

**Our Ref.: 1282/GEO/23**  
**Your Ref.: Erf 325, Pacaltsdorp**

17 October 2023

The Municipal Manager  
George Municipality  
PO Box 19  
GEORGE  
6530

**ATTENTION: MR. CLINTON PETERSEN**

**BY HAND**

Dear Mr. Petersen,

**PROPOSED SUBDIVISION AND REZONING: ERF 325, PACALTSDORP, GEORGE MUNICIPALITY AND DIVISION, WESTERN CAPE PROVINCE**

1. The above matter refers.
2. Attached hereto find the following:
  - A copy of the Motivational Report
  - A copy of the required documentation;
3. We hope that you will be able to process the application as soon as possible.

Yours Faithfully  
**DELPLAN Consulting**



**DELAREY VILJOEN Pr. Pln**

<https://delplan.sharepoint.com/sites/Delplan/Shared Documents/General/Documents/PROJECTS/2023/1282-GEO-23/Korrespondensie/b1.doc>

**Cc: ROYAL HASKONING / GEORGE MUNICIPALITY**

**PROPOSED SUBDIVISION AND REZONING APPLICATION ON REMAINDER ERF 325,  
PACALTS DORP WEST, GEORGE MUNICIPALITY AND DIVISION**



**REPORT FOR: GEORGE MUNICIPALITY**



**DELPLAN**  
CONSULTING

URBAN & REGIONAL PLANNERS

D E V E L O P M E N T   E N V I R O N M E N T   L I N K

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11. APPLICATION FORM

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## **PROPOSED SUBDIVISION AND REZONING ON A PORTION OF REMAINDER ERF 325, PACALTDORP, GEORGE MUNICIPALITY AND DIVISION**

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### **1. INTRODUCTION**

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*Royal Haskoning DHV* was appointed by George Municipality to upgrade its infrastructure and part of the upgrades is a planned new water reservoir, pressure tower and pumpstation. The site proposed for the new infrastructure is on a portion of Remainder Erf 325, Pacaltdorp owned by the Municipality. *Royal Haskoning DHV* appointed *DELPLAN Consulting*, on behalf of George Municipality, to conduct the required town planning services. The proposed area identified for the construction of the reservoirs, towers and pumpstations will be subdivided and rezoned in order to gain the necessary rights for the proposed development. A copy of the Power of Attorney to submit this land use application is attached as **Annexure 1**.

#### **1.1 TITLE DEED**

According to a search at the Deeds Office, Remainder Erf 325, Pacaltdorp measures 599.6484ha and the property is registered to **George Municipality**. Both the Title deed and the Deeds Search is attached as **Annexure 2**. This application has been exempted from providing a conveyancer certificate as discussed in the pre-application with George Municipality on 29 March 2023. The SG diagram cannot be provided for this property as Remainder Erf 325 represents the commonage of Pacaltdorp.

#### **1.2 APPLICATION**

1. **Subdivision** in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2023 of the Remainder Erf 325, Pacaltdorp into two portions:
  - Portion A (measuring: 1,5608ha)
  - Remainder Erf 325, Pacaltdorp
2. **Rezoning** in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-Law, 2023 of **Portion A** from "Undetermined Use Zone" to "Utility Zone" for the erection of two reservoirs, water pressure towers and ancillary buildings and infrastructure.

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### **1.3 PRE-APPLICATION**

**A pre application meeting was held on 29 March 2023 and the following comments were made:**

#### **Town Planning comments**

- Subdivision and rezoning of the identified site for essential municipal services is supported in principle;

*Noted.*

- Applicant to gather required mandates from the applicable/affected departments and Council Resolutions;

*Done.*

- A Basic Assessment Report in terms of NEMA to be submitted before application is referred to the EJMPT;

*Noted, attached herewith.*

- Water courses found to the west and south of the proposed site to be addressed;

*Noted addressed in the EIA (extract in section 2.4).*

- The BAR to include the existing cemetery to the east as part of the study area – future extension of this cemetery to be address if applicable;

