AND SURROUNDS

3.1 Contextual Framework

Significantly all built development in Melkbosstrand has been allowed between the sea side of the West Coast Road and the beach front, which criteria is also met by this application. No urban built settlement has been permitted either on the eastern or northern side of the R27 in the area.

The eastern side of the R27 is exclusively characterized by rural and service orientated uses framed by Blouberg Lookout Hill in the south. The northern aspect is characterized by rural uses north of Koeberg.

The sole exception is a small cluster of informal dwellings on the eastern side, which needs to be decanted to a formal settlement comprising of subsidy housing, in the interests of the occupant families and the area.

Various developments have been approved by the city and its predecessor, all on the western side of the R27.

Atlantic Beach Golf Estate is the most prominent. Initially low density in nature, further approvals have led to a mix of relatively low density residential homes in nodes adjacent to the golf greens, but also densely stacked double and single storey homes, in particular along the spine of the development and particularly densely packed adjacent to the entrance road from the West Coast Road. Annexure 5 illustrates the densities of the nodes abutting the access road and adjacent to the commercial mall.

The development is wrapped in an attractive envelope, with attractive walls and wrought iron exterior creating a managed estate, but the golfing greens are water intensive using treated effluent rather than retention of natural dunes, flora and fauna that characterized the area, and arguably not ideal for all family activities.

Traveling along Otto Du Plessis and Melkbosstrand roads, there are three developments that define the type of development.

Firstly on the sea side is the Klein Melkbos development, characterized by densely packed dwellings surrounded by concrete breeze blocks providing security and controlled access with no socializing amenities for social activity. Annexure 6 illustrates the density and design.

The Carpe Diem development on the other side of Otto Du Plessis/Melkbosstrand and Duct Roads is even more dense, comprising of a four storey block of flats (parking basement topped by three floors), fronted by an industrial palisade fence. (Annexure 7).

Then at the turnoff to Otto Du Plessis/Milkwood with entrance off Duct Road is another densely packed security village known as Milkwood Place. Once again fenced with breeze blocks, fronting the road and with a tiny social area. Annexure 8 illustrates this development.

More significantly, the mature development of Duinefontein, stretching from Otto du Plessis road to the R27 West Coast Road, an extensive suburb comprising fairly dense single residential homes sandwiched between the applicants land and the outermost boundary of the extensive land holdings surrounding Koeberg, and the outermost boundary of erf 3132, Applicants erf on the southern side.

It should also be noted that the City's predecessors/relevant authority approved the development of a township on erf 3132, in a similar manner to Duinefontein, and that services such as roads and further infrastructure were partially installed, prior to the developer of Duinefontein electing not to develop further.

3.2 Immediate vicinity and neighborhood

3.2.1 On the west side (sea side) of Otto du Plessis

The subject properties are immediately abutted at the corner of Ou Skip Road by a small development of approximately 23 dense erven of varying size averaging around 220 (two hundred and twenty) meters square in extent each, known as Kingfisher Close, all with double storey dwellings and with a minute island circle. Annexure 9 illustrates this.

Immediately opposite on the sea side corner of Ou Skip and Charles Hoffe Roads is a three storey block of flats known as the erf 2076 owned by the Island View Body Corporate.

Behind Kingfisher are the Escom servitude and small perennial rivulet (Kleine Zoute River).

Diagonally opposite on the sea side of Ou Skip Road are primarily individual erven of around 600 square meters in extent with double and single storey dwellings, all aligned towards the beach as well as a school. (Annexure 10)

These progress in parallel to the applicant's property to the juncture with Duinefontein suburb.

Further along is a guest house with extensive grounds and entertainment facilities on the eastern side of Otto du Plessis.

In a distance, a further extensive arm of existing erven stretches from the West Coast Road to the Beach between the site and the reactor perimeter. See Annexure 11.

3.2.2 On the northern side of erf 3132

Further out, the Duinefontein arm of residential homes stretches out from the sea side to the road reserve boundary of the West Coast Road, with Koeberg some distance behind it. (See annexure 11).

It is sandwiched directly between the outer boundary of the fields surrounding the Koeberg land holding and the northern boundary of applicants land.

This is an extensive suburb comprising quite dense single erven all with single residential free standing or shared wall characteristics, and erf 3132 was approved and partly serviced as an extension to this suburb.

3.2.3 On the southern side of erf 2003

There is a river bed and servitude area, with the caravan park immediately to the south thereof.

