



PLANNING STATEMENT

PROPOSED DEVELOPMENT ON PTN 3 OF THE
FARM KRAAIBOSCH No 195, GEORGE

STADS EN STREEKBEPLANNERS
TOWN AND REGIONAL PLANNERS

**PROPOSED DEVELOPMENT ON PTN 3 OF THE FARM
KRAAIBOSCH No 195, GEORGE**

CONTENTS

	PAGE
1. INTRODUCTION	1
2. THE PROPERTY	2 - 3
3. DEVELOPMENT PROPOSAL	4 - 5
4. NEED FOR THE PROPOSED DEVELOPMENT	6
5. DESIRABILITY OF THE PROPOSED DEVELOPMENT	7 - 21
6. CONCLUSION	22

ANNEXURES

- 1 - LOCALITY PLAN**
- 2 - SUBDIVISION PLAN - KRAAIBOSCH 3 1.1**
- 3 - LETTER FROM SURVEYOR GENERAL**
- 4 - LETTER FROM DEADP - AMENDMENT OF GUIDEPLAN**

PLANNING REPORT: PROPOSED REZONING AND SUBDIVISION: PTN 3 OF FARM KRAAIBOSCH NO 195 GEORGE

1. INTRODUCTION

The developers of the existing Groenkloof Retirement Resort developments, bought Ptn 3 of Farm Kraaibosch No 195 (the property) recently from the previous owner in order to extend the Groenkloof Retirement Resort on the new property. The previous owner of Ptn 3 obtained an approval for a residential development previously to accommodate 125 single residential erven and 254 group housing units and a ROD was also issued for the development. The previous owner, however, did not attempt to develop the property in accordance with the relevant approvals and the approvals subsequently lapsed some time ago. The zoning of the property therefore reverted back to Agricultural Zone I.

For the new owners to develop the property as a retirement resort, a complete new application for Environmental Authorization and Rezoning and subdivision needs to be submitted for consideration by the relevant authorities of which the first step will be the environmental authorization application. This report is therefore the planning input in support of the environmental process as required by DEADP.

2. THE PROPERTY

2.1 Description

In terms of Deed of Transfer No T 53615/2016, the property is described as Ptn 3 of the Farm Kraaibosch No 195, in the Municipality and Division, George.

2.2 Size

The property is 33.2127ha in size in terms of the deed of transfer.

2.3 Locality

Ptn 3 of Kraaibosch 195 is located almost at the eastern end of Glenwood Avenue and to the north of the existing Groenkloof Retirement Resort developments. The Saasveld Road forms the northern boundary of the property. Farms Kraaibosch 195/63, 195/319 and 195/320 are situated to the south-east of the property and Kraaibosch 195/62 borders on the eastern boundary of the property. Portion 21 of Farm 195 is directly to the west and adjacent to the property. The locality plan is attached as **Annexure 1** to this report.

2.4 Zoning

The property is zoned as Agricultural Zone I at present.

2.5 Ownership

Ptn 3 of Farm 195 is registered in the name of Groenkloof Ontwikkelings (Pty) Ltd.

2.6 Bond Holder

The owners are in the process of obtaining the consent of the bond holder. The bond holder in this case is the previous land owner.

2.7 Present Use

Although it is clear that the property was previously used for farming purposes (grazing), it is currently used only for residential purpose (dwelling house).

2.8 Surrounding Land Uses

The Kraaibosch area north of the Garden Route Mall and south of the Saasveld Campus is a developing area within the urban edge of George. The proposed development is in accordance with the changing character of the area – changing from agriculture to urban in accordance with the *George Spatial Development Framework*.

To the north the property boundary is the Saasveld Road and to the north thereof is vacant land. To the east is the vacant ptn 62 of Kraaibosch where application for a residential development is

currently being prepared. To the south-east are 3 undeveloped properties and directly to the south is Groenkloof Retirement Resort. On the western side is Ptn 21 of Kraaibosch on which there is a dwelling house.

Currently, the character of the area to the south of where the property is situated, can be described as residential. This proposed development can be seen as the natural expansion of residential development of this area.

3. DEVELOPMENT PROPOSAL

It is proposed to develop Kraaibosch 195/3 as a retirement resort in accordance with the *George Municipality's Spatial Development Framework*. The property is located inside the urban edge of George and as such earmarked for development. A draft subdivision plan has been compiled that took into account the topography of the property (1 in 4 slope), the vegetation found here as well as the aquatic set back line as determined by the specialists. See **Annexure 2** attached.

Approximately 26% of the property is proposed as open space. A large section of this open space has slopes steeper than 1:4 and falls in the valley that runs from south to north through the property almost bisecting it.

The property is proposed to be developed as follows:

- 299 group housing erven for retirement resort purposes - General Res. Zone II
The sizes of these erven will vary from 210m² to 634m² to accommodate a variety of housing types that will be erected on these erven.
- 1 erf will be developed as assisted living flats and home-care facilities - Community Zone III.
The size of this property is approximately 3,4753ha and it is proposed to make provision for 256 units(assisted living & home nursing) at a density of 77 units per ha in a double storey building with a coverage of 35%.
- 1 erf will be developed as a dining area, reception and administration as well as parking - Community Zone III.The property size will be 1,1842ha.
- 1 erf will be zoned as Business Zone II and the proposed size is 0,4624ha. This erf will be located partially inside and partially outside the proposed entrance gate as indicated on the proposed lay-out plan.
- 1 erf for the construction of a cell phone tower - Utility Zone. The size of this erf will be 100m².
- 2 erven as private open space - Open Space Zone II. The one erf for purposes as mention before and the other erf to make provision to accept storm water from a future development on the adjacent property.
- The streets inside the proposed development will all be private streets - Transport Zone III.
- 1 erf for public street purpose - Transport Zone II.This erf is required for future widening of Glenwood Avenue.

