JAN VROLIJK TOWN PLANNER • STADSBEPLANNER

The Municipal Manager
P. O. Box 19
George
6530

Reference: Erf 4891 George

12 October 2022

Sir

APPLICATION FOR CONSENT USES AND PERMANENT DEPARTURES: ERF 4891 GEORGE

Attached hereto find an application in terms of

- Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a second dwelling larger than 60m² on Erf 4891 George.
- Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a home care facility (3 bedrooms, 6 beds) on Erf 4891 George.
- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 for permanent departures in respect of the following on Erf 4891 George:

    - the relaxation of the eastern side boundary building line on Erf 4891 George from 3 metres to 2.5 metres to accommodate the proposed first floor of the existing second dwelling;
    - departure from the stipulation in parameter (a) of the Land Use Parameters of second dwelling units in Schedule 1 of the Land Use Planning By-Law for George Municipality, 2015 to accommodate the proposed increase of the total floor space of the second dwelling from 150m² to 165m².

Your prompt consideration of the application will be appreciated.

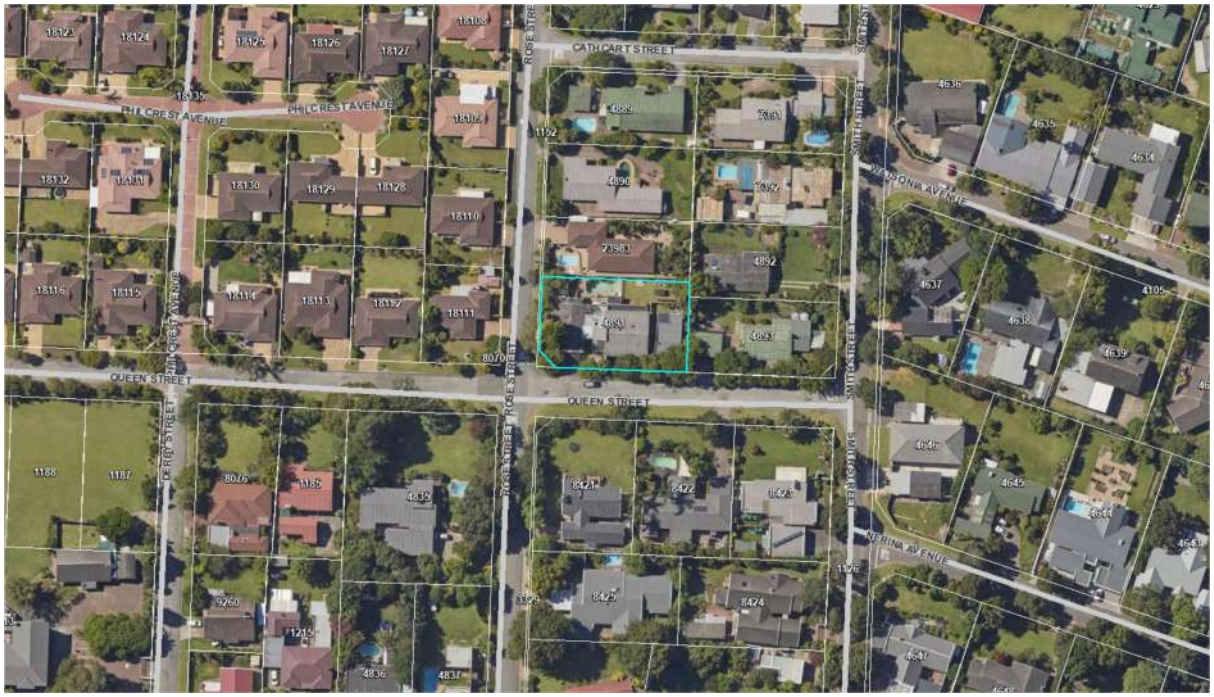
Thanking you in anticipation.

Jan Vrolijk

TEL: 044 873 3011 FAX: 086 510 4383 EMAIL: janvrolijk@vodamail.co.za
CELL: 082 464 7871 PO Box 710 George 6530
OFFICE: Millwood Building corner of York and Victoria Street, George
SACPLAN REG No. A/1386/2010

MOTIVATION REPORT:
APPLICATION FOR CONSENT USES (SECOND DWELLING AND HOME CARE FACILITY) AND PERMANENT DEPARTURE (RELAXATION OF BUILDING LINE): ERF 4891 GEORGE

12 October 2022



Prepared for:

H. Venter
18 Queen Street,
George.
6530.

Prepared by:

Jan Vrolijk Town Planner/Stadsbeplanner
Millwood building, C/o York- and Victoria streets,
George,
P.O. Box 710, George, 6530
South-Africa
Tell: 044 873 3011
Cell: 082 464 7871
Fax: 086 510 4383
SACPLAN Registration No A/1386/2011

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MOTIVATION REPORT:
APPLICATION FOR CONSENT USES (SECOND DWELLING AND HOME CARE FACILITY) AND PERMANENT DEPARTURES (RELAXATION OF BUILDING LINE AND EXTENT OF SECOND DWELLING): ERF 4891 GEORGE

1. APPLICATION

- Application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a second dwelling larger than 60m² on Erf 4891 George.
- Application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a home care facility (3 bedrooms, 6 beds) on Erf 4891 George.
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 for permanent departures in respect of the following on Erf 4891 George:

    - the relaxation of the eastern side boundary building line on Erf 4891 George from 3 metres to 2.5 metres to accommodate the proposed first floor of the existing second dwelling;
    - departure from the stipulation in parameter (a) of the Land Use Parameters of second dwelling units in Schedule 1 of the Land Use Planning By-Law for George Municipality, 2015 to accommodate the proposed increase of the total floor space of the second dwelling from 150m² to 165m²,

as indicated on the proposed site plan and building plans attached hereto as **Annexure "A"**.

The completed application form for the consent uses and permanent departure is attached hereto as **Annexure "B"**.

2. DEVELOPMENT PROPOSAL

Erf 4891 George is currently developed with a double storey dwelling house, a double garage, single storey second dwelling of 81m² in extent, swimming pool and 2 shade net carports, accommodating 3 vehicles. All the mentioned structures are indicated on the approved building plan, No. 8/16, dated 5 June 2018, a copy of which is attached hereto as **Annexure "C"**.

The second dwelling currently consists of a bedroom with a dressing room and a bathroom, lounge, kitchen and a covered stoep. The owner intends turning the second dwelling into a double storey structure, by adding an open plan bedroom / lounge and a bathroom, as well as balcony on the first floor with an internal staircase. The extent of the second dwelling will be increased to 165m².

The proposed extention will result in the second dwelling being larger than 60m². Application has therefore to be made for consent of the municipality to accommodate a second dwelling larger than 60m² in extent, as determined in the Use Zone Table in Schedule I of the George Integrated Zoning Scheme By-Law, 2017. As the second dwelling will also be larger than 150m², application has further to be made for for a permanent departure from the stipulation in parameter (a) of the Land Use Parameters of Second dwelling units in Schedule 1 of the mentioned By-Law, which determines that the total floor area of a second dwelling may not exceed 150m², to accommodate the proposed second dwelling of 165m².

The eastern wall of the second dwelling is situated 2.5 metres from the eastern side boundary of the application erf. The eastern wall of the proposed first floor extension to the second dwelling will therefore also transgresses the 3.0 metres eastern side boundary building line by 0.5 metres. Application has to be made for relaxation of the mentioned side boundary building line.

The dwelling house consisted of 3 bedrooms, 2 bathrooms, study, kitchen, scullery, lounge, dining/braai room, landing, storeroom, double garage and a double shade net carport on ground floor. The previous main bedroom, adjacent small bedroom and bathroom had subsequently been converted into a small informal dwelling unit without authorization. The first floor consists of 3 bedrooms, 2 bathrooms, and a lounge.

It is the intention of the owner to convert the 3 bedrooms on the first floor of the dwelling house into a home care facility, consisting of 3 bedrooms, 2 bathrooms and a loung/dining area and a reading - and games room. Access to the facility will be provided via a stairlift. The owner described the objective of the home care facility as follows:

"*Our objective is to accommodate 6 elderly persons in the 3 bedrooms and to provide around the clock caregiver oversight and that provides wellness and enhances independence.*

Activities for daily living such as dressing, grooming, bathing, eating and moving around will be provided.

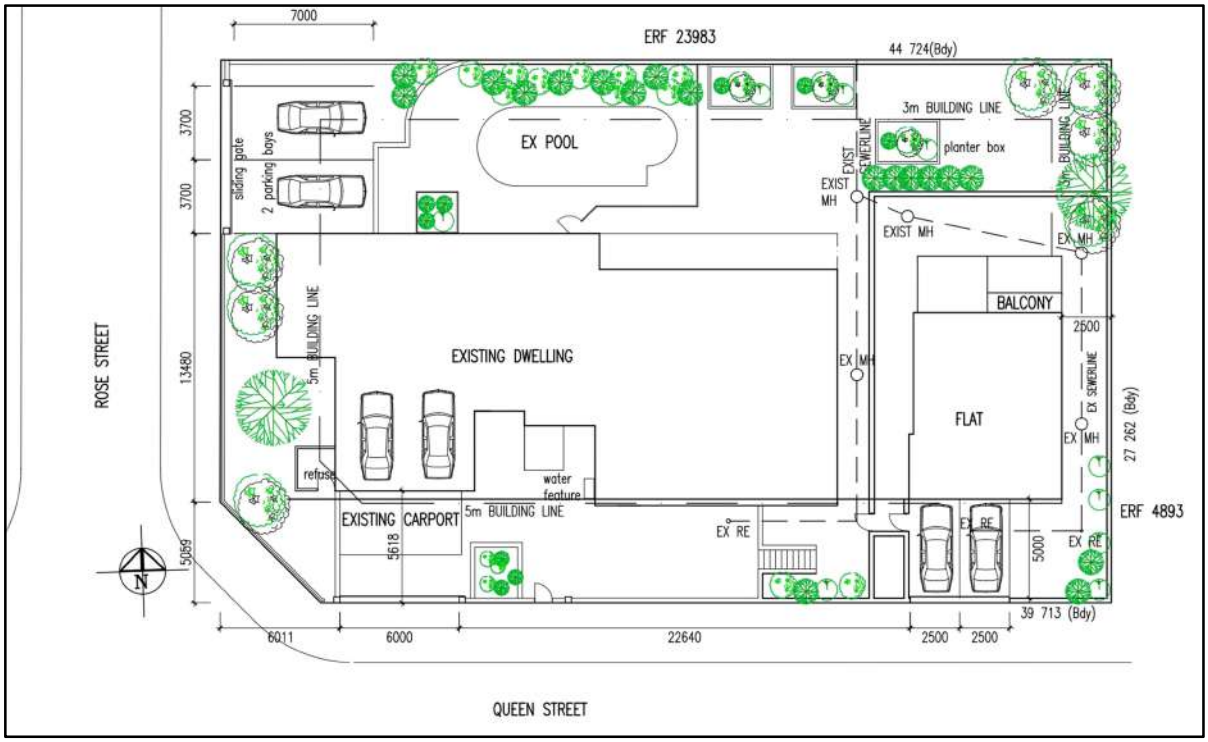
Furthermore, they will receive support with the following:

- *Medication management services;*
- *Transportation services for doctor visits, shopping, etc;*
- *3 Meals (meals planned by a nutritionist), prepared by qualified cooks;*
- *Housekeeping and laundary services;*
- *Medical sister visits once a week;*
- *Doctor visits monthly;*
- *Maintenance will be done by the property owner who resides on the property.*"

As the application erf is zoned Single Residential Zone I, application has to be made for consent of the municipality to accommodate the home care facility, as determined in the Use Zone Table in Schedule I of the George Integrated Zoning Scheme By-Law, 2017.

The dwelling unit on the ground floor will, as indicated on the site plan and building plans attached hereo as **Annexure "A"**, be converted into the main bedroom, dressing room and bathroom of the main dwelling unit.

The following site and building plan indicates the locality of the dwelling house to be converted into a home care facility and the extended second dwelling.



The purpose of this application is to obtain approval for the proposed consent uses as well as the proposed permanent departures as set out above to enable a building plan in respect of the proposed improvevements to be submitted for approval.

3. PRE-APPLICATION CONSULTATION

The pre-application consultation discussion of the proposed application by the relevant officials of George Municipality took place on 27 July 2022. The completed pre-application consultation form with the municipal comments on the proposal is attached hereto as **Annexure "D"**. The signed pre-application consultation application form contains the following comments that need to be addressed in the application:

"Town Planning:

- *A maximum of 3 bedrooms and 6 occupants may be allowed as part of the home care facility as a consent use.*

- *To comply with the development parameters for a home care facility as stipulated in the Zoning Scheme.*
- *Applicant to ensure that all accesses comply with the zoning scheme requirements.*
- *Suitable design measures for the frail, disabled parking etc should form part of the submission/layout plan.*
- *A layout plan showing the necessary facilities/internal layout to be submitted with the application.*
- *Application must show all the existing indigenous trees on the property. The removal of old mature indigenous trees is not encouraged, and it is recommended to incorporate it in the design.*
- *All access, parking and dimensions should be shown on site.*

Civil Engineering comments:

- *Access must align with the George Integrated Zoning Scheme By-law, 2017.*

Electrical comments:

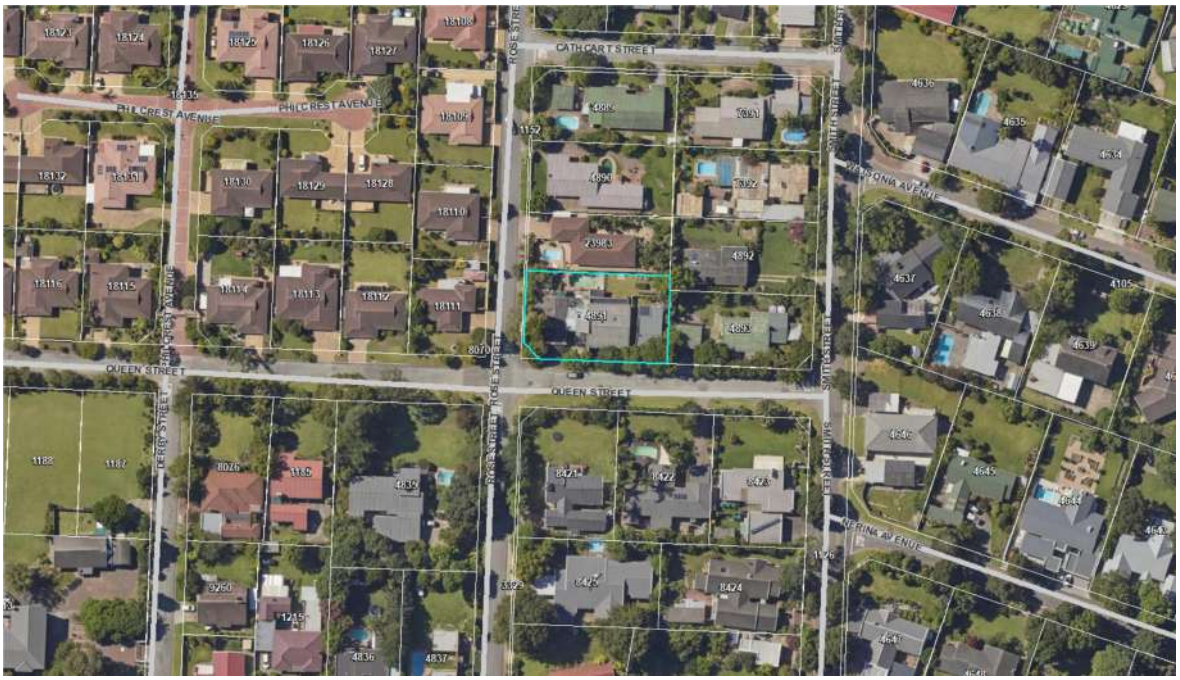
Required electrical capacity to be confirmed with the submission of the application.

No negative isues were raised and consent was given for the submission of the application. The issues raised above are addressed in various points throughout this motivation report.

4. GENERAL INFORMATION REGARDING ERF 4891 GEORGE

4.1 Locality

Erf 4891 George is situated at 18 Queen Street, Bergsig. The locality of the erf is indicated on the following aerial photo, as well as on the Locality Plan which is attached hereto as **Annexure "E"**.



4.2 Existing land use

Erf 4891 George is currently used for residential purposes.

4.3 Extent

Erf 4891 George is 2 015m² in extent.

4.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2017, the zoning of Erf 4891 George is Single Residential Zone I.

4.5 Surveyor General Diagram

A copy of the Surveyor General Diagram of Erf 4891 George is attached hereto as **Annexure "F"**.

4.6 Title Deed

Erf 4891 George is registered in the name of Hubrecht Venter. A copy of the Title Deed of the application property is attached hereto as **Annexure "G"**.

4.7 Power of Attorney

A Power of attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Hubrecht Venter, the registered owner of Erf 4891 George, to prepare the application referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure "H"**.