3.2.4 On the eastern side of erf 2003, 633 and 3132

With the exception of a small cluster of informal dwellings on the eastern side, which needs to be decanted to a formal settlement comprising of subsidy housing, in the interests of the occupant families and the area, and the sewerage treatment plant, the eastern side is characterized by rural uses.

4. PROPOSED DEVELOPMENT

4.1 The development concept

The emphases that inform the development are:

- Play and social interaction areas
- Security
- Affordability
- Sustainable use of resources
- Architectural acceptability
- Retention of natural features

The concept embodies the creation of a series of village nodes of single family dwellings in a pleasing style blending into the west dune environment, enveloped by private open space accessible to the families, characterized by areas for play and recreation, together with dunes and spines of natural flora, the grasses and flora plantings from the same cape floral kingdom species, water wise planting, utilizing bore hole abstraction within sustainable limits, managed by the home owners, and with security to limit reliance on overstretched crime fighting agencies.

The nodes create a close or mini village atmosphere which encourages social mixing, and help to manage the cost of services.

The natural dune areas and flora spines will be vested in the homeowners as private open space with an entrenched access right afforded to all persons dwelling in the development, and their guests, rather than outmoded fenced gardens.

The wall and attractive view palisade on the estate, which will be exclusively on private land (the link road to be built from the West Coast Road to Ou Skip Road will be transferred to the City at no cost on completion and be a public road) will provide protection from house breaking which is often combined with serious assault. This will also help the elderly, teenagers who are at home with parent(s) working and infirm. Retired persons also likely to be attracted to it.

The development is not beach fronting, thus is anticipated to be affordable, in a range where demand in the city far outstrips supply, thus contributing, together with other developments to the easing of the heavy burden placed on middle income earning families in Cape Town due to the severe land shortage, rising prices and pressure exerted due to inward migration to the city of both poorer and wealthier households. Annual household formation at 20000 or more wealthier and poorer households is a unique phenomenon and is squeezing both envelopes of property availability even further.

The architectural style embodies the atmosphere of low density, unobtrusive dwellings in a cozy community atmosphere. The color proposal is suggestive of blending with light browns and charcoals of the area, further reinforced by the tasteful materials to be used.

4.2 Land Uses

The following land uses are proposed in the development:

Zoning	Intended Use	Number	Consent required
Single dwelling residential	Dwelling House	1,102	None
Commercial	Convenient shop	1	None
Rural	Dwelling and Penguin rehabilitation	1	"Building accessory to buildings or to the use of land for any of the foregoing uses"
Agricultural	Veterinary facility	1	None
Agricultural	Environmental Education Center	1	None
Private open space	Natural areas and park lands		None
Private Roads	Private road		None
Public Road	Public road		None

4.3 Road Structure

The development will take access from a proposed 20m class d link road provided between the West Coast Road and Ou Skip Road. This public road will be landscaped in the boulevard fashion with extensive tree planting and landscaping of the verges.

The two residential neighborhoods adjacent to the link road will be served by 15m wide circular residential access roads with smaller 12m access ways, crescents and culs du sac serving smaller pockets. These roads will be private roads managed and maintained by the Home Owners Association.

4.4 Open space structure

Extensive open spaces have been provided for the retention of the north-south dune body adjacent to Ou Skip Road as well as to create an integrated park lands system accessible from almost all erven for walking trails and jogging paths. The dune system will be rehabilitated with natural vegetation and will be managed by the home owners association as to secure its natural amenity and ecological value.

5. MANAGEMENT OF THE ESTATE

5.1 Home Owners Association

This being a private estate with control of access, architecture, landscaping and rehabilitation of natural areas, the estate will be managed by a Home Owners Association, who will take responsibility for the general management and maintenance of the Estate. The constitution of the HOA is attached as Annexure 12 for approval by Council in terms of section 29 of the Land Use Planning Ordinance (Ordinance 15 of 1985)

5.2 Architectural Guidelines

Architectural guidelines have been compiled for all physical structures on the Estate to ensure a qualitative development and to control all architectural elements, finishes and colours, and extensions to homes. The draft architectural guidelines is attached as Annexure 13.

5.3 Landscaping Guidelines

It is the intention of the developer to compile extensive landscaping guidelines to be applicable to the estate in order to ensure the use of water wise plants and landscaping. The landscaping guidelines will be submitted to the relevant authorities once rezoning and subdivision has been approved.