*Noted, not applicable. Extract from BAR (Annex 9) states: "The proposed development site is located adjacent to an existing sports facility and in close proximity of the Pacaltsdorp Cemetery. The sensitivity rating is refuted and the EAP is of the opinion that the theme is not applicable to this application." Future expansion is also not influenced.*

- Proposal to take into account all visual impacts and provide possible mitigation measures – noted that a secure fence is proposed;

*Noted, included in the report as well as the BAR. The proposed site has a very low visual impact as it is located adjacent to an existing sports field already containing large structures such as high-mast lights. The addition of the fence will mitigate visual effects and bring about higher security.*

- Applicant to confirm and ensure location of pressure tower – specifically the distances between site boundaries and pressure tower (to show all dimensions);

*Noted, included as such on the site plan.*

- Comments from DEADP to be submitted together with the application;

*Noted, final BAR submitted, comments on the Draft bar are also included.*

- Applicant to be exempted from providing a conveyancer certificated as discussed (9 November 2022);

*Noted.*

#### **CES comments**

- Erf 325 (CES - 09/11/2022) - Municipal water project - supported.

*Noted.*



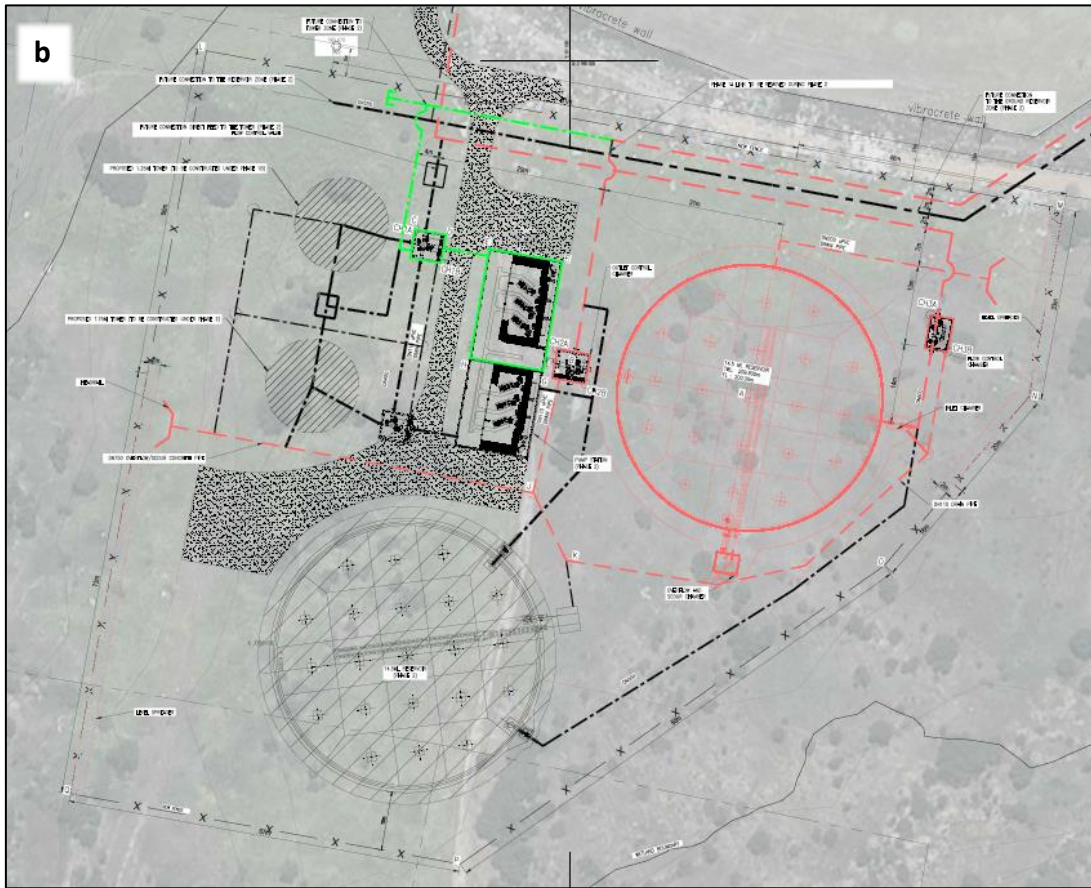


Figure 1: An extract of the Site Plan seen in 1a (zoomed out) and 1b (zoomed in) showing the proposed infrastructure.

