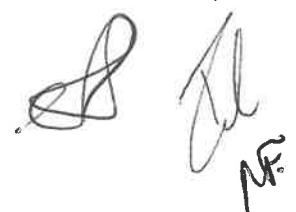


POWER OF ATTORNEY

1. I, the undersigned, **Shane Hindley**, in my capacity as **Head of Component: Immovable Asset Management** in the **Department of Transport and Public Works** in the **Western Cape Government** and duly authorised hereto, do hereby appoint **the George Municipality** (hereinafter called "the Agent") to act for and on behalf of the **Western Cape Government**, the owner and Custodian of the following immovable properties, as its lawful agent with full power and authority and in its name and benefit:

Erven 1641 and 1645 George (hereinafter referred to as the properties).

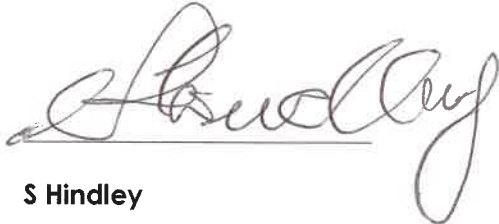
- 1.1 The **Agent** shall, in the name of the **Western Cape Government** as the owner and with effect from the date of signature hereof, diligently, expeditiously and reasonably:
- 1.1.1 Take occupation of the properties;
 - 1.1.2 Manage the maintenance, control, upkeep and general custodial duties in relation to the properties including the securing thereof and on the due date thereof, pay all, levies, sewerage and refuse removal charges, or charges for the supply to the Properties of electricity, water and gas and any other services, which may from time to time and in the future, be levied by the George Municipality, as the municipality under which the Properties falls, in respect of the Properties and/or improvements and/or the occupation of the same; and
 - 1.1.3 Prevent any unlawful occupation of the properties.
- 1.2 To act as Agent in the name of the Western Cape Government as the owner, in order to lodge, sign and apply for:
- 1.2.1 Land use departures;
 - 1.2.2 Rezoning;
 - 1.2.3 Subdivision;
 - 1.2.4 Removal of restrictions on land title; and/or
 - 1.2.5 To have an Environmental Impact Assessment
 - 1.2.6 To deal with appeals with regard to any of the above-mentioned in respect of the properties pending the registration of transfer of the properties into the name of the Agent.
- 1.3 All and any cost occurred by the Agent in taking any of the actions identified in clauses 1.1 and 1.2 above, will be for the sole account of the Agent.
- 1.4 The Agent shall have free and full access to the properties in order to perform the actions identified in clauses 1.1 and 1.2 above.
- 1.5 This power of attorney may, be withdrawn at any time, by the delivery of a written notice of withdrawal on the Agent at the office of the Municipal Manager, should the Agent, in the sole discretion of the Custodian, have failed to perform any of the actions and obligations set out in clauses 1.1 and 1.2 above, diligently, expeditiously, or reasonably.
- 1.6 The Agent is being appointed as such in anticipation of ownership in the properties being transferred to the Agent at some stage in the future. This anticipation notwithstanding, in the event that ownership of the properties is not transferred to the Agent in due course, for any reason whatsoever, the Agent shall have no recourse against the Western Cape



Government or the Custodian with regard to any of the cost incurred by it in performing any of the actions or obligations as Agent, set out in clauses 1.1 and 1.2 above.

Signed at **CAPE TOWN** on this **13th** day of **October 2022** in the presence of the undersigned witnesses.

FOR THE WESTERN CAPE GOVERNMENT



S Hindley

HEAD OF COMPONENT: IMMOVABLE ASSET MANAGEMENT

Witnesses:



Full Name: Irvin Knowlden



Full name: NELISWA FUSA

1122

1122

ABSTRACTS OF PROCEEDINGS

Transportbesorger.

Dat CLAVIL VICTOR SAMPSON

op die 9de dag van Januarie 1959, deur

welke volmag, geteken in die teenwoordigheid van getuie ooreenkomstig die Wet, my hede getoon is;

/En die...

Maatskappy
En die Komparant het verklaar dat sy voorseigde ~~Prinsipaal~~

werklik en wettiglik verkoop het op 14de Februarie 1958 en dat Hy,
in sy hoedanigheid as voorseigde Prokureur, deur hierdie Akte, gesedeer en
getransporteer het in volle en vrye eiendom aan en ten behoeve van

PROVINSIALE SEKRETARIS EN DIE SUPERINTENDENT
GENERAAL VAN ONDERWYS
synde die Onderwys Trustees deur Artikel 193
van Ordannansie 20 van 1956 aangewys

respektiewe Ampsopvolgers
en hul ~~Erfgename, Ekskuteurs, Administrateurs en Genaagtigde~~

SEKER stuk grond gelee in die Munisipaliteit en Afdeling
van George, synde die restant van Erf 44 George;

GROOT: soos per restant, Vier-en-veertigduisend Sewehonderd
(44,700) vierkant voet;

UITSTREKKENDE soos Kroongrondbrief met kaart daarby aangeheg
gemaak ten gunste van F.W. Modeman, Nr. 8 gedateer 24 Oktober,
1936, en daaropvolgende transportaktes, die laaste waarvan
gemaak ten gunste van die Transportgewer Maatskappy op die
20ste April 1951, Nr. 6369, meer volledig sal aantoon;
ONDERHEWIG aan die voorwaardes waarna verwys word in Trans-
portakte Nr. 6098 gedateer 11 Augustus 1916.

/WESHALWE...

Wesbalwe die Komparant, afstand doende van al die Reg en Eien-
domsreg wat sy Prinsipaal voorheen gehad het in gesegde eiendom ten
behoewe as voorsê, het hy ook tengevolge daarvan, sy voorsegde Prinsipaal
erken as volkome onteien van, en nie geregtig op dieselfde te wees nie; en
dat, kragtens hierdie Akte, die gesegde transportnemer
en hul ~~Erfgenamers, Ekskudente, Administrateurs, of -Geregtigdes~~, nou is,
en voortaan daarop geregtig sal wees, ooreenkomstig plaaslike gewoonte;
maar dat die Regering egter sy Reg behou: En eindelik erken sy
Prinsipaal die gehele Koopsom op bevredigende wyse ontvang of verseker te
hê, ten bedrae van die som van

VYF-EN-TWINTIGDUISEND DRIEHONDERD TWE -EN-TWINTIG POND

(£25,322. -- --)

As getuie waarvan, het ek, die gesegde Registrateur, tesame met die
Komparant, hierdie Akte onderteken en met die Ampseël laat bekragtig.

ALDUS GEDAAN EN UITGEVOER, aan die kantoor van die Re-
gistrateur van Aktes, in KAAPSTAD, op die dag van
die maand Februarie in die Jaar van Ons Heer Een
duisend Negehonderd nege en Vyftig. (1959)

99.

In my teenwoordigheid,

ASSISTENT

Registrateur van Aktes.

Geregistreer in die *Deeds* Register

van *1045* Boek *1045* folio

Con Murray
Klerk in Bevel.

4

104 - 10 1980

END OF THE TRANSFER OF ACT 47 OF 1937
ENDOFSEKKEKTE KYN (END ARTEL 14 VAN WET 47 VAN 1937)

Transfer of the and land hereunder has been registered in the name of
Gordag van die binnegemelde eiendom is op die naam van... *Slie*

Republiek van Suid-Afrika
registréer

vide application filed with T **2268 91** /19
vide aansoek getuiseer by T

Deeds Registry
Aktekantoor
CAPE TOWN
KAAPSTAD

[Signature]
REGISTRAR OF DEEDS
REGISTRATEUR VAN AKTES

16 01 91

PROPERTY	DEEDS	DATE OF DEED
75704 92		25 11 92
<i>Hillside York, Orange</i>		
<i>[Signature]</i>		

ENCLOSURE 1. See SEC 55(1) of SOUTH AFRICAN
DEEDS ACT 1937

THE WITHIN MENTIONED PROPERTY VESTS IN
TERMS OF SEC 55(1) OF THE ABOVE ACT
IN THE REPUBLIC OF SOUTH AFRICA
APPLICATION FILED WITH T000067739/2000

vide 200-09-14

[Signature]
REGISTERED

VR ENDOSEMENTE KYK BLADSY
PAG 5

44 31

[Signature]

T1122/1959

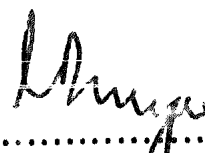
Endorsement in terms of section 3(1)(v) of the Deeds Registries Act
47 of 1937.

The within mentioned property vests, in terms of section 55(1) of the
South African Schools Act No. 84 of 1996, in the Government of the
WESTERN CAPE Province.

Application filed with ~~BC~~ 00005984 * 2002

T91920

Date: 2002-09-26


.....
Registrar of Deeds

For Information Only

For Information Only

96

AC 2/37/28/1

REKENAAR: DATAVERLEENING/COMPUTER: DATA CARTAGE
PERATEUR
27-3-85
BK

REKENAAR: DATAVERLEENING/COMPUTER: DATA CARTAGE
PERATEUR
27-3-85
BK

T	10649/85
---	----------

FOR FURTHER ENDORSEMENTS SEE
VIR VERDERE ENDOSSEMENTE SIEN.

Brady L

Transportakte

(Uit krag van 'n Prokurasie)

PIETERS & KIE. CO.

PROKUREURS EN AKTEBESORGER
ATTORNEYS & CONVEYANCERS

1ste VLOER FINTRUST GEBOU, MAZZURSTRAAT BELLVILLE 7530
1st FLOOR FINTRUST BUILDING, MAZZUR STREET BELLVILLE 7530

Opgeset deur my:

Transportbesorger.
H J PIETERS

Hierby word bekendgemaak

JAN DANIEL DE VILLIERS
TRUTER

DAT HENDRIK JOHANNES PIETERS

voor my, Registrateur van Aktes, KAAPSTAD

verskyn het, te KAAPSTAD

hy, die genoemde

Komparant synde behoorlik daartoe gemagtig deur 'n volmag aan
hom verleen deur

GOEIE HOOP BEHUISINGSMAATSKAPPY

MAATSKAPPY NOMMER UC 17726

BLANKE GROEP

gedateer die 21ste
en geteken te KAAPSTAD

dag van Februarie 1985

EN/....

En die Komparant het verklaar dat sy Prinsipaal op die 14de dag van Februarie 1958 werklik en wettig verkoop het en dat hy die gesegde Komparant in sy hoedanigheid voormeld hierby sedeer en transporteer in volle en vrye eiendom aan en ten behoewe van

PROVINSIALE SEKRETARIS EN DIE DIREKTEUR:
ONDERWYS. synde die ONDERWYSTRUSTEES daargestel kragtens
Artikel 193 van Ordonnansie Nommer 20 van 1956
socs gewysig deur Artikel 2 van Ordonnansie Nommer 5 van 1969

Hul Regverkrygendes

ERF 1641 George geleë in die Munisipaliteit en Afdeling van George.

GROOT: 4521 (VIERDUISEND VYFHONDERD EEN EN TWINTIG) vierkan-
meter

OORSPRONKLIK oorgedra kragtens Kroongrondbrief (George Eiendoms-
brief Boek 5 Fol 9) gedateer 24 Oktober 1836 met Kaart wat daarop
betrekking het en gehou kragtens Transportakte No T 6369/1951.

A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte
No T 6098 gedateer 11 Augustus 1916.

DIE/.....

WHITE GROUP
BLANKE GROEP

DIE Komparant doen dus hiermee afstand van al die regte,
aanspraak en titel wat TRANSPORTGEWERMAATSKAPPY


voorheen op genoemde eiendom gehad het, en gevolglik erken die
Komparant ook dat TRANSPORTGEWERMAATSKAPPY
geheel en al van die besit daarvan onthef en nie meer daarop geregtig
is nie, en dat kragtens hierdie akte, bogenoemde
TRANSPORTNEMERS

Hu1 ~~Erfgenam, Elskers, Administrateurs~~ Regverkrygendes
tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik,
behoudens die Regte van die Staat; en ten slotte erken hy dat die
hele Koopsom ten bedrae R50 644,00 (VYFTIGDUISEND SESHONDERD
VIER EN VEERTIG RAND)

behoorlik betaal of verseker is.