5.4 Construction Environmental Management Plan (CEMP)

An CEMP will be compiled to ensure minimum impact on the natural environment as well as on the neighboring communities during the construction phase.

5.5 Operational Management Plan (OMP)

An Operational Management Plan will also be compiled in terms of which the HOA will manage and maintain the Estate, especially the areas to be cleared of alien vegetation and rehabilitated as natural corridors.

6. IMPACTS AND BENEFITS

6.1 Traffic Impacts

Please refer to the attached Traffic Impact Assessment prepared by BKS in terms of which it is concluded that the traffic impact of the proposed development can be accommodated with relative minor upgrading of the surrounding intersections, mainly because of the existing road infrastructure and reasonable current traffic demand. (see annexure 14)

6.2 Utilities (Electricity, water, storm water and sewerage)

Please refer to Annexure 15 which contains a full services report and in terms of which services can be provided to full municipal standards on a sustainable manner. Development will be phased to match bulk services availability as per the City's upgrading process.

6.3 Evacuation and nuclear

Please refer to the professional study as part of the TIA (paragraph 9), which indicates that the construction of the development in no way prejudices and in fact considerably enhances the ability to evacuate Melkbosstrand, including the currently built environment, in the event of an occurrence at the nuclear facility.

According to the safety standards set by the NNR a time bar of 4 hours has been determined to evacuate all vehicles from the 0-5km zone. Calculations done by the TIA specialist indicate that this will be achieved within 2 hours.

The cost of the construction of the much needed road will amount to R2,483 million and be wholly carried by the developer, thus enabling the City to avoid the cost of this required provision of emergency access and egress to the South of Koeberg.

6.3.1. The benefit of this escape route is considerable, as it alleviates pressure on the Otto du Plessis route and provides significant carrying capacity in a disaster emergency now absent and very unlikely to be built due to the severe constraints on the transport and roads budget of the City in respect whereof such road is not a priority.

6.3.2 Secondly it is critical to note that this application is truly place bound.

6.3.3 Thirdly this development is further away from Koeberg than Duinefontein. It should be noted that the suburb of Duinefontein was laid out at the time that Koeberg was developed.

Furthermore as has been pointed out erf 3132 to the west of the R27 was also laid out as an extension of Duinefontein (five hundred erven to be subdivided on erf 3132 alone) after approval had been granted by the relevant authority, and services partially installed for the development. This was done by Escom, the energy utility/developer of Koeberg and approved by the relevant authority.

The applicants must be afforded at least the same treatment as was afforded to Escom.

- 6.3.4 Fourthly insofar as place bound, density and height precedents are concerned from a safety precedent perspective, permission has been granted and more dense development than is requested by this application has been approved elsewhere in Melkbosstrand, including densely packed two and three storey apartment blocks, very recently constructed.

This application, by contrast is considerably less dense than the application of Escom for erf 3132 for example. The low density and truly place bound nature of the development will not place any real material risk on evacuation resources, and in fact is more than counter balanced by the enhanced evacuation routes.

The risk is in fact materially decreased rather than increased.

- 6.3.5 There can be no doubt that should the development not be approved, the most likely scenario is the spread of informal settlement onto the site, with some justification as it abuts people orientated facilities and is surrounded by human settlements, including rather more dense settlement near Koeberg.

The risk to a densely packed informal settlement should there be any form of disaster, let alone the difficulty of attempting evacuation is a real prospect that must be avoided, and can only be avoided by development in a low density sensitive manner.

- 6.3.6 No precedent undermining safety can be or will be established by approving this development, simply because this application represents the three last parcels of developable land surrounded by other developed urban settlements on the west side of the R27 road.

Thus approving this application in fact firmly shuts the door to any further development within the five (5) kilometer radius of Koeberg and put to rest any opportunity by any other landowner to develop, or by any community to informally settle on the site,

which informal settlement would pose a very real threat to evacuation.

6.3.7 The decrease of time for evacuation as spelt out in the attached TIA is very significant.

6.3.8 Finally, the radius of 5km itself is arguably arbitrary, although it does allow, and precedent establishes very clear examples of similar place bound development within it.

It is time for this low density development to be approved, maturing and utilizing the last developable land in this arm of the development corridor, to foreclose this issue.

6.4 Environmental and archaeological sensitivity

The independent environmental assessment included in the submissions enclosed refers. The site conservation value of the site is restricted to portions of a shallow dune along Otto du Plessis which will be conserved as a nature feature as indicated in the assessment and development proposals which enjoy the support of the botanist and specialists from whom the reports were commissioned.

