

Appendix K: Need and Desirability of the proposed expansion of residential development on Portion 134 of Farm 559, Rooi Els to include a garage

This document considers the proposed construction of a garage, as an expansion to the already approved residential dwelling on Portion 134 of Farm 559, Rooi-Els, within the context of the various spatial planning tools and policies applicable to the study area.

The need and desirability of the proposed garage relates to the requirement for secure and suitable storage facilities. Two key uses underpin this requirement:

- Private collection of vintage vehicles and motorcycles: The owner has a longstanding hobby of collecting vintage cars and motorcycles, which require safe, indoor storage. The garage provides the necessary infrastructure to responsibly house this high value collection. This proposed garage will be used for private storage.
- Conservation-related equipment: Given the location of the property within a fire-driven ecosystem, dedicated space is required to accommodate and store firefighting equipment, including suitably equipped vehicles, as well as other tools and resources necessary for ongoing conservation management of the property. The equipment and vehicles cannot be stored outside in the open area.

The Environmental Authorisation issued for the property in April 2024 approved a total development footprint of approximately 1 155m², which included a dwelling, an ancillary building, and a conservancy tank. Municipal building plan approval has subsequently been granted for 480m² of built form (including the dwelling, ancillary building, and conservancy tank), and construction of these structures is currently underway. The new garage is proposed directly adjacent to the authorised dwelling, within the EA-approved development footprint of 1 155m², and will have a building footprint of approximately 328m². This will increase the total constructed footprint to 808m², which remains well within the 1 155m² development footprint authorised by DEA&DP. Importantly, no additional vegetation clearance will be required, as the garage falls entirely within the previously approved development footprint.

The proposed development site is zoned 'Rural Zone 2: Conservation Usage (R2)' with consent use. Primary use for the property is listed as 'conservation use, dwelling house, guest rooms, home occupation'. Following consultation with the Overstrand Local Municipality Planning Department, the appointed Town and Land Use Planner has confirmed that the proposed development is permissible within the primary rights of the property. The proposed garage is directly linked to the authorised residential dwelling and will not introduce a new or unrelated land use. Under the current zoning

(Rural Zone 2: Conservation Usage), the maximum allowable floor space per cadastral unit is 800m². However, the municipality has approved a relaxation of this restriction to allow floor space in excess of 800m² (refer to Appendix J3).

The need and desirability of the proposed development has been evaluated by considering the broader community's needs and interests as reflected in the Integrated Development Plan (IDP), Spatial Development Framework (SDF) and Environmental Management Framework (EMF) for the area, and as determined by the Basic Assessment process.

The following policies were considered:

- Western Cape Provincial Spatial Development Framework (PSDF) (2014)
- Overstrand Environmental Management Framework
- Western Cape Biodiversity Spatial Plan (2017)
- Overstrand Municipality SDF 2020
- Overstrand Municipality Environmental Management Overlay Zone Regulations 2020
- Overstrand IDP 2022 – 2027

The **Western Cape Provincial Spatial Development Framework (PSDF)** is a planning document that guides district and local spatial initiatives such as IDP's and SDF's. It aims to create a coherent framework for the province's urban and rural areas. The current economic state with high levels of unemployment, especially amongst the youth, and recent job losses in agriculture, all add to the high levels of rural poverty and unemployment. The PSDF emphasizes the importance and need for economic growth, job creation and poverty alleviation. The proposed project will create direct and indirect job opportunities during the construction phase.

The Western Cape economy is founded on the province's unique asset base. These include farming resources, natural capital (i.e., biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination. Tourism in the rural areas of the Western Cape is often based on scenic tour routes. The Provincial SDF therefore emphasizes the importance of conserving provincial scenic resources. The proposed development site, approximately 22.7ha in extent, is situated along an important scenic corridor. As the development will occur entirely within an already-approved footprint, no additional land area will be disturbed. The majority of the site will remain undeveloped and will be maintained in a natural state with rehabilitation activities and clearing of alien invasive vegetation taking place onsite. The applicant is also in the process of entering into a Biodiversity Stewardship Agreement with Cape Nature. As confirmed by a visual assessment, the location of the new garage within the already-approved

footprint will serve to minimize potential additional visual impacts along the scenic corridor as far as possible.