4.8 Bondholder's Consent

Erf 4891 George not is encumbered by a bond.

4.9 Conveyancer Certificate

A Conveyancer Certificate in respect of Erf 4891 George is attached hereto as **Annexure "I"**. The Conveyancer Certificate confirms that there are no conditions in the Title Deed of the application property, which restrict the development of the property as proposed in this application.

5. DESIRABILITY OF THE APPLICATION FOR CONSENT USES IN RESPECT OF ERF 4891 GEORGE

5.1 Introduction

The term "desirability" in the land use planning context, may be defined as the degree of acceptability of the land uses on the land unit concerned. The desirability of the intended consent uses shall be discussed with reference to the aspects listed below.

- Physical characteristics of the site.
- The proposed land uses.

- The compatibility of the proposal with existing planning documentation, spatial frameworks, legislation and policies.
- The compatibility of the proposal with the character of the surrounding area.
- Potential of the site.
- Accessibility of site.

It will be indicated in the following paragraphs that the proposal can be regarded as being desirable as far as the mentioned aspects are concerned.

5.2 Physical characteristics of the erf

5.2.1 Topography

The application erf has a slight downward slope towards the north-east. The erf has been developed many years ago and the topography of the erf had been taken into account in the design and locality of the current buildings. The footprint of the existing buildings will not be increased as a result of this application. The topography therefore has no impact on the development as proposed in this application.

5.2.2 Surface conditions

Little information concerning the soil conditions in the area is available. The soil condition of the application property seems stable. The existing structures on the application erf and in the vicinity of the application erf do not appear to have construction anomalies relating to unstable soil conditions. It can therefore, be accepted that the soil condition is suitable to accommodate the proposal.

There is as such, no reason why this application cannot be supported.

5.2.3 Vegetation

The application erf has been developed with a well kept lawn and large, established shrubs and trees. The following photo, which was taken southwards towards the existing second

dwelling, with a corner of the dwelling house on the right, indicates some of the established vegetation.

The second dwelling will be extended by adding a first floor on the existing building and the existing first floor of the dwelling house will be converted in the home care facility. The proposed devevolpent will therefore have no negative influence on the current vegetation.

5.2.4 Other characteristics

The application erf is not affected by flood lines, fountains or other unique ecological habitats.

5.2.5 Conclusion

From the contents of the above paragraphs it is clear that there is no reason from a physical characteristics point of view why the application for consent uses and permanent departure cannot be supported.

5.3 Proposed land use

The owner intends increasing the extent of the existing second dwelling on Erf 4891 George from 81m² to 165m², by turning the second dwelling into a double storey structure. Simultaneously it is intended to use the 3 bedrooms on the first floor of the dwelling house for a home care facility. The remainder of the dwelling house will still be used by the owner as his own residence.

5.4 Density of the proposed development

In terms of the zoning of the property, namely "*Single Residential Zone I*" a "dwelling house" may be erected on the property. The definition of a "*dwelling house*" in Schedule 2 of the George Integrated Zoning Scheme By-Law, 2017, stipulates that a "*dwelling house*" includes a second dwelling, not larger than 60m². A second dwelling, not larger than 150m² may, however, be erected with the consent of the George Municipality. In terms of the zoning of the property, two dwelling units may, therefore, be erected on the application property. The two proposed dwelling units represent a density of approximately 9.9 dwelling units per hectare, which is lower than the norm of 25 dwelling units per hectare aimed at by the Department of Environmental affairs and Development Planning.

The density as proposed will, therefore, not create an undesirable precedent.

5.5 Compatibility of the development proposal with existing planning documentation and policies

5.5.1 Introduction

Different planning documents apply to the application and the desirability and compatibility of the application with regard to each of these documents will subsequently be discussed.

5.5.2 "Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)"

Section 7 of the "Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)" lists 5 development principles which must be applied when any development application is to be evaluated. The principles referred to are as follows:

- "Spatial justice";
- "Spatial sustainability"
- "Spatial efficiency"
- "Spatial resilience"; and
- "Good administration".

Different development principles are identified under each of the 5 abovementioned principles which must be applied when a land use application is to be evaluated. The proposed application for consent uses will subsequently be evaluated on each of the principles.

Spatial justice		
Criteria	**Compliance**	**Planning Implication**
Past spatial and other development imbalances must be redressed through improved access to and use of land.	Complies with.	As a second dwelling has already been erected on the application property, the density allowed will not be increased. The proposed increase in the size of the second dwelling unit from 60m² to 165m², as proposed in this application, will create a more comfortable dwelling unit and thus contribute to the amenity of the second dwelling. The proposed 3-bedroom home care facility within the existing dwelling will result in more effecient use of the application property and will provide a much needed service to the community. This could also generate more income for the owners of the application property, which will result in increasing the feasibility of the investment.
Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas	Complies with.	George Municipality approved a Spatial Development Framework for George, 2019. This framework contains development proposals, which are aimed at improving the quality of life of all the inhabitants of George, thus creating the opportunity for approval of

characterised by widespread poverty and deprivation.		this application which will result in creating the opportunity for the owners of the property to earn additional income.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	Not applicable.	This issue is not applicable to this application, as the proposed development is aimed at the higher income group.
Land use management systems must include all areas of a municipality and especially include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homelands areas.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2017, which contains zoning- and development parameters, which guide the development of all erven in respect of type of structure allowed, land uses and building lines. These parameters enable the further development of residential properties as proposed in this application, aimed at providing in the need care for the elderly.

Land development procedures must include provisions that accommodate access to secure tenure and incremental upgrading of informal areas.	Not applicable.	This provision does not apply to this application, as no informal residential development is involved.
A Municipal Planning Tribunal, considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of this application.	Not applicable.	As far as is known, the Eden Joint Planning Tribunal - George Municipality's discretion when considering applications is not affected by the value of land or property. Decision making is, as far as is known, based on the principles, as stated in Section 7 of the Spatial Planning and Land Use Act, 2013 (Act 16 of 2013).

Spatial sustainability		
Criteria	**Compliance**	**Planning Implication**

Promote land development that is within the fiscal, institutional and administrative means of the Republic.	Complies with.	The application property is situated within the "urban edge" of George and is indicated for the development as proposed in this application, in the George Spatial Development Framework, 2019.
Ensure that special consideration is given to the protection of prime and unique agricultural land.	Not applicable.	The proposed extension of the second dwelling will take place above the ground floor of the existing second dwelling. The proposed home care facility will be situated within the existing dwelling house. The existing natural habitation will, therefore, not be disturbed by the envisaged improvements.
Uphold consistency of land use measures in accordance with environmental management instruments.	Not applicable.	This provision does not apply to this application.
Promote and stimulate the effective and equitable functioning of land markets.	Complies with.	The land use and density proposed in this application are in line with the relevant stipulations in the George Integrated Zoning Scheme By-law, 2017. It will also result in the further development of the application property, without impacting on the existing vegetation on the erf. The proposed development will thus not have a negative impact on surrounding property values and could result in increasing property values in the vicinity.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Complies with.	All costs pertaining to the infrastructure required for the proposed development will be carried by the land-owner.
Promote land development in locations that are sustainable and limit urban sprawl.	Complies with.	The application property is situated within "urban edge" of George. The proposal entails an increase in size of the second dwelling and the use of a portion of the existing dwelling for a home care facility. As such, the proposal will not result in urban sprawl,

		nor increase the existing development "footprint" of the buildings on the erf.
Result in communities that are viable.	Complies with.	Due to the high maintenance cost (labour, water and plants), as well as security risk associated with large properties, the development of large residential erven is increasingly considered not viable. This could lead to neglect, which could result in reducing property values in an area. The proposed increase in the extent of the second dwelling and the proposed home care facility will create a more viable development, which could have a positive effect on the economy of George and which will result in the Municipality earning additional income, which could be used for the improvement of the quality of services to all the citizens of George.

Spatial efficiency		
Criteria	**Compliance**	**Planning Implication**
Land development optimises the use of existing resources and infrastructure.	Complies with.	The second dwelling and proposed home care facility has already been linked to the services which are available for the area concerned. All costs pertaining to the extention of existing infrastructure required for the proposed development will be carried by the land-owner.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Complies with.	The municipality has procedures in place that are designed to minimise negative financial, social, economic or environmental impacts.
Development application procedures are efficient and streamlined and timeframes	Complies with.	George Municipality has adopted the George Municipality: Land Use Planning Ordinance, 2015 which

are adhered to by all parties.		prescribes procedures and time frames developers must comply with when submitting land use applications, and which officials must take into account when considering applications. This application has been prepared in accordance with the stipulations of the George Municipality: Land Use Planning By-law, 2015 and the application will therefore be handled and considered in accordance with the time frames as prescribed.

Spatial resilience		
Criteria	**Compliance**	**Planning Implication**
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.	Complies with.	The application property is situated within the “urban edge” of George. The proposed increase in the extent of the second dwelling unit and home care facility will contribute to the viability of the application property.

Good administration		
Criteria	**Compliance**	**Planning Implication**
All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act.	This is general principle that municipalities need to comply with.	Input was received from all spheres of government when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus followed in the preparation of the George Spatial Development Framework. As the

		development proposal can be deemed to comply with the contents of the George Spatial Development Framework, 2019, it can be stated that the proposal complies with this specific criteria.
All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.	This is general principle that municipalities needs to comply with.	Input was received from all government departments and sectors when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus followed in the preparation of the George Spatial Development Framework. As it can be deemed that the development proposal complies with the contents of the George Spatial Development Framework, 2019, it can be stated that the proposal complies with this specific criteria.
The requirements of any law relating to land development and land use are met timeously.	This is general principle that municipalities needs to comply with.	The George Municipality has adopted the George Municipality: By-law on Land Use Planning, 2015 which prescribes procedures and timeframes which developers have to adhere to when submitting land use applications and which officials needs to take into consideration when considering applications. This application has been prepared in keeping with the requirements as per the George Municipality: By-law on Land Use Planning, 2015 and the application will from date of submission be dealt with and be considered within the timeframes prescribed in the by-law.
The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters	This is general principle that municipalities needs to comply with.	This application will be advertised in accordance with the stipulations as contained in the George Municipality: By-law on Land Use Planning, 2015. All parties will be given the opportunity to participate in the public participation process and will be afforded the opportunity to provide input on the application.

affecting them.		
Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.	This is general principle that municipalities needs to comply with.	The George Municipality: By-law on Land Use Planning, 2015 contains clear procedures set in order to inform and empower members of the public. This application will be subjected to these procedures.

As can be seen from the table above, it can be argued that the proposal can be regarded as being compatible with the 5 development principles of SPLUMA.

5.5.3 "Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)"

In terms of the above Act it is expected of a municipality to consider the compatibility of any development proposal with existing provincial and municipal spatial development frameworks and as well as more detail local spatial frameworks.

Section 19(1) and 19(2) of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) which is relevant to this application reads as follows:

19(1) If a spatial development framework or structure plan specifically provides for the utilization or development of land as proposed in a land use application or a land development application, the proposed utilization or development is regarded as ***complying*** *with that spatial development framework or structure plan.*

19(2) If a spatial development framework or structure plan does not specifically provides for the utilization or development of land as proposed in a land use application or a land development application, but the proposed utilization does not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilization or development is regarded as being ***consistent*** *with that spatial development framework or structure plan."*

The compatibility of the development proposal with existing spatial development frameworks is addressed in points 5.5.4 and 5.5.5 of this report. The development principles referred to in Section 59 of LUPA, which should also be taken into account when motivating an application, are directly in line with the principles of SPLUMA, which have been discussed in detail in

section 5.5.2 above. The comments in paragraph 5.5.2 are thus also relevant as far as Section 59 of LUPA is concerned.

5.5.4 Western Cape Provincial Spatial Development Framework (WC PSDF)

The Western Cape Provincial Spatial Development Framework (WC PSDF) is one of the most important planning guidelines in the province. The framework not only provides for a new spatial development pattern for the Province but also clearly indicates where development may take place and where it may not take place. The provisions of the development framework must therefore be taken into account with any development proposal.

In terms of the framework, a number of principles are mentioned, namely spatial justice, spatial sustainability, spatial resilience, spatial efficiency, accessibility and quality of life and good administration that spatial planning must comply with. The impact of the application on spatial justice, spatial sustainability, spatial resilience, spatial efficiency, has already been fully discussed in section 5.5.2 above and it has been shown that the proposed development complies with the relevant mentioned principles.

The framework does not go to the detail level of individual properties and therefore does not contain further information, which could be used to determine whether this application falls within the stipulations of the framework.

5.5.5 George Spatial Develoment Framework, 2019

Erf 4891 George is situated in Bergsig and therefore located within the study area of the George Spatial Development Framework, 2019 (GSDF). The GSDF therefore applies to this application.

Except for the indication that the application erf falls within the Urban Edge of the George Spatial Development Framework, 2019, the GSDF contains no specific future development proposals for this area, which could be used to evaluate the compatibility of a land use application with the Spatial Development Framework. No Local Spatial Development Framework has been drawn up for this area. The application erf is therefore situated in an area, which is not addressed specifically in any Spatial Development Framework.

5.5.6 George Integrated Zoning Scheme By-Law, 2017

Erf 4891 George is zoned Single Residential Zone I in terms of the George Integrated Zoning Scheme By-Law, 2017. The objective of the zone is described as follows:

"*The objective of this zone is to provide for residential development where the predominant type of accommodation is a dwelling house for a single family, where each dwelling has its own land unit, and adequate outdoor space. Limited employment and accommodation opportunities are possible as primary or consent uses, provided that the dominant use of the property remains residential, and impacts of such uses do not adversely affect the quality and character of the surrounding residential development."*

In terms of this zoning, the property may only be used for the purposes of a "*dwelling house*". The land use description of "*dwelling house*" reads as follows:

""*dwelling house" means a building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling house, including:*

(a) a storeroom and garaging;
(b) a second dwelling unit or additional dwelling, with a floor space which does not exceed 60m², provided that application for consent use must be submitted if the second dwelling or additional dwelling unit is larger than 60m²;
(c) a braai room;
(d) renewable energy;
(e) home occupation;
(f) letting to lodgers;
(g) a bed and breakfast establishment; and
(h) home child care."

<u>Second dwelling:</u>

The application for the consent of the Municipality for a second dwelling is submitted in line with the stipulation in the mentioned paragraph (b), which requires that "*application for consent use must be submitted if the second dwelling or additional dwelling unit is larger than 60m²",* as the extent of the second dwelling will be increased to 165m².

The land use description of a "*second dwelling*" reads as follows:

""*second dwelling" means another dwelling unit which may, in terms of this By-Law, be erected on a land unit where a dwelling house is also permitted; and such second dwelling may be a separate structure or attached to an outbuilding or may be contained in the same structure as the dwelling house, provided that –*

(a) a second dwelling may only be erected in a use zone where provision has been made in column 2 of the table set out in Schedule 1 for a second dwelling unit as a consent use; and
(b) the second dwelling must remain on the same land unit as the dwelling house and not be alienated separately."

In terms of Schedule 2 of the mentioned By-Law, the following development parameters are applicable as the extent of the application erf is larger than 1 000m²:

Coverage: 500m² or 40%, whichever is greater;
Building lines: Street: 5 metres, side and rear: 3 metres;
Parking: 2 parking bays, plus 1 additional parking bay for the second dwelling unit;
Height: 6.5 metres to the wall plate, 8.5 metres to the ridge of the roof (pitched roof).

In addition to the above development parameters, the following development parameters also apply in respect of a second dwelling:

(a) The total floor space of a second dwelling unit may not exceed 150m², which includes the floor space of all ancillary buildings.
(b) A second dwelling must be constructed in a style that is similar to the architecture of the main dwelling house.