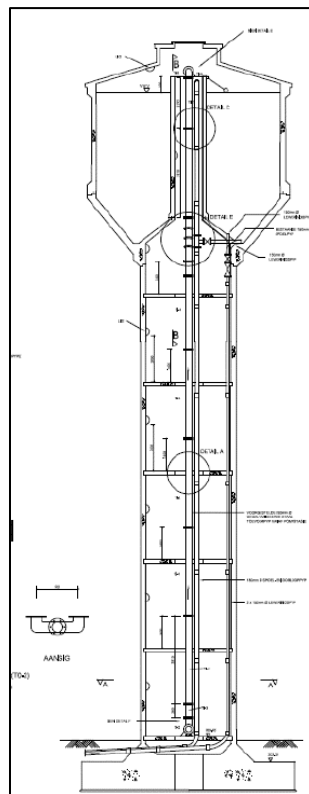


Figure 2: An elevation of the proposed water pressure tower



To enable the use of the property for the proposed development, a portion of Remainder Erf 325, Pacaltsdorp will have to be subdivided off and rezoned from “*Undetermined zone*” to “*Utility zone*”. The subdivision plan is therefore attached as **Annexure 5**. The Land Use Plan indicating the current land use of the subject property as well as surrounding uses is attached herewith as **Annexure 6**. The associated zoning can be found in the Current Zoning Plan attached as **Annexure 7**, with the Proposed Zoning Plan in **Annexure 8**.

## 2.2 ACCESSIBILITY

The proposed road access proposed off Olympic Drive, west of the Pacaltsdorp Sports fields, and Beach Road on the south-east end of the sports field as can be seen in figure 3. The existing 3ML reservoir and water pressure tower is also situated north-east of the sports fields. The portion of the proposed portion to be cut off measures approximately 1,5608ha.



**Figure 3:** An extract indicating the subject portion and surrounding roads.

## 2.3 ENGINEERING SERVICES

The proposed development will link with the existing electrical infrastructure in the area. Water for the construction phase will be sourced from George Municipality.

## 2.4 IMPACT ON THE ENVIRONMENT

The Draft BAR already received comments from DEADP, the comment and replies from *Royal Haskoning DHV* can be found below. The full BAR assessment with comments from DEADP (as shown below) is attached herewith as **Annexure 9**.

Department of Environmental Affairs and Development Planning Via Email (09 October 2023) on DBAR	
Comment	Response
<p><b>Declarations</b> Applicant and Specialist declarations were not included in the DBAR.</p>	<p>The applicant and specialist declarations are signed and included in the Final Basic Assessment Report.</p>
<p><b>Specialist Reports</b> <u>Aquatic Biodiversity Impact Assessment:</u> It must be ensured that the mitigation measures recommended by the specialist be included in the Environmental Management Programme. <u>Botanical and Terrestrial Biodiversity Compliance Statement:</u></p>	<p><u>Aquatic Biodiversity Impact Assessment:</u> All mitigation measures have been included in the Environmental Management Programme of the proposed development. <u>Botanical and Terrestrial Biodiversity Compliance Statement:</u> The suggestion was shared with the applicant and relevant stakeholders of Mossel Bay Municipality.</p>
<p>The George Municipality should consider the development of a management plan for Option C and any other similar open spaces to protect the watercourse and associated vegetation.</p>	
<p><b>Implementation Programme</b> The date on which the activity will be concluded and the post construction monitoring requirements finalised, must be determined. With due consideration of the phasing and the proposed implementation programme provided in the DBAR, you are requested to clarify the implementation of the proposed development of the reservoirs and indicate whether both phases will be completed within the timeframe provided in the DBAR.</p>	<p>The implementation programme for the proposed development have been updated and included in the Final Basic Assessment Report.</p>
<p><b>Frequency of visits by the Environmental Control Officer</b> It is advised that ECO visits be undertaken weekly during the initial clearing and earthwork activities Once this has been completed and construction commences on the installation of services and construction of units, the frequency of site visits may taper at the discretion of the ECO. Therefore, it is advised that the description of the ECO inspection programme be amended to cater for such an event.</p>	<p>The Environmental Management Programme of the proposed development have been adjusted to accommodate for weekly site visits by the ECO during vegetation clearing and earthwork activities. The description of the ECO inspection programme have been altered in order to cater for the alteration in regards to the frequency of site visits at the discretion of the appointed ECO.</p>
<p><b>Map of environmental sensitivities</b> A map at an appropriate scale which superimposes the proposed activity, the associated structures and infrastructure w.r.t. the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers, must be included in the EMP.</p>	<p>Such a map indicating environmental sensitivities and proposed infrastructure have been included in the Environmental Management Programme of the proposed development.</p>