The Environmental Sensitivity Assessment concludes as follow:

“ Plan number 2.421-S1-01 (as included in the Land Use Planning Ordinance Application as submitted by Nu-Plan Africa), developed in discussion with the faunal and floral specialists, is in general agreement with the recommendations as listed in the report”

There have not been, insofar as the owner can establish, and are not any persons living on the property, informally or otherwise. An archaeological survey/inspection could discover no middens or graves of any nature and there was no built environment as indicated in the experts report. Nevertheless applicant is satisfied should SAHRA require there to be an archaeologist/trainee archaeologist present during clearing and excavation to handle any middens that may come to light.

6.5 Economic benefits for Cape Town City

There is a need for economic development at Melkbosstrand and the environs.

The site will be on the route to Atlantis, enabling many unemployed job seekers to obtain employment over the 36 plus months of the development phase.

The resultant building activity will strengthen the development of many small and medium building contractors.

The establishment of the residential community will strengthen the economics of Melkbosstrand and this arm of the northern corridor and assist it to become economically more deep and self-sustaining reaching critical mass.

The facilities of Melkbosstrand, especially the beach facilities will be more accessible to homemakers, their guests and holiday makers, particularly blacks who historically were unable to purchase erven at all.

The resultant rates income estimated at R13m per annum will greatly strengthen Melkbos contribution to the rates base.

6.6 Integrative benefits

Applicants are conscious of the fact that historically blacks (including people of black and mixed race descent) were barred from acquiring property in the choice suburbs of greater Cape Town, including Melkbosstrand.

Part of the reason that the applicants are applying for rights to develop is the economic dividend that has flown from the new, democratic South Africa.

Respecting a proud community, but also assisting those who have been excluded by the policies of the past must be acknowledged.

Accordingly the applicants are going to make a conscious effort to help assist integration, sensitivity, equitably and harmoniously.

There will be a strategy to attract and ensure people from all race groups will have opportunity to buy, due to availability of erven, and thereby enjoy the beaches and facilities of this beautiful suburb.

6.7 RDP benefits

The contribution of development levies, some R22000/property amounting to R24,2m plus will enable the City to contribute substantially towards social developments of under privileged communities. The contribution towards bulk services must however be evaluated against other bulk services such as upgrading of intersections on main roads, bulk sewerage main and pump station etc. provided directly by the developer. Moreover, in the event that the city approves the erven applied for, to a minimum of 1100 or more, the developer will undertake to make a further development contribution of R ten (10) million as a further contribution to housing or any other purpose identified by the city to assist the development of its broad communities, or of the poor or as the City at its discretion determines.

6.8 Black Economic Empowerment

The legislation and principles of broad based black economic empowerment will be fully complied with by the development.

Fifty (50) percent of the development opportunities and of all infrastructure requirements will be reserved for BEE contractors who will be encouraged to employ persons from communities of Joe Slovo, Du Noon and Atlantis in particular as well as persons from Summer Greens and Brooklyn.

The applicants' propose that this is made a condition and undertake to bind their successors.

6.9 Negative Impacts

It is submitted that there are no negative impacts for the surrounding neighbors or community of Melkbosstrand.

It is submitted that the development will actually enhance the value of properties already established in Melkbosstrand by virtue of their being in the more favorable beach front position, and the risk of illegal informal settlement on the property that will also be abated.

The densities are such that there are no negative impacts on the neighboring properties or on Melkbosstrand.

7. CONCLUSION

By approving this application, the committee will be approving a development which is:

- 7.1 Low density
- 7.2 Logically and inherently part of the development of Melkbosstrand.
- 7.3 Provides extensive common areas for play, entertainment and socializing.
- 7.4 Enables more families to have access to the Melkbosstrand Beach area without negatively impacting on the community.
- 7.5 Does not place further burdens on policing and other stretched state resources.
- 7.6 Expands the rates and rate revenue base significantly.
- 7.7 Gives buyers from all communities opportunity to buy into Melkbosstrand.

- 7.8 Supports the structure of the family and social interaction.
- 7.9 Is environmentally sensitive and sustainable, and water wise.
- 7.10 Provides much needed public road infrastructure for Melkbosstrand, especially for evacuation, at no cost to the City.
- 7.11 Provides employment and development opportunities during construction, including broad based black economic empowerment.
- 7.12 Enhances the built environment and neighborhood.
- 7.13 Advances the provision of housing in the City.
- and
- 7.14 Sets the tone for similar future developments.