The property will be developed in phases. At this stage the phasing has not been finalized and can therefore not be indicated on the plan.

The average proposed density of the development for the whole property including the assisted living flats, Admin/dining facilities and business erf will be 16,8 units per ha.

However, if the private open space which consists of 8,6 ha of the property, is not included in the calculations for the above density (16,8), the density increases to 23.03 units per ha.

4. NEED FOR THE PROPOSED DEVELOPMENT

In the ROD that was previously issued for the development for this property, it was mentioned in **Para H. - Reasons for the Decision**, that *“George is in need of expansion and it has been agreed that activities proposed to the north- eastern Kraaibosch area are acceptable”*. It was therefore at the time clear that there is a need for development of this property as an extension of George.

It is furthermore important to note that the developers (Groenkloof) already have a waiting list of 121 names of people interested to invest in this proposed development - to be known as Groenkloof Eden. Property sales in the existing developments of Groenkloof for the last 3 years, are as follows:

March 2016 to Feb. 2017	=	84 units
March 2017 to Feb. 2018	=	118 units
March 2018 to Feb. 2019	=	165 units

It is clear that there is a continuous need for more housing for the aged in Groenkloof as already mentioned earlier in this report. The developers always ensure that they provide a product of high quality both in terms of the built environment and the service rendered to the aged which is why there is constantly a demand for this type of housing.

The existing frail care and other services provided in the existing Groenkloof, were originally planned and built to cater for more people than can be accommodated in the existing Groenkloof. In terms of the existing provision of services, there is thus also a need for more housing for the aged to optimize these services.

In terms of the findings of the Growth of Towns in the Western Cape, George is rated as the second position on the province’s list of rankings according to the development potential. It is mentioned that the services section of George is highly specialized, specifically mentioning medical and educational services. There are also a wide range of governmental departments represented here and the city is situated optimally in terms of transportation. The tourism potential of the area is high due to the pleasant climate and the beautiful natural landscapes of the area. Agriculture sector in the area is healthy – production of meat, milk, hops, vegetables ect. George has all the requirements to grow strongly and this is currently being realized.

Over the last number of years, it became very clear that George (and the Garden Route) became very popular as a destination for the aged (pensioners). This is as a result of the requirements for growth as mentioned above with specific reference to the services sector (medical), the pleasant climate and the beautiful natural landscapes.

Taken all the above factors into consideration it clear that there is a need for the proposed development and this need will most probably never cease to exist in this part of South Africa.

5. DESIRABILITY OF THE PROPOSED DEVELOPMENT

The concept, desirability of the development as proposed in this application, can be described as the acceptability thereof on the land unit and the environment where it will take place. The proposal will be discussed in terms of the following to determine the desirability thereof:

- ❖ Physical characteristics (para 5.1)
- ❖ Proposed Land Uses / Subdivided Portions (para 5.2)
- ❖ Consistency of the proposal in terms of existing planning documents (para 5.3)
- ❖ Consistency of the proposal in terms of the character of the area (para 5.4)
- ❖ Potential of the Property (para 5.5)
- ❖ Accessibility (para 5.6)
- ❖ Services (para 5.7)
- ❖ Visual Impact (para 5.8)

5.1 Physical Character of the Property

5.1.1 Topography

The property slopes in a general northern direction offering exceptional views towards the Outeniqua Mountains. There is a valley that runs in a south to north direction through the property, almost bisecting it. The slopes of this valley are quite steep, mostly in excess of 1 in 4, making development thereof not possible. The rest of the property is fairly flat and development can take thereon.

5.1.2 Vegetation

With the exception of the steep slopes, almost all the vegetation on the property has been completely transformed to establish pastures for agricultural purposes. Farming activities have however ceased some time ago. The majority of property consists of alien grass species. A few years ago, the property was almost completely bare of any vegetation when a runaway bush fire swept through the property. After this fire when most of the alien vegetation on the property was burnt down, it was clear to see that there was no indigenous forest on the property, except for the northern end of the valley where a number of indigenous trees are still present.

5.1.3 Aquatic Setback Line

The developers appointed specialists who determined the aquatic set-back line in the valley on the property. No development is proposed beyond this set-back line.

5.1.4 Summary

The physical character of the property is such that the proposed development can be accommodated thereon taking the above components into consideration.

5.2 Proposed Land Uses

It is proposed to develop the properties as a residential area consisting of 299 retirement resort erven of varying sizes as well as 256 assisted living flats. There will also be facilities such as a dining room for residents, reception and administration facilities and parking. Provision is also made for a business site and a site for a cell phone tower to service the greater Kraaibosch area. There will also be private open space. The streets in the development will be private streets, while provision is also made for the widening of the public street, Glenwood Avenue.

5.3 Consistency in terms of Existing Planning Documents

5.3.1 Deeds of Transfer

Deed of Transfer No T 53615/2016 is applicable to the property. There are no conditions in the title deed that are restrictive in terms of the proposed development.