A summary of the EIA, as found in the BAR report is outlined below for motivation to this report and states the following key points:

- *“From a spatial planning perspective, the development proposal is deemed to be in line with Western Cape SDF, George Municipality SDF and IDP, particularly considering development of vacant land within the urban context;*

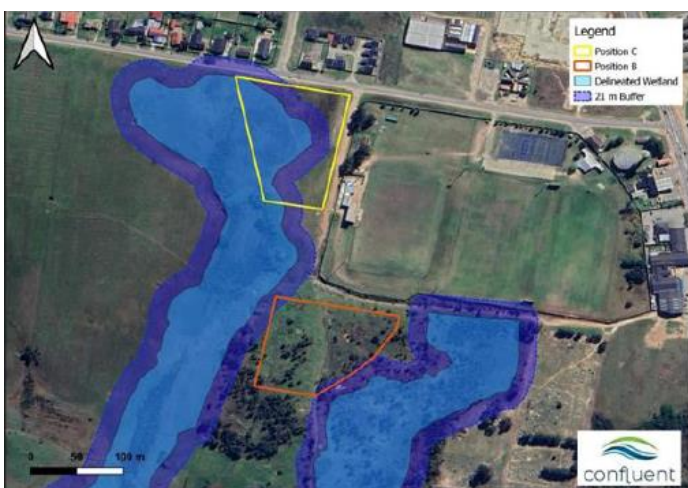
- *The development proposal is likely to contribute to positive socio-economic impacts through employment opportunities created during construction phases as well as increasing bulk water supply capacity for George Municipality.*
- *The site development layout plan avoids sensitive delineated wetland habitat areas and design of stormwater management was informed by specialist input.*
- *Services (electrical) are available through existing municipal supply.*
- *All specialist findings and mitigation measures have been considered and incorporated into the preferred alternative.”*

In addition, the key points above, the report also outlines the following:

*“The proposed activity can be considered for environmental authorisation for the following reasons:*

- *The site is not deemed sensitive, and the preferred design layout avoids more sensitive areas (delineated wetland habitats);*
- *The loss of approximately 1.6ha of vegetation (highly transformed/degraded and not representative of historical fynbos vegetation) within the larger Remainder of Erf 325 is deemed acceptable on condition that the prescribed pre-construction, construction and operational conditions are adhered to.”*

With regards to the watercourses (figure 4) surrounding the site the following is stated:



**Figure 4:** Watercourses adjacent to site

*“Two wetland habitats were delineated (west and east of the preferred development site) that require careful management to ensure that they are not negatively impacted by the development.*

- o *Mitigation: The preferred site selection and development plan design was informed by the location of the delineated wetland habitats. The preferred SDP avoids both wetland habitats. Even though the preferred SDP avoids the delineated wetland habitats, careful management is required to ensure the habitats are not negatively affected by the development.*
- o *Mitigation: A 21m aquatic buffer between the wetland habitats and the proposed development will be adhered to in the preferred SDP. The proposed fence line will encroach the wetland habitat buffer (21m) but is not considered a major impact. Onsite attenuation of stormwater to reduce the impact on delineated wetland habitats.”*