TEN BEWYSE waarvan ek, die genoemde Registrateur, tesame
met die Komparant, hierdie Akte onderteken en dit met die Ampseël
bekragtig het.

ALDUS GEDOEN en verly op die Kantoor van die Registrateur
van Aktes, te KAAPSTAD
op hede die 25^{de} dag van Maart in
die jaar van ons Heer, Eenduisend Negehonderd Vyf en Tagtig (1985)


q.q. sy Prinsipaal/ale.

In my teenwoordigheid,


REGISTRATEUR VAN AKTES.

Geregistreer in die Register van
Boekdeel Folio

Klerk-in-Bevel.

4

ERF 9273 = 412 m²

GETRANSPORTEER TRANSFERRED	Aan To	MUNISIPALITEIT VAN GEORGE
T No. 27548	Restant Remainder	4109 m ² ✓
1986-07-17		
Asst.-registrator/Asst. Registrar		

109 TO 1988

ENDORSMENT IN TERMS OF SECTION 18 OF ACT 47 OF 1937 ENDOSSEMENT KRAGTERS ARTIKEL 18 VAN WET 47 VAN 1937	
Transfer of the land held hereunder has been registered in the name of	
Oordrag van die binnegemelde eiendom is op die naam van die	
Republiek van Suid-Afrika	
Vide application filed with Vide aansoek gelasseer by T. 2268.91/19	
Deeds Registry Aktekantoor CAPE TOWN KAAPSTAD	REGISTRAR OF DEEDS REGISTRATEUR VAN AKTES
16 01.91	

ENDORSMENT IN TERMS OF ARTIKEL 18 VAN WET 47 VAN 1937	ENDOSSEMENT KRAGTERS VAN SEKSIEN 18 VAN WET 47 VAN 1937
BY WET 47 VAN 1937 VAN DIE WET 47 VAN 1937 VAN DIE WET 47 VAN 1937 VAN DIE WET 47 VAN 1937 VAN DIE	BY WET 47 VAN 1937 VAN DIE WET 47 VAN 1937 VAN DIE WET 47 VAN 1937 VAN DIE WET 47 VAN 1937 VAN DIE
GEDEELTE VAN	GEDEELTE VAN
75704.92	
25 11 92	

5

5.
ENDORSEMENT I.T.O SEC 55(1) OF THE SOUTH AFRICAN
SCHOOLS ACT NO 84/1996 AS AMENDED

THE WITHIN MENTIONED PROPERTY LISTS I.T.O SEC 55(1)
OF THE ABOVE ACT IN THE REPUBLIC OF SOUTH AFRICA
APPLICATION FILED WITH T000067739/2000

DATE

2000-08-14

OFF OF DEEDS.

Endorsement in terms of section 3(1)(v) of the Deeds Registries Act
47 of 1937.

The within mentioned property vests, in terms of section 55(1) of the
South African Schools Act No. 84 of 1996, in the Government of the
WESTERN CAPE.....Province.

Application filed with Be 00005984/2002

T91920

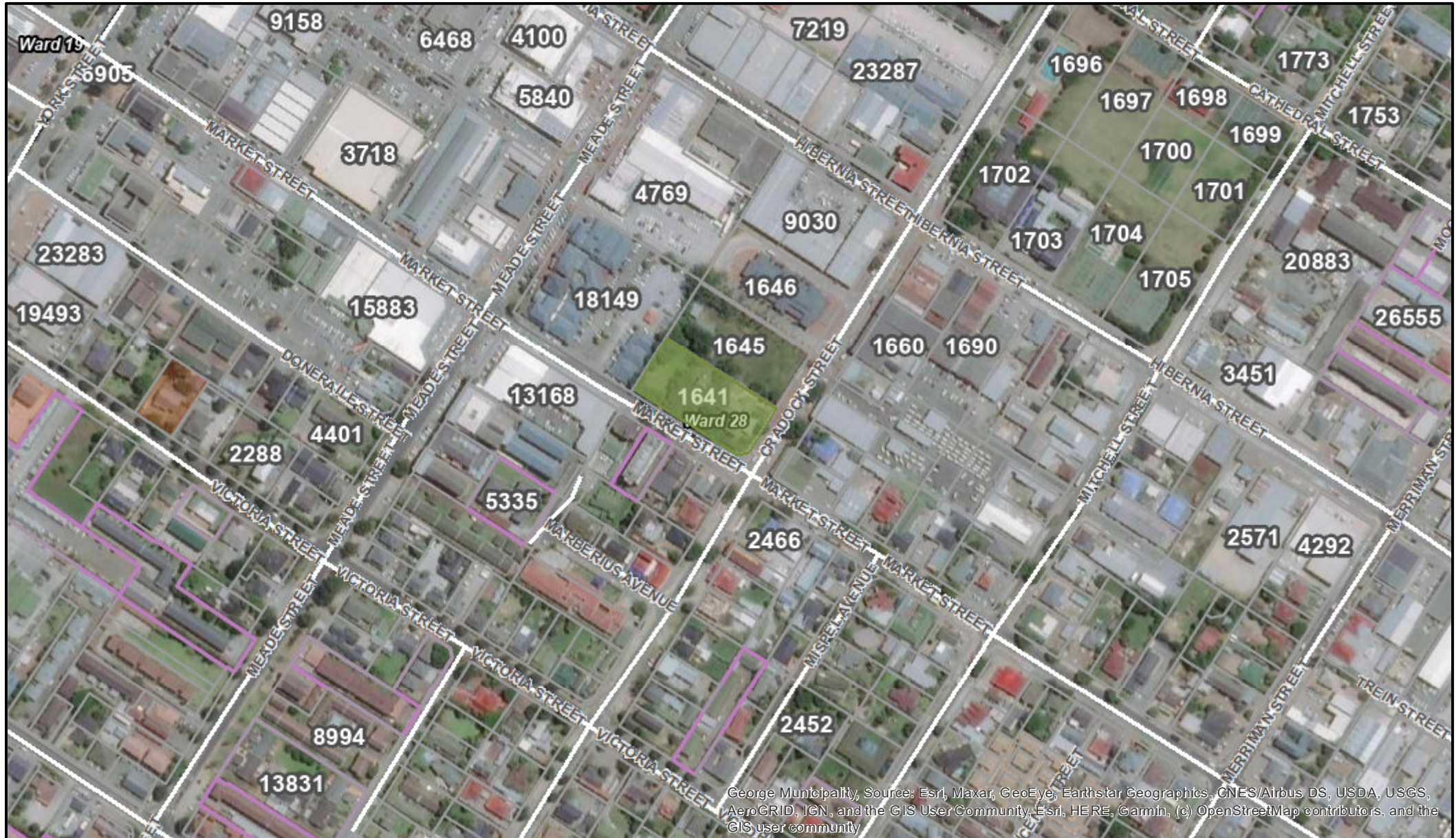
Date: 2002-09-26

llunye
.....
Registrar of Deeds

For Information Only

For Information Only

Erf 1641 & 1645, George



George Municipality, Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

0 0.1 0.2 0.4 km


1:4,514

Date: 3/24/2022

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



[illegible]


PROFESSIONAL ARCHITECT
KAREN NEL
 09:40 AM (Africa/Johannesburg) on 12 Apr 2022

projekbeskriving	project description
<p>YORK HOSTEL REDEVELOPMENT</p>	

get.	dwn	ns	ch	skaal	scale				
VdT		AdT		1:200 @ A1					
datum		date		tekening no.	drawing no.				
31/10/2022				001					
werk nr		proj.no.							
2208				A	B	C			

\\PROJECTS\2022\2208 York Hostel\Sketsplanne\York Hostel_parking_31 Okt 2022.dwg

**Ligustrum lucidum* (Broad-leaf Privet)

**Syzygium paniculatum* (Magenta Cherry)

**Eriobotrya japonica* (Loquat)

**Ligustrum lucidum* (Broad-leaf Privet)

Curtisia dentata (Assegai)

**Cupressus* sp. (Cypress)

**Taxodium distichum* (Swamp Cypress)

Taxodium distichum (Swamp Cypress)

Taxodium distichum (Swamp Cypress)

**Platanus* x *hispanica* (London Plane)

**Cinnamomum camphora* (Camphor Tree)

**Afrocarpus falcatus* (Outeniqua Yellowwood)

1645

**Fraxinus americana* (American Ash)

**Quercus robur* (English Oak)

Ficus sp. (Fig)

Podocarpus latifolius (Re

**Syzygium paniculatum* (Magenta Cherry)

Podocarpus latifolius (Real Yel

**Liquidambar styraciflua* (Liquidamber)

**Ligustrum lucidum* (Broad-leaf Privet)

**Phoenix canariensis* (Cana

**Ligustrum lucidum*

**Cupressus* sp. (Cypress)

**Pinus* sp. (Pine)

**Celtis sinensis* (Chinese Hackberry)

**Ligustrum lucidum* (Broad-leaf Privet)

MARKET STREET

GEORGE MUNICIPALITY



LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

Pre-application consultation is an advisory session and 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: 2240161

Purpose of consultation: Land Use Application Intent

Brief proposal: Consolidation, Rezoning and Consent Use

Property(ies) description: Erf 1641 and Erf 1645 George

Date: 06 April 2022

Attendees:

	Name & Surname	Organization	Contact Nr	E-mail
Official	Jeanne Fourie	George Mun	044 801 9550	jfourie@george.gov.za
	Martin Botha			pmbbotha@george.gov.za
Pre-applicant	Nathi Timakwe & Lynette Groenewald	George Mun	044 801 9047	lgroenewald@george.gov.za ntimakwe@george.gov.za

Documentation provided for discussion:

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

Copy of title deed, locality plan, sketch plan

Title deed to be obtained from Properties: Property part of land exchange with Western Cape Department of Transport and Public Works. Mandate to commence received. Locality Plan (see Annexure A).

Primarily Sketch plans from Building Control (see attached Annexure B). Detailed building plans in progress.

Has pre-application been undertaken for a Land Development application in terms of section 53 of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) with the Department of Environmental Affairs & Development Planning (DEA&DP)? **No**

YES	NO
-----	----

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

Comprehensive overview of proposal:

- a) Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2015 of Erf 1641 and 1645, George from Community Zone I to Business Zone IV (to utilize the existing building for offices). See Annexure C for accommodation schedule.**
- b) Consolidation in terms of Section 15(2)(e) of the Land Use Planning By-Law for George Municipality, 2015 of Erf 1641 and Erf 1645, George into one property.**
- c) Consent Use in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2015 in order to allow Renewable energy structure on Erf 1641 and Erf 1645, George.**
- d) Departure to relax building line along the northern and western boundary to accommodate future use of the existing buildings to be confirmed.**

It is proposed to use the old York Hostel building to accommodate municipal offices. In addition to the existing building carports will be erected, including renewable energy structures. The current zoning is Community Zone I (FSR of 1.2 which only 0.33 is used, coverage of 60% of which 26.4 is used, Height 12m).

The proposed zoning is Business Zone IV which allows for FSR of 1, coverage 60% and the height of 11m. These standard parameters are in order for the proposed use (also including covered parking).

The office building will include a cafeteria and a ticket office for Go-George.

Access will be off Market Street and the viability of the access along the Cradock street will be investigated given the positions of the bus stops.