5.3.2 Spatial Planning and Land Use Management Act – SPLUMA

Section 7 of SPLUMA lists 5 development principles that are applicable to spatial planning, land use development and land use management namely:

- ❖ Spatial justice
- ❖ Spatial sustainability
- ❖ Efficiency
- ❖ Spatial resilience
- ❖ Good administration

Section 42 of SPLUMA mentions the factors that must be taken into account when an application is submitted to a municipal tribunal for a decision namely:

- ❖ The 5 development principles as mentioned above
- ❖ Conservation and promotion of agricultural land
- ❖ Public interest
- ❖ Constitutional transformation
- ❖ Rights and obligations of all those affected
- ❖ Impact on engineering services, social infrastructure and open space requirements
- ❖ Compliance with environmental legislation

5.3.2.1 The 5 Development Principles

- a) Spatial Justice refers to the imbalances in development proposals and spatial planning of the past that must be addressed. It is mentioned that spatial development frameworks and policies of governments at all spheres must address the inclusion of persons and areas that were previously excluded. Spatial planning mechanisms must incorporate provisions that will enable access to land by disadvantaged persons. Land use management systems must include all areas of a municipality. Land development

procedures must include provisions that accommodate access to secure tenure. Lastly it is mentioned that when a Municipal Planning Tribunal considers an application, it may not be restricted in the exercise of its discretion solely on the ground that the value of land is affected by the outcome of the application.

The erven in the proposed development will be of different sizes, shapes and functionality and therefore also of differing price ranges. Housing in the development is not reserved for certain groups or individuals. Any person who can afford it can buy into this development. No pricing of erven is available yet.

In respect of the influence that the proposed development may have on land values of existing developments in its vicinity, we are of the opinion that there will be no negative influence on land values. The proposed development will be no different from similar housing developments to the south thereof. Due to the topography of the area, the development will have no negative impact on any views from existing developments.

The proposed development can be regarded as consistent with this principle of SPLUMA.

- b) Spatial Sustainability refers to spatial planning and land use management systems that must inter alia protect prime and unique agricultural land and promote development in areas that are sustainable and limit urban sprawl.

The proposed development of this property will be in line with this principle. No agricultural land is involved. Although the property was used for agricultural purposes in the past, the Urban Structure Plan for George and Environs was amended many years ago from agriculture to urban development. Amendments to structure plans are done in conjunction with inter alia the department of agriculture and it could be assumed that the department was satisfied that the property is not seen as unique agricultural land and can be used for urban development. The development will not result in urban sprawl but rather as infill development as the property is situated inside the urban edge of the town.

The proposed development fully complies and supports this principle.

- c) Efficiency refers to development that optimizes the use of existing resources and infrastructure.

It is the owners of the property's intention to develop individual erven themselves. The developers intend to install water saving shower devices as part of the construction of the units and rain water will be collected for watering of gardens. Units will be supplied with solar energy water heating devices. This will contribute to saving on electricity consumption. This

practice is already being implemented in the existing Groenkloof developments of the developers.

As already mentioned before, it is proposed to develop 299 erven and 256 assisted living flats on the property at a density of 23 units per ha. It is proposed in the PSDF that the Provincial Government aims at the densification of the land in the municipal area, included within the urban edge to an average of 25 units per ha. The density proposed in this application is very close to the average proposed in the PSDF and also the MSDF.

In view of the above, it is clear that the proposed development adheres to this principle.

The proposed development will make use of existing services that are already available in the area and will therefore lead to the optimizing of such resources and infrastructure. This was already acknowledged by the municipality when a different kind of development was approved a few years ago.

The principle is supported.

- d) Spatial Resilience refers to flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

This principle is not applicable to this application.

- e) Good Administration refers to an integrated approach to land use and land development for all spheres of government. Spatial development frameworks and inputs thereto by all government departments must be met timeously. Public participation must be transparent and all parties must have opportunity to participate in matters affecting them.

This principle is supported and will be implemented in the application.

5.3.2.2 Factors Mentioned in Section 42 of SPLUMA (para 5.3.2 above)

Section 42 of SPLUMA deals with the factors that a Municipal Planning Tribunal must consider when deciding on a development application namely:

- a) it must be guided by the development principles as set out in Section 7 (Chapter 7) of SPLUMA.

This consideration was already dealt with in para 5.3.2.1 above.

- b) make a decision that is consistent with norms and standards, protect agricultural land and is consistent with the Spatial Development Framework (SDF) of the municipality.

Protection of agricultural land is not applicable in this proposal- also see para 5.3.2.1 (b) above - Spatial Sustainability.

The consistency with the SDF will be dealt with in para 5.3.3 below.

- c) other factors relating to the application:

- (i) Public Interest

The proposal will be advertised in due course at which stage the public will be offered the opportunity to object and/or give final comments on the application.

The public interest will therefore be taken into account before a final decision is taken on the application.

- (ii) Constitutional Transformation Imperatives and Duties of the State

This was already discussed in para 5.3.2.1 – Spatial Justice

- (iii) Facts and Circumstances Relevant to the Application

It is the purpose of this report to put the Planning Tribunal in a position to consider the application on the grounds of the circumstances relevant to the application.

- (iv) Respective Rights and Obligations of those Affected

This implies that the tribunal must consider the application taking into account the possible objections against the application as well as the need for this type of living accommodation in the town.

- (v) Engineering Services and Open Space Requirements

Engineering services will be dealt with in para 6.7 of this report. Open Space in the development represents approximately 24% of the total area of the property which is considered more than sufficient.