The site was chosen specifically due to several reasons. It is an isolated portion of land with low development potential and has low accessibility for the public from both Beach Road and Olympic Street. Furthermore, it will not interfere with the future expansion of Olympic Street, the Pacaltsdorp sport fields or the Pacaltsdorp cemetery. The BAR report also specifies that the proposed development has the potential for future expansion of infrastructure will have a low visual impact from the residential areas. Furthermore, it is the least biodiversity-sensitive area (compared to surrounding sites) and does not contain any wetland habitat within the development footprint therefore making it the ideal option.

## **2.5 IMPACT ON THE SURROUNDING NEIGHBOURS**

The proposed reservoir and water tower are rather large structures and will not have an impact on the views of the surrounding neighbours. There are no residences nearby and affected. It is however argued that the benefit of the proposed potable water storage structures to the community outweigh the negative impact on the views of the surrounding neighbours.

The visual assessment from the BAR also states the following: *“The proposed development site is located on an isolated vacant land that will not obstruct the view of surrounding communities. The immediate surrounding areas already contain similar infrastructure such as high-mast lights (Pacaltsdorp sport fields) as well as the existing high-rise municipal water reservoir infrastructure (outside north-eastern corner of Pacaltsdorp sport fields). The proposed development will therefore not result in a significant change in land use compared to the existing surrounding uses. The development of additional municipal water reservoir infrastructures in this particular area is unlikely to deter from the character/value of the greater area and would therefore not require a landscape/visual impact assessment.”*

The proposed development will however follow the required public participation process and the surrounding neighbours and wider community will be given the opportunity to raise their concerns or comments. These concerns or comments will then be addressed accordingly. Note that several mitigation factors are proposed.

There are several mitigation factors proposed as part of the BAR (refer to the EMPr for more details):

- *“Construction activities must be limited to Mondays – Fridays (07:00 – 18:00) and Saturdays (08:00 – 13:00).*
- *Work may not take place on Sunday’s or public holidays.*
- *Vegetation clearing must be done in phases to avoid large pieces of land being exposed to wind (which could result in unnecessary dust pollution).*
- *Make use of wetting agents should dust be a problem;*

- 
- *Rehabilitation of work areas to take place as soon as possible to minimise dust pollution;*
  - *An ECO must be appointed to oversee construction and must keep record of any complaints regarding noise/dust pollution;*
  - *Construction material must be stored on-site and construction vehicles must not obstruct traffic flows.”*

There are several positive effects associated with the development as outlined below, these are also set out in the BAR accordingly as the development will:

- *“Create temporary employment opportunities during pre-construction and construction phase.*
- *Create temporary employment opportunities for contractors, small businesses and suppliers during construction and operational phases.*
- *Increase in the future development capacity of George Municipality.*
- *Improve the holistic financial sustainability of the George Municipality due to the increase in future development capacity.”*

Taking the mitigation for possible negative effects in conjunction with the positive effects associated with the is development into consideration, it is clear that the development could be considered favourably by the local authority provided that local communities do not directly object to the development.

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### **3 CONTEXTUAL INFORMATION**

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#### **3.1 LOCALITY**

The portion of Remainder Erf 325, Pacaltsdorp, identified for the construction of two new reservoirs, two water pressure towers and two pump stations, is situated in Pacaltsdorp behind and south-west of the Pacaltsdorp Sports grounds. The proposed portion is situated south of Olympic Street and West of Beach Road.

Figure 5 below indicates the subject property, in relation to the surrounding neighbourhoods and roads. Figure 6 supplies a closer look at the subject property and surrounding area. A Locality map is attached as **Annexure 10**.



**Figure 5:** The location of the subject portion in relation with Pacaltsdorp and the surrounding extensions and roads.



**Figure 6:** An extract of satellite imagery of the subject portion (indicated in red) together with the immediate surrounding land uses.