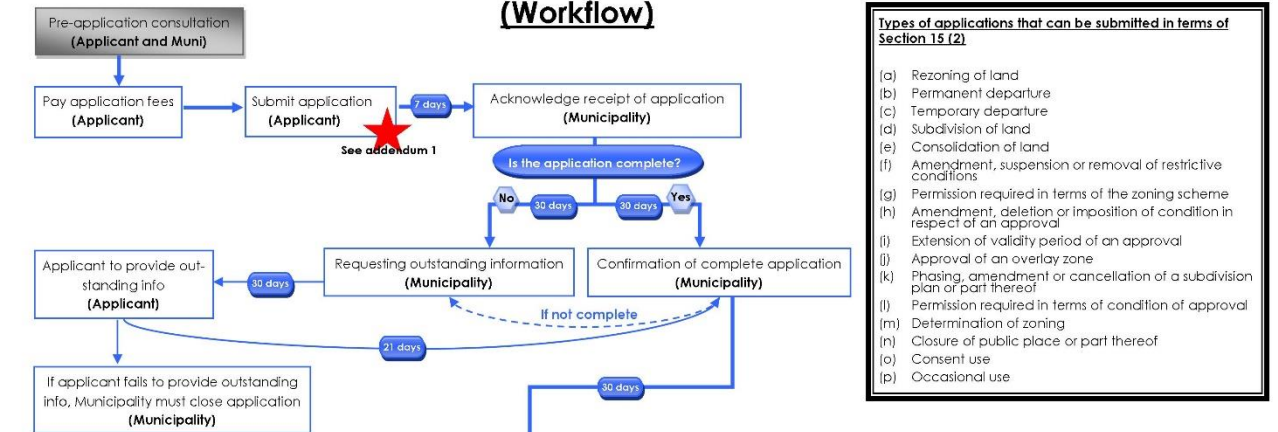
The possibility of using a section of a parking area as weekend market to be investigated.

11m building height to be confirmed.

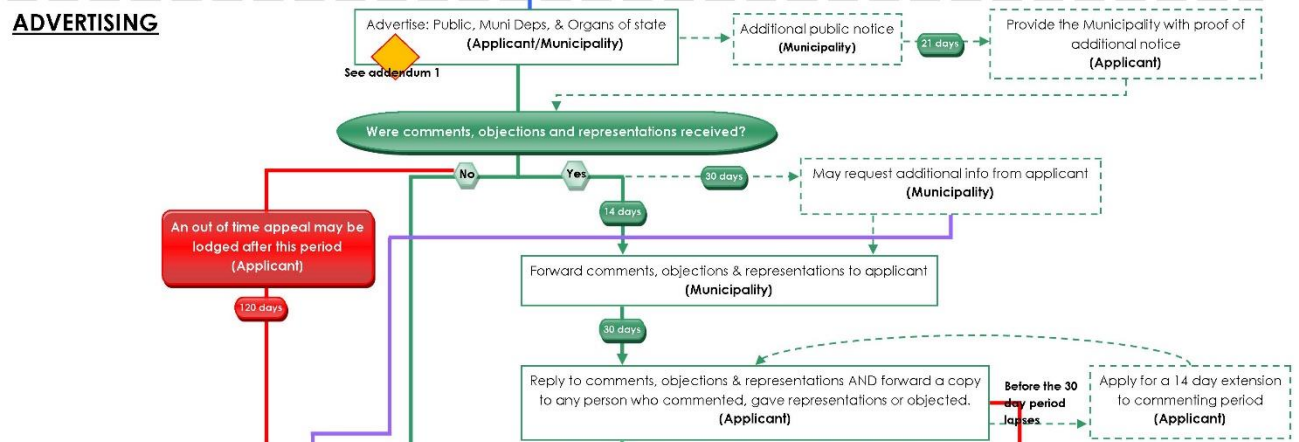
No reduction in parking requirement proposed

Draft By-Law on Municipal Land Use Planning (Workflow)

SUBMISSION

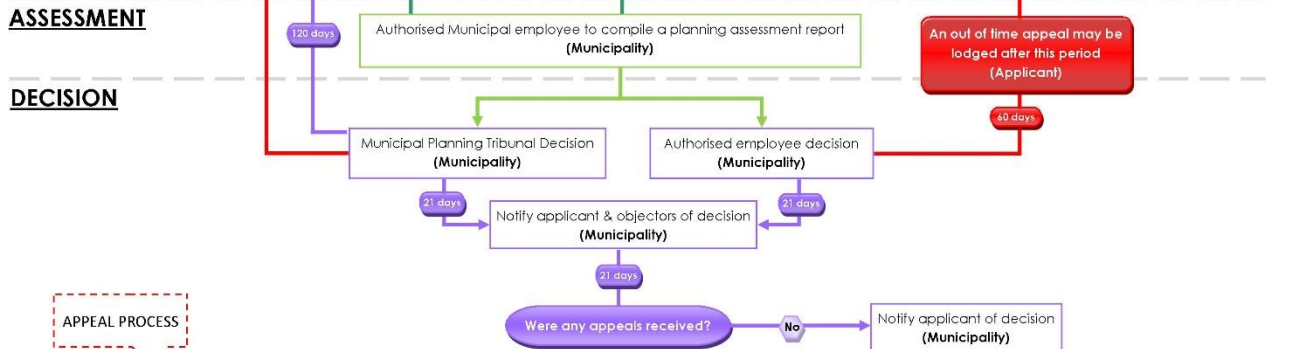


ADVERTISING

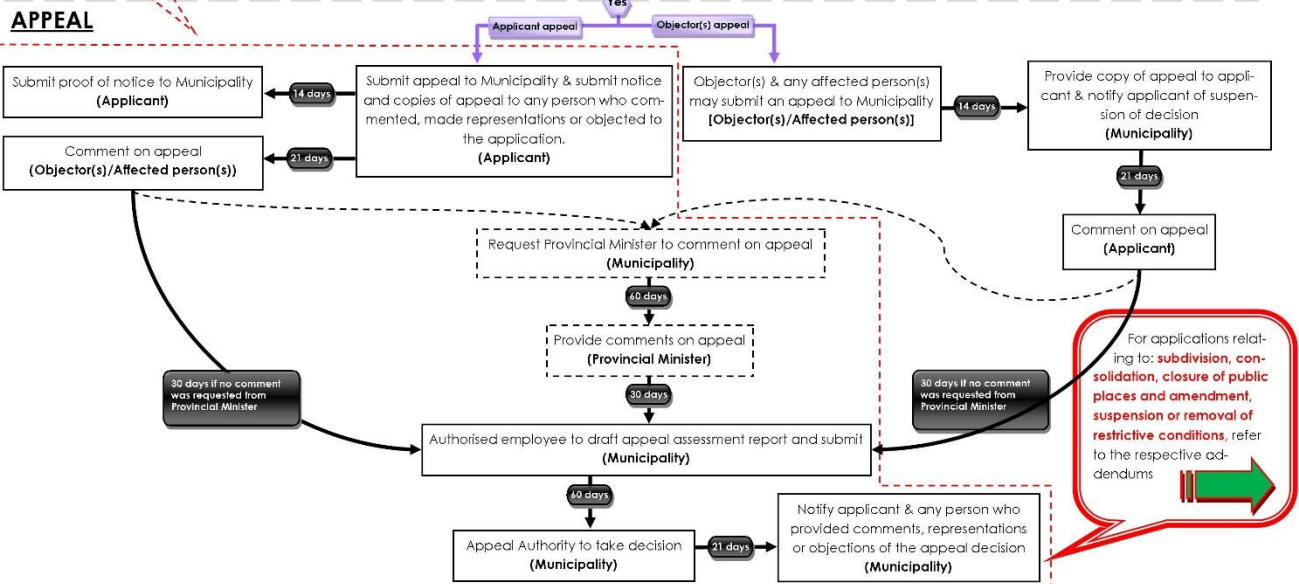


ASSESSMENT

DECISION



APPEAL



SECTION A:

**DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND
ADVERTISEMENT PROCEDURES**

Tick if relevant		What land use planning applications are required in terms of section 15 of the Land-Use Planning By-law for George Municipality?	Application fees payable
✓	2(a)	a rezoning of land;	N/A
	2(b)	a permanent departure from the development parameters of the zoning scheme;	R
	2(c)	a departure to use land for a purpose not provided for in the zoning scheme granted on a temporary basis;	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 which is not exempted in terms of section 24;	N/A
	2(f)	an amendment, suspension or removal 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 provided for in the zoning scheme;	R
	2(k)	a phasing, amendment or cancellation of a plan of subdivision or a part thereof;	R
	2(l)	a permission required in terms of the conditions of approval;	R
	2(m)	a determination of a zoning;	R
	2(n)	a closure of a public place or part thereof;	R
✓	2(o)	a consent use provided for in the zoning scheme;	N/A
	2(p)	an occasional use of land;	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 media(s) etc.)	R

Y	N	Additional publication of notices (i.e Site notice, public meeting, local radio, website, letters of consent etc.)	R
Y	N	Placing of final notice (i.e Provincial Gazette etc.)	R
Y	N	Integrated procedures	R
TOTAL APPLICATION FEE*:			N/A

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

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			
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	Title conditions to be checked
Any other Municipal by-law that may be relevant to application? (If yes, specify)		X		
Zoning Scheme By-law considerations: What is the current zoning of the property? Community Zone I What is the proposed zoning of the property? Business Zone I Does the proposal fall within the provisions/parameters of the zoning scheme? Yes Are additional applications required to deviate from the zoning scheme? (if yes, specify) TBC				

QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
Is a land development application required in terms of section 53(2) of LUPA?		X		
Is a development application affecting national interest in terms of section 52(3) of Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), required?		X		
Is the proposal in line with the principles for land development, set out in SPLUMA & LUPA?			X	
Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents?			X	
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?			X	

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

QUESTIONS 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, Forestry and Fisheries (DAFF)
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) /		X		National Department of Environmental Affairs (DEA) & DEA&DP

<p>National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) /</p> <p>National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) /</p> <p>National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA)</p> <p>(strikethrough irrelevant)</p>				
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) & 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
Is the property subject to any existing mineral rights?		x		National Department of Mineral Resources
<p>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?</p> <p>(strikethrough irrelevant)</p>		X		<p>Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS),</p> <p>Education, Social Development,</p> <p>Health and Community Safety</p>

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	
Water supply:			x	
Sewerage and waste water:			x	
Stormwater:			x	
Road network:			x	
Telecommunication services:			x	
Other services required? Please specify.			x	
Development charges:			x	

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

COMPULSORY INFORMATION REQUIRED:

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 (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	Proof of payment of fees		Y	N	Bondholder's consent
Y	N	Locality plan		Y	N	Site layout Plan

MINIMUM AND ADDITIONAL REQUIREMENTS:

Y	N	Conveyancer's Certificate		Y	N	Land Use Plan / Zoning plan
Y	N	Proposed Subdivision Plan (including street names and numbers)		Y	N	Phasing Plan
Y	N	Consolidation Plan		Y	N	Copy of original approval letter (if applicable)
Y	N	Site development Plan		Y	N	Landscaping / Tree Plan

Y	N	Abutting owner's consent	Y	N	Home Owners' Association consent
Y	N	Services Report or indication of all municipal services / registered servitudes	Y	N	Required number of documentation copies
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	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	Other (specify)

PART E: DISCUSSION

Town Planning:

- A Site Development Plan (SDP), in accordance with the provisions of Section 23 of the George Integrated Zoning Scheme (2017), will need to be compiled for submission and approval.
- The age of the existing buildings on the site should be determined, as an application to Heritage Western Cape (HWC) for a permit will be required (i.e. if structures older than 60 years are to be demolished and or updated/upgraded).
- It is recommended that an application be submitted for the rezoning of the consolidated property from Community Zone I to Business Zone I, in lieu of a rezoning to Business Zone IV. A Business Zone I property will include flats (above ground floor only) as a land use and will therefore provide more flexibility to futureproof the site.
- Please take note that the Traffic Impact Assessment (TIA) may need to be amended in the future, should flats not be included in the initial application process (as the trip generation is a function of the land use).
- Following discussion, it was advised that the trees on the site should be incorporated into the development / layout of the site, where possible.
- Please take note of Erf 9273 George, along the site's southern boundary (same seems to be road reserve and requires further investigation).
- As discussed, it is preferred that all information, documentation and specialist studies are submitted together, for the processing of the application.

CES:

- All accesses must take into consideration the GIPTN concept plan, which require the removal of the boundary wall along Craddock Street.
- Please circulate the application to the GIPTN unit for comments.
- A TIA may be required.