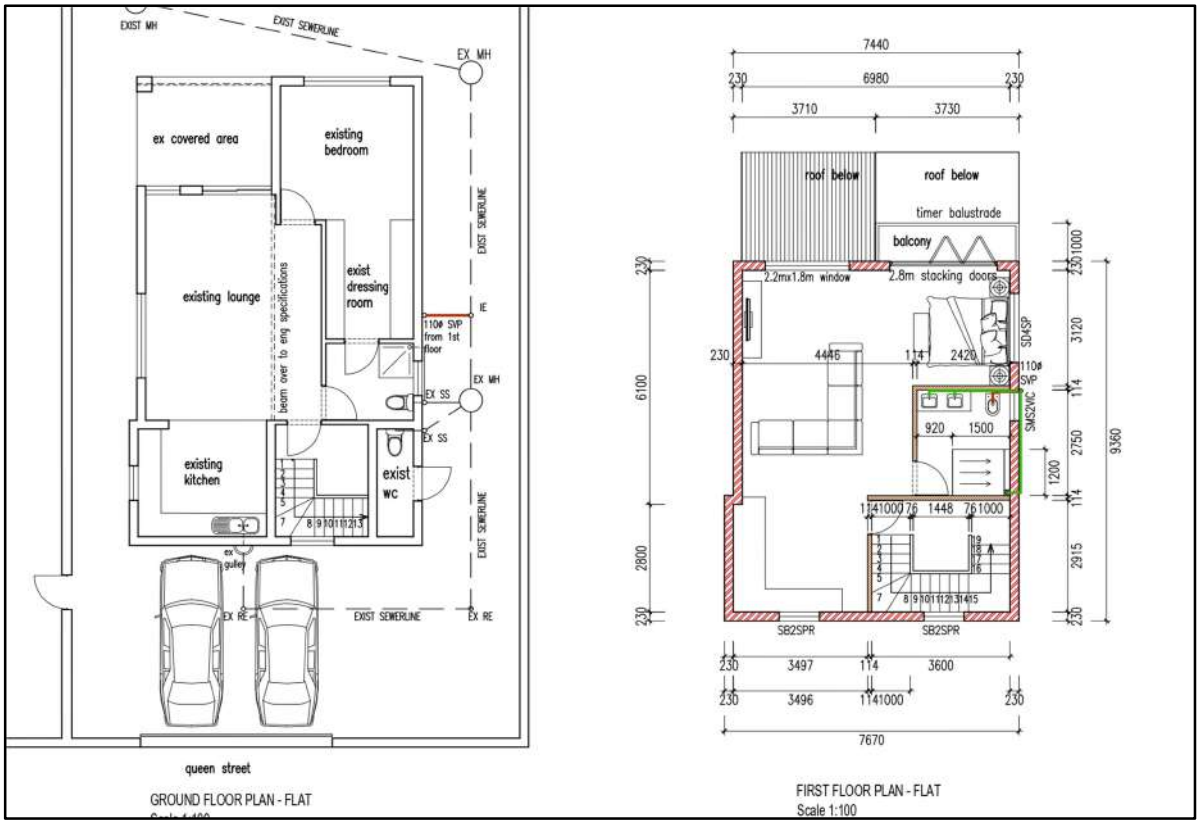
(c) A second dwelling that is a separate structure to a dwelling house may not exceed a height of 6.5 metres to the top of the roof.

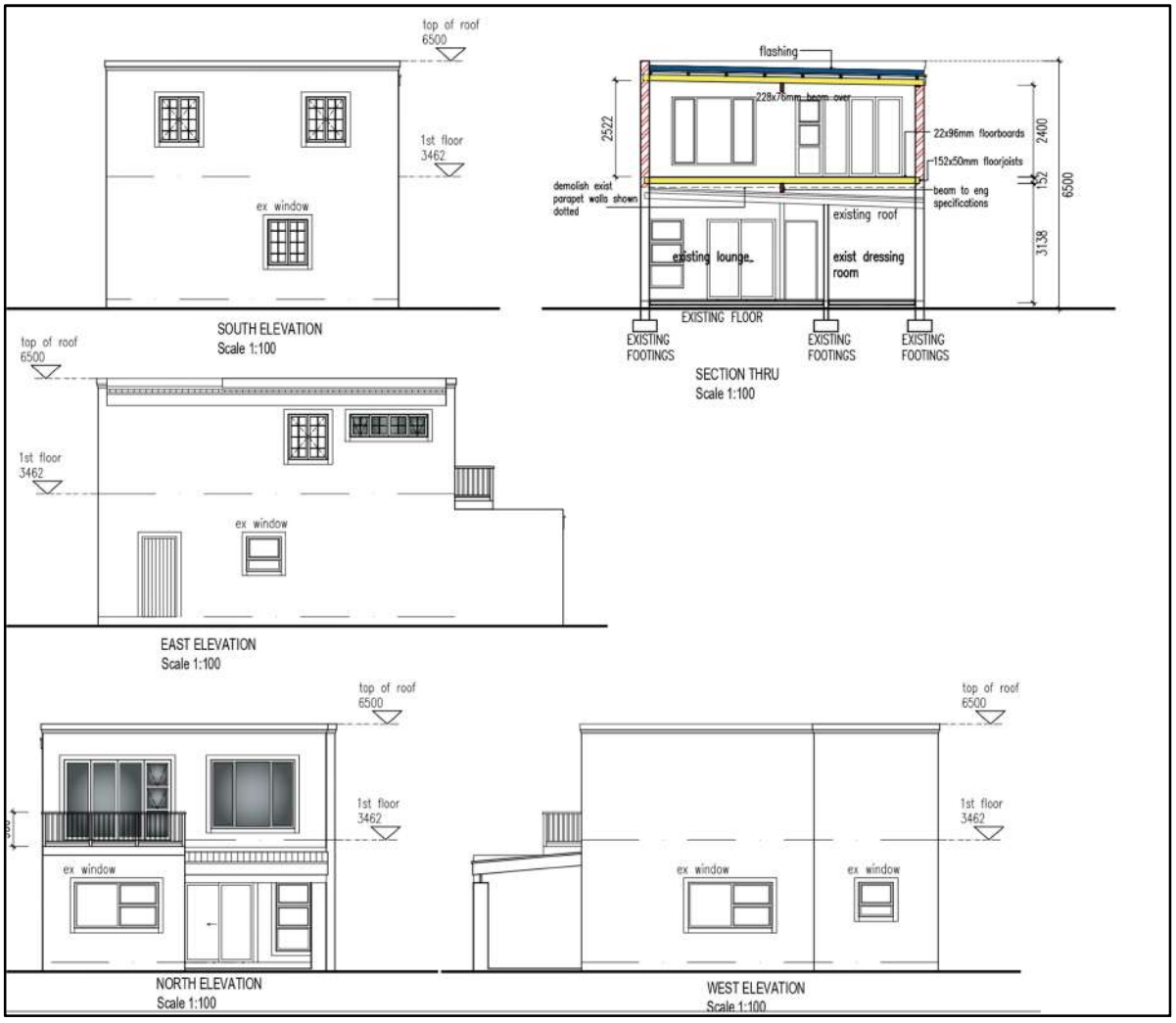
(d) A second dwelling that is contained within the same building as a dwelling house must be designed so that the building appears to be a single dwelling house; both units may have a ground floor, or one unit may be on the ground floor and the other unit above.

(e) The existence of a second dwelling unit may not in itself be sufficient reason for the Municipality to grant an application in terms of planning law to subdivide the land unit containing the dwelling units.

(f) The construction of a second dwelling may be subject to the Municipality's municipal services department certifying that adequate services network capacity is available to serve the needs of the second dwelling.

The extent of the second dwelling will be increased from 81m² to 165m² by means of providing a first floor above the existing single storey second dwelling. The following plans indicate the proposed plan and elevations of the mentioned additions.





This proposed extension will result in the second dwelling transgressing the maximum total floor space of 150m². The eastern ground floor wall of the existing second dwelling is situated 2.5 metres from the eastern side boundary of the application erf. The proposed first floor extension to the second dwelling will therefore transgress the 3.0 metres eastern side boundary building line by 0.5 metres. The proposed enlarged second dwelling will, however, conform with the remaining development parameters mentioned in the Zoning Scheme By-Law.

The desirability of the permanent departure applications for the increase in the total floor space of the second dwelling from 150m² to 165m² and the relaxation of the mentioned side boundary

building line from 3.0 metres to 2.5 metres to accommodate the proposed first floor extension of the second dwelling is discussed in point 6 of this memorandum.

Home care facility:

In Column 3 of the Use Zone Table in Schedule 1 of the mentioned Zoning Scheme By-Law it is stipulated that the following uses may be allowed as consent uses on an erf zoned Single Residential Zone I, i.e a crèche, a guest house, a halfway house, **a home care facility**, a house shop, place of instruction, second dwelling.

The application for the consent of the Municipality for a home care facility is submitted in line with the mentioned stipulation.

The land use description of a "*home care facility*" reads as follows:

""home care facility" means the use of a dwelling house, second dwelling, double dwelling house or a portion thereof to provide permanent or temporary accommodation, and care for the retired, or elderly persons in need of frail care or people in need of health care to recuperate from a medical condition or procedure, provided that –

(a) the scale of the dwelling house or second dwelling shall not exceed that of a normal dwelling unit which would ordinarily accommodate one family;
(b) the primary use of the property shall remain a residence for the operator;
(c) no more than 6 persons and three bedrooms be used for such facility; and
(d) the operator of the enterprise shall permantly reside on the property."

The proposed use of the application erf for a home care facility will conform with the mentioned land use description, as:

- the home care facility will be situated within the existing dwelling house;
- the primary use of the property shall remain a residence for the operator;
- the proposed home care facility will consist of 3 bedrooms on the first floor of the existing dwelling house, accommodating 6 persons; and

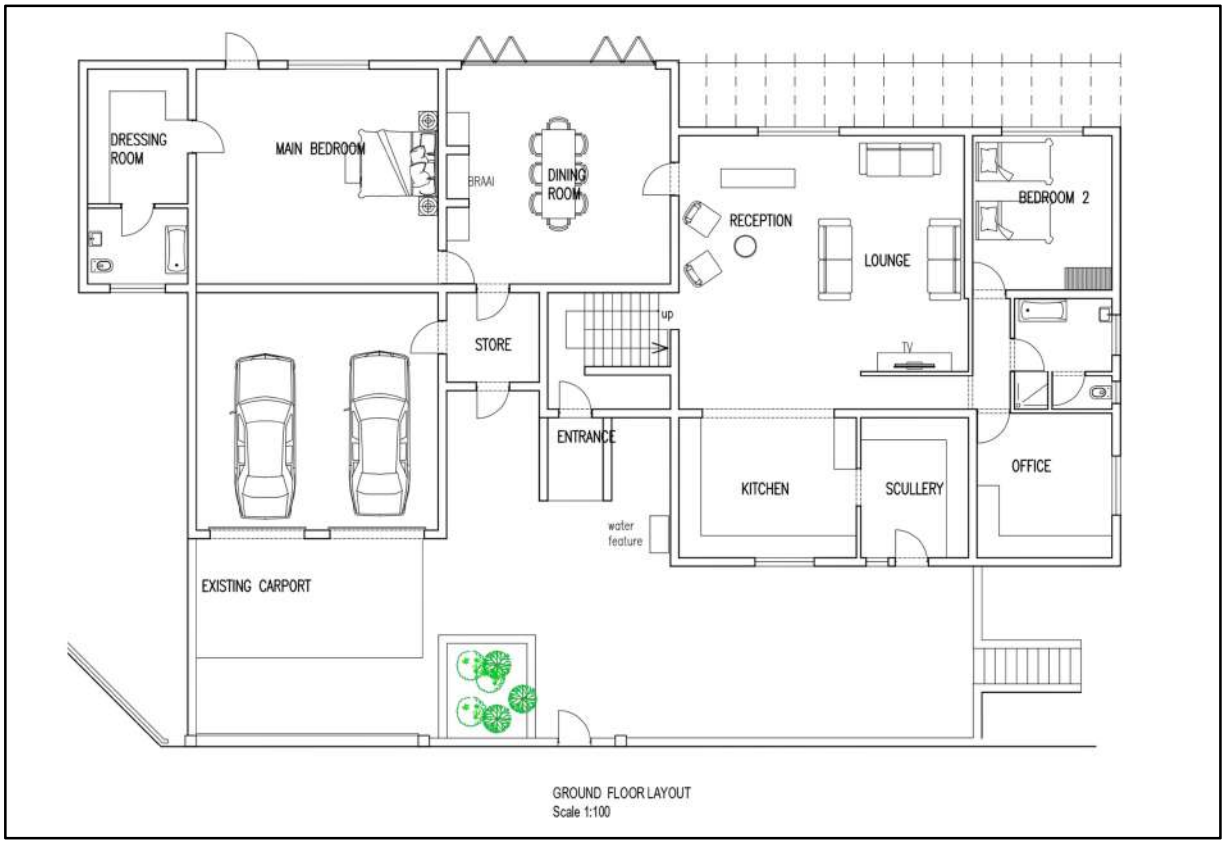
- the operator of the enterprise shall permantly reside on the property.

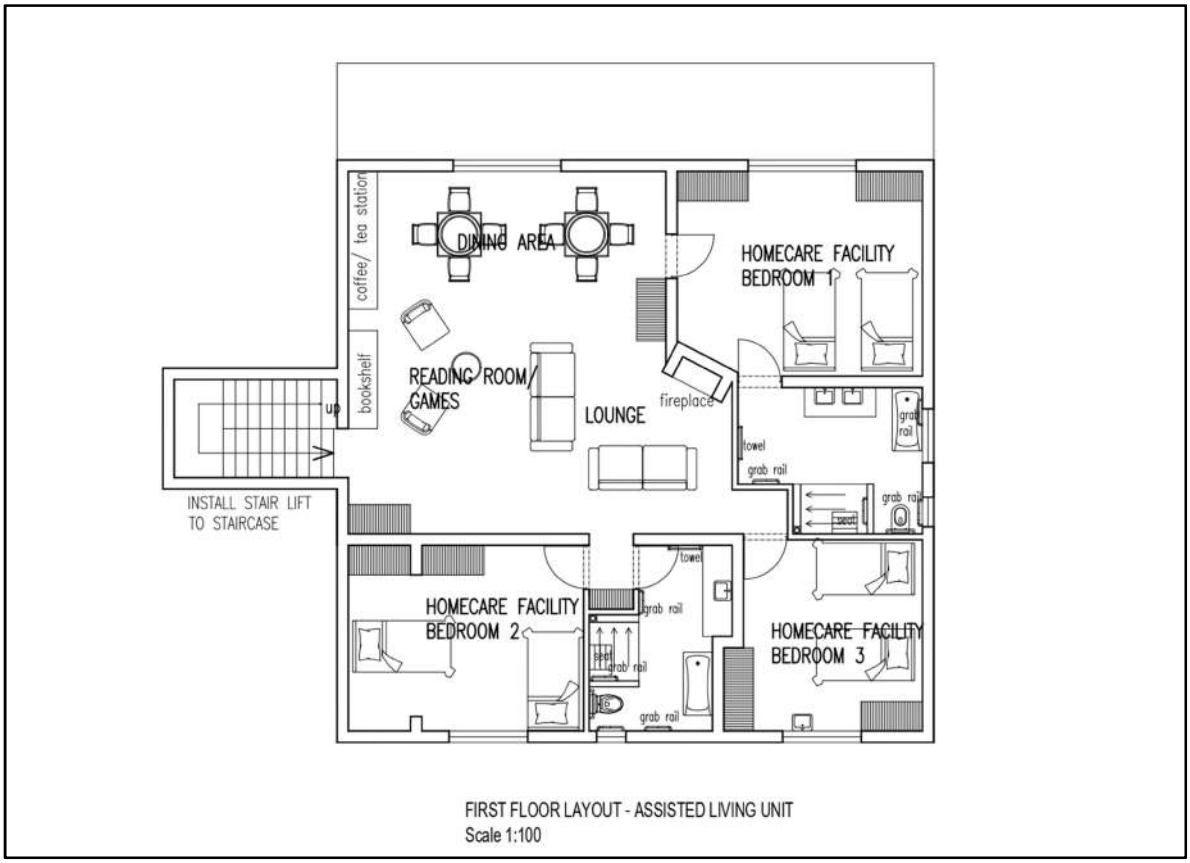
In terms of Schedule 2 of the mentioned By-Law, the following development parameters are applicable:

(a) The development parameters applicable to the primary use apply.

(b) The Municipality must require a site development plan for a home care facility.

The following plan and elevations of the proposed home care facility indicate that the reception of the home care facility will be situated on the ground floor of the existing dwelling house and the 3 bedrooms, 2 bathrooms and open plan dining area, lounge and reading / games area will be situated on the existing first floor.





It is clear that no external addition to the existing approved dwelling house is contemplated to accommodate the proposed home care facility.

In terms of the parking requirements for a home care facility, as set out in the table "Off Street Parking Requirements" in Schedule 2 of the mentioned Zoning Scheme By-Law, 1 parking bay per 2 beds must be provided, resulting in 3 parking bays being required in respect of the 6 beds provided in the proposed home care facility. As indicated on the proposed site and building plans, attached hereto as **Annexure "A"**, 6 parking bays are provided on the application erf, which is adequate to accommodate the mentioned parking requirements.

The proposed home care facility will therefore, conform with the mentioned development parameters mentioned in the George Integrated Zoning Scheme By-Law, 2017.

5.5.7 Title Deed

Although the title deed of a property is not a planning document, it sometimes still contains conditions which may have an essential impact on the development potential of a property.

The title deed of Erf 4891 George was scrutinised and it was found that it contains no conditions prohibiting the consent uses as proposed.

5.5.8 Conclusion

From the above information it is clear that the application for consent uses complies with the mentioned Planning Polices and Planning Guidelines and can be considered desirable.