- (vi) Any Factors that may be Prescribed Including Time Frames

No comment.

(vii) Environmental Factors (including Heritage Assessment)

The proposed development is subject to NEMA. An environmental assessment process will be done. In fact, this report forms part of that process.

A heritage impact study will also form part of the process and will be carried out by a specialist and submitted to Heritage Western Cape.

5.3.3 Land Use Planning Act, Act 3 of 2014. (LUPA)

It is clear that LUPA gives effect to SPLUMA in the Western Cape Province. Section 49 of LUPA gives the basis of assessments of land use applications. It mentions that when a Municipality considers and decides on a land use application, at least the following must be assessed:

- Applicable spatial development frameworks,
- Applicable structure plans,
- Principles of Chapter 6 of LUPA,
- Desirability of proposed land uses / subdivision,
- Guide lines that may be issued by the Provincial Minister regarding desirability.

5.3.3.1 Relevant Spatial Development Frameworks

5.3.3.1.1 George Spatial Development Framework

George Spatial Development Framework (MSDF) which was approved earlier last year, is applicable to this area. The MSDF is the document that provides the long term spatial framework for decisions to be made i.r.o. development applications. Many spatial strategies and supporting policies have been identified and mentioned in the document, not all of which are applicable to the development proposal for the subject property. Only where these are applicable, will mention be made thereof in this report.

5.3.3.1.1.1 Urban Edge – densification

A very important point of departure in the MSDF, was the identification of an urban edge for George. It is mentioned that inside the proposed urban edge, adequate land is available to fulfill in the needs for the provision of housing in George for at least the next 5 years and even beyond that. It is therefore not necessary to make George spatially bigger and therefore the urban edge can therefore be maintained. Existing properties inside the urban edge should be used more efficiently. The target is to increase the density

of George to an average of 25 units per ha. It is therefore very important to make sure that any new development proposals are in line with this density policy.

As already mentioned previously in this report, the subject property is situated inside the urban edge of George and the proposed density of the development will be 23.03 units per ha of the available developable land (1 in 4 slopes etc. excluded). It can be said that the proposed development complies with the objective of densification of available land inside the urban edge.

5.3.3.1.1.2 Apartheid Urban Form

Another important factor identified in the MSDF is the slow transformation of the apartheid urban form. In the MSDF many areas were identified inside the town where densification of vacant and underutilized land can take place. These areas are targeted mainly for housing opportunities for the poorer households. These identified areas are concentrated and located in such a manner as to optimize existing social facilities and are within walking distance of these facilities and the workplace and where applicable within walking distance of public transport.

The subject property does not fall in the above category. There is no bus route or planned bus route close to the property. The development will however create many job opportunities (different kinds such as construction workers, doctors, nurses, cleaners, painters etc.). These workers will either make use of their own transport and those who do not have their own transport, will make use of taxis or transport provided by the retirement resort itself. Although the retirement resort definitely does not exclude any person from buying into the development, it must be emphasized that only people who can afford it, will be able to buy a property here. It is also clear that this property (or the area) does not fall under the category of providing accommodation facilities for poorer household specifically due to its location far from any social facilities or bus routes.

It could be argued that although the objective of urban transformation is supported, this property is not ideal to support this objective of the MSDF.

5.3.3.1.1.3 Enhance Public Transport

The densification zones and housing projects as identified in the MSDF, are located within walking distance of existing and planned bus routes. This makes sense as these areas are mainly focused on the poorer households who are in need of public transport as set out in the policy regarding public transport.

The subject property does not support the current public transport as there is no bus route operating in the area. However, this does not mean that the property cannot be developed. Many other properties in this area are already been developed and further development of the area may at some stage in future justify an introduction of a bus route to this area. In a verbal discussion with personal of GoGeorge, it became clear that a route is planned to serve the Kraaibosch area. It is at this stage, however, not confirmed when the service will be available.

5.3.3.1.1.4 Open Space System

Integrated open space linkages are proposed for George. The proposed linkages do not affect this property. However, approximately 26% of the property will be zoned as open space which is considered sufficient.

5.3.3.1.1.5 Infill Development

In the MSDF many land portions have been identified as land where infill development (vacant as well as under-utilized land) can take place. Kraaibosch is one of these areas that was identified. It is also emphasized that no new housing projects should be located on the periphery of George. This policy guideline supports the statement made in paragraph 5.3.3.1.1.2 above namely that the subject property is not suitable for housing for the poor.

5.3.3.1.1.6 General

There are a number of after policies mentioned in the MSDF which are not mentioned here as most of these do not affect this development proposal.

Taking into account the policies mentioned in the MSDF, it is clear that this development is in line therewith and is in fact supported by the SDF.

5.3.3.1.2 Provincial Spatial Development Framework

Just like the MSDF, the PSDF is the document that provides the long-term spatial framework for decisions i.r.o. development application. Where the MSDF focuses on spatial framework for the George Area in more detail, the PSDF embraces the concept of sustainable and integrated Human settlements for the whole of the Western Cape with all its cities towns, hamlets and rural areas, as a transversal instrument.

In preparing a municipal SDF, the aims and objectives of the PSDF must always be taken into account and be incorporated into such a municipal SDF.