ETS:

- An electrical engineering services report should be submitted, clearly confirming the load requirements / network capacity, and details of the generator and SSEG.
- Formal applications for generation will be required

PART F: SUMMARY / WAY FORWARD

See Part E above. The applicant may proceed to submit a land use application in terms of the Land Use Planning By-law for George Municipality (2015), to consider the development of the site. The George Municipality will process the application in accordance with the relevant statutory requirements.

OFFICIAL: Martin Botha

(FULL NAME)



SIGNED: _____

PRE-APPLICANT:

(FULL NAME)

SIGNED: _____

DATE: 6 April 2022

DATE: _____

OFFICIAL: Jeanne Fourie

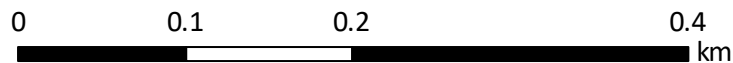
(FULL NAME)



SIGNED: _____

DATE: 14/04/2022

**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.*



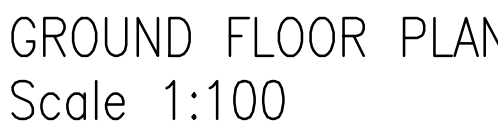
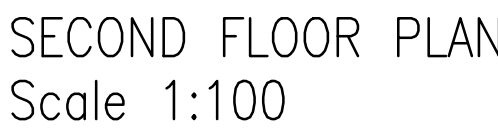
1:4,514

Date: 3/24/2022

Disclaimer:

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





<p>GEORGE MUNICIPALITY drawn: c. noemdoe reg no: do980</p>			
PROJECT:	renovations of old hostel for offices	DATE:	Feb 2020
LOCATION:	housing department	SHEET:	1 of 1
		SCALE:	as shown
TITLE:	floor plan, sections, elevations	DRAWN:	cn
		REVISION:	--



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)	Nathi & Lynette				
Surname	Timakwe & Groenewald				
SACPLAN Reg No. (if applicable)	Nathi :(C7090/2019) Lynette :(Pr.Pl. A/2362/2016)				
Company name (if applicable)	George Municipality				
Postal Address	71 York Street				
	George	Postal Code	6530		
Email	ntimakwe@george.gov.za/ lgroenewald@george.gov.za				
Tel	044 801 9047/ 044 8019436	Fax	-	Cell	0659244901/0826533900

PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner	Western Cape Government- Department of Transport and Public Works				
Address	46 Market Street				
	George	Postal code	6530		
E-mail					
Tel		Fax		Cell	

PART C: PROPERTY DETAILS (in accordance with Title Deed)

Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	Erf 1641 George and Erf 1645 George											
Physical Address	46 Market Street											
GPS Coordinates	-33°57'45.4"S 22°27'36.9"E -33°57'44.2"S 22°27'37.8"E				Town/City		George					
Current Zoning	Community Zone I			Extent		4 110.80 & 4398.61 m		Are there existing buildings?		Y	N	
Current Land Use	Hostel											
Title Deed number & date	Erf 1641 George – T91920/2002 Erf 1645 George – T91920/2002											
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.								
--	---	---	---	--	--	--	--	--	--	--	--

<i>Official's name</i>	Martin Botha	<i>Reference number</i>	2240161	<i>Date of consultation</i>	6 April 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:

The application for entails the following:

- Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2015 of Erf 1641 and 1645, George from Community Zone I to Business Zone I.**
- Consolidation in terms of Section 15(2)(e) of the Land Use Planning By-Law for George Municipality, 2015 of Erf 1641 and Erf 1645 George into one property.**
- Consent Use in terms of Section 15(2) (o) of the Land Use Planning By-Law for George Municipality, 2015 in order to allow Renewable energy structure on Erf 1641 and Erf 1645, George**

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

Y	N	Locality Plan		Y	N	Site layout plan	
Minimum and additional requirements:							
Y	N	N/A	Conveyancer's Certificate	Y	N	N/A	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	Specific Environmental Management Act(s) (SEMA)
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)	Y	N/A	(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004),
Y X	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008),
Y X	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			National Environmental Management: Waste Act, 2008 (Act 59 of 2008),
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)

Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)		Y	N/A	Other (specify)
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:

21 October 2022

Full name:

Nathi Timakwe & Lynette Groenwald

Professional capacity:

Planning Intern/ Senior Spatial Planner

SACPLAN Reg. Nr:

*Nathi :(C7090/2019) Lynette :(Pr.Pl.
A/2362/2016)*

APPLICATION MEMORANDUM

APPLICATIONS, SUBMITTED TO THE GEORGE MUNICIPALITY, FOR

Consolidation in terms of Section 15(2)(e) of the Land Use Planning By-Law for George Municipality, 2015 of Erven 1641 & 1645, George into one property.

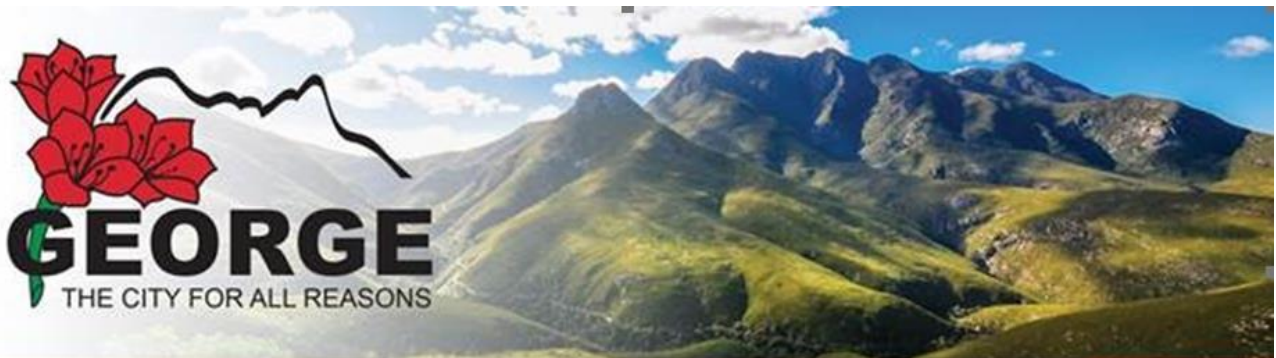
Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2015, as read with the George Integrated Zoning Scheme Bylaw, 2017, of Erven 1641 & 1645, George from Community Zone I to Business Zone I, to allow the use of the existing building for offices with ancillary uses

Consent in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2015 to include renewable energy structures on the consolidated erf.

Submitted by George Municipality: Human Settlements, Planning and Development Department
(Nathi Timakwe)
(Tel.:044 801 9047;
ntimakwe@george.gov.za)

Submitted to:
George Municipality and Planning and Development Department and the
Eden Joint Municipal Planning Tribunal

October 2022



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MOTIVATING MEMORANDUM
APPLICATION, SUBMITTED TO THE GEORGE MUNICIPALITY, FOR CONSOLIDATION AND REZONING FROM
COMMUNITY ZONE I TO BUSINESS ZONE I, WITH CONSENT TO INCLUDE A RENEWABLE ENERGY
STRUCTURE, IN TERMS OF CLAUSES 15(2)(a), 15(2)(e) and 15(2)(o) OF THE GEORGE MUNICIPAL LAND USE
PLANNING BYLAW, 2015, AS READ WITH THE GEORGE INTEGRATED ZONING SCHEME BYLAW, 2017, TO
ALLOW THE USE OF THE PROPERTIES FOR OFFICES AND ANCILLARY USES.

1. INTRODUCTION AND BACKGROUND

Erven 1641 and 1645 are located within the central business area of George and was historically used as a hostel facility for York High School. After occupying another building closer to the school, there was no further interest to use the building for pupil's residence and the building was vacated more than 14 years ago. The building has been vacant since then. Recently the landowner, being the Western Cape Government: Department of Transport and Public Works (WC DTPW), has made the properties available to the George Municipality as party of land exchange agreement.

The George Council resolved on 25 March 2021 that the required land development right- and building approvals be obtained, upon conclusion of an agreement between the parties, to enable the use of the land by the Municipality. The WC DTPW provided a mandate to the George Municipality to proceed with actions related to the renovations and constructions to accommodate the required uses on site.

A report before Council dated March 2022 follows from the abovementioned land exchange agreement and the resultant property transfer intent and indicate that the proposed use of the subject properties is municipal offices. Opportunity to use a section of the site, adjacent to the intermodal transport facility, for a market area and possible ticket office, if required in future, and to allow for a possible construction of a multiple parking garage was noted in preparatory meetings with various municipal stakeholders.

This memorandum provides background in respect of the existing and proposed use of the project site, presents technical details relating to the site, describes the proposed rights and application details and offers a motivation in respect of the need for the proposed use and the desirability of the site to accommodate such use.

2. ERVEN 1641 AND 1645 GEORGE: SITE DETAILS

2.1 LOCALITY

The subject properties, being Erven 1641 and 1645 George, are situated on the north-western corner of Cradock- and Market Streets, George Central Business District (CBD), Ward 28.

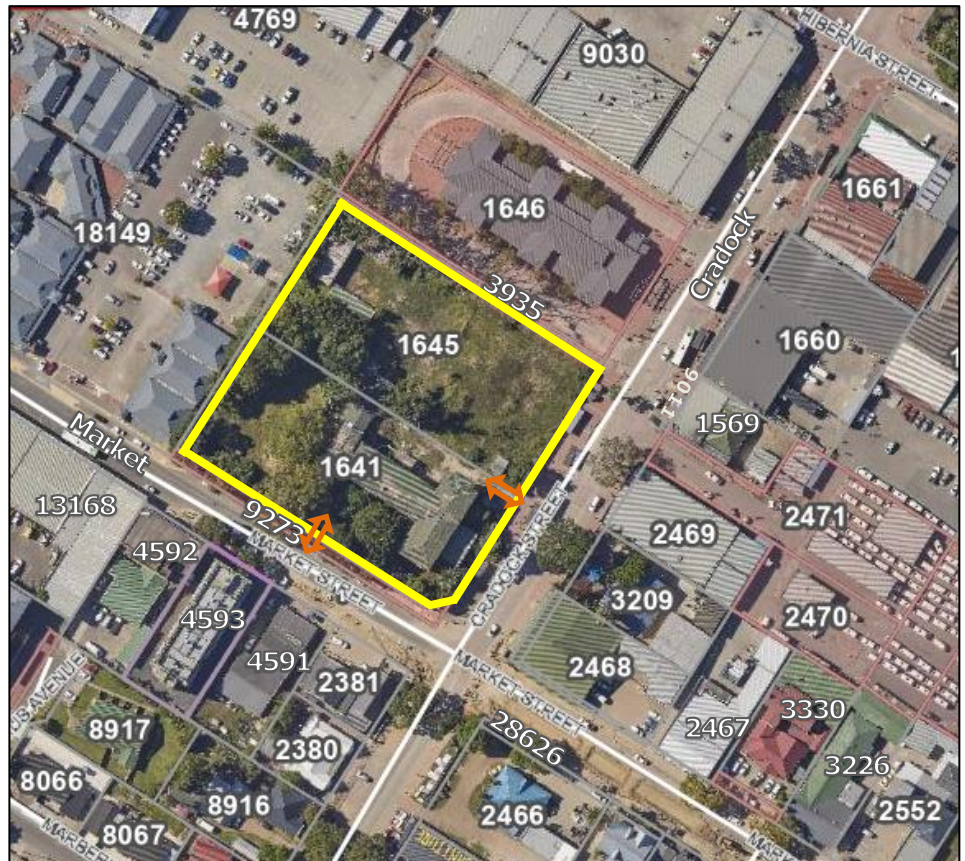


Figure 1: Local Locality Map

Boundary of Erven 1641 and 1645 George

(George Municipal GIS, 2022)

City wide- and local Locality Plans are attached as **Annexure A**.