5.6 Compatibility of the proposal with the character of the area

Erf 4891 George is situated in Bergsig, a suburb, which is characterized by large single residential erven, with large single and double storey dwelling houses and outbuildings situated in large, well-kept gardens. A group housing erf (*Phillcrest Villas*) is situated to the west and a school hostel (which is used as holiday accommodation during school holidays) is situated south-west of the application erf. A number of guest houses are also located in the area, creating a mixed residential land use in the vicinity of the application erf. The proposed development, consisting of a home care facility within the existing dwelling house and a second dwelling, will therefore, further contribute to providing a mixture of residential opportunities in the surrounding area, which will fit well with the surrounding land uses.

No external additions to the existing dwelling house are contemplated. The proposed extension of the second dwelling will not increase the footprint of the existing second dwelling and will be within the height stipulation. It is therefore evident that the proposed consent uses in respect of the home care facility and to increase the area of the second dwelling unit as proposed in this application, will be compatible with the character of the surrounding area.

5.7 Compatibility of the proposal with the natural environment of the property

The application erf is situated within the Urban Edge of George and has been developed with a dwelling house, second dwelling and a swimming pool, situated in a garden, consisting of lawn, large established shrubs and trees, with a paved vehicular access and parking areas.

The proposed home care facility will be situated within the existing dwelling house and the area of the existing second dwelling will be extended by adding a first floor on the footprint of the existing second dwelling. The proposed development as contemplated in this application will therefore, take place without any disturbance to the existing garden. No indigenous trees will therefore, have to be removed to accommodate the home care facility and the extension of the second dwelling.

The following photo indicates the existing approved carport in Rose Street. The tree to the left of the carport will be retained with the provision of the additional parking bay.

The proposed development will thus not have a negative impact on the natural environment and can be considered compatible with the existing natural environment.

5.8 Potential of the erf

The application erf is zoned "Single Residential Zone I" in terms of the George Integrated Zoning Scheme By-Law, 2017. The erf has the potential to be developed with a dwelling house and second dwelling unit with a floor space which does not exceed 60m², provided that application for consent use must be submitted if the second dwelling is larger than 60m², as well as a home care facility. The land use parameters applicable to a second dwelling provides, inter alia, that a second dwelling may not be larger than 150m². The proposed area of the second dwelling is 165m². The granting of the proposed consent uses and departures will, therefore, result in realising the full potential of the application property as far as extent of the second dwelling and home care facility are concerned.

5.9 Access to the erf

The application property is situated on the corner of Queen and Rose Streets, in close proximity to Stander Street, which is on one of the routes of the "Go George" public transportation service. The erf is therefore easily accessible from the George CBD as well as surrounding areas.

As indicated on the proposed site and building plan, attached hereto as **Annexure "A"**, the following 3 vehicular access points will be provided to the proposed development:

- The existing access to the double garage and double shade cloth carport from Queen Street will be retained. This access was approved on the building plan dated 5 June 2018, of which a copy has been attached hereto as **Annexure "C"**.
- A new access is provided from Queen Street, to accommodate the proposed two parking bays south of the second dwelling unit. As the street frontage of Queen Street is longer than 30.0 metres and the two access points are further than 12.0 metres apart, the propose second access conforms with the stipulations in this regard in Section 45 "*Site Access and Exits*".
- The existing access from Rose Street, which also appears on the mentioned approved building plan of 15 June 2018, is retained, but will be widened to accommodate two vehicles.

There is good visibility in both directions into the streets from the proposed access points. The following photos indicate the 3 mentioned access points.

Existing Queen Street access.

New access Queen Street.

Existing Rose Street access.

5.10 Povision of parking bays

The parking requirements applicable to different land uses are set out in a table in section 42 of the George Integrated Zoning Scheme By-Law, 2017. Two parking bays per dwelling house are required in respect of dwelling houses situated on erven larger than 350m² and one parking bay is required in respect of the second dwelling. In respect of the proposed home care facility, 1 parking bay per 2 beds must be provided, resulting in 3 parking bays being required in respect of the 6 beds provided in the proposed home care facility.

As indicated on the proposed site and building plans, attached hereto as **Annexure "A"**, 6 parking bays are provided on the application erf, which is adequate to accommodate the mentioned parking requirements.

It is clear that the provision of parking is not impacted upon by the consent uses as proposed in this application.

5.11 Provision of sevices

Erf 4891 George has been linked to the municipal services available in the area for a considerable time. No upgrade of the existing infrastructure is required to accommodate the enlarged second dwelling unit and the conversion of three existing bedrooms into home care facility bedrooms.

6. DESIRABILITY OF APPLICATION FOR PERMANENT DEPARTURE (RELAXATION OF BUILDING LINE)

6.1 Introduction

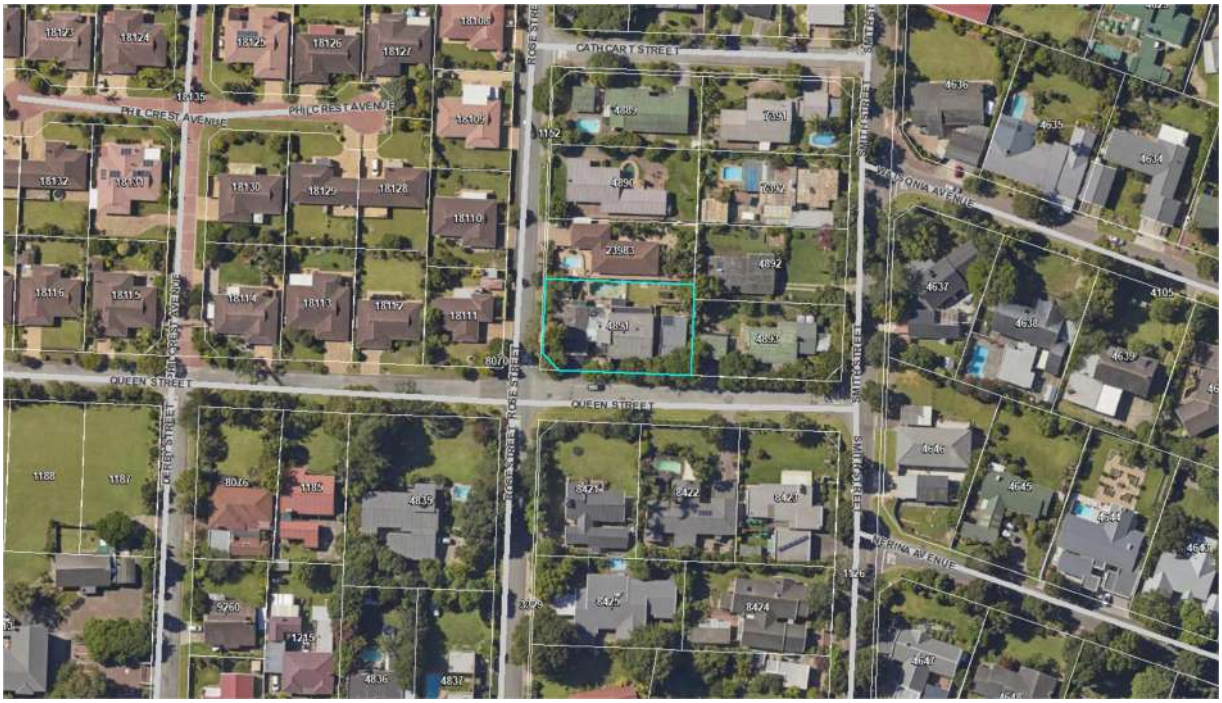
Specific issues which must be addressed in the motivation of applications are highlighted in the Land Use Planning By-Law for George Municipality, 2015. These issues are, however, aimed at more complex applications and are not applicable to lesser applications, such as permanent departures for building line relaxations.

This application will therefore be motivated with reference to the following aspects:

- *Compatibility of the proposal with the existing planning and land uses of the surrounding area.*
- *The impact that the proposal will have on the environment.*
- *The impact that the proposal will have on traffic and parking in the surrounding area.*
- *The impact that the proposal will have on surrounding facilities such as schools, open spaces and other community facilities, should the application result in an increase in the population of the area concerned.*
- *The impact that the proposal will have on the existing character of the surrounding area and the right of the inhabitants of the area in respect of property values, privacy, view, sunlight, et cetera.*
- *Provision of essential services.*

6.2 Existing planning in the area

Except for the large retirement village situated to the east of the application erf, the area of Bergsig where the application erf is located, has a predominantly single residential land use character. The single and double storey dwelling houses and outbuildings are situated in neatly kept gardens. The following aerial photo indicates the locality of the application erf, as well as the structures on the erf, in relation to the surrounding erven.



A building plan in respect of the existing single storey second dwelling was approved on 9 June 2018. The extent of the existing single storey second dwelling is 81m².

Proposed extent of second dwelling

The existing second dwelling will be enlarged by adding a first floor to the current building. As indicated on the floor plan in point 5.5.6 of the motivation report, the new first floor will not cover the entire ground floor as the north – south dimension of the proposed first floor will be shorter. The area of the new second floor will be approximately 70m². The total area of the proposed second dwelling will be 165m², which is 15m² larger than the total floor space of 150m² allowed.

The difference in the proposed area of the second dwelling and the area allowed, as well as the proposed small increase in the north – south dimension of the first floor is relatively small and will have no influence on the surrounding development. The increase in the the size of the second dwelling unit will not be visible from the street and due to the vegetation between the application erf and Erf 4893 George, which can be seen in the photo in point 4.2.3 of the motivation report, littleof the increase will be visible from the adjacent erf.

Proposed building line relaxation

The eastern wall of the second dwelling is situated 2.5 metres from the eastern side boundary of the application erf and therefore transgresses the side boundary building line by 0.5 metres. The eastern wall of the proposed first floor extension to the second dwelling will therefore also transgress the eastern side boundary building line.

The proposed relaxation of the side boundary building line will not create a new second dwelling, but will only result in increasing the area of the existing facility, in respect of which the building line relaxation had previously been approved.

The relaxation of the side boundary building line, as proposed in this application, will therefore, not establish an undesirable precedent and can be accommodated within the existing planning of the area concerned.

6.3 Impact on schools, open spaces and other community facilities

This application entails an increase in the total floor space of the second dwelling and the relaxation of a building line on the application property to accommodate the proposed extention of the second dwelling.

The proposed permanent departures as mentioned in this application will not result in an increase in the number of inhabitants of the property beyond that which is accommodated in the zoning of the property. As such, the increase in the total floor space of the second dwelling and the relaxation of the building line as applied for, will not have an impact on schools, open

spaces and other community facilities in the area. This aspect is therefore, not relevant to this application.

6.4 Impact on sunlight, view and privacy

The following aerial photo indicates that the only erf that could be affected by the proposed building line relaxation on the application erf, is Erf 4893 George, which is situated adjacent and to the east of the application erf.

The garage and parking area of Erf 4893 George are situated on the western side of the erf. This results in the garage being situated east of the second dwelling on the application erf. As can be seen on the photo in point 5.9 of this report, which indicates the street elevation of the second dwelling, there are large established trees between the garage and the second dwelling. The proposed extension to the second dwelling on the application erf will thus to a large extent be screened off from the garage on the adjacent erf. Furthermore, the dwelling house on Erf 4893 George fronts to the north.

It is therefore, clear that the proposed increase in the total floor space of the second dwelling and relaxation of the building line as proposed in this application, can have no negative impact on sunlight, view or privacy in respect of any of the adjacent properties.

6.5 Impact on streetscape

The photos in point 5.9 of this report indicate the street elevations of the application erf.

The proposed increase in the north – south dimension of the second dwelling will not be visible from the street and the proposed building line relaxation will not result in the second dwelling on the property being closer to the street boundary. The only visible change to the streetscape will be the addition of a first floor being added to the existing second dwelling. The proposed addition will be situated outside the 5.0 metres street boundary building line. The architectural elevations and finish of the proposed second dwelling will fit in with that of the existing development on the erf.

The departures as proposed in this application will, therefore, not have a negative impact on the streetscape in the vicinity of the application property.

6.6 Impact on property values

As indicated in the previous paragraphs, the proposed structure in respect of which the building line relaxation is required, will not have a negative impact on any of the surrounding properties. The outside finish will be of a good quality and the elevation of the structure will fit in with that of the existing development on the application erf. The development as proposed represents a substantial capital investment by the owner.

The value of surrounding properties can, therefore, not be negatively impacted upon by the departures as proposed in this application.

6.7 Impact on the provision of parking

The parking requirements are discussed in point 5.10 of this report.

As indicated on the site and building plan attached hereto as **Annexure "A"**, parking for 8 cars (a double garage, plus 2 tandem parking bays in front of the garage, plus 2 parking off Queen Street and 2 parking bays off Rose Street) is provided. The number of parking bays will therefore conform with the parking requirement in the George Integrated Zoning Scheme, 2017.

The provision of on-site parking will therefore, not be negatively impacted upon by the departures as proposed in this application.

6.8 Impact on traffic circulation

The proposed increase in the north – south dimension of the second dwelling will not be visible from the street. The proposed relaxation of the side boundary building line will occur a substantial distance beyond the street boundary building line and will be screened off from the street by means of a security gate. The site distance at the entrance to the parking area in close proximity to the building line relaxation is good. The proposed relaxation of the side boundary building line can therefore have no negative impact on sight distance at this entrance to the property.

Traffic circulation will therefore, not be negatively impacted upon by the departures as proposed in this application.

6.9 Provision of services

Municipal services are available to the application property. The proposed increase in the total floor space from 150m² to 165m² is relatively small and it will not have an impact on the demand for services. The building line relaxation as proposed in this application will not have any negative impact on the existing services or the provision of services. Should any extension of the existing municipal infrastructure be required as a result of this application, all costs as a result of such extension will be for the account of the owner, subject to the conditions of the municipality.

6.10 Fire-fighting

The fire-fighting requirements stipulated in the fire-regulations will not be negatively impacted upon as the application property will still be fully accessible for fire-fighting purposes.

7. CONCLUSION

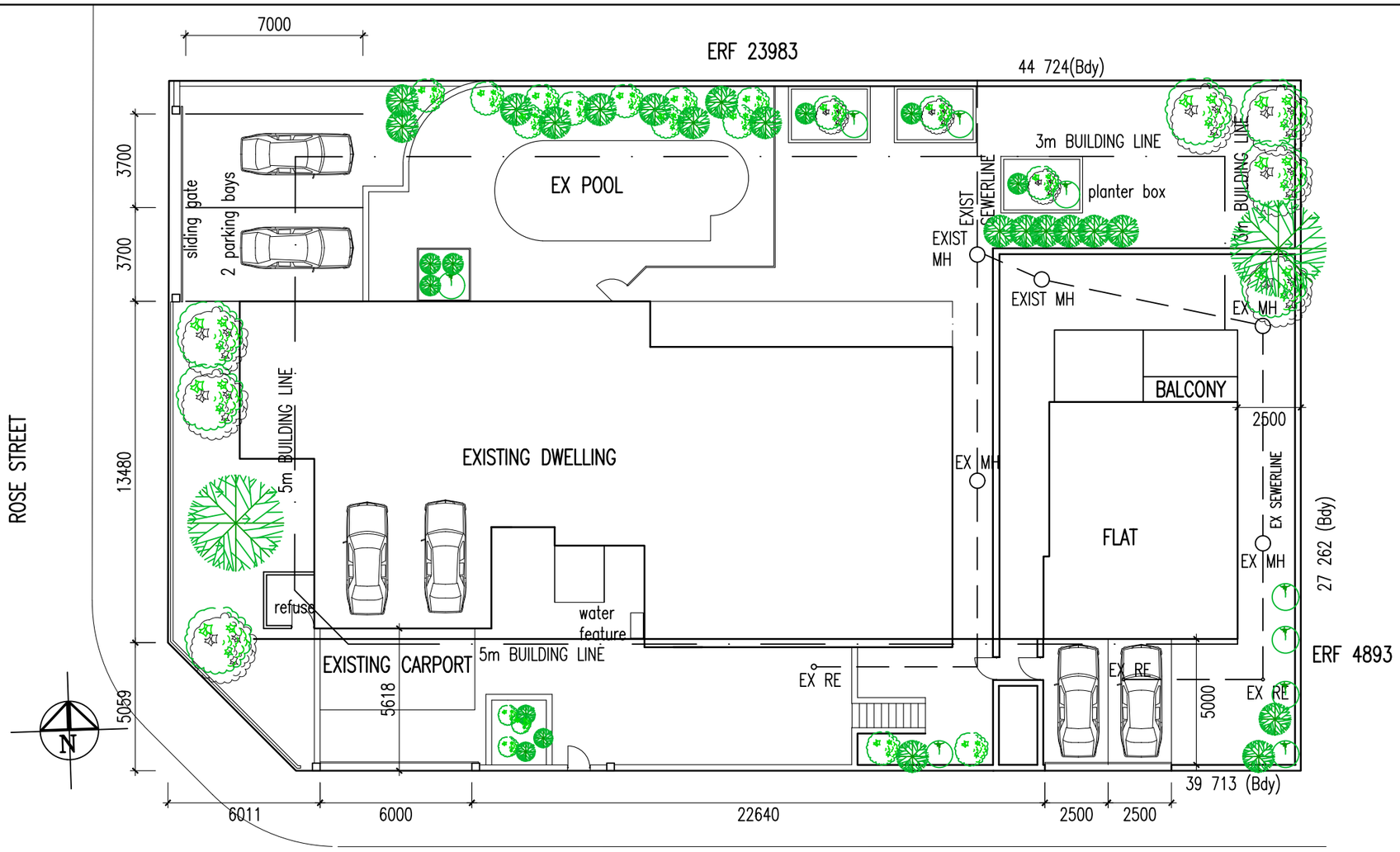
Application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a second dwelling larger than 60m² on Erf 4891 George as well as for the consent of the George Municipality for a home care facility (3 bedrooms, 6 beds) on Erf 4891 George. Application is also made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 for permanent departures to increase total floor area of the second dwelling from 150m² to 165m² and for the relaxation of the eastern side boundary building line on Erf 4891 George from 3 metres to 2.5 metres to accommodate the proposed first floor of the existing second dwelling.