The Western Cape PSDF highlights the importance of safeguarding the province's inland and coastal water sources and protecting the province's unique biodiversity and associated ecosystem services. The PSDF identifies both water and biological diversity as a key factor underpinning the provincial economy and ecosystem services. The historical water deficits experienced in the province will undoubtedly be intensified by climate change thereby placing increasing emphasis on the need to protect key water sources in the province. To maintain spatial continuity and connectivity in the biodiversity network the PSDF emphasizes the importance of preventing urban expansion and the intrusion of agricultural activities into CBAs. The development site is located within a terrestrial CBA, adjacent to a watershed boundary, and borders the Kogelberg Nature Reserve to the northeast. The proposed project aims to utilize the property in a way that minimizes the development footprint in an ecologically sensitive area by placing the new garage entirely within the already-approved development footprint. The remainder of the site will be conserved and suitably managed. No agriculture is proposed on site. Conservation of this land area will also contribute to protecting important strategic provincial water resources and maintain spatial connectivity downslope of the Kogelberg Nature Reserve thereby addressing key challenges highlighted in the Western Cape SDF.

The **Overstrand draft Environmental Management Framework (EMF)** is an environmental planning tool that identifies where land uses are most compatible or incompatible with environmental opportunities and constraints. Key recommendations relevant to the proposed development include:

- Rural areas: Spatial planning must consider the existing urban edge, the scenic value of the mountainous environment, and an altitudinal restriction contour (proposed at 140m above mean sea level).
- Natural habitats: Fragmentation of continuous natural areas should be avoided. Decisions affecting pristine or threatened (critically endangered, endangered, or vulnerable) ecosystems should be informed by specialist biodiversity assessments, and spatial planning should consider the National Protected Area Expansion Strategy (NPAES).
- Endangered and critically endangered ecosystems: Prevent further habitat loss or degradation. Activities that do not disrupt ecosystem functioning or further disturb the natural environment are considered appropriate in these systems.

In line with these requirements, the original development footprint for the residential dwelling was selected following both a terrestrial Ecological Impact Assessment and an Aquatic Ecosystems Impact Assessment. The current proposal involves expanding the already-approved development within the

already approved development footprint to include a garage. No additional vegetation clearance is required; the site is already disturbed, with services and access established.

The 22.7ha property lies along an important scenic corridor, but the approved disturbance footprint—including the proposed garage—covers less than 1% of the total area. The remainder of the farm will remain in its natural state, with the applicant committed to ongoing alien invasive plant removal and rehabilitation of previously disturbed areas. The applicant is a member of the Rooiels Conservancy and is in the process of entering into a Biodiversity Stewardship Agreement with Cape Nature.

The development is consistent with the Overstrand EMF as it:

- Avoids new habitat loss by remaining within the approved development footprint.
- Maintains ecological connectivity and does not disrupt ecosystem functioning.
- Is expected to have a low visual impact along this important scenic corridor.
- Incorporates conservation actions that will enhance long-term ecological health and aesthetic value.

Through these measures, the proposed development will not only minimise environmental impacts, but also contribute to the conservation objectives for the area.

The **Western Cape Biodiversity Spatial Plan (WCBSP) (2017)** was considered in the Aquatic and Ecological Impact Assessments (Appendix G1 and Appendix G2). According to the Aquatic Impact Assessment (Appendix G1) the site lies within a Freshwater Ecosystem Priority Area (FEPA) River sub-catchment that should be maintained in a good ecological condition. Virtually the entire site (excluding the original house development footprint and access roads) is mapped as a CBA and the delineated onsite wetlands have also been ranked as CBAs. The site borders the Kogelberg Nature Reserve to the northeast and is located within the protected area buffer zone. The proposed development activities are unlikely to impact on the protected area but will need to be mitigated to ensure minimal impact on the onsite FEPAs, CBAs, and Ecological Support Areas (ESAs). The proposed development will be located within an already approved development footprint. The remainder of the site will remain undeveloped, and the owners are committed to the conservation of the property.

According to the Freshwater Ecological report two sets of conservation mapping results are of relevance to the national and provincial identification of the ecological importance that has been attributed to the freshwater features in the study area - The National FEPA map and the 2017 WCBSP that contains CBAs for the Overberg Municipality and was a product of the Provincial Fine Scale mapping process.