Street Address: 46 Market Street, George Central (corner of Cradock and Market Streets)

Ward: 28

Coordinates: +22.460.-33.962

SG21Code: C02700020000164500000 & C02700020000164100000

The site is located in with the mixed use, urban fabric of George Central, adjacent to the Go-George Bus Terminus.

2.2 ACCESS

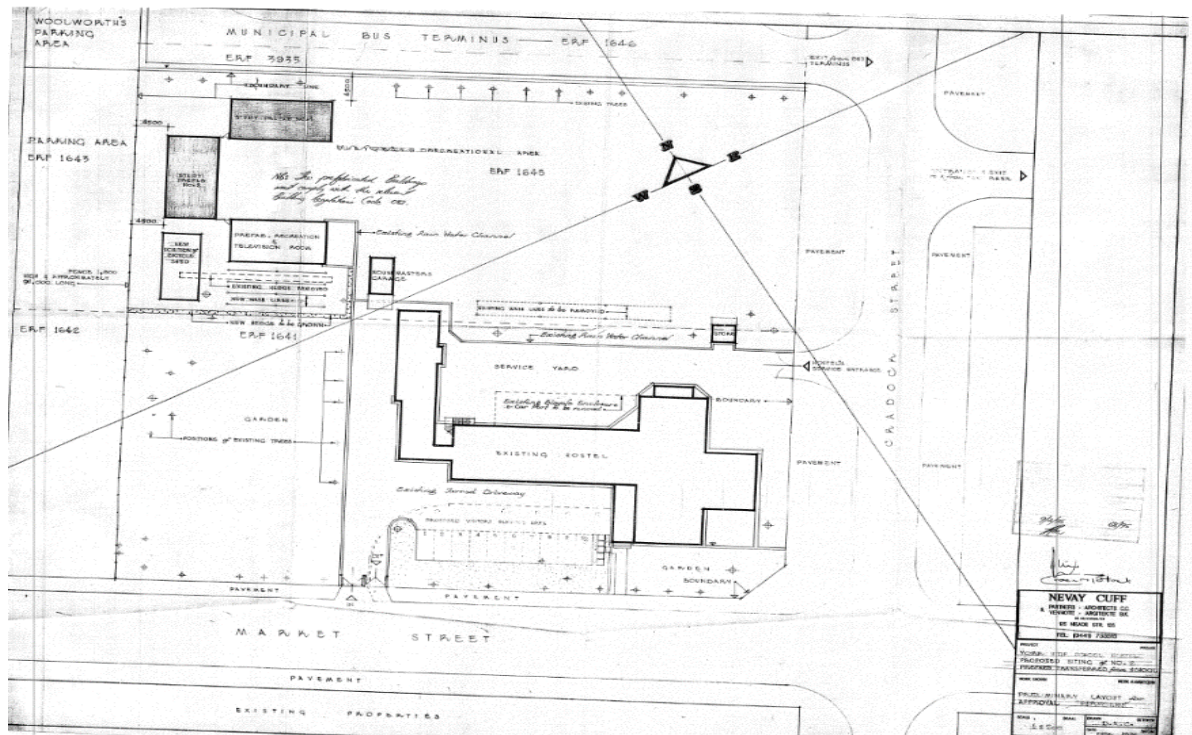


Figure 2: Current Access

Historically, access to the site, as indicated on old building plans, (See Figure 3) was from both Market- and Cradock Street.

Accesses in these positions were, historically used (See Figure 2) and a distinctive gate along Market Street still exists.

Since the building was vacated, the Go-George infrastructure (Bus Stops) was constructed along Cradock Street, which compromised the eastern



access. See the Photo below - Error! Reference source not found..

Figure 3: Approved Building Plans: Building and Access Position

2.3 PROPERTY DESCRIPTION, OWNER AND AREA

Property Description	Deed of Transfer Number	Registered Owner	Area	Surveyor General Reference Nr
Erf 1641, George	T10649/1985 Ownership vesting: T9120/2002	Government of the Western Cape	* 4 109m ²	SG Diagram number: 271/1836 (endorsed 1983)
Erf 1645, George	T1122/1959 Ownership vesting: T9120/2002	Government of the Western Cape	4 398 m ²	SG Diagram number: 270/1836

Table 1: Property Description, Ownership and Area

Copies of approved Surveyor General Diagrams are attached as **Annexure C**.

*A portion of Erf 1641 (Now Road portion 2973, See Figure 1 and Annexure B) was previously (1983) subdivided to create a widened Market Street Road reserve and corner splay. The subdivision has been endorsed against the title deed. The Title Deed indicates the area of the remainder of Erf 1641 as 4109m² (surveyed size (SG) 4110,78m²).

The building plans and the actual use of the site shows that the two subject properties were used as one, although the two sites were not formally consolidated. And that the sidewalk is located on the subdivided portion, Erf 273.

A servitude right of way diagram (SG 636/2014) indicated a 19.18m wide servitude along the northern boundary of erf 1645, but such diagram was withdrawn in 2014.

SG diagram 1675/2014 shows a right of way servitude area of 472 square meters. Such right of way servitude along the north-eastern boundary of the site, is approximately 3.6m wide (to be registered, with the proposed consolidation registration). The right of way servitude (SG 1675/2014 over Erf 1645) also affects the full extent of Erf 3935 and may relate to a pedestrian walkway and movement corridor, which follows from the CBD Pedestrian Network Plan (2015).

2.4 LEGAL: SERVITUDES AND TITLE CONDITIONS

The following title conditions, applicable to Erf 1641 George, are listed in T10649/1985:

Clause	Document reference	Description	Comment
A	T6098(11Aug1916)	Preceding Title	-
Endorsements:	T27548/1986	P4. Erf 9273 subdivided from Erf 1641 – remaining extent is 4 109m ²	See Par 2.3.
	T2268/1991	Ownership endorsement to RSA	-
	T75704/1992	Endorsement unclear (York School)	-
	T67739/2000	Ownership Endorsement to RSA (Act 84/1996)	-

Table 2: Title Conditions: Erf 1641 George

The following title conditions, applicable to Erf 1645 George, are listed in T1122/1959:

Clause	Document reference	Description	Comment
	T6098(11Aug1916)	Preceding Title	-
Endorsements:	T2268/1991	Ownership endorsement to RSA	-
	T75704/1992	Endorsement unclear (York School)	-
	T67739/2000	Ownership Endorsement to RSA (Act 84/1996)	-

Table 3: Title Conditions Erf 1645 George

Copies of the abovementioned Deeds of Transfer's are included herewith as **Annexure D**.

The properties are not bonded.

The Power of Attorney of the Western Cape Provincial Government (Department of Transport and Public Works) to the George Municipality in respect of the subject erven and the relevant draft land exchange agreement apply.

2.5 LAND USE: THE SITE AND ADJACENT AREAS

The property was previously used as a hostel of the York High school. After occupying another building closer to the school, there was no further interest to use the building for pupil's residence and the building was vacated more than 14 years ago. The hostel building has been vacant since then and has gradually fallen into a state of disrepair. Occasional use rights were previously permitted.

The existing triple storey building includes 23 rooms on the ground floor, 1st floor has 33 rooms and 28 rooms on the 2nd floor (84rooms in total). The existing main building was designed as a hostel with sleeping quarters, ablution facilities, a kitchen, cafeteria/eating area, communal rooms, storerooms and a dining hall. The building is in a state of disrepair.



Figure 4: Uses on Site (Photos March 2022)

Site surveys took place between March 2022 and July 2022. The site includes various outbuildings (See Figure 4), included on the building plan (Figure 3):

- A single-storey storeroom facility (multi-purpose room),
- A single storey lock-up garage, with three large storage sheds
- A storeroom and boiler room

Along the northern and western boundary there is a Clear-Vu fence, with a brick wall and pillared gate structure along the southern and eastern boundaries.

Adjacent properties display a mixed-use character congruent with the CBD context.

Property description (George)	Photo ref. (Figure 1)	Ownership	Use	Servitudes affecting
Erf 18149	2	Mascodor 159 PTY LTD (A)	Shops, restaurants, drycleaners, offices, parking	No
Erf 4769	1	Liad Prop Trust (Bus)	Shopping Centre	No

Erf 9030		Beamarno Ontwikkelings	Shopping Centre (adjacent to hub)	No
Erf1646	5	George Municipality	Bus Terminus, Public Transit Facility	Servitude on Erf 1645 facilitate pedestrian movement
Erf 1660	4	Cradock StreetINVPTY LTD	Shops	No
Erf 1659	4	Blazing Blizz Trading	Shops	No
Erf 9011	4	Wilson, Johanna Elizabeth	Road reserve - sidewalk	No
Erf 2469	4	Nasarullah Khan Treen	Shops	No
Erf 3209	4	Nasarullah Khan Treen	Dwelling	No
Erf 2468 (Division 8154 not registered)	4	Denber Sentrum	Shops	No
Erf 2466	4	Markstraat 43	Shop/business	No
Erf 28626	4	George Municipality	Road reserve	N.a.
Erf 2381	3	Stander Family Trust	Coffee shop/ restaurant	No
Erf 4591	3	Taligen Pty Ltd	Shop	No
Erf 4593	3	LagoonBeach Wilderness 102 PTY LTD	Flats	No
Erf 4592	3	N Y Kinders Trust	Shops, offices& flats	No
Erf 13168	3	Tommy Joubert Trust	Shops , offices	No
Erf 9273	3	George Municipality	Road reserve	N.a.
Erf 3935	5	George Municipality	Road	Noted as an approximate 1,3m wide part of 5m wide walkway

Table 4: Adjacent Land Uses

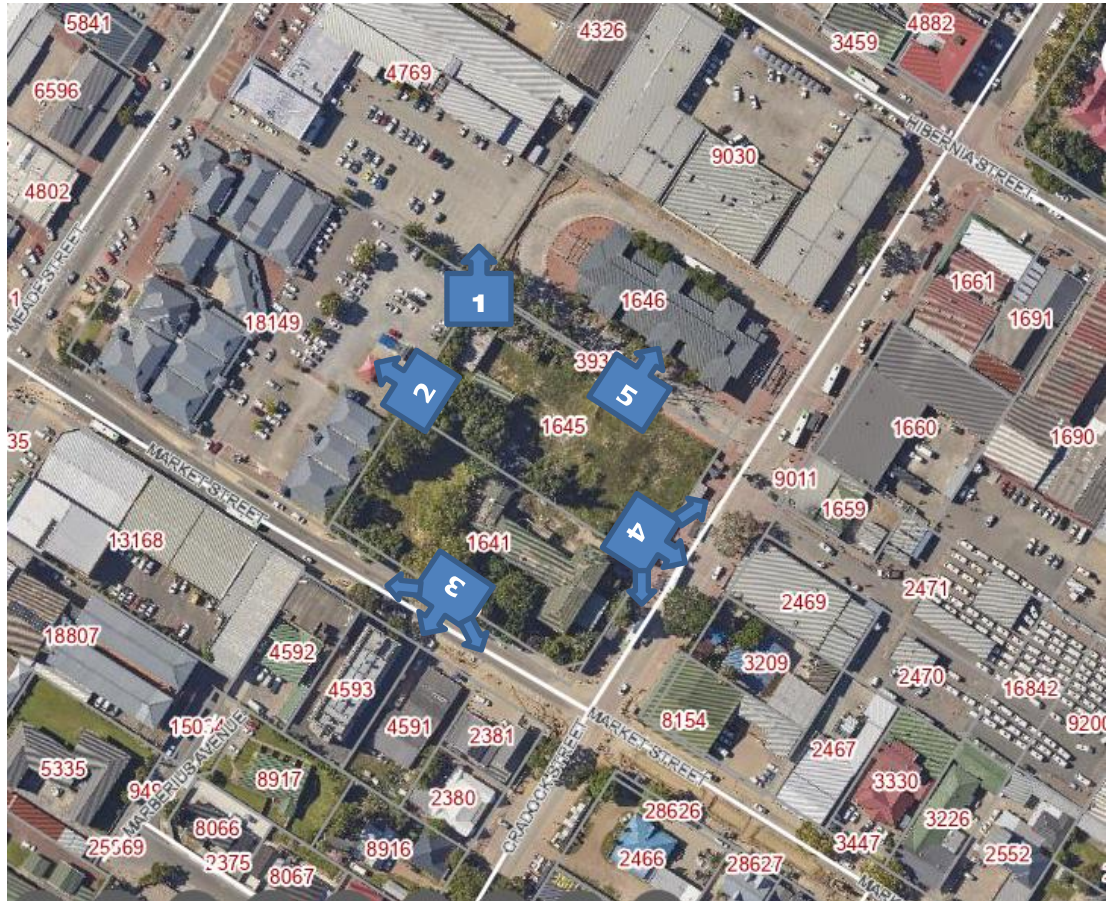


Figure 5: Adjacent Land Uses: Aerial and Photo reference

Reference 1: Photos from site (Sept2022).