The policy objectives to achieve the goals of the PSDF, are:

- To protect and enhance sense of place and settlement patterns
- To improve accessibility at all scales
- To promote an appropriate land use mix and density in settlements
- To ensure effective and equitable social services and facilities
- To support inclusive and sustainable housing

The policy objectives above, are dealt with below in so far as they have relevance to this proposed development.

a) Policy S1. Protect & Enhance Sense of Place and Settlement Patterns

The PSDF list the following 5 points to achieve Policy Statement S1:

Point 1) *Prevent encroachment into agricultural areas, scenic areas.*

The proposed development complies with point 1 above. It has already been mentioned in para 5.3.3.1 (b) above that the proposed development will take place on land that is not earmarked for agricultural purposes. Also see Para 5.3.5 below. The proposed development is situated close to the Saasveld Road which can be regarded as a scenic route. Only small portion of the development in the north-eastern section thereof will be visible from the Saasveld Road and then only for a small section thereof. This portion of the development is approximately 50m from the Saasveld road and the developers plan to plant on this 50m strip of land, as many different indigenous tree species as will be necessary to ensure that in a few years, the proposed development will not be visible from the Saasveld road at all.

Point 2) *Contain urban sprawl.*

It was already mention in para's 3 and 5.3.3.1.1.1 above, that the property is situated inside the urban edge and will as such not lead to urban sprawl. The density of the proposed development can also be considered as densification if compared with the density of the development previously approved on this property.

Point 3) *Enhance an economically, socially and spatially meaningful settlement.*

The proposed development adheres to the issues mentioned in this point. The development is not restricted to any group of people although lower income group will most probably not be able to afford to buy into this development especially due to the additional services rendered in a Retirement Resort.

Point 4) *Use heritage resources.*

This point is not applicable to the proposed development. There are no historical resources on the property.

Point 5) *Conservation strategies, place-specific guidelines and development guide lines.*

The development will compliment this point. The valley on the property as previously described, is a prominent feature on the property and will be retained as it creates an important open space corridor for all to enjoy. Furthermore, the developers always have specific detailed design guide lines for development of their properties.

b) Policy S2. Inter and Intra Regional Accessibility

The PSDF list 9 points to achieve this policy. Most of these points are however, not relevant to a specific development but rather address functional linkages in the Province between bigger and smaller towns and hamlets including public transport on different scales. What is relevant to this development and other individual developments, is that developments must where possible be directed in areas to enhance public transport systems. This aspect was already discussed in para 5.3.3.1.1.3 above. The proposed development will support this objective especially when the GoGeorge bus route is extended to the Kraaibosch area.

c) Policy S3. Land Use and Density

The PSDF lists 8 Points to achieve this policy. Most of these points are not relevant to this proposed development. Statements for

example such as specific areas in the CBD of towns should be targeted for regeneration and revitalization of settlement and the prioritization of rural development, have no relevance to this development. What is important to note however is that Municipal SDF's should include growth management tools to achieve Spatial principles mentioned in SPLUMA, like a densification strategy and urban edge to protect agricultural land of high potential and contain settlement footprints as well as incentives to promote integration. These growth management tools have been included in the George MSDF and this development complies with the spatial strategies and supporting of the MSDF.

d) Policy S4. Facilities and Social Services

The PSDF lists 9 points to achieve this policy. Again, most of these are not relevant to the proposed development. For example, the development is for a Retirement Resort and access to education and health services is not required. Most of the services required by the aged will be available either inside the development or in the frail care centre on the adjacent existing Groenkloof development.

e) Policy S5. Sustainable, integrated and inclusive housing in formal and informal markets

Fifteen points are listed in the PSDF to achieve this policy. All of these points are directed at the provision of a wide choice housing typologies and opportunities in areas that must be identified strategically keeping in mind aspects such as affordability, integration zones and inclusionary forms of development, accessibility and higher densities. All of these are already included in the George MSDF and are mostly not applicable to this development proposal. It is however important to note that this development does make provision for more than one income group and that nobody will be excluded from owning a property in this development. Where applicable, this development adheres to the Policy.

5.3.3.2 Applicable Structure Plan

There are no structure plans applicable for the area in which the application property is situated.

5.3.3.3 Principles of Chapter 6 of LUPA

The land use planning principles mentioned in LUPA as set out in Chapter 6 (Section 59), are in essence the same as the 5 development principles of

SPLUMA that are applicable to spatial planning, land use development and land use management. These principles were already dealt with in para 5.3.2.1 above and will not be addressed again.

5.3.3.4 Desirability

The desirability of the application will be dealt with in paragraph 5.3.4.1.

5.3.3.5 Guidelines by Provincial Minister

As far as can be ascertained, there are no guide lines specifically for this area from the Provincial Minister that has not been dealt with so far.

5.3.4 Land Use Planning By – Law for George Municipality, 2015 (By – Law)

In Chapter 5 (Regulation 65) of the By-Law, a number of general criteria are listed that must be taken into account when an application for land development is considered inter alia:

- Desirability of the proposed land uses / subdivision (par 5.3.4.1)
- Impact on municipal services (Par 5.3.4.2)
- Spatial Development Frameworks/Integrated Development Plan (par 5.3.4.3)
- Local structure plans/Local SDF (par 5.3.4.4)
- Relevant planning policies (par 5.3.4.5)
- SPLUMA – Section 42 and LUPA – Chapter 6 (par 5.3.4.6)
- Zoning scheme (par 5.3.4.7)

5.3.4.1 Desirability

Desirability is mentioned in the Land Use Planning By-Law as one of the criteria that must be taken into account when applications are considered by the Municipality. The whole of Para 5 of this report is considered as the desirability of the proposal – see pre-ambule para 5. Desirability will not be dealt with separately in this paragraph.