Applicant accordingly submits the application trusting that it will meet with your considered approval.

ANNEXURE B.

Archaeological Permit Committee Record of Decision.

HERITAGE WESTERN CAPE
Provincial Heritage Resources Authority of the Western Cape
Private Bag X9067
Cape Town
8000

Tel: 021-483 9687
Fax: 021-483 9842

5th October 2005

Our Ref. No. C13/3/6/2/1/1/1/1A3

Mr Doug Jeffery
PO Box 44
Klapmuts
7625
(Fax: 022-875 5515)

Dear Mr. Jeffery,

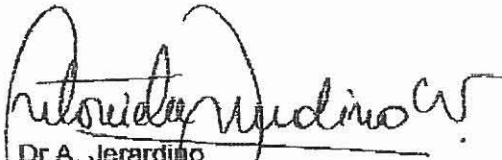
PHASE I ARCHAEOLOGICAL IMPACT ASSESSMENTS: PROPOSED DEVELOPMENT ERVEN 3132, 633 & 2003, MELKBOSSTRAND, CAPE TOWN MAGISTERIAL DISTRICT

A Phase I Archaeological Impact Assessments (AIA) undertaken by the Agency for Cultural Resource Management (ACRM) at each of the above properties were discussed by the Archaeology, Palaeontology and Meteorites (APM) Committee of the Western Cape provincial heritage resources authority, Heritage Western Cape (HWC), at a meeting on 04th October 2005. The following was noted and decided:

- 1) The extent of the proposed development involves an area of about 215 ha to be rezoned and subdivided for the purpose of a single residential housing development.
- 2) The above three properties were surveyed on foot over two days between 19th and 2nd July 2005. A large portion of the surveyed land is infested with alien vegetation, resulting in poor archaeological visibility.
- 3) Significant archaeological heritage remains have been encountered along the coastal zone to the west and on the coastal plain to the east of the above properties. Many fossils were uncovered during the development of Koeberg Nuclear Power Station located immediately north of Erf 3132. Two significant palaeontological sites (Duinefontein 1 & 2) are situated in the Nature Reserve annexed to the Koeberg Nuclear Power Station.
- 4) From the APM area of competence and responsibility, it was agreed that the proposed development could proceed with the following conditions:
 - i) Although the impact of the proposed development on known archaeological heritage appears likely to be low, a professional archaeologist must be contracted to monitor vegetation clearing, trenching and any other earth-moving activities at all times. A palaeontologist must monitor trenching and any other earth moving activity regularly. The applicant is hereby requested to inform HWC of the appointment of such specialists as soon as it has done so.

- ii) If archaeological and/or palaeontological remains are encountered, earth-moving activities must stop where the findings are located and such specialists must be called immediately to inspect the finding, and possibly to sample the remains at the cost of the developer. If the archaeological and/or palaeontological material is deemed to be of high heritage significance, these might have to be avoided by development altogether.
- iii) Unmarked human burials, such as Khoisan graves, may be exposed or uncovered during earth moving activities. If any human remains are discovered during earth moving activities, they must be treated with respect, and SAHRA (Mrs Mary Leslie, 021-462 4502) and HWC (Dr. A. Jerardino, 021-483 9687) must be notified immediately. An archaeologist may be required to remove the remains at the expense of the developer.
- 5) The proposed subdivision and development proposal qualifies for an Impact Assessment in terms of Section 38 of the National Heritage Resources Act (NHRA, No. 25, 1999, www.info.gov.za/acts/99index.html). Consequently, before final approval of this development can be granted by HWC, the applicant is therefore required to undertake a Heritage Impact Assessment (HIA). This HIA must include all points in subsection 38(3) of the NHRA, and address important aspects related to possible visual impact and cultural landscapes. A copy of the HIA report must be submitted to the Built Environment and Landscape Committee (BELCom) for its review and approval.

Regards,



Dr A. Jerardino
SENIOR HERITAGE OFFICER: ARCHAEOLOGIST
(BOLAND AND WEST COAST)

Cc: Mr. B. September, BELCOM, Heritage Western Cape, Tel: 021-483 99778, Fax: 021-483 9842
Cc: Mr. J. Kaplan, ACRM, PO Box 159, Riebeeck West 7306, Fax: 022-461 2755
Cc: Mr P. Hardcastle, Deputy Director: Cape Town & West Coast, DEA&DP, Fax: 021-483 4372