As indicated in this report the proposed applications for consent uses and permanent departures are compatible with all existing planning documents, spatial plans, legislation and policy documents applicable to the application.

The proposal will not have a negative impact on the environment, development, public facilities, traffic circulation or Municipal services in the surrounding area.

The applications can therefore be considered desirable and is submitted for consideration in terms of the relevant stipulations of the Land Use Planning By-Law for the George Municipality, 2015.

ANNEXURE "A": PROPOSED SITE AND BUILDING PLAN



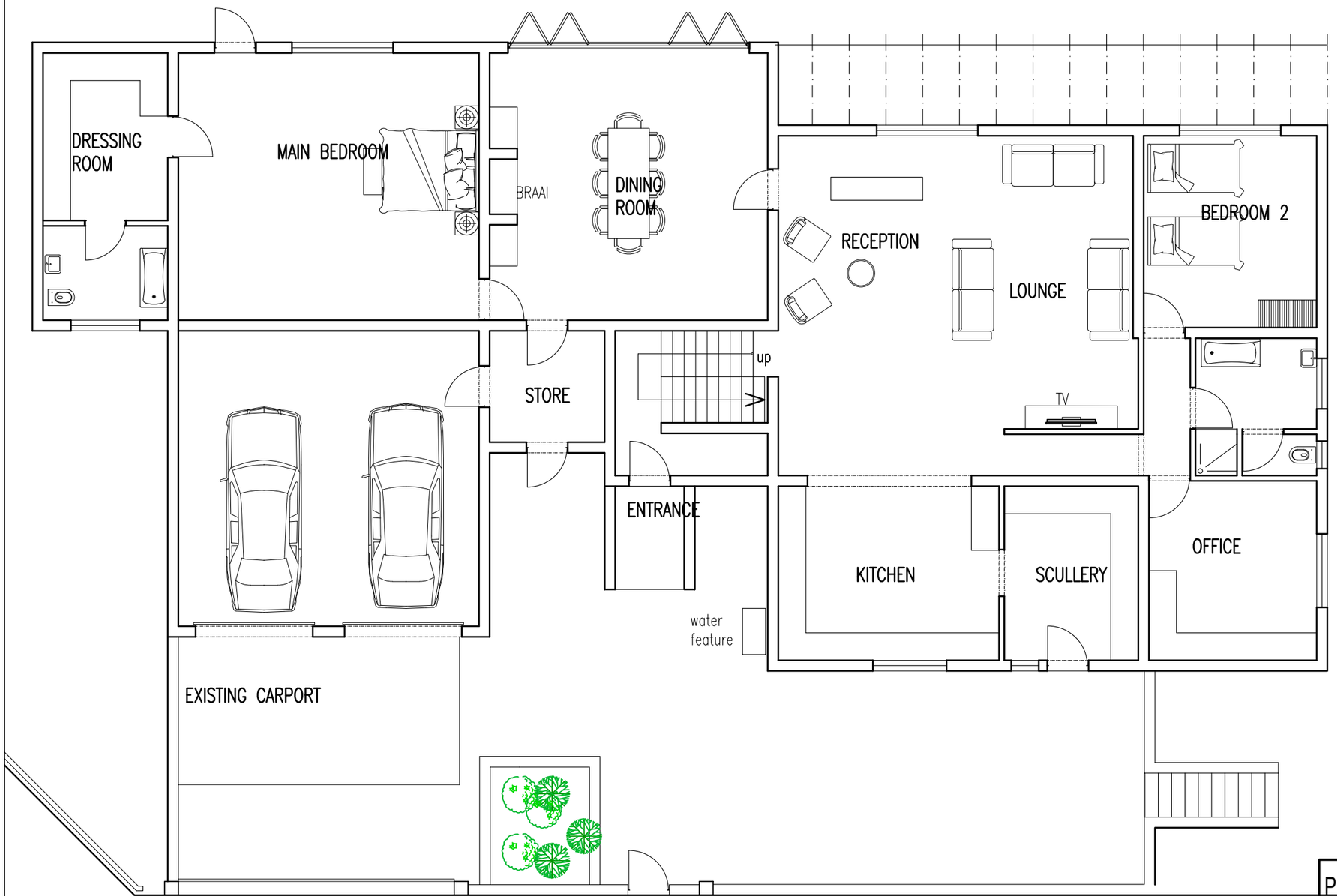
SITE DEVELOPMENT PLAN
Scale 1:200

PROPOSED ADDITIONS TO FLAT & ALTERATIONS TO EXIST DWELLING TO ACCOMMODATE ASSISTED LIVING RESIDENTS AT ERF 4891, QUEEN STREET, GEORGE FOR H. VENTER

C. NOEMDOE
P. O. Box 128
George
Tel: 083 255 4253

THIS DRAWING:
SITE DEVELOPMENT PLAN

DATE:	June 2022
SCALE:	As Shown
DRAWN BY:	CN
REG No:	D0980



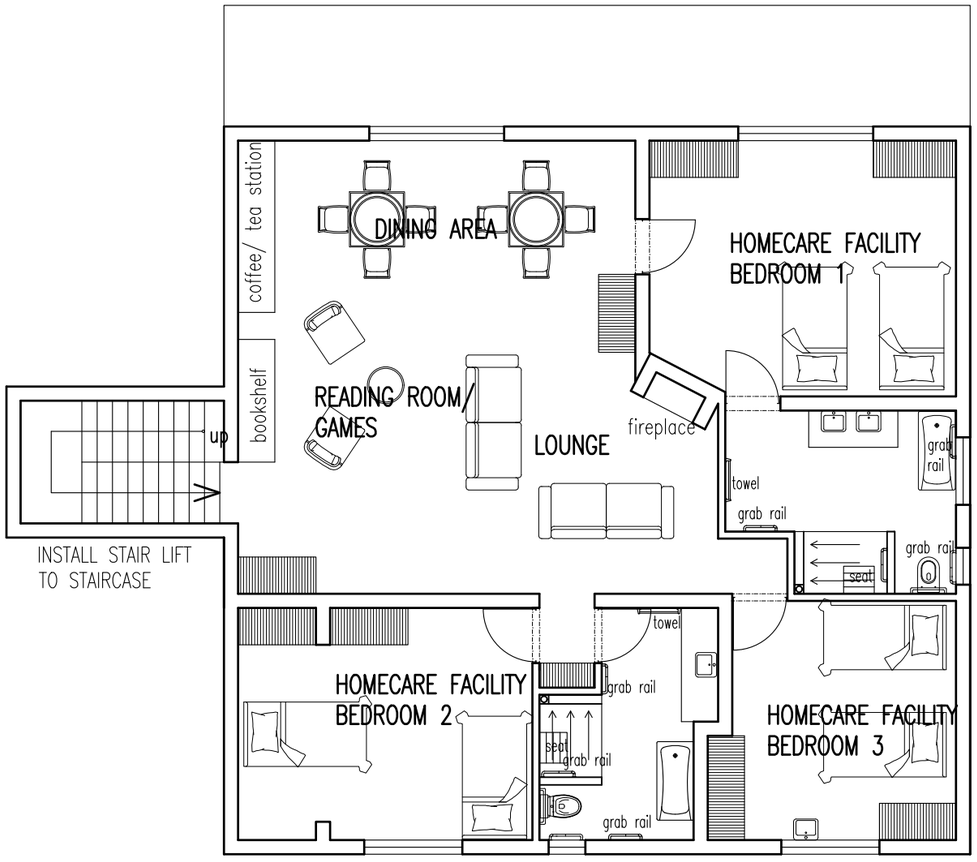
GROUND FLOOR LAYOUT
Scale 1:100

PROPOSED ADDITIONS TO FLAT & ALTERATIONS TO EXIST DWELLING TO ACCOMMODATE ASSISTED LIVING RESIDENTS AT ERF 4891, QUEEN STREET, GEORGE FOR H. VENTER

C. NOEMDOE
P. O. Box 128
George
Tel: 083 255 4253

THIS DRAWING:
GROUND FLOOR PLAN

DATE:	August 2022
SCALE:	As Shown
DRAWN BY:	CN
REG No:	D0980



HOME CARE FACILITY
– 6 BEDS (3 ROOMS)

FIRST FLOOR LAYOUT - ASSISTED LIVING UNIT
Scale 1:100

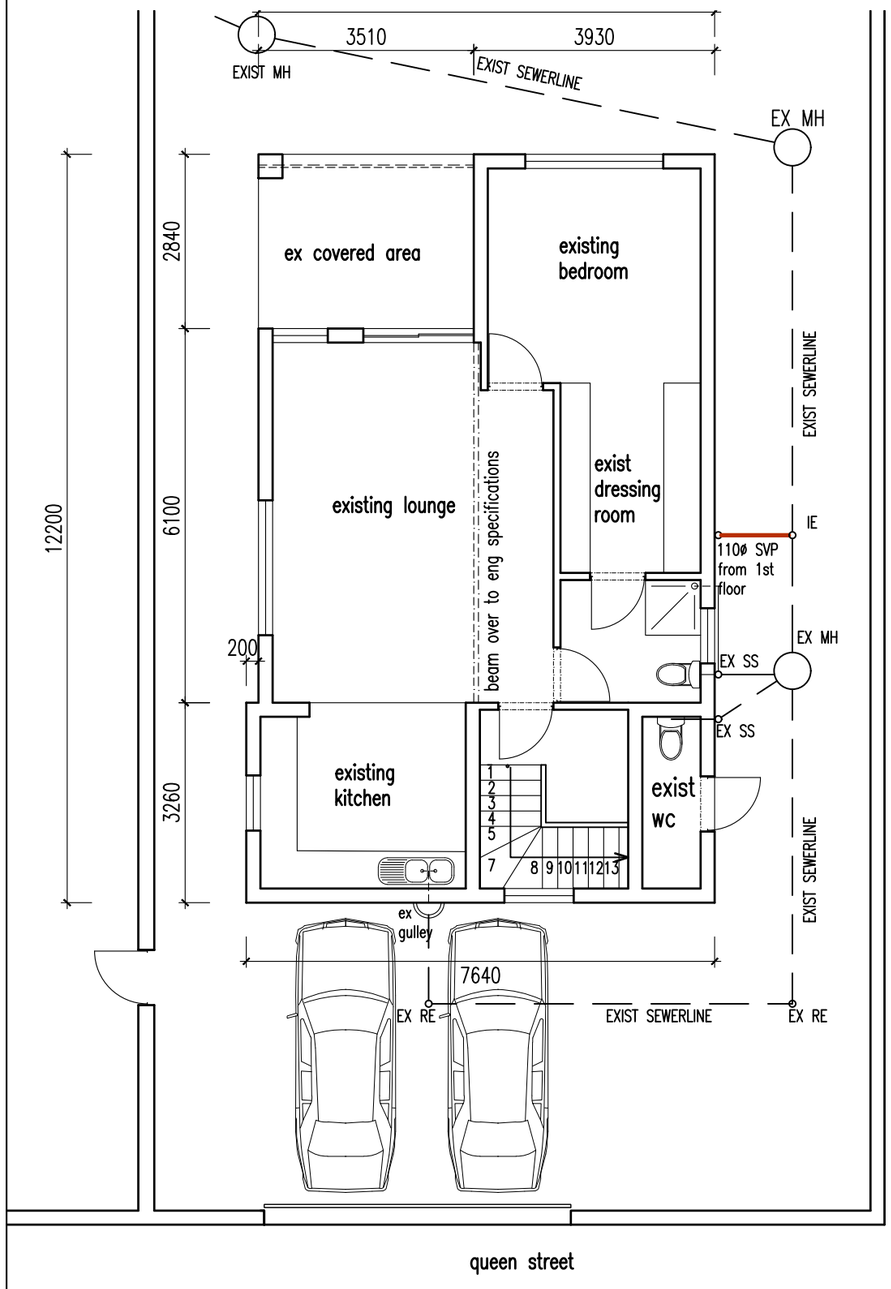
PROPOSED ADDITIONS TO FLAT & ALTERATIONS TO EXIST DWELLING TO ACCOMMODATE ASSISTED LIVING RESIDENTS AT ERF 4891, QUEEN STREET, GEORGE FOR H. VENTER

C. NOEMDOE
P. O. Box 128
George
Tel: 083 255 4253

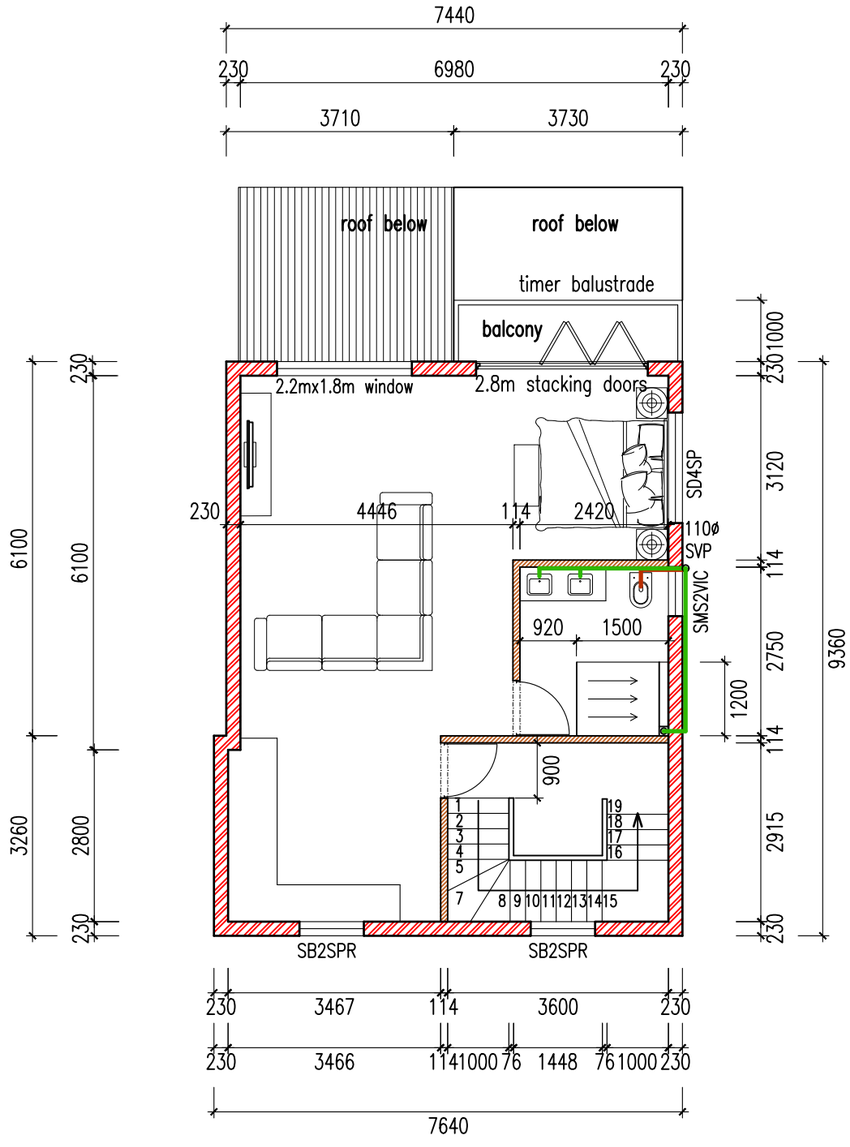
THIS DRAWING:
FIRST FLOOR PLAN

DATE:	August 2022
SCALE:	As Shown
DRAWN BY:	CN
REG No:	D0980

SHEET 1 OF 3



GROUND FLOOR PLAN - FLAT
Scale 1:100



FIRST FLOOR PLAN - FLAT
Scale 1:100

exist flat	81sqm
exist covered stoep	10sqm
new adds	70sqm
new balcony	4sqm
total adds	74sqm
total area flat	165sqm