Reference 2: Photos from site (Sept2022).



Reference 3: Photos from site (Sept2022).



Reference 4: Photos from site (Sept2022).



Reference 5: Photos from site (March2022) towards Erf 1646; Public Transit Facility.



2.6 EXISTING ZONING: THE SITE AND ADJACENT

Erf 1641, George and Erf 1645, George are currently zoned as “Community Zone I” (*Place of Instruction*) in terms of the Integrated Zoning Scheme By-Law (2017). The zoning relates to the historic use of the site.

The zoning of the adjacent properties is predominantly ‘Business Zone I’, which relate to business premises as per the definition in the George Integrated Zoning Scheme Bylaw, 2017. Business premises means a property from which a business is conducted and includes a shop, restaurant, retail, office, place of assembly, multiple parking garage, flats above ground floor and other related uses.

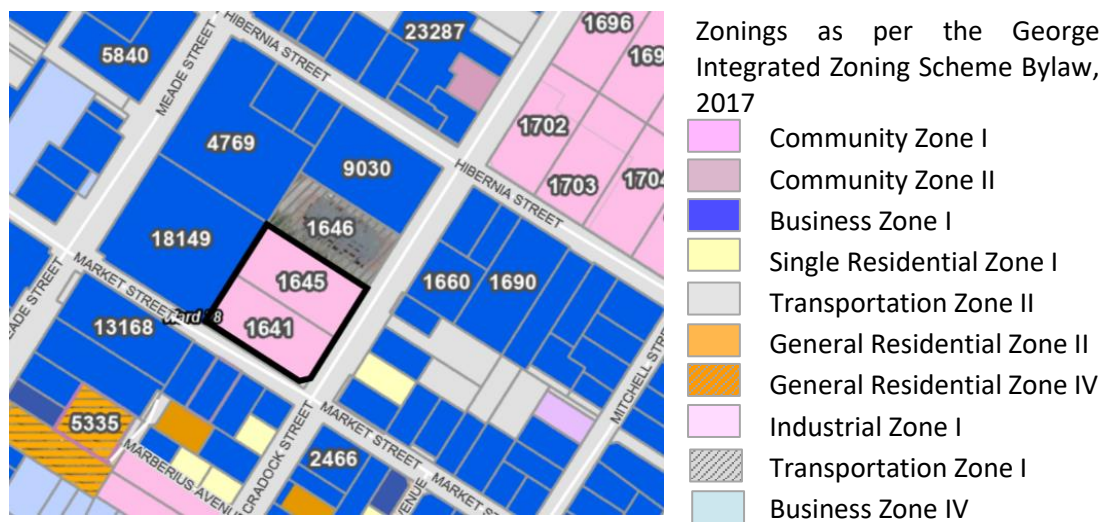


Figure 6: Zoning

2.7 LAND USE CONTEXT

Also see Strategic Context, Par. 5.

The properties are situated in a mixed-use, urban fabric. The Valuation Report (DDP2021) describes the area as “a critical part of the CBD due to its proximity to the existing taxi rank, high volumes of pedestrian and vehicular traffic and several small businesses and street vendors. The subject area is considered to be a high activity node within the CBD”. The area displays a mix of business- and residential uses. Market Street and Cradock Street are noted as street where mixed-use developments can be accommodated.

Note that the pedestrian movement envisaged in the CBD Pedestrian Network (See Par.5.6) is hindered by the current use of the land (vacant, fenced off area, structures) and must be rectified by reflecting such walkway (as an existing servitude and an off-set area) in the site planning.

The George SDF (See Par. 5.3) promotes mixed land uses in the CBD area and the character of land uses along Market Street and Cradock Street, and in the general area, include residential

(various typologies), businesses, restaurants, bakery, shops, community facilities (churches, schools), transportation facilities, offices, etc.

2.8 PHYSICAL SITE CHARACTERISTICS, ENVIRONMENTAL SENSITIVITIES AND HERITAGE

Erf 1641 and 1645 George display a level topography, with a height difference of only 2m diagonally across the site (1:57 gradient). The lowest point of the site is the south-eastern corner). Figure 7 has reference.

The physical characteristics does not limit the proposed use of the properties. Road access, and adjacent properties are at site level and/or not significantly higher.



Figure 7: Topography, 1m contours – Municipal GIS system (ESRI)

There is no wetland or watercourse on site. Storm-water management structures are located in the road reserve. The intent is the proposed re-use of the existing disturbed footprint, which infers that no listed activities, as contemplated by the National Environmental Management Act, 1998 (Act 107 of 1998, as amended, NEMA) are triggered by the proposed rezoning and consolidation application and the intended use.

No environmental issues were identified in initial site assessment and 'ground truthing' which will negate the proposed use of the properties.

Figure 8 relates to an analysis of the on-site vegetation and must advise the Site Development Plan. As far as possible, no large shrubs and/or trees should be removed. Nonetheless, the map below indicates which trees must be protected and which trees may be removed, if required. Urban greening is encouraged and will be addressed in the SDP. Extensive hard surfaces must be avoided.

Below is a map of trees that indicates trees to be removed and trees that needs to be protected.



Figure 8: Vegetation Identification

National Heritage Resources Act, 1999 (Act 25 of 1999)

A notice of intent to develop (NID) in terms of Section 38(1) of the National Heritage Resources Act, 1999 (Act 25 of 1999) will be submitted to Heritage Western Cape, as a section of the building and wall is older than 60 years, which that triggers heritage resource cultural significance. Therefore, the approval of the SDP and the building plans must be subject to the NID outcome.

2.9 ENGINEERING SERVICES

2.9.1 Roads, Access and Public Transport



Figure 9: Roads and Public Transport adjacent to the site

The site gains direct access into the major roads, which form part of such CBD core area grid. The site is linked to York Street via Market street- connecting to Hope Street in the east. The link to Courtenay Street is via Cradock Street. The central area includes a network of walkable streets as well as existing public transit opportunities. Figure 9 has reference.

The site lies adjacent to the “horseshoe” (Central bus terminus), which forms part of the CBD transport hub. “The original intention of using the central ‘horseshoe’ facility as a terminus for inter-town bus operation remains unchanged. The Transport Hub is an inter-modal ‘interchange’ facility comprising the horseshoe and the bus stops in Cradock, Market & Hibernia Streets. The design provides for a reserved tour bus stop, and consideration will be given to the future accommodation of metered taxi & inter-city operations at this general location”. (Review of CBD Bus Routing, 21 Feb 2018, Aurecon, Report 112701).

Note that the subject property is a corner property bordering two main arterial roads within George. Access to the Remainder Erf 1641 is via Market Street, and access to erf 1645 George is via Cradock Street the main parking area proposed (SeePar. 4) is located on the western side of Erf 1641 and Erf1645 George.

Public transport in this node is consider good, and the subject property is located close to the George Taxi Rank and train station. Furthermore, the Go-George bus service in this area is deemed to be good.

The property is also situated close to the Go George bus route, this is indicated in the image below

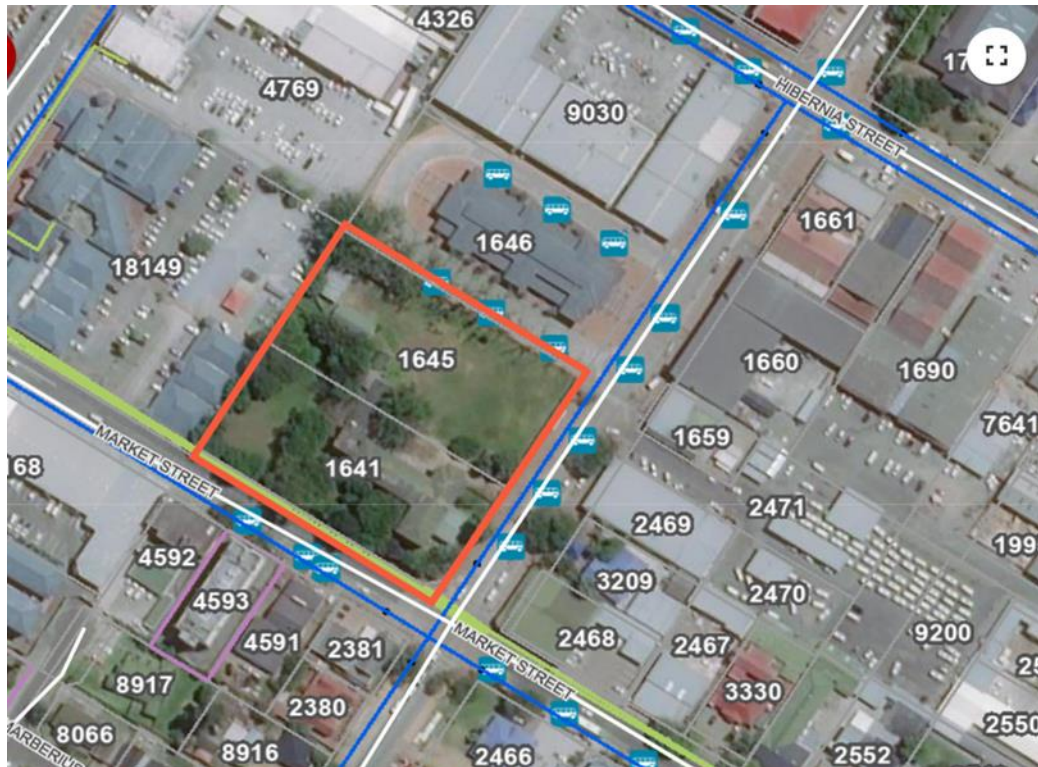


Figure 10: An extract from the GIS Viewer, showing Go George Bus Route Map the subject property indicated with an orange border.

2.9.2 Municipal Civil- and Electrical Engineering Services

The subject property falls within a fully serviced precinct in-terms of bulk- and link services infrastructure.

The properties have water- and sewer connection points linking to:

- Water lines within Market- and Cradock Street Road Reserves
- Sewer lines within Market- and Cradock Street Road Reserves

The municipal electricity network run within the Market- and Cradock Street Road Reserves.

Capacity calculations take the previously approved land use rights and service allocation into account.

The sites are services by municipal refuse removal services.

There are fibre lines along Market Street.

3. THE APPLICATION

The application is to obtain the necessary land use rights in order to accommodate office use within the existing building and to consolidate the two properties into one. The proposed rights will enable a possible market use and walkways on site, as identified to support the movement and uses areas related to the Public Transport. The possibility to include renewable energy structures is also facilitated.

The application is therefore made in terms of the following:

- a) **Consolidation in terms of Section 15(2)(e) of the Land Use Planning By-Law for George Municipality, 2015 of Erf 1641 and Erf 1645 George into one property.**
- b) **Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2015 of Erf 1641 and 1645, George from Community Zone I to Business Zone I (See 4.2.2).**
- c) **Consent Use in terms of Section 15(2) (o) of the Land Use Planning By-Law for George Municipality, 2015 in order to allow Renewable energy structure on the consolidated erf (Erf 1641 and Erf 1645), George**

4. PROPOSED USE AND LAND USE RIGHTS

4.1 PROPOSED LAND USE

It is proposed that the existing main building be upgraded to be used for **office** purposes. Subsidiary uses may include:

- Walkways,
- office cafeteria,
- parking,
- gate house and utility structures, such as refuse areas, security installations.
- energy installations,
- markets and market stalls, and
- bus ticket office.