5.3.4.2 Impact on Municipal Services

See paragraph 5.7.

5.3.4.3. George I.D.P, MSDF& PSDF

5.3.4.3.1 George I.D.P.

The George Municipal Vision as put forward in its I.D.P. (2017 0- 2022) is for a City for a sustainable future. A few **strategic goals** are identified in the I.D.P. The I.D.P. commits George Municipality to “live high values, focus on the

citizens of the city, to work smart and act like owners". The I.D.P. further commits George to contribute to the development objectives of the National & Provincial governments.

The I.D.P. identified a number of objectives for the 3 most important of the **strategic goals** as mentioned above. Most of these objectives are not applicable to this development proposal. What is relevant though, is that two of the objectives of the I.D.P. is to create and facilitate an enabling environment for economic development in George and to ensure that infrastructure planning and development keeps pace with the growing city.

Read in conjunction with the MSDF (which is actually an integral part of the I.D.P.) and wherein the area (Kraaibosch) is earmarked for development (as mentioned before), it is clear that the I.D.P. is in support of orderly development in general and therefore also of this development proposal.

5.3.4.3.2 MSDF & PSDF

The George Municipal SDF was dealt with in para 5.3.3.1.1 above and the PSDF in para 5.3.3.1.2.

5.3.4.4 Local Structure Plans and Local SDF

There no local structure plan and LSDF for this specific area.

5.3.4.5 Relevant Planning Policies

The proposed development is in line with policies of the municipality i.r.o. development of vacant parcels of land inside the urban edge of the town.

5.3.4.6 SPLUMA and LUPA

See paragraph 5.3.2 and 5.3.3 above.

5.3.4.7 Zoning Scheme

The Integrated Zoning Scheme for George is applicable to this area. The property is zoned Agricultural Zone I. In order to develop the property as set out in para 5.2 above, the property needs to be rezoned and subdivided as proposed. Zonings of individual erven will be allocated to correspond with the zonings specified in the Zoning Scheme.

5.3.5 **Subdivision of Agricultural Land Act 70 of 1970**

Due to the fact that Farm Kraaibosch 195/3 is currently zoned as Agricultural Zone I, it can be argued that Act 70 of 1970 is applicable to this property.

Attached hereto as **Annexure 3**, is a letter from the Surveyor General's Office (Circular 2 of 2018) confirming that properties not earmarked for Agriculture in terms of an Urban or Regional Structure Plan (former Guide Plans), are excluded from the provisions of Act 70 of 1970. Also attached hereto as **Annexure 4**, is a letter from DEADP dated 18 August 2008 whereby approval was granted for the amendment of the George and Environs Urban Structure Plan i.r.o. the property from Agriculture/Forestry to Township Development. It therefore goes without saying that Act 70 of 1970 is not applicable to this application.

5.3.6 NEMA

The development of the property as proposed is subject to the provisions of NEMA. Although an Environmental Authorization was issued for the development of the property in the past, that approval lapsed some time ago and a new application procedure needs to be followed again. Such a process is currently being followed.

5.4 Consistency with the Character of the Area

It was already mentioned in para 2.8 above that the application property is adjacent to existing residential developments mainly the existing Groenkloof Retirement Resort and its extensions directly south of the application. The proposed development will be similar to Groenkloof. There is also an application being prepared for a residential development adjacent and to the east of the application. The whole of Kraaibosch is in fact earmarked for residential development and it is clear that the development will be compatible with existing as well as future developments in this area.

5.5 Potential of the Property

The property is at present zoned Agricultural Zone I. This implies that the properties can be farmed. However, the property is earmarked for development purposes and have the potential to be developed as a residential area as proposed here.

5.6 Accessibility

Access to the property is currently from the extension of Glenwood Avenue past Groenkloof.

For the proposed development of Kraaibosch 195/3, access will still be from the extended Glenwood Avenue past the Groenkloof development. A new road network is, however, being developed for this section of Kraaibosch to address the traffic generated by all existing and proposed developments for this area.

Access to the proposed development of the property can be regarded as good and will in future also benefit the public transport system of George as the development is adjacent to one of the major access roads in the area.

5.7 Provision of Services

5.7.1 Water, Sewerage, Refuse Removal, Roads and Stormwater

The Municipality already indicated in the past that services for the development will be available when the previous ROD process for the development was followed. Services for this new development application will however, again be addressed in a separate report by the developer's consulting engineers and does not form part of this document.

5.8 Visual Impact

It was already mentioned in para 5.3.3.1.2 (a),(point 1) that the development will not cause any negative visual impact.

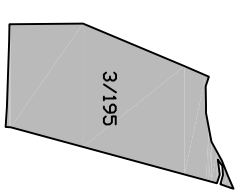
6. **CONCLUSION**

The owners of Ptn 3 of Farm Kraaibosch No 195 wish to develop the property as a retirement resort totaling 299 erven as well as 256 assisted living and home nursing units together with the associated facilities. There will also in addition be a business erf as there are no other business erven in the nearby vicinity as well as a site for a cell phone mast for which there is also a need.

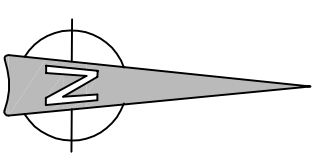
In the report above it was motivated that the proposed development is in line with the relevant planning legislation and will not have a detrimental effect on the area where it is proposed. The property was already in the past rezoned for a residential development and a ROD issued for the development. These approvals have however lapsed some time ago.