### 3.2 EXISTING LAND USES AND CHARACTER OF THE AREA

The subject property is currently vacant and containing mostly grasses and alien vegetation. Figure 7 indicates the vegetation growing on the portion identified for the proposed infrastructure.

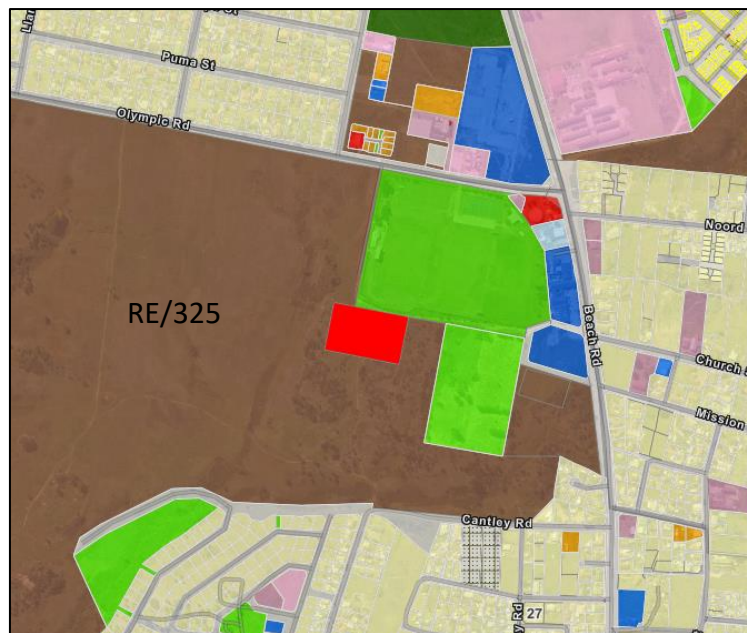


Figure 7: A photograph of the subject property.

The subject portion is surrounded by different uses, there is a sports field to the north, cemetery to the east, residential properties further to the south, and a large vacant field (Remainder Erf 325, Pacaltsdorp) to the west. The proposed infrastructure will influence the character of the area given the size of the structures. However, the proposed additions are not directly abutting any other land uses, with the exception of the south-western corner of the sports field.

### 3.3 ZONING

The zoning of the subject property according to the George Integrated Zoning Scheme By-Law is “*Undetermined Use Zone*”. As indicated above, the application constitutes the rezoning of the subdivided portion from “*Undetermined Use Zone*” to “*Utility Zone*”. A portion of the property looks be zoned for this use already according to the new George GIS viewer. The current zoning of the property is indicated in figure 8.



**Figure 8:** An illustration of the zoning of the subject property.

As previously stated, a Land Use Plan is also attached as **Annexure 6** with the Current Zoning Plan attached as **Annexure 7** and the Proposed Zoning Plan as **Annexure 8**.

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## 4 RELEVANT SPATIAL PLANNING POLICIES

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### 4.1 EXITING POLICY FRAMEWORKS

This section briefly addresses the relevant spatial policy frameworks that provide guidance to development proposals in general and its applicability to this proposed development. These include:

#### 4.1.1 **George Municipal Spatial Development Framework (2023)**

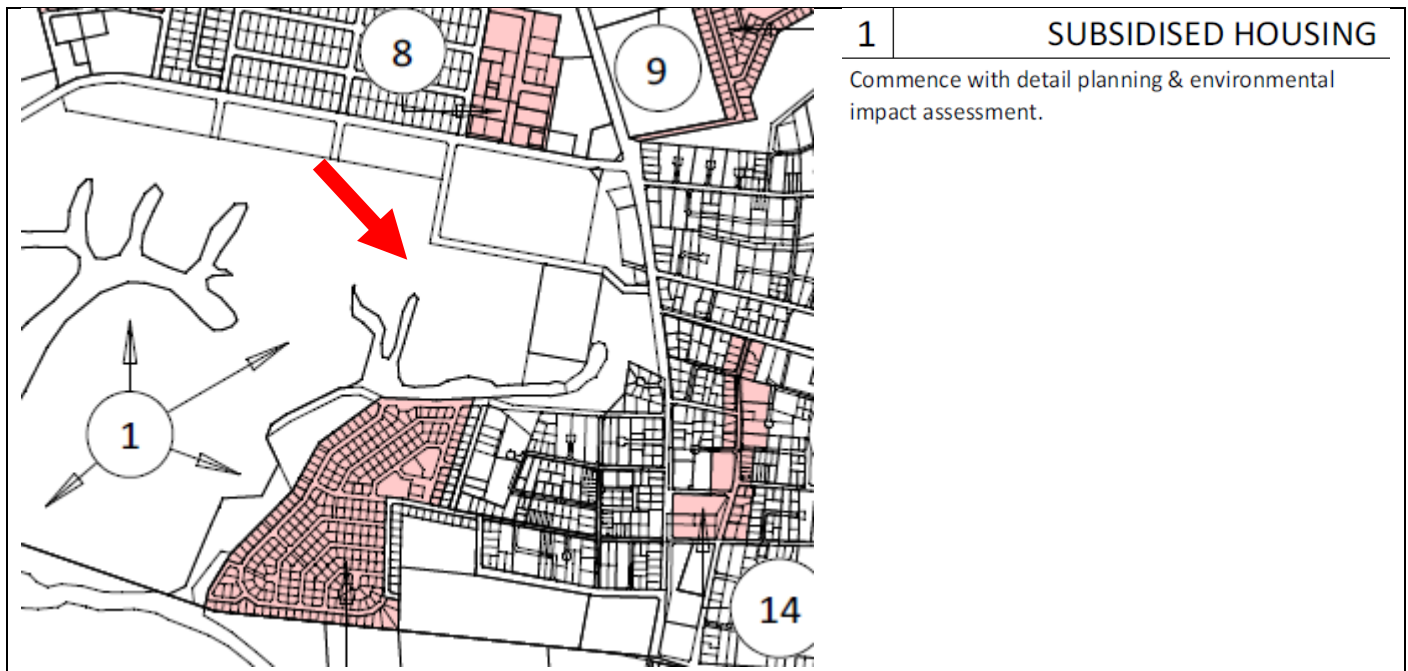
The GSDF states that the sufficient provision of public- and social infrastructure should be prioritised to accommodate the future growth and development of Pacaltsdorp. Significant new housing opportunities are being developed for a range of income groups in the Pacaltsdorp area, specifically the area surrounding the proposed development site (see figure 9). The GSDF identified the need for bulk water and link services in Pacaltsdorp as a priority.

The proposed development is therefore considered to be in line with the GSDF.



#### 4.1.2 Pacaltsdorp Local Spatial Development Framework (PLSDF) (2015)

The PLSDF indicated that a large area of Remainder Erf 325, Pacaltsdorp were earmarked for affordable housing as can be seen in figure 9. The document further states that substantial infrastructure development will be required to support further development. The image below indicates the area earmarked for affordable housing and the subject portion is indicated with a red arrow.



**Figure 9:** An extract from the PLSDF indicating the proposed projects for the area. The subject portion is indicated with the red arrow.

The proposed potable water storage infrastructure is therefore considered to be in line with the PLSDF given that it will allow for the further development of the area, specifically the affordable housing projects planned for the area (as indicated with an encircled 1), which will be dependent on the new potable water storage facilities for water provision.

## 5 STATUTORY FRAMEWORKS

Following the most recent legislative and procedural changes that have become applicable to the management of land use planning in South Africa, and consequently the Western Cape Province, it is considered necessary to summarise the implications of the current statutory framework within the context of this land use planning application. Set out below are set of principles and ethical conventions related to this application.

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## 5.1 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) (SPLUMA)

Section 7 of SPLUMA lists the five development principles that apply to spatial planning, land use development and land use management namely (each of which to be elaborated on);

- 1) Spatial justice refers to the need for improved access and use of land in order to readdress past spatial and development imbalances as well as the need for SDF's and relevant planning policies, spatial planning mechanisms, land use management systems and land development procedures to address these imbalances.