The existing guard house will be retained to be used to accommodate security- and utility services related to the main use.

Figure 11 includes a Draft Site Development Plan, which was used to test building upgrading viability and costs. The concept plan indicates:

- Some of the existing outbuildings may be demolished at this stage.
- The existing main building will be retained and upgraded to suit the office purpose.
- A network of walkways channel office workers, visitors to and from the proposed parking area.
- Pedestrian access to the building is facilitated at various positions.
- The site forms part of the CBD wide pedestrian movement system and such permeability is facilitated through an addition of an off-set area adjacent to the existing right of way servitude along the northern boundary of the consolidated site. The off-set area will be reserved, within the Site Plan, for structures and areas related to pedestrian movement and related uses such as stalls, ticketing office, market area, etc. A condition in this regard to be included in the zoning approval. The aim of this area is to foster permeability and walkability, facilitate fine grain economic activity and extend the municipal services to the

receiving community, in future, whether tourism-/economic-/transportation related. The ownership of the off-set area will remain municipal.

- The office cafeteria is planned to be included in the main building but may include outside seating area.
- The placement of the energy installations will be confirmed during the Site Development Plan (SDP)stage.
- The main parking area is proposed between the building and the western boundary of the site as indicated in Figure 11. Parking to standard can be provided.
- Possible parking integration to link to the parking areas on Erf 18149 George (to the west of the site) to be confirmed during SDP stage.
- Provisional design indicated inclusion of 90 parking bays to be provided, in which 75 bays will be utilized by municipal officials with 2 disabled parking bays. Furthermore 12 parking bays will be provided for the public and with 1 disabled parking bay. The draft design of the Site Plan included input from a traffic engineer. This provision is higher than the requirement in terms of the GIZSB2017. Therefore, is safe to say that sufficient parking will be provided for the proposed development. The proposed development is shown on the provisional site plan, attached as Annexure "A"
- Access from Market Street to the car park is provided via an existing entrance with a width of 6 meters on the south western side of the erf. Alternative, integrated parking access may be included, subject to agreement with adjacent land owners.
- The inclusion of space (widened off-set area, adjacent to the existing Right of Way (servitude on SG)) for market stalls on the boundary of the site, between the central bus terminus (Horseshoe) facilitates the use of this strip for managed economic activity.

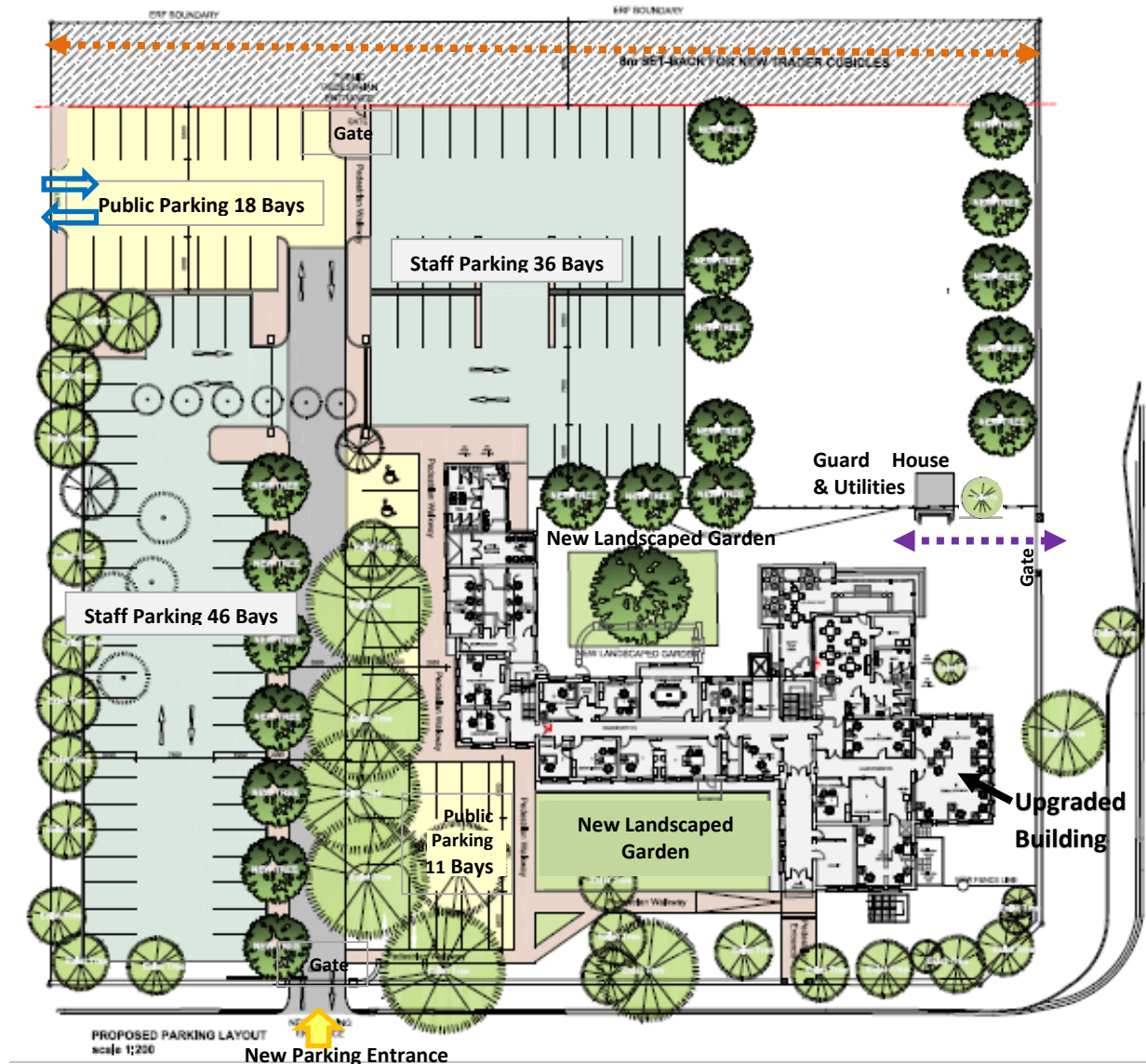


Figure 11: Concept plan (from SDK Architects: Parking Proposal 31 Oct 2022)

Also refer to the plan included as **Annexure E** (Site Plan *in progress*).

The existing building will not be demolished, it will be altered internally, and some structural changes will be made, as required. The existing footprint of the buildings will not be extended significantly. The proposal does not have a significant impact on the built form (streetscape and the sense of place) as the structures will not be significantly extended. More efficient space utilization (access

and circulation) is proposed and formal landscaping. Detailed landscaping and accommodation of heritage considerations in building/structure design will be illustrated, if required, at SDP stage.



Figure 12: Conceptual Impression of the proposed offices

Vehicle access to the site will be from Market Street, with a one-way vehicle circulation proposed, as illustrated on the draft site plan included as Figure 11.

The existing access from Cradock Street will be retained for **service vehicle access** (utilities: refuse vehicles, delivery, emergency) and pedestrian access only.

Parking, to standard, will be provided on site, as shown on the draft site plan included as Figure 11. The concept may be updated based on the final input of the Transportation engineer at site development plan stage. **Integration of parking and access** between the project site and the property to the west is a possibility, which will be subject to further investigation and can only be implemented after agreement by all parties.

The proposed building lines along Market- and Cradock Streets may accommodate additional **pedestrian movement**, in future, when required. Such requirement to be confirmed prior to the installation of fences. The Right of way area (existing diagram) affecting the subject property, as read with the servitude over Erf 3935 also support site integration and accessibility.

Urban Greening is not only important from an environmental perspective (reducing the urban heat island effect, contributing to air quality), but also relate to creating an enjoyable environment, i.e., a positive urban quality. Only a few trees/plants were identified as indigenous. Nonetheless, where possible the larger trees should be retained within the site plan and/or replanted on site. **Landscaping** to include tree-planting (specified tree sizes per number of parking bays). Permeable parking and use areas to be promoted.

4.2 PROPOSED RIGHTS

4.2.1 Background

The Municipal Council and landowner agreed, in principle, that the York Hostel Building and site should be utilized upgraded for alternative use, specifically to cater for municipal office, municipal use and related purposes. It is the intention to use the existing building or possible new buildings for municipal offices in order to bring investment to various parts of the CBD. One of the predominant functions of the CBD, being the primary node of the George Municipal area. The CBD Core area, within which the subject site lies, is supported as a high intensity mixed use area including office use and high-density housing options. Revitalization, intensification of use and public realm planning, including pedestrian linkage, planning for safety and shared management is considered desirable in all developments in the CBD. The proposed uses (municipal office, walkways, public area) fall within this realm.

4.2.2 Proposed Zoning, Consolidation and Consent Use

Erf 1641 and erf 1645, George are zoned in terms of the Integrated Zoning Scheme By-law of the George Municipality, 2017 Community Zone I. The erven were developed with a utilized as a hostel for York High School. This application is to convert the existing building that was utilized as hostel into offices for George Municipality with an on-site car park in accordance with the requirements of the Land Use Planning Ordinance for George Municipality, 2017. Furthermore, the application entails consolidation of the two properties into one and also entails a consent use for renewable energy structure.

The current rights "Community Zone I" allows for the use of the site as a "place of Instruction" and compatible community uses. Although the George Integrated Zoning Scheme Bylaw, 2017 9GIZSB2017) currently allow the use of the site for purposes such as education and training, including a college/research institute/university and ancillary uses such as a boarding hostel, a civic facility, etc, this zoning does not allow for the predominant use of the site for office purposes.

Office purposes are usually accommodated within the 'Business Zone IV' zoning category. Given the strategic locality of the site and the area available, the opportunity afforded by the site in respect of a more mixed/intensive site use, the 'Business Zone I' zoning is considered more apt. Such zoning allows for offices, parking structures, retail (market/stalls/ticket office) "in order to promote urban vitality". (Description in the GIZSB2017).

The proposed zoning will accommodate the intended uses and facilitate the immediate upgrading of the building for office use.

Table 5 shows the current zoning parameters and the proposed zoning parameters and provides confirmation that the proposed development concept falls within the minimum standard development parameters set by the Zoning Bylaw.

	Current Zoning	Standard Zoning Parameters as per the GIZSB2017	Proposed development-application
Zoning	Community Zone I (Place of Instruction)	Business Zone I (BZI) (Business Premises, including offices, parking structure, allows for market/hawkers' structures/ retail)	Business Zone I (Business Premises) including office use, plus consent for renewable energy structure.
Floor Factor	1.2	3	Retain BZI standard: 3
Coverage	60%	100%	Retain BZI standard: 100%
Height	12m	15m	Retain BZI standard: 15m
Street BL	5m	8m from road centre line	Increase BZI minimum requirement: 5m from road reserve boundary along Market- and Cradock Streets
Rear	5m	0m	Retain BZI standard: 0m Note that 8m wide off-set area to be indicated on the SDP to facilitate walkway and related economic/ retail and municipal service infrastructure, including a RoW servitude area
Side BL	5m	0m	Retain BZI standard: 0m
Parking requirement	1.5 bays per classroom/ office plus stop & drop facility	Offices: 4 bays per 100m ² GLA (Standard, based on existing buildings of 2253m ²)- require 91 bays May reduce to PT1	Anticipated provision 111 bays (Draft Site Plan: Office Upgrading, in process)- no reduction from standard provision (GIZSB) required

Table 5: Zoning Parameters: Current and Proposed

In addition to the table above and the zoning conditions and standards defined in the GIZSB2017, the zoning approval to include a condition relating to the requirement to retain an eight (8)m strip (described off-set area) along the northern boundary of the site to be set aside for walkway purposes and to accommodate future economic enablement and service provision (traders/ticket sales/market area). Such strip relates

to the strategic context of the site and may allow for related structures to be built and public access. The RoW servitude as per the SG diagram to be registered as part of the consolidation registration.