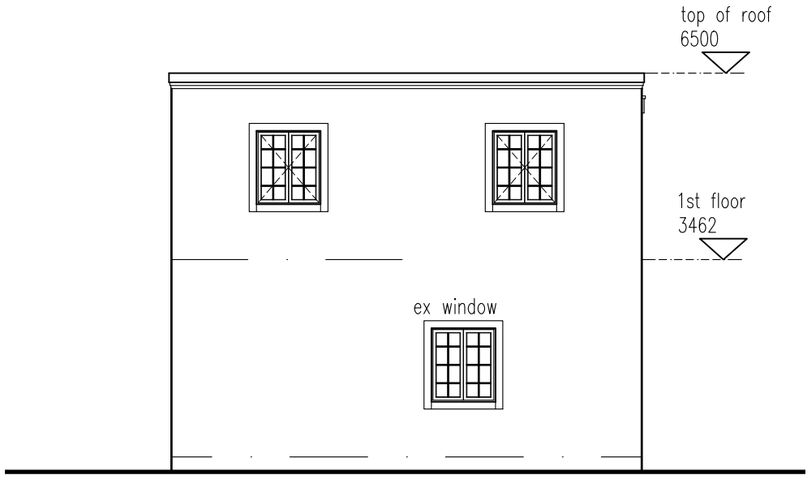
PROPOSED ADDITIONS TO FLAT AT DWELLING, ERF 4891, QUEEN STREET, FOR H. VENTER

C. NOEMDOE
P. O. Box 128
George
Tel: 083 255 4253

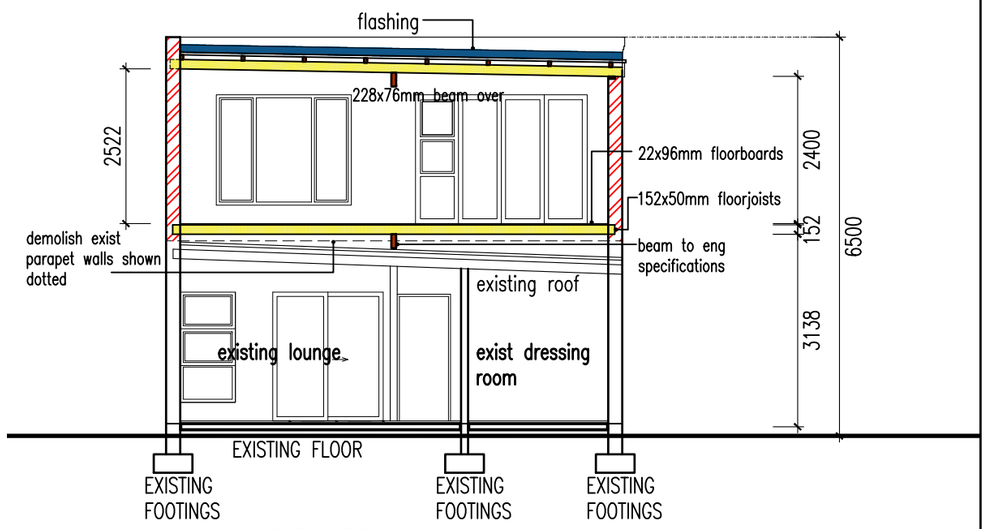
THIS DRAWING:
FLOOR PLAN– FLAT

DATE:	June 2022
SCALE:	As Shown
DRAWN BY:	CN
REG No:	D0980

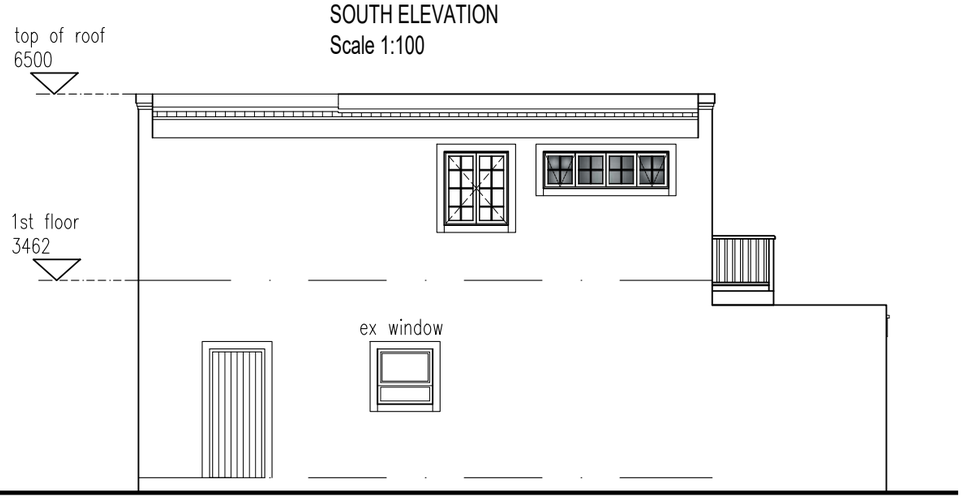
SHEET 1 OF 3



SOUTH ELEVATION
Scale 1:100

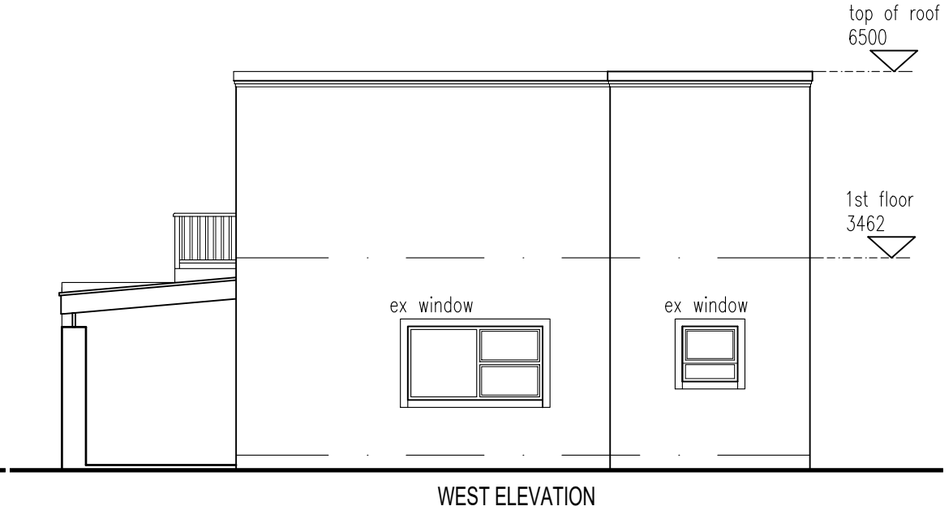


SECTION THRU
Scale 1:100



EAST ELEVATION
Scale 1:100

NORTH ELEVATION
Scale 1:100



WEST ELEVATION
Scale 1:100

NOTES

ROOF CONSTRUCTION
PITCH 1° KLIPLOCK ROOFSHEETS ON 75x50 PURLINS @ 900mm/cc ON AEROLITE INSULATION ON 152x50mm RAFTERS @ 760mm/cc ON 228x76mm BEAM
RAFTERS TIED DOWN TO BRICKWORK WITH 1.2x30mm GALV HOOP IRON STRAPS EMBEDDED 600 DEEP

FLOOR CONSTRUCTION
22x96 FLOORBOARDS ON 152x50mm FLOOR JOISTS @600cc (max) FIXED TO BEAMS. ALL TO ENGINEERS SPECS.

WALLS
ALL WALLING TO HAVE BRICKFORCE EVERY 4TH COURSE AND GALVANISED WIRE TIES TO NBR TO ALL EXTERNAL WALLS
INTERNAL WALLS TO BE ONE COAT PLASTER FOR PAINT
EXTERNAL WALLS TO BE ONE COAT PLASTER FOR PAINT

CEILINGS
ISOBOARD FIXED TO 38x38mm BATTENS @ 400mm/cc

WALL CONSTRUCTION –
WALL FRAME – 114x38mm
WALL STUDS – 114x38mm
BUBBLEFOIL INSULATING MEMBRANE
CLADDING – 12.5mm NUTEC BOARD

HANDRAILS:
TOP RAIL–114x38mm
POSTS – 70x70mm
BOTTOM RAIL –50x50mm

STAIRCASE:
RISERS – 200mm(max)
TREADS – 250mm(min)

DPC
DPC AROUND ALL DOORS AND WINDOWS

LINTOLS
PC LINTOLS OVER ALL DOOR AND WINDOW OPENINGS

DRAINAGE
DRAINAGE INSTALLATION TO COMPLY WITH SANS 10400 PART P.

PROPOSED ADDITIONS TO FLAT AT DWELLING, ERF 4891, QUEEN STREET, FOR H. VENTER

C. NOEMDOE
P. O. Box 128
George
Tel: 083 255 4253

THIS DRAWING:
ELEVATIONS
SECTION

DATE:	June 2022
SCALE:	As Shown
DRAWN BY:	CN
REG No:	D0980

ANNEXURE "B": APPLICATION FORM

Application Form for Application(s) Submitted in terms of the Land Use Planning By-Law for George Municipality

NOTE: *Please complete this form by using: Font: Calibri; Size: 11*					
PART A: APPLICANT DETAILS					
First name(s)	***Johannes George***				
Surname	***Vrolijk***				
SACPLAN Reg No. (if applicable)	***A/1386/2010***				
Company name (if applicable)	***Jan Vrolijk Town Planner / Stadsbeplanner***				
Postal Address	***P O Box 710***				
	George		*Postal Code*	***6530***	
Email	***janvrolijk@vodamail.co.za***				
Tel	***044 873 3011***	*Fax*	***086 510 4383***	*Cell*	***082 464 7871***
PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)					
Registered owner	***Hubrecht Venter***				
Address	***18 Queen Street, Bergsig***				
	George		*Postal code*	***6529***	
E-mail	***Stephanus.venter@yahoo.com***				
Tel	***N/a***	*Fax*	***N/a***	*Cell*	***082 828 1618***
PART C: PROPERTY DETAILS (in accordance with Title Deed)					
Property Description [Erf / Erven / Portion(s) and Farm number(s),	***Erf 4891 George***				

allotment area.]							
Physical Address	***18 Queen Street, Bergsig***						
GPS Coordinates			*Town/City*	George			
Current Zoning	***Single Residential Zone I***	*Extent*	***2 015m²***	*Are there existing buildings?*	***Y***	*N*	
Current Land Use	***Residential***						
Title Deed number & date	***T47238/2000***						

Any restrictive conditions prohibiting application?	*Y*	***N***	*If Yes, list condition number(s).*	
Are the restrictive conditions in favour of a third party(ies)?	*Y*	***N***	*If Yes, list the party(ies).*	
Is the property encumbered by a bond?	*Y*	***N***	*If Yes, list Bondholder(s)?*	
Has the Municipality already decided on the application(s)?	*Y*	***N***	*If yes, list reference number(s)?*	

Any existing unauthorized buildings and/or land use on the subject property(ies)?	***Y***	*N*	*If yes, is this application to legalize the building / land use?*	***Y***	*N*
Are there any pending court case / order relating to the subject property(ies)?	*Y*	***N***	*Are there any land claim(s) registered on the subject property(ies)?*	*Y*	***N***

PART D: PRE-APPLICATION CONSULTATION			
Has there been any pre-application consultation?	***Y***	*N*	*If Yes, please complete the information below and attach the minutes.*

Official's name	***Ilané Huyser & Fakazile Vava***	*Reference number*	***2362973***	*Date of consultation*	***15 August 2022***

PART E: LAND USE APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY & APPLICATION FEES PAYABLE

***Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.**

BANKING DETAILS

Name:	***George Municipality***
Bank:	***First National Bank (FNB)***
Branch no.:	***210554***
Account no.:	***62869623150***
Type:	***Public Sector Cheque Account***
Swift Code:	***FIRNZAJJ***
VAT Registration Nr:	***4630193664***
E-MAIL:	***msbrits@george.gov.za***
****Payment reference**:*	**Erven ____, George/Wilderness/Hoekwil…**

PART F: DETAILS OF PROPOSAL

Brief description of proposed development / intent of application:

- ***Application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a second dwelling larger than 60m² on Erf 4891 George.***
- ***Application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a home care facility (3 bedrooms, 6 beds) on Erf 4891 George.***
- ***Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 for permanent departures in respect of the following on Erf 4891 George:***
    - ***the relaxation of the eastern side boundary building line on Erf 4891 George from 3 metres to 2.5 metres to accommodate the proposed first floor of the existing second dwelling;***
    - ***departure from the stipulation in parameter (a) of the Land Use Parameters of second dwelling units in Schedule 1 of the Land Use Planning By-Law for George Municipality, 2015 to accommodate the proposed increase of the total floor space of the second dwelling from 150m² to 165m².***

PART G: ATTACHMENTS & SUPPORTING INFORMATION FOR LAND USE PLANNING APPLICATIONS

Please complete the following checklist and attach all the information relevant to the proposal. Failure to submit all information required will result in the application being deemed incomplete.

Is the following compulsory information attached?

Y	*N*	*Completed application form*		**Y**	*N*	*Pre-application Checklist (where applicable)*
Y	*N*	*Power of Attorney / Owner's consent if applicant is not owner*		*Y*	***N***	*Bondholder's consent*
Y	*N*	*Motivation report / letter*		***Y***	*N*	*Proof of payment of fees*
Y	*N*	*Full copy of the Title Deed*		***Y***	*N*	*S.G. noting sheet extract / Erf diagram / General Plan*
Y	*N*	*Locality Plan*		***Y***	*N*	*Site layout plan*

Minimum and additional requirements:

Y	*N*	*N/A*	*Conveyancer's Certificate*		*Y*	*N*	***N/***	*Land Use Plan / Zoning plan*
Y	***N***	*N/A*	*Proposed Subdivision Plan (including street names and numbers)*		*Y*	*N*	***N/A***	*Phasing Plan*
Y	***N***	*N/A*	*Consolidation Plan*		*Y*	*N*	***N/A***	*Copy of original approval letter (if applicable)*
Y	***N***	*N/A*	*Site Development Plan*		*Y*	*N*	***N/A***	*Landscaping / Tree Plan*
Y	***N***	*N/A*	*Abutting owner's consent*		*Y*	*N*	***N/A***	*Home Owners' Association consent*
Y	*N*	***N/A***	~~*Copy of Environmental Impact Assessment (EIA) /*~~ ~~*Heritage Impact Assessment (HIA) /*~~ ~~*Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) /*~~ ~~*Major Hazard Impact Assessment (MHIA) /*~~ ~~*Environmental Authorisation (EA) / Record of Decision (ROD)*~~ *(strikethrough irrelevant)*		*Y*	*N*	***N/A***	*1 : 50 / 1:100 Flood line determination (plan / report)*
Y	*N*	***N/A***	*Services Report or indication of all municipal services / registered servitudes*		***Y***	*N*	*N/A*	*Required number of documentation copies* **2 copies**
Y	*N*	***N/A***	*Any additional documents or information required as listed in the pre-application consultation form / minutes*		*Y*	*N*	***N/A***	*Other (specify)*
PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION								
Y	***N/A***	*National Heritage Resources Act, 1999 (Act 25 of 1999)*						
Y	***N/A***	*National Environmental Management Act, 1998 (Act 107 of 1998)*						
Y	***N/A***	*Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)*						
Y	***N/A***	*Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)*						
Y	***N/A***	*Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations*						
Y	***N/A***	*Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)*						
Y	***N***	*If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents*						

		/ plans / proof of submission etc. ***N/A***
Y	***N***	*If required, do you want to follow an integrated application procedure in terms of section 44(1)of the Land-Use Planning By-law for George Municipality?*

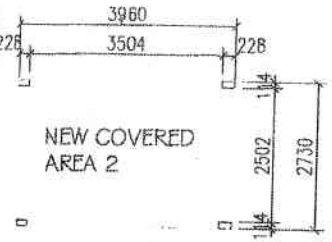
SECTION I: DECLARATION

I hereby wish to confirm the following:

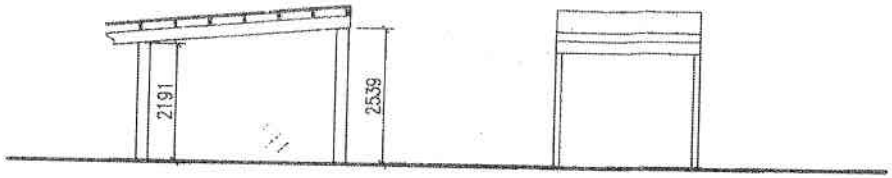
1. *That the information contained in this application form and accompanying documentation is complete and correct.*
2. *The Municipality has not already decided on the application.*
3. *I'm aware that it is an offense in terms of section 86(1)(d) to supply particulars, information or answers in an application, knowing it to be false, incorrect or misleading or not believing them to be correct.*
4. *I am properly authorized to make this application on behalf of the owner and (where applicable) copies of such full relevant Powers of Attorney/Consent are attached hereto.*
5. *I have been appointed to submit this application on behalf of the owner and it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to me as the authorised agent and the owner will regularly consult with the agent in this regard (where applicable).*
6. *That this submission includes all necessary land use planning applications required to enable the development proposed herein.*
7. *I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/amendment/suspension forms part of this submission.*
8. *I am aware of the status of the existing bulk services and infrastructure in the subject area and that I am liable for any possible development charges which may be payable as a result of the proposed development.*
9. *I acknowledge that in terms of the Protection of Personal Information Act (POPIA) all correspondence will be communicated directly and only to myself (the applicant). No information will be given to any third party and/or landowner (if the landowner is not the applicant). I herewith take responsibility to convey all correspondence to the relevant parties.*