*This development principle is not applicable to this application.*

- 2) Spatial sustainability refers to the need for spatial planning and land use management systems to promote land development that is viable and feasible within a South African context, to ensure the protection of agricultural land and maintain environmental management mechanisms. It furthermore relates to the need to promote effective/ equitable land markets, whilst considering the cost implications of future development on infrastructure and social services as well as the need to limit urban sprawl and ensure viable communities.

*The proposed development complies with the Pacaltsdorp Local Spatial Development Framework as well as the George Spatial Development Framework (GSDF). These two spatial frameworks emphasise the need for infrastructure investment. The proposed portion is situated within the urban edge.*

- 3) Efficiency relates to the need for optimal use of existing resources and infrastructure, decision-making that minimizes negative financial, social, economic or environmental impacts and development application procedures that are efficient and streamlined.

*The proposed development constitutes service delivery, given that the infrastructure will increase the potable water storage capacity for the area. The proposal is for the benefit of the community.*

- 4) Spatial resilience refers to the extent to which spatial plans, policies and land use management systems are flexible and accommodating to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

*The development proposal does not undermine the aim of any relevant spatial plan. The proposal will benefit the community given that it will increase the potable water storage capacity for the area. This will allow for more development in the area.*

- 
- 5) Good administration refers to the obligation on all spheres of government to ensure implementation of the above efficiently, responsibly and transparently.

*This principle has no direct bearing on the application. George Municipality should consider the application within the prescribed timeframes. Public participation must be transparent with policies and legislation. Procedures should be clear to inform and empower members of the public.*

## **5.2 LAND USE PLANNING ACT (LUPA)**

The development objectives entrenched in SPLUMA have been assimilated into the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) and sets out a basis for the adjudication of land use planning applications in the province. It requires that local municipalities have due regard to at least the following when doing so:

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

The land use planning principles of LUPA (Section 59) is in essence the expansion of the five development principles of SPLUMA listed above. Again, only the relevant aspects are addressed in this report.

### **5.2.1 Compliance / consistence with spatial policy directives**

Section 19(1) and (2) of LUPA states that the following:

“(1) If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or a land development application, the proposed utilisation or development is regarded as *complying* with that spatial development framework or structure plan;

(2) If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development is not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being *consistent* with that spatial development framework or structure plan.”

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As addressed under heading 4 it is clear that the application is consistent with the spatial policies, specifically the Pacaltdorp Local Spatial Development Framework. The subject property falls within an area that was earmarked for airport support uses.

### **5.2.2 Desirability**

The desirability of a proposed development relies heavily on the acceptability of the proposed land use development and its consistency with spatial policy documentation. This proposed development is considered in line with the planning policy applicable to the area, specifically the Pacaltdorp Local Spatial Development Framework.

The Municipality's present storage volume falls short of the required minimum and therefore Pacaltdorp East area is extremely vulnerable to potable water shortages during periods of water supply disruption. The project aims to increase the potable storage capacity. The proposed development will benefit the community.

Given the above, the proposed development is considered desirable.

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## **6 CONCLUSION**

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As discussed above, George Municipality is currently in the process of upgrading its infrastructure and part of the upgrades are plans for 2 new water reservoirs, 2 water pressure towers and 2 pumpstations on a portion of Remainder Erf 325, Pacaltdorp. The proposed infrastructure will increase the potable water capacity of Pacaltdorp.

The proposed application is consistent with the relevant spatial planning policies, specifically the Pacaltdorp Local Spatial Development Framework. The identified site for the proposed development is considered desirable, given that it is currently vacant. Furthermore, a large portion of Remainder Erf 325, Pacaltdorp was earmarked for future affordable housing developments which will require water. We believe that the abovementioned principles, considerations and guidelines for this land use application of Remainder Erf 325, Pacaltdorp satisfies the applicable legislation. As a result, it is trusted that this application can be finalised successfully.



**DELAREY VILJOEN Pr. Pln**

**OCTOBER 2023**