FEPAs are intended to provide strategic spatial priorities for conserving South Africa's freshwater ecosystems and supporting the sustainable use of water resources. FEPAs were determined through a process of systematic biodiversity planning and were identified using a range of criteria for serving ecosystems and associated biodiversity of rivers, wetlands, and estuaries. The river and wetland FEPAs are required to be maintained in a largely natural ecological state while fish support areas should not be allowed to degrade from their existing ecological condition.

The aquatic systems identified onsite are located within a FEPA River sub-catchment that should not be degraded further as it may need to be rehabilitated to meet biodiversity targets. The NFEPA database identifies both the Rooiels and the Buffels River as River FEPAs. These systems play an important role in contributing to the national biodiversity goals and should therefore be maintained in a good ecological state. While the FEPA status is designed to the river systems themselves, the broader catchment plays a large role in determining the health of these systems. The whole sub-quaternary catchment is thus mapped as a FEPA and must be maintained in a good ecological state (category A or B) to ensure that biodiversity targets are met. The onsite present ecological state of the majority of the onsite wetlands range from category A to category C. One wetland was classified as category D as a result of the degradation associated with the original house development. The landowner is committed to the conservation of the remainder of the property. This will contribute to the safeguarding of important ecological priority areas.

The **Western Cape Biodiversity Spatial Plan (WCBSP) (2017)** aims to guide sustainable development by providing a synthesis of biodiversity information to decision-makers. The main map categories are CBAs (Terrestrial and Aquatic), ESAs (Critical and Other), Other Natural Remaining Areas and No Natural Remaining Areas. The first two mentioned categories represent the biodiversity priority areas which should be maintained in a natural to near-natural state. The last two mentioned categories are not considered as priority areas and a loss of biodiversity within these areas may be acceptable.

The majority of the proposed development site, with the exception of the R44 road, access roads through the site and the original house development footprint, is classified as a terrestrial CBA. An aquatic CBA is also identified in the southern section of the site and wetlands identified on the site during the freshwater study are also ranked as CBAs. Based on the objectives defined for CBAs, the site should not be allowed to degrade further but should rather be rehabilitated. The intended use of the property is in line with these objectives as the applicant aims to minimize the development footprint within the site and improve the ecological condition of the remaining natural areas onsite through the removal of alien invasive vegetation and rehabilitation of disturbed areas. The development will ensure that adequate space is available for the safe storage and maintenance of

equipment necessary to implement ongoing conservation measures and fire protection activities. Furthermore, the applicant will retain their memberships with the Greater Overberg Fire Protection Association and the Rooiels Conservancy and are in the process of entering into a firebreak and Biodiversity Stewardship Agreement with CapeNature.

The rural economy in the overstrand is largely driven by agriculture and tourism. The proposed project will take place in the region of the Rooi Els rural settlement. This region is characterised by its unique location along the coastline and pristine natural setting with the economy primarily underpinned by tourism.

The rural settlement of Rooi Els is uniquely located along the coastline within a pristine natural setting. The area serves as a transitional zone between the Kogelberg Nature Reserve and the coastline. The unique natural environment in this region underpins the MSDF for this settlement.

The **Overstrand Municipal Spatial Development Framework (SDF)** aims to promote the conservation of the natural environment in which Rooi Els is located and build the tourism industry based on the ecological and heritage value of the region. The MSDF aims to restrict development beyond the defined urban edge to maintain the unique village characteristics of the settlement. To this end a spatial development proposal has been developed. The proposed site is located in an area designated as a 'sensitive development area'. The proposed project has taken the ecologically sensitive nature of the site into account and is located entirely within the available space of an already-approved development footprint. This already-approved footprint was determined through an iterative process involving a terrestrial ecology specialist, an aquatic ecology specialist, the EAP, and the applicant. The majority of the site will remain in its natural state, with additional conservation actions to be implemented, including various rehabilitation actions and alien invasive plant control. The development will ensure that adequate space is available for the safe storage and maintenance of equipment necessary to implement ongoing conservation measures and fire protection activities. Furthermore, the applicant will retain their memberships with the Greater Overberg Fire Protection Association and the Rooiels Conservancy and are in the process of entering into a firebreak and Biodiversity Stewardship Agreement with CapeNature.