Applicant's signature:		*Date:*	***12 October 2022***
Full name:	***Johannes George Vrolijk***		
Professional capacity:	***Professional Town Planner***		
SACPLAN Reg. Nr:	***A/1386/2010***		

ANNEXURE "C": APPROVED BUILDING PLAN 2018



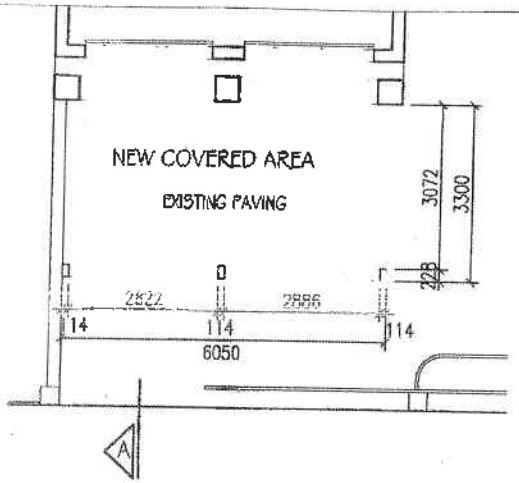
FLOOR PLAN
COVERED AREA 2
Scale 1:100

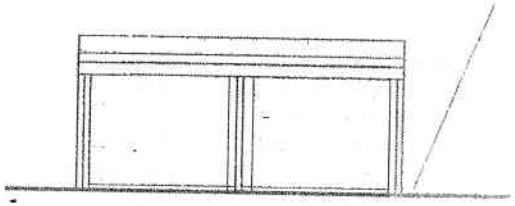


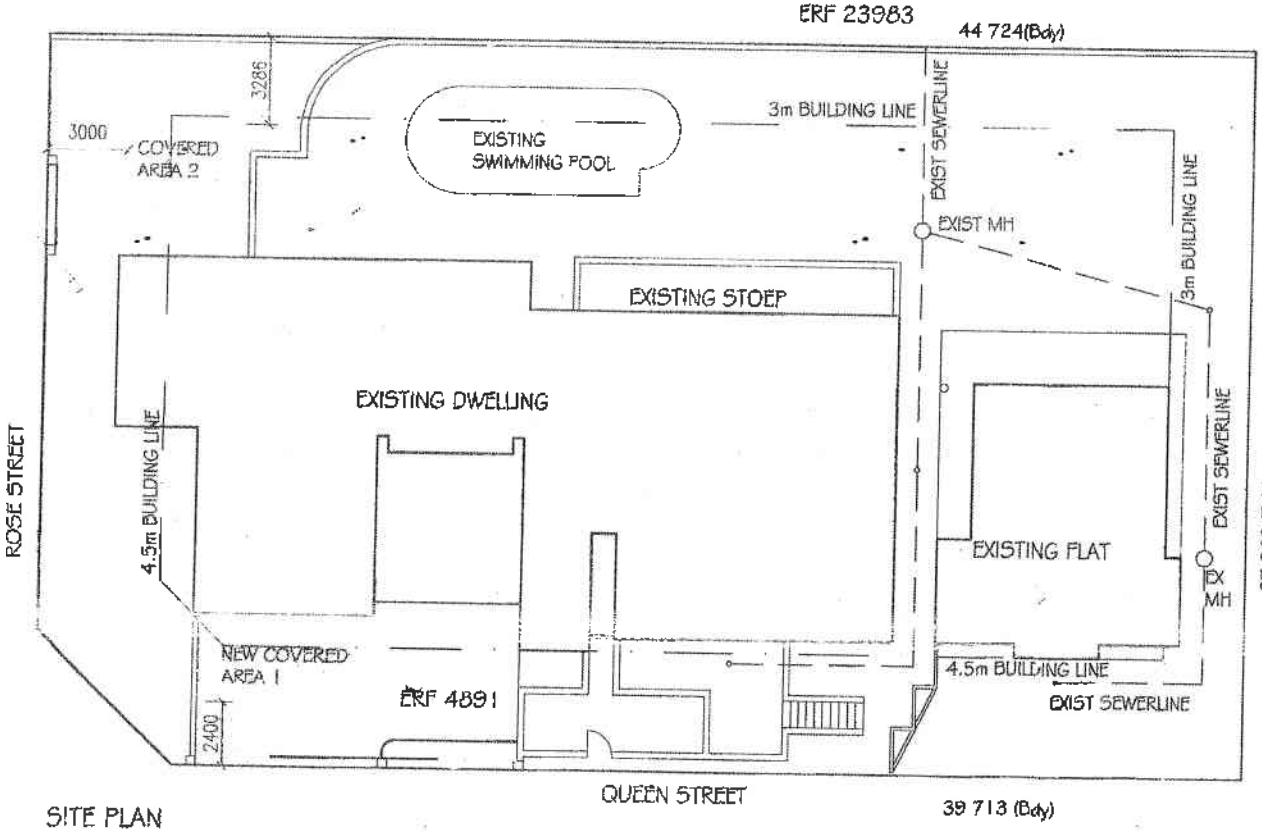
SIDE ELEVATION
COVERED AREA 2
Scale 1:100

FRONT ELEVATION
COVERED AREA 2
Scale 1:100

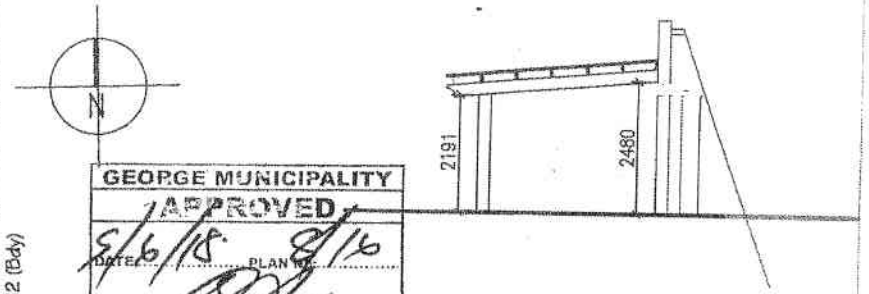
NOTES
PITCH 5°. POLYCARBONATE ROOFSHEETS LAID ACCORDING TO MANUFACTURERS SPECS ON 152x38 PURLINRAFTERS @ 650mm/cc ON 228x38 BEAMS FIXED TO 114x228 TIMBER POSTS. POSTS ANCHORED TO 300x300x100C CONCRETE POCKETS WITH 12mmØ RODS







SITE PLAN
Scale 1:200



ERF 4893

AREA OF NEW COVERED AREAS - 30sqm

PROPOSED COVERED AREAS TO ERF 4891, QUEEN STREET, GEORGE FOR MR. H. VENTER

Drawn: C. Noemdoe,
65a Adderley Str, George.
Date: Sept 2012
Scale: As shown, SACAP Reg no:D0980
Sheet 1 of 1

ANNEXURE "D": PRE-APPLICATION CONSULTATION FORM

Planning and Development
E-mail: town.planning.application@george.gov.za
Tel: +27 (0)44 801 9477

LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

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

PART A: PARTICULARS

Reference number: **2362973**

Purpose of consultation: **'n Aansoek om vergunningsgebruike (tweede wooneenheid en tuis versorgingsfasiliteit)**

Brief proposal: **Die doel van die aansoek is om die bestaande tweede wooneenheid wat op die erf voorkom tot 150m² te vergroot en 3 slaapkamers in die bestaande woonhuis vir die tuisversorging van 6 bejaarde persone aan te wend.**

Property(ies) description: **Erf 4891 George**

Date: **27 Julie 2022**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	**Ilané Huyser**	**George Muni.**	**044 801 9477**	**ihuyser@george.gov.za**
Official	**Fakazile Vava**	**George Muni.**	**044 801 9555**	**fvava@george.gov.za**
Pre-applicant	**Jan Vrolijk**	**Jan Vrolijk Town Planner**	**044 873 3011**	**janvrolijk@vodamail.co.za**

Documentation provided for discussion:

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

T**itelakte van erf**

Lugfoto liggingsplan

L G Diagram

Terreinplan/Bouplan

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

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

YES	**NO**

ONTWIKKELINGSVOORSTEL

Erf 4891 George is met 'n dubbel verdieping 6 slaapkamer woonhuis met 'n dubbel motorhuis, 'n tweede wooneenheid, 'n swembad en 5 skadunet motorafdakke ontwikkel. Die bestaande goedgekeurde terreinplan Plan No 8/16 gedateer 5 Junie 2018 van die erf toon die posisie van al die strukture.

Dit is die voorneme van die eienaar om die tweede wooneenheid tot 150m^2 te vergroot soos aangetoon op die aangehegde plan, derhalwe die voorgestelde aansoek om vergunningsgebruik vir die vergroting van die tweede wooneenheid.

Dit is verder die voorneme van die eienaar om drie slaapkamers in die bestaande woonhuis vir tuisversorging van ses bejaarde persone in te rig. Die volgende inligting is van die eienaar in die verband ontvang:

"Our objective is to accommodate 6 elderly persons in 3 Bedrooms and to provide around the clock caregiver oversight and that provides wellness and enhances independence.
Activities for daily living such as dressing, grooming, bathing, eating and moving around will be provided.
Furthermore they will receive support with the following:

- Medication management services.
- Transportation services for doctor visits, shopping etc.
- 3 Meals (meal plan by nutritionist), prepared by qualified cooks.
- Housekeeping and laundry services.
- Maintenance will be done by property owner who resides on the property.
- Medical sister visits once a week.
- Doctor visits monthly."

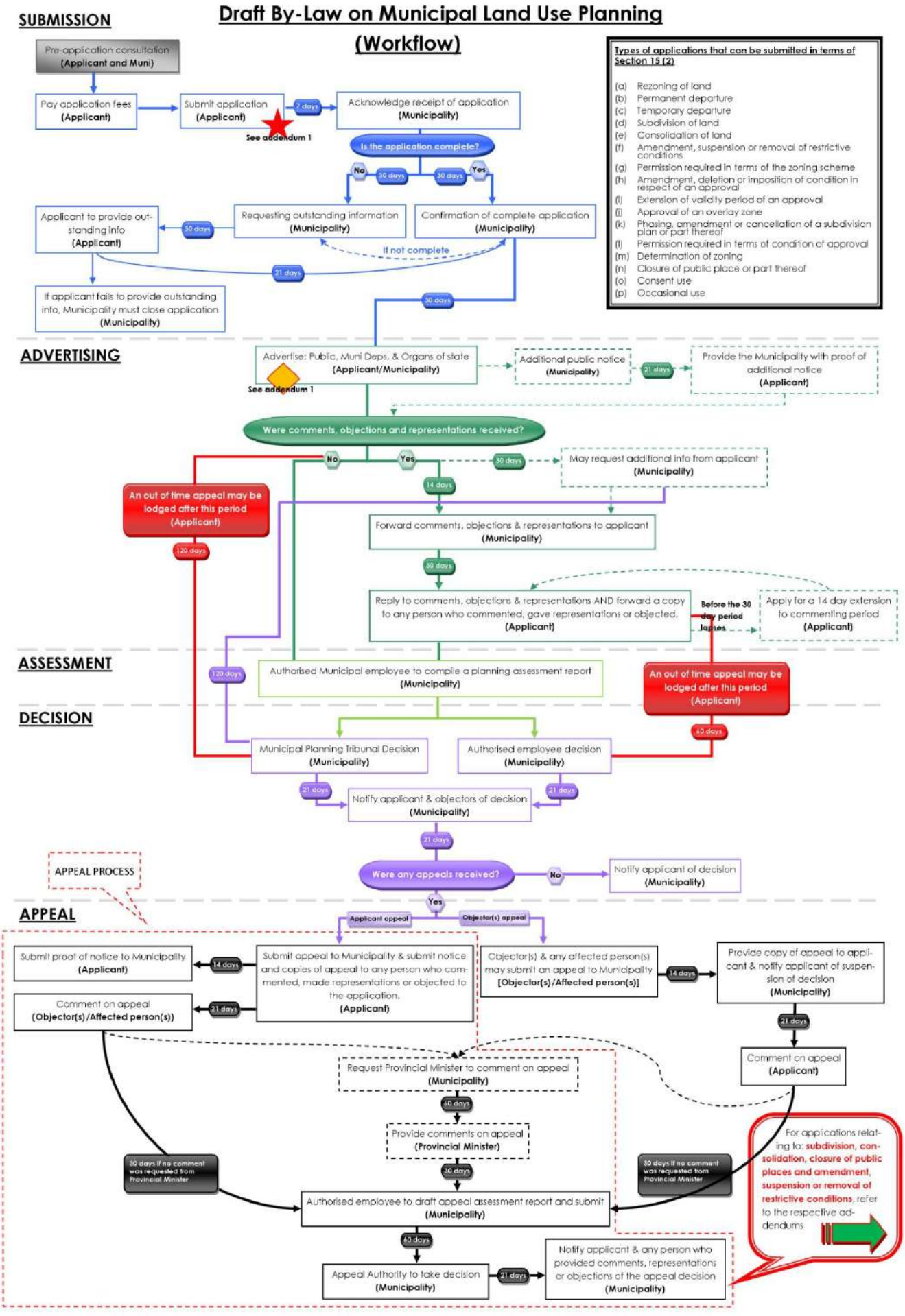
Erf 4891 George is Enkel Residensiële Sone I gesoneer en in terme van die sonering mag 'n gedeelte van 'n bestaande woonhuis met die toestemming van die Munisipaliteit as tuisversorgingsfasiliteit aangewend word.

Aansoek sal dus

- **in terme van Artikel 15(2)(o) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2015 gedoen moet word vir die toestemming van die George Munisipaliteit om 3 slaapkamers in die bestaande woonhuis op Erf 4891 George in 'n tuisversorgingsfasiliteit vir die versorging van 6 bejaardes te omskep.**
- **in terme van Artikel 15(2)(o) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2015 gedoen moet word vir die toestemming van die George Munisipaliteit om die bestaande tweede wooneenheid op Erf 4891 George tot 150m^2 te vergroot.**

PART B: APPLICATION PROCESS

(WILL FULLY APPLY ONLY ONCE LUPA REGULATIONS ARE IN FORCE)



PART C: QUESTIONNAIRES

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

Tick if relevant		What land use planning applications are required?	Application fees payable
	2(a)	a rezoning of land;	R
	2(b)	a permanent departure from the development parameters of the zoning scheme;	R
	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e)	a consolidation of land that is not exempted in terms of section 24;	R
	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
	2(g)	a permission required in terms of the zoning scheme;	R
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(i)	an extension of the validity period of an approval;	R
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l)	a permission required in terms of a condition of approval;	R
	2(m)	A determination of a zoning;	R
	2(n)	A closure of a public place or part thereof;	R
x	2(o)	a consent use contemplated in the zoning scheme;	To be determined
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a home owner's association;	R
	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
Tick if relevant		**What prescribed notice and advertisement procedures will be required?**	**Advertising fees payable**
Y	N	Serving of notices (i.e. registered letters etc.)	R
Y	N	Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.)	R
Y	N	Additional publication of notices (i.e. Site notice, public meeting, local radio, website,	R

		letters of consent etc.)	
Y	N	Placing of final notice (i.e. Provincial Gazette etc.)	R
		TOTAL APPLICATION FEE* (VAT excluded):	To be determined

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

SECTION B:

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

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?	**X**		**George Ruimtelike Ontwikkelingsraamwerk 2019**	**Sal bepaal word**
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]		**X**		**Conveyancer to confirm**
Any other Municipal by-law that may be relevant to application? (If yes, specify)		**X**		
Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? **Die George Geintegreerde Soneringskema Verordening, 2017** What is the current zoning of the property? **Enkel Residensiële Sone I** What is the proposed zoning of the property? **Enkel Residensiële Sone I** Does the proposal fall within the provisions/parameters of the zoning scheme? **Ja** Are additional applications required to deviate from the zoning scheme? (if yes, specify) **Nee**				

QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
Is the proposal in line with the Provincial Spatial	**X**		**N.v.t.**	**N.v.t.**

Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents?				
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?		**X**	**N.v.t.**	**N.v.t.**

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

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

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

SECTION D:

SERVICE REQUIREMENTS

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM: (list internal department)
Electricity supply:		**X**		Directorate: Electro-technical Services
Water supply:		**X**		Directorate: Civil Engineering Services