We are of the opinion that the property is suitable for the proposed development and can be considered positively by the authorities.

ANNEXURE 1

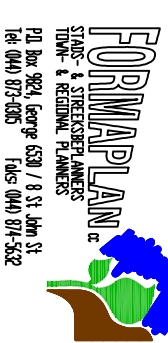


THE PROPERTY



Klient: GROENKLOOF ONTW. PTY LTD

Client: GROENKLOOF ONTW. PTY LTD



Strat- & Streekrekonners
Toeg- & Residuele Planners
P.O. Box 9294, George 6530 / 8 St. John St.
Tel: 0441 874-6000 Fax: 0441 874-5632

Project: LOCALITY PLAN

Project: LOCALITY PLAN

Eendwy: Ptn 3 of Farm Kraaibosch 195,

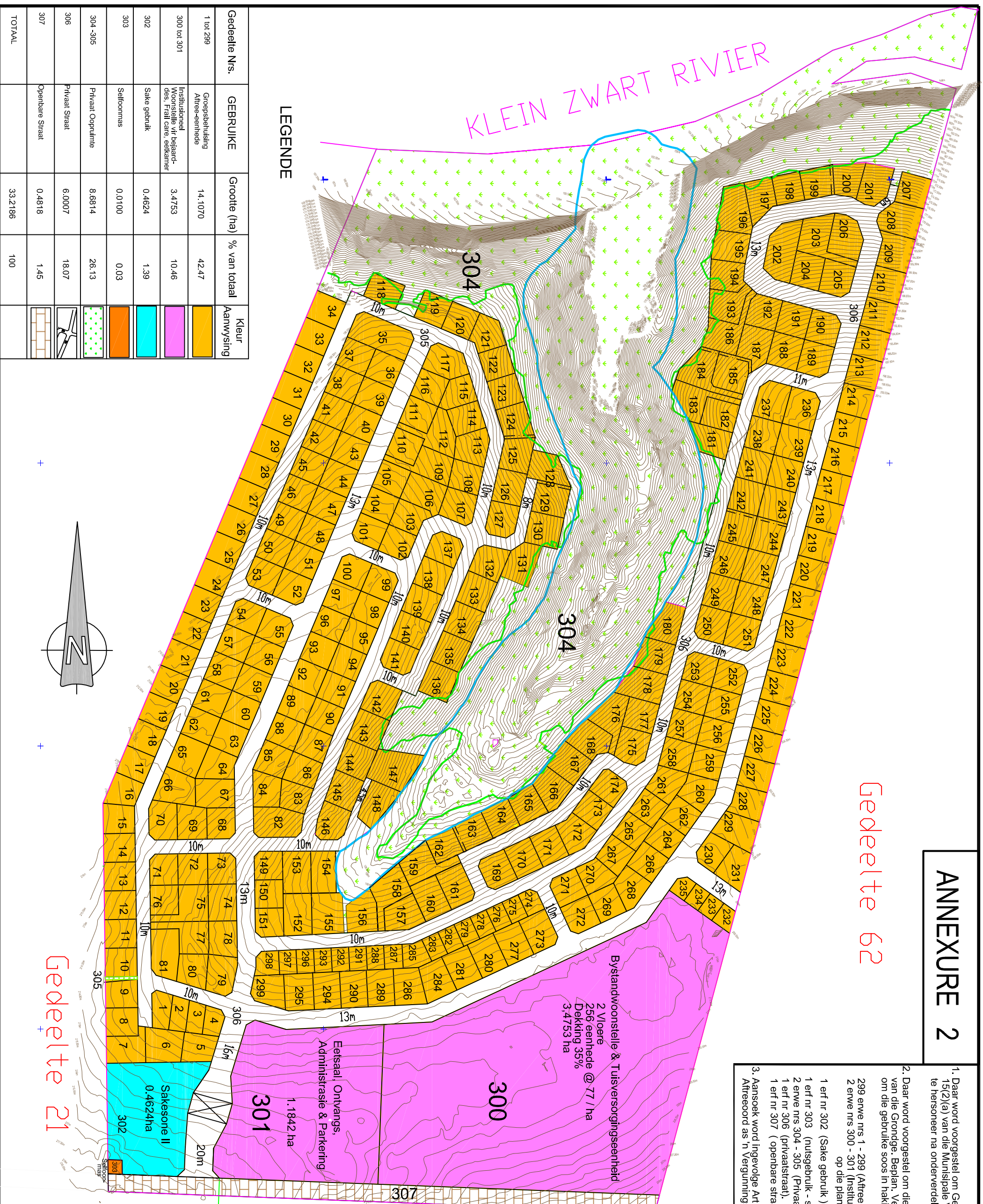
Property: George

Skool: N.T.S. Scale: 1:1000
Datum: January 2020 Date: Drawing Number: 1000

ANNEXURE 2

Gedeelte 62

1. Daar word voorgestel om Ged 3 van Plaas Kraaibosch 195 ingevolge Art 15(2)(a) van die Munisipale Verordeninge op Grondgebruikbeplanning 2015 te hersoneer na onderverdelingsgebied.
2. Daar word voorgestel om die Onderverdelingsgebied ingevolge Art 15(2)(d) van die Grondge. Beplan. Verordeninge 2015 te onderverdeel as volg en om die gebuik soos in hakles aangedui, daaraan toe te ken:
 - Gem Grootte 472 vkm
 - 2 erwe nrs 300 - 301 (Institusionele Gebruik) vir gebuik soos aangedui op die plan.
 - 1 erf nr 302 (Sake gebuik) om ook 'n selfoornas te akkommodeer.
 - 1 erf nr 303 (nutsgebruik - selfoornas),
 - 2 erwe nrs 304 - 305 (Privaat oopruimte),
 - 1 erf nr 306 (privaatstraat),
 - 1 erf nr 307 (openbare straat).
3. Aansoek word ingevolge Art 15 (2) (o) van die Verordeninge gedoen vir 'n Attreoord as 'n Verguningsgebruik op ged 3 van Kraaibosch 195.