The **Overstrand Municipality Environmental Management Overlay Zone (EMOZ) Regulations 2020** aims to provide a mechanism through which the Council can issue and apply specific guidelines in terms of spatial development. The Overstrand Municipality EMOZ Regulations define 5 specific environmental management overlay zones:

- Coastal Protection Environmental Management Overlay Zone

- Mountain Catchment Environmental Management Overlay Zone
- Protected Area Buffer Environmental Management Overlay Zone
- Riverine Environmental Management Overlay Zone
- Urban Conservation Environmental Management Overlay Zone

The proposed development site is located within the Protected Area Buffer Overlay Zone. As such there are certain restrictions and general management regulations that must be taken into consideration. Schedule A of the Overstrand Municipality EMOZ regulations outlines prohibited activities within overlay zones while Schedule B outlines activities that require council permission and Schedule C outlines general regulations that must be considered within all 5 overlay zones.

The proposed development does not trigger any prohibited activities; however, the following activity requires council consent: *Construction or placement of any permanent object, building, shelter, pathway or structure*. The required processes to gain relevant approvals will be followed.

The proposed development activities aim to align with the general regulations outlined for EMOZs. An Environmental Management Plan (EMPr) which covers the planning and design, construction and operation phase of the development will be developed. The EMPr will recommend that all alien invasive species are removed from the proposed development site and will outline detailed fire management measures that include the establishment and maintenance of firebreaks along the perimeter of the site and around infrastructure.

The development will ensure that adequate space is available for the safe storage and maintenance of equipment necessary to implement ongoing conservation measures and fire protection activities. The applicant will also maintain their memberships of the Greater Overberg Fire Protection Association and the Rooiels Conservancy and are in the process of entering into a firebreak and Biodiversity Stewardship agreement with Cape Nature.

The **Overstrand Integrated Development Plan (IDP)** highlights the importance of biodiversity conservation within its management region. The Overstrand Municipal area includes the Kogelberg Biosphere Reserve which is a core part of the highly biodiverse Cape Floral Kingdom. The development site is located within the Kogelberg Biosphere Reserve and borders the Kogelberg Nature Reserve to the northeast. This highlights the high conservation value of the site. Furthermore, the proposed development site is located within the Boland (Strategic Water Source Area (SWSA) for surface water. The preservation of this key water source area will ensure the continued provision of this valuable ecosystem service. The proposed project aims to utilize the already approved development footprint in an ecologically sensitive area in a responsible manner. Conservation will be the key land use on the

remaining open areas onsite, thereby contributing to biodiversity conservation within a key conservation area within the Overstrand management region.

In terms of the Basic Assessment process the following was found:

The current development application proposes the addition of a garage adjacent to the authorised dwelling, consolidating all infrastructure within the 1155m² development footprint approved by DEA&DP in April 2024. Municipal approval has already been granted for 480m² of built form (dwelling, ancillary building, and conservancy tank), and construction is underway. The proposed garage, at 328m², will bring the total built footprint to 808m², remaining well within the EA-approved limit. Importantly, no additional vegetation clearance will be required, as the garage will be located entirely within the already approved footprint.

The need for the garage arises from its dual role as secure storage for the landowner's vintage vehicles and motorcycles, and for essential conservation and firefighting equipment. In this way, the garage supports both the owner's private requirements and broader conservation and fire preparedness objectives. The landowner intends to reside permanently on the property, enhancing on-site security and fire risk management. The landowner has joined the Rooiels Conservancy, and is in the process of setting up a firebreak and biodiversity stewardship agreement with CapeNature.

According to the freshwater ecological addendum letter, the current garage location is clearly preferred from an aquatic ecosystem perspective when compared to previous proposals. Consolidating the development into a single disturbed node minimises encroachment into sensitive areas, with only very minor residual risks linked to increased stormwater runoff. Provided that recommended mitigation measures are implemented, the impacts on aquatic resources are considered *low negative*.

The visual addendum confirmed that the garage, being integrated into the authorised footprint and positioned behind and lower than the approved dwelling, does not alter the findings of the October 2023 Visual Impact Assessment. As such, no additional visual impacts are anticipated.

From a social and environmental perspective, the proposal will not compromise environmental rights, resource access, or amenity. Potential impacts on water quality and ecological functioning are localised and can be mitigated effectively. Nuisance impacts such as dust, noise, and smoke will be confined to the construction phase.

The landowner is committed to managing the property for conservation purposes while maintaining a consolidated and controlled development footprint. The proposal therefore represents the best

practicable environmental option, achieving a balance between the owner's residential and storage needs and the long-term ecological management of the site, in line with applicable spatial planning and conservation objectives.