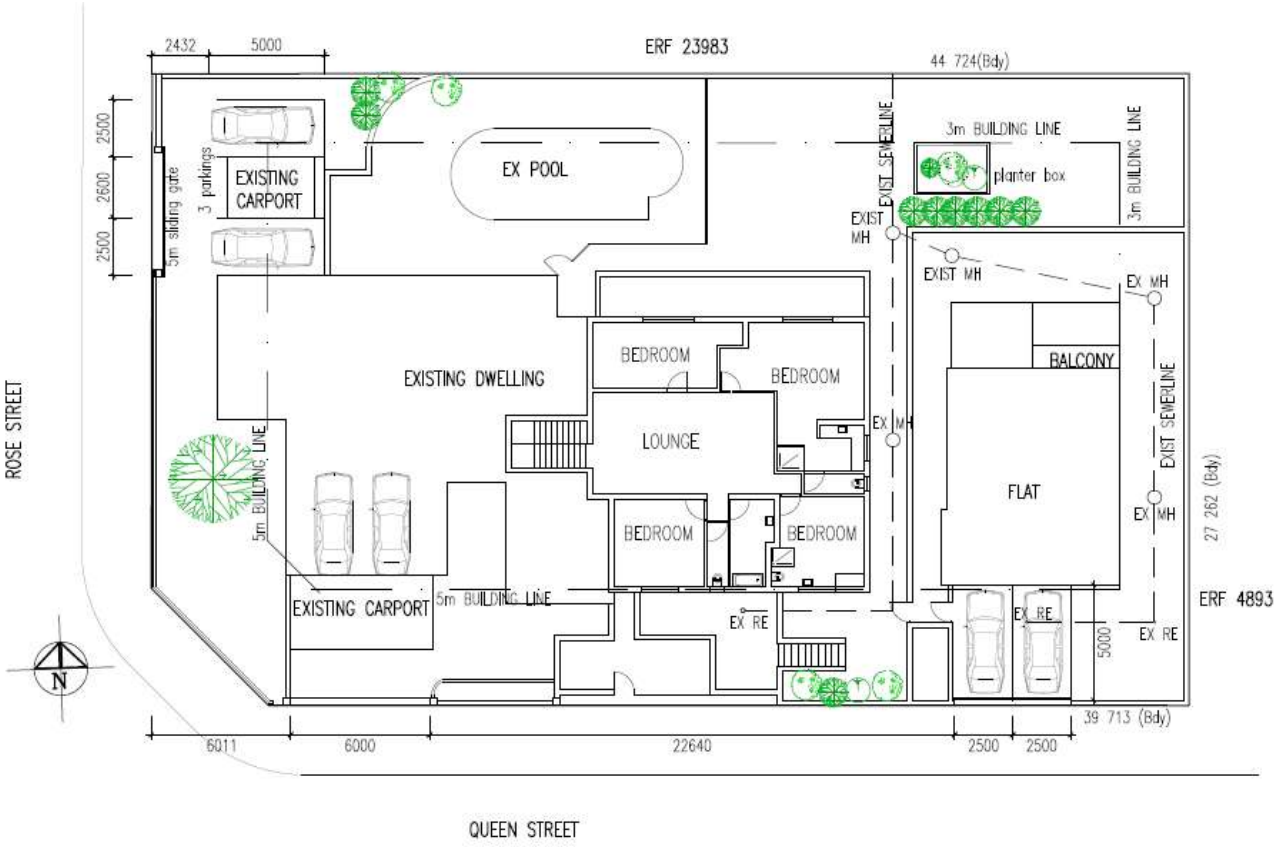
Sewerage and waste water:		**X**		Directorate: Civil Engineering Services
Stormwater:		**X**		Directorate: Civil Engineering Services
Road network:		**X**		Directorate: Civil Engineering Services
Telecommunication services:		**X**		
Other services required? Please specify.			**N.v.t.**	
Development charges:	**X**			

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

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

PART E: DISCUSSION

Pre-application as discussed on 27 July 2022 for Consent Use for a Home Care facility and Second Dwelling Unit of 150m² on Erf 4891, George, George. The following plan was presented at the pre-app meeting:



Town Planning comments

- A maximum of 3 bedrooms and 6 occupants may be allowed as part of a home care facility as a consent use.
- To comply with the development parameters for a home care facility as stipulated in the Zoning Scheme.
- Application to ensure that all accesses comply with the zoning scheme requirements.
- Suitable design measures for the frail, disabled parking etc should form part of the submission/layout plan.
- A layout plan showing the necessary facilities/internal layout to be submitted with the application.
- Application must show all the existing indigenous trees on the property. The removal of old mature indigenous trees is not encouraged, and it is recommended to incorporate it in the design.
- All accesses, parkings and dimensions should be shown on site.

Civil Engineering comments

- Access must align with the George Integrated Zoning Scheme By-law, 2017

Electrical comments

- Required Electrical capacity to be confirmed with the submission of the application.

PART F: SUMMARY / WAY FORWARD

See comments above

OFFICIAL: _____ PRE-APPLICANT: **Johannes George Vrolijk**

F. Vava (Town Planner) (FULL NAME)

SIGNED: ___ _____ SIGNED:

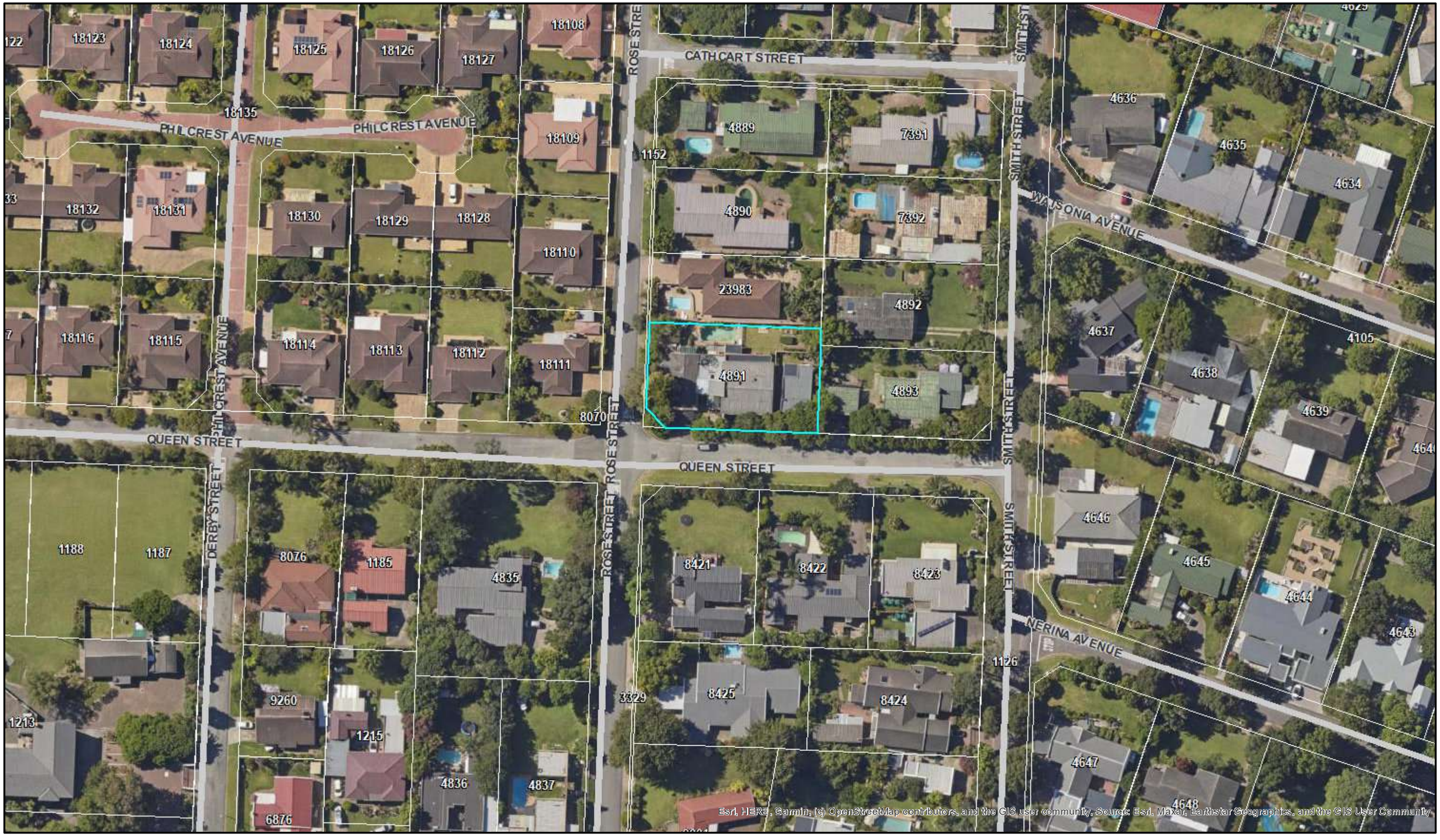
I. Huyser (Senior Town Planner)

DATE: ____2022.08.15_____ DATE: **27 Julie 2022**

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

ANNEXURE "E": LOCALITY PLAN

Erf 4891 George



0 0.0425 0.085 0.17 km

1:1,128

Date: 7/22/2022

Disclaimer:
The George Municipality accepts no responsibility for and will not be liable for any errors or ommisions contained herein.

N

ANNEXURE "F": SURVEYOR GENERAL DIAGRAM

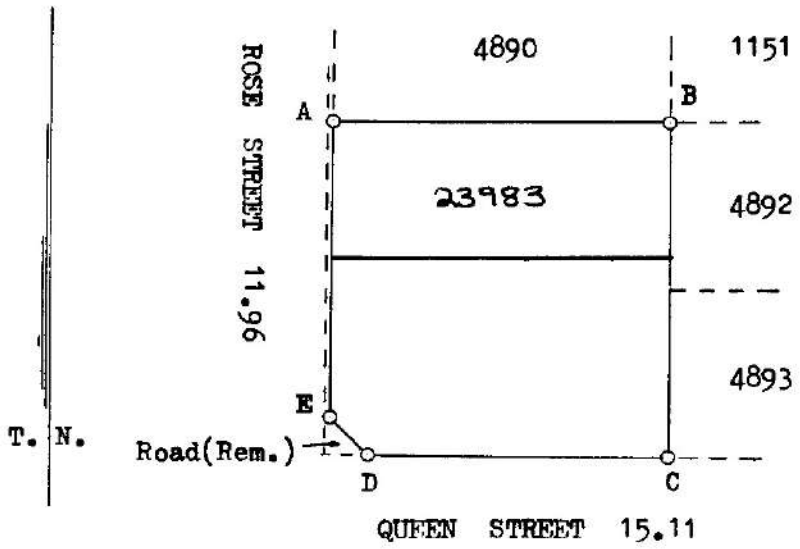
OFFICE COPY

	SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES Y System X
AB	44.71	270.00.00	
BC	45.34	00.00.00	
CD	39.71	90.00.00	
DE	7.07	135.00.00	
EA	40.34	180.00.00	

S.G. No.
6093/70
Approved
Surveyor-General
20-10-1970

Beacons

A.B.C.D.E. 12 mm. Iron Peg



Scale: 1 : 1000

The figure A. B. C. D. E.

represents 2015 Square Metres of land, being

ERF 4891 (Portion of Erf 1152) GEORGE

situate in the Municipality and

Administrative District of George Province of Cape of Good Hope.

Surveyed in July 1970

by me,

Land Surveyor

This diagram is annexed to	The original diagram is	File No. S/8775/86
Cert.Reg. Title No. T.8659/1983 dated	No. 963/1873 annexed to Transfer/~~Grant~~ No. 1873.38.123	S.R. No. E/1561/70
i.f.o.		Comp. BL-7DD/W 51
Registrar of Deeds		

C

B S

4891

ANNEXURE "G": TITLE DEED

258 175

SEEL REG
R.....
340,00

Roux Kruger & Haycock Attorneys
7 Cathedral Square
Cathedral Street
P O Box 879
George
6530

Prepared by me

CONVEYANCER
KRUGER HW

DEED OF TRANSFER

725

BE IT HEREBY MADE KNOWN THAT: **LYNNE BOTHA**

T 000047238/2000

appeared before me, Registrar of Deeds, at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney granted to him by

JAN THEODORUS BARNARD
Identity Number 530405 5036 08 2
Married out of community of property .

which said Power of Attorney was signed at PAARL on 7 MAY 2000

And the said appearer declared that his principal had, on 13 April 2000, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to, in full and free property, and on behalf of:

HUBRECHT VENTER
Identity Number 620413 0006 08 5
Married out of community of property

her heirs, executors, administrators or assigns

ERF 4891 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE

IN EXTENT 2015 (TWO THOUSAND AND FIFTEEN) Square Metres

FIRST REGISTERED by Certificate of Registered Title No. T8659/1983 with Diagram No. 6093/70 relating thereto and HELD BY Deed of Transfer No T450/1999

A. SUBJECT to such conditions as referred to in Deed of Transfer No. T2639/1893.

B. SUBJECT FURTHER to the following conditions contained in Certificate of Registered Title No. T8659/1983, imposed by the Administrator of the Province of the Cape of Good Hope when approving the subdivision of Erf 1152 George in terms of Section 9 of Ordinance No. 33 of 1934, namely:

"(a) Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding, toe te laat dat elektrisiteitskabels of -drade hoof- en ander waterpype en die rioolvuil en dreinering, insluitende stormwater van enige ander erf of erwe, oor hierdie erf gevoer word indien dit deur die plaaslike owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.

(b) Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die plaaslike owerheid bepaal."

WHEREFORE the said Appearer, renouncing all right and title which the said

JAN THEODORUS BARNARD

heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said

HUBRECHT VENTER

her heirs, executors, administrators or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of **R450,000.00 (FOUR HUNDRED AND FIFTY THOUSAND RANDS).**

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town on the 13th of June /2000

q.q.

In my presence

REGISTRAR OF DEEDS

ANNEXURE "H": POWER OF ATTORNEY

POWER OF ATTORNEY

I, the undersigned

Hubrecht Venter

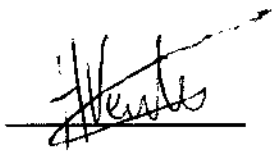
in my capacity as the registered owner of

Erf 4891 George

do hereby appoint Jan Vrolijk Town Planner/Stadsbeplanner to prepare, sign and submit the following applications to the George Municipality:

- An application in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a second dwelling larger than 60m² on Erf 4891 George.
- An application in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a home care facility (3 bedrooms, 6 beds) on Erf 4891 George.
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 for a permanent departure for the relaxation of the eastern side boundary building line on Erf 4891 George from 3 metres to 2.5 metres to accommodate the proposed first floor of the existing second dwelling.

Signed at George on 12 October 2022



Hubrecht Venter

ANNEXURE "I": CONVEYANCER CERTIFICATE

CONVEYANCER'S CERTIFICATE

IN TERMS OF SECTION 38(1)(n) OF THE GEORGE MUNICIPALITY: LAND USE PLANNING BY LAW, 2015

ERF 4891 GEORGE

APPLICATION DETAILS

- An application in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a second dwelling larger than 60m² on Erf 4891 George.
- An application in terms of Section 15(2)(o) of the Land Use Planning By-Law for the George Municipality, 2015 for the consent of the George Municipality for a home care facility (3 bedrooms, 6 beds) on Erf 4891 George.
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 for

    - the relaxation of the eastern side boundary building line on Erf 4891 George from 3 metres to 2.5 metres to accommodate the proposed first floor of the existing second dwelling;
    - departure from the stipulation in parameter (a) of the Land Use Parameters of second dwelling units in Schedule 1 of the Land Use Planning By-Law for George Municipality, 2015 to accommodate the proposed increase of the total floor space of the second dwelling from 150m² to 165m²,

APPLICATION DATE

October 2022

I, the undersigned

Francois Scholtz Bruwer a duly qualified and admitted Conveyancer, practicing at Scholtz Bruwer Attorneys / Conveyancers Incorporated, Millwood Building, cnr York & Victoria Streets, George

do hereby certify as follows:

1. I have perused the following title Deed/s and conducted a search behind the pivot of the said title deed/s at the Deeds Office, Cape Town:

   T47238/2000 (current Title Deed)

   in respect of:

   ERF 4891 GEORGE
   IN THE MUNICIPALITY AND DIVISION OF GEORGE
   WESTERN CAPE PROVINCE

   IN EXTENT: 2 015 (TWO ZERO ONE FIVE) SQUARE METRE

   HELD BY DEED OF TRANSFER NUMBER T47238/2000

   REGISTERED in the name of

   HUBRECHT VENTER

2. I have appraised myself with the details of the abovementioned Land Development Application.

3. The abovementioned Title Deed contains no conditions restricting the contemplated Land Use in terms of the abovementioned Land Development Application.

4. There is no bond registered over the property.

SIGNED at GEORGE on 12 October 2022

CONVEYANCER