Gedeelte Nrs.	GEBRUIKE	Grootte (ha)	% van totaal	Kleur Aanwysing
1 tot 299	Groepsbehuiging Attrsee-eenhede	14,1070	42,47	[Orange Box]
300 tot 301	Institusionele Woonstelle vir bejaard- des, Frail care, eekamer	3,4753	10,46	[Pink Box]
302	Sake gebuik	0,4624	1,39	[Cyan Box]
303	Selfoornas	0,0100	0,03	[Red Box]
304-305	Privaat Oopruimte	8,6814	26,13	[Green Box]
306	Privaat Straat	6,0007	18,07	[Blue Box]
307	Openbare Straat	0,4818	1,45	[White Box]
TOTAAL		33,2188	100	

LEGENDE

- [Blue Line] Akwatiese Buffer
- [Green Line] 1 in 4 helling

NOTE / NOTA
 Alle maters op die plan is by benadering en moet deur 'n landmeter bevestig word.
 All measurements on this plan are approximate and must be verify by a landsurveyor.

Kopiereg Voorbehou Copyright Reserved
 Klient: **Groenkloof** Client:

FORMAPLAN
 STADS- & STREEKSKEPERS
 TOWN- & REGIONAL PLANNERS
 P.O. Box 9824, George 6530 / 8 St. John St
 Tel: (044) 873-0305 Fax: (044) 874-5632

Projek: **Hersonering & Onderverdeling** Project:

Titel: **Onderverdelingsplan** Title:
 Eiendom: **Ged 3 Kraaibosch 195** Property:

Skaal: **1:2500 op A3 plot** Scale: **Tekening Nummer: 1:2500 op A3 plot**
 Datum: **Nov 2019** Date: **Kraaib/3 1.1**

ANNEXURE 3

- b. Concise written explanation what the application, subdivision and land use(s) entail.
 - c. A clear locality plan indicating the location of the subject property in relation to the Urban or Regional Structure Plan.
 - d. Where relevant and available, a letter of approval of the amendment of the relevant Urban or Regional Structure Plan
 - e. Copy of the municipal approval of the subdivision plan.
 - f. Copy of proposed diagram or general plan.
6. The Western Cape Government's Department of Environmental Affairs and Development Planning endeavours to provide such letters of confirmation as quickly as possible, provided that all the relevant and correct information is provided.
7. Requests are to be submitted to:
Mr K Munro
Director: Land Management
Department of Environmental Affairs and Development Planning
Private Bag X9086
Cape Town
8000

Or via email to Kobus.Munro@westerncape.gov.za



J. Williamson
SURVEYOR-GENERAL: WESTERN CAPE
Date: 23/08/2018.

ANNEXURE 4

*Stiaan
for attention
28/8
J.F.*

Verwysing
Reference E173/4/2/CG2/Farm 195/3 George
Isalathiso

Navrae
Enquiries: J Fullard
Imibuzo

Datum
Date
Umhla
18/08/2008



Departement van Omgewingsake en Ontwikkelingsbeplanning
Department of Environmental Affairs and Development Planning
ISebe leMicimbi yeNdalo esiNgqongileyo noCwanciso loPhuhliso

TEL : (021) 483-4114

The Municipal Manager
George Municipality
GEORGE
6530



Sir

APPLICATION FOR THE AMENDMENT OF THE GEORGE AND ENVIRONS URBAN STRUCTURE PLAN: KRAAIBOSCH 195/3, DIVISION GEORGE

1. Your reference is Kraaibosch 195/3.
2. The Competent Authority for the administration of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) has resolved in terms of section 4(7) of the same Ordinance, that the application for the Amendment of the George and Environs Urban Structure Plan, from "Agriculture / Forestry" to "Township Development," on Farm Kraaibosch 195/3, George, be approved.
3. The Competent Authority also requests that the applicants and the Municipality be informed that no detailed rezoning applications should be considered before the Kraaibosch Spatial Development Plan has been finalized which must address inter alia the following:
 - 3.1 Vegetation
 - 3.2 Development above the 1:4 contour
 - 3.3 Water bodies/Wetlands
 - 3.4 Sensitive areas
 - 3.5 Public Open Spaces
 - 3.6 Road network

SCAN NR.	1243
COLLAB	051751
DEP.	30
FILE NR.	198

0018194

3.7 Infrastructure

3.8 Community facilities including school sites

3.9 Densities

3.10 Housing types

3.11 Heritage

The proposals of the Road Master Plan and Strategic Environmental Assessments for the area must also be incorporated into the Master Plan.

Once these aspects have been sorted out satisfactorily, the finer detail planning of the individual Kraaibosch portions can proceed.

Yours faithfully


HEAD OF DEPARTMENT