Note that the following conditions apply:

- The coverage includes covered carport areas and/or parking structures.
- The parameters of Business Zone 1 will apply, as described in the GIZSB2017 with the addition of the building line requirement along Market- and Cradock Streets: 5m
- An off-set area of 8m along the northern boundary of the site must be shown on the Site Development Plan to indicate the facilitation of future walkways, ticketing facilities, stalls/market areas and structures as may be required in future. (this area included the public right of way servitude area, noted below).
- The existing Right-of Way servitude, as indicated on SG diagram 1675/2014), to remain.

The **consolidation** of the site is preferable since the site will be planned, used and managed as a consolidated whole.

The zoning (BZI) accommodates the proposed uses and subsidiary uses. The inclusion of a possible energy structure, such as solar installations, to generate power for the proposed development and additional capacity, to be fed back into the municipal system, does, however not resort under the standard zoning in terms of the GIZSB2017 and hence the application to include such use as a **consent**.

5. STRATEGIC CONTEXT

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

5.1 Chapter 2, Section 7 of the Spatial Planning and Land Use Management Act, 2014

Development Principle	Comply (yes/no)	Reason
The principle of Spatial Justice	Yes	<p>Past spatial and other development imbalances must be redressed through improved access to, and use of, land by disadvantaged communities and persons.</p> <p>The George City area is categorized, according to the National Spatial Development Framework, as a regional development anchor, i.e., the primary centre where public services are offered. The CBD is the primary node of George and the road system and public transport network connect the vast majority of George's population to this area.</p>

		<p>The extension of the municipal head office use in the centre of George CBD will improves access to such service to all surrounding communities (urban and rural).</p> <p>The treatment of the use on site (permeability, walkways, hawkers, ticketing office) will, moreover, enable an integrated use of the site and surrounding area. An inclusionary environment is proposed, with a focus on the delivery of municipal services, the public realm, supporting civic interaction, but also enabling inclusive economic opportunity, congruent with the site context.</p>
Spatial Sustainability	Yes	<p>Land use management decisions must promote the principles of socio-economic and environmental sustainability by encouraging the protection of prime and unique natural areas; promoting land development in locations that are sustainable, and limit urban sprawl; consider all current and future costs to all parties involved in the provision of infrastructure and social services to ensure the creation of viable communities.</p> <p>The George CBD is a vibrant, high intensity mixed use area, including public and private office use, shops/retail and high-density housing options. Investment into this regional node is important as it relates to sustainable service provision and also sustainability of the CBD as a functional area. The CBD (and site) is obviously within the urban development boundary, within the CBD core area and does not threaten the sustainability of the prime and unique natural area. The proposed use relates to the provision of government services in a good, accessible location.</p> <p>I.e., the application property is located within the urban edge of George, and within an established urban environment and as a legible part of the CBD. The proposed application will allow the municipality to render a basic service to the population of George within close proximity to public transport. The proposed use relate to intensification of use, will not contribute to use intensification (counteracting sprawl), may foster regeneration of this area of the CBD, does not affect natural and/or environmental core areas. The proposal intends to improve value of land within the immediate vicinity via infrastructure vestment on a relatively derelict site.</p>
The principle of Efficiency	Yes	<p>Land development must optimize the use of existing resources and the accompanying infrastructure, while development application procedures and timeframes must be efficient and streamlined in order to promote growth and employment.</p> <p>The application relates to more effective land use, providing a service the community of George, using available infrastructure, and combining land uses on site, as proposed.</p> <p>Providing additional municipal services will, by default contribute to the effective functioning of George as a whole.</p> <p>The revitalization impact of the proposed investment on this section of the CBD also supports future efficient use of land.</p>

The principle of Spatial Resilience	Yes	<p>Ensure sustainable livelihoods in communities that are likely to suffer the impacts of economic- and environmental shocks</p> <p>The LSDF and MSDF advocate increased densification of the CBD. The additional work opportunity, provided by the additional office- and economic space, may support the economic resilience of the current and future resident population of the CBD. More-over extended municipal service provision (such as Human Settlement, Planning and Development) may aid the process of the residential- and economic development, which contribute to sustainable livelihoods and thus resilience. This land uses proposal is an infill development that aims to create jobs and to make use of the existing structure within the CBD, just at a higher intensity function.</p>
Good administration	Yes	<p>All spheres of government must ensure an integrated approach to land development and all departments must provide their sector inputs and comply with prescribed requirements during the preparation or amendments of SDFs.</p> <p>All state organs that have bearing on the application have been consulted, and all comments of interested parties will be considered.</p> <p>Furthermore, the proposed development aim to support the office requirements of various municipal departments, the solar installation requirements of Electrotechnical Department, the enablement of parking solutions, as per the mandate of the Municipal transportation function, the provision of space for public realm development and use (LED and HSP&D), the walkability and supportive facility provision related to the Go-George and public transport services.</p>

Table 6: Compliance with SLUMA Principles

5.2 Consistency and compliance with LUPA, 2014 (Act 3 of 2014)

The Land Use and Planning Act, 2014 (Act 3 of 2014) requires that land use applications are considered in line with prevailing **strategic policy context**, including the SPLUMA guiding principles (See Par 5.1) and the MSDF (See Par. 5.3)

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

- “If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or a land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan.

Given the nature of the proposed land uses, being the service delivery and job creation intent, on this specific property, which is demarcated in the George MSDF2019 as the CBD (urban core) area, located on the main public transport- and pedestrian routes that connect all communities in the City area to the site; the proposed development complies with the spatial objectives outlined in the spatial frameworks for George. Also note Par.5.3 to Par. 5.6

LUPA, together with the George Municipal Land Use Planning Bylaw, 2015 and the George Integrated Zoning Scheme Bylaw, 2017 regulate the **administrative process** of amendment of zoning and land use rights. This application is submitted in terms of these prescripts.

5.3 George Municipal Spatial Development Framework (2019)

The adopted George Municipal Spatial Development Framework (MSDF): 2019 includes spatial strategies, goals and supporting policies to support the spatial planning approach to direct and manage development in the Greater George Area and the George city area.

The GMSDF (2019:47) guides development to attain the following spatial goals:

- Consolidation: Making what we have work better for our people.
- Strengthening: Build on George's foundations for growth and resilience.
- Smart Growth: Invest in catalysts for social and economic prosperity.

It is evident that if these above strategies are interpreted and implemented correctly, it will benefit the people of the Greater George Area and will attract more investors to invest in George.

The MSDF confirms that the **primary service centre** of the George municipal area is the George CBD, which plays a distinctive role in the regional economy and the provision of regional- and municipal-wide services. The GMSDF (2019:37) explains that the CBD is the "Primary activity centre of the city of George, to be developed to accommodate a vibrant mix of residential, commercial, office and public facilities." Therefore, it can be argued that investment, specifically for municipal-wide services, must be embraced in the CBD.

The guiding principles of SPLUMA is embedded in the MSDF development approach. The proposed development subscribes to these principles (See Table 6: Compliance with SLUMA Principles Table 6).

In short, the proposed mixed use (municipal offices, public realm extension, commercial opportunity at street level) relates to the optimization of existing infrastructure in a well-located site (in the CBD urban fabric and connected from a road network-, pedestrian- and public transport perspective. One of the key factors which the subject development offers is to bring life back into the CBD: urban renewal through investing in the **Priority Investment Area** is supported.

The MSDF requires that all authorities must make decisions which will translate to the maintaining and strengthening the CBD as a primary economic activity and service centre. Thus, the offices on Erf 1641 and 1645, George can be seen as a contributing investment and will, furthermore, play a role in strengthening the economy, by rendering services to support development, of not only George but the region as a whole.

As noted, the proposed development promotes the renewal and investment into the priority area and adheres to relevant spatial guidelines. Furthermore, the proposed development is in line with George's Central Area (Including the CBD) Framework (2012), albeit superseded by the MSDF.

In conclusion, if the applicable, spatial strategies, goals and supporting policies are considered, the proposed development is located in a priority service centre, within a preferred

investment location and it will serve the George community at large. The managed, mixed-use intent is also supported in the relevant guiding spatial frameworks/policies.

5.4 Context of the Property withing the Mobility Strategy

As part of the previous George Mobility Strategy the area around the York Hostel building was identified as part of an important public transport precinct. The area is deemed to be a critical part of the CBD due to the proximity to the existing taxi rank, high volume of pedestrian traffic and a number of small businesses and street vendors. It is considered a high activity node within the CBD and plays an important part of the economy of the CBD. Due to the high volume of traffic movement and its possible functional linkage to the railway station (See Par.5.6), the Horseshoe bus terminus was identified as an ideal site for the future bus terminus as part of the Mobility Study. The intention is to develop a mid-block pedestrian path from the station through to York Street, known as the horseshoe-station precinct (See Par. 5.6). Through the Mobility Strategy project, a professional team was appointed to re-design the Horseshoe bus terminus and surrounding streets in order to serve the bus terminus for the future public transport system. The project was completed several years ago and saw the investment of approximately R6million by the Provincial Government. (Extracts of the Ordinary Council meeting 25March2021). Important to the revamping of the Horseshoe Bus Terminus is the functional integration of the adjacent properties. These include the York Hostel Building site, with its open spaces, as well as the parking spaces on the adjacent properties. This functional integration is crucial to the success of this public transport and pedestrian precinct and the Municipality has to ensure that these open areas and parking spaces remains intact and/or functionally integrated. The survey of the servitude along the northern boundary of Erf 1465 to facilitate pedestrian movement was part of this process. Such space to facilitate future pedestrian movement and hawker/stalls/market/ticket sales is enhanced via the proposed reservation of space (off-set) proposed in the current rezoning application.

The mid-block pedestrian path and associated development, as envisioned In the CBD Pedestrian Framework, will link to the aforesaid reserved space and may result in significantly more funding being invested in the area to support the public realm. This investment relates not only to the upgrading of the public transport system of George, but also to the upgrading of the CBD. In recent years significant municipal investment in public areas (sidewalks/roadways) in the vicinity of the project site and provision of Go-George infrastructure (bus-stops, shelters, road upgrades) aided the general upgrading of the CBD. The intent with the public transport and pedestrian upgrades, and with the York hostel building redevelopment is to create a ripple effect of building improvements, landscaping, streetscaping and new developments. (Reference to extracts of the Ordinary Council meeting 25March2021).

The York Hostel building is strategically located to, firstly, contribute to the success of the mentioned transportation precinct, and secondly, to support public- and private sector functioning due to the increased value of the property relating to the intended physical upgrades and to the availability of municipal services in the CBD (service delivery returns). "It is envisaged that the upgraded building, being a significant land mark, will contribute to the urban character of the area and, together with the upgraded bus terminus and pedestrian walk ways and streets, assist in creating an improved urban environment which will attract more investment and people in the area. The existing garden and large number of big trees (retained and new – See Figure 11: Concept plan (from SDK Architects: Parking

Proposal 31 Oct2022)Figure 11) will help create a friendly environment in a mainly concrete, built-up and paved street area. One of the proposals of the Mobility Strategy was to demolish the fences between the horseshoe terminus and the subject property. This will allow a much friendlier environment and allow by-passers to enjoy the green spaces and beautiful trees. *The Site Development Plan to show shared spaced (permanent and occasional), with due consideration of safety (persons and property).* The opposite is also true, should the building and garden not be upgraded, it might hamper the efforts and investment of the Mobility Strategy and lead to further urban decay of the area". The Mobility Strategy also refers to the potential investment opportunity for government and the Municipality in respect of the repurposing and more effective use of the old hostel building.

5.5 George Central Area (Including the CBD) Local Structure Plan (2012)

The GCALSDF or the LSP (local structure plan), was to develop a tool to guide future developers and to develop the business environment in the CBD. Although such plan has been superseded by the MSDF, the street level principles remain, if not contrary to the MSDF provisions/intent. The local structure plan was also created to provide focused input concerning planning-related matters and hence is deemed as a document to consider in the motivation of the use of the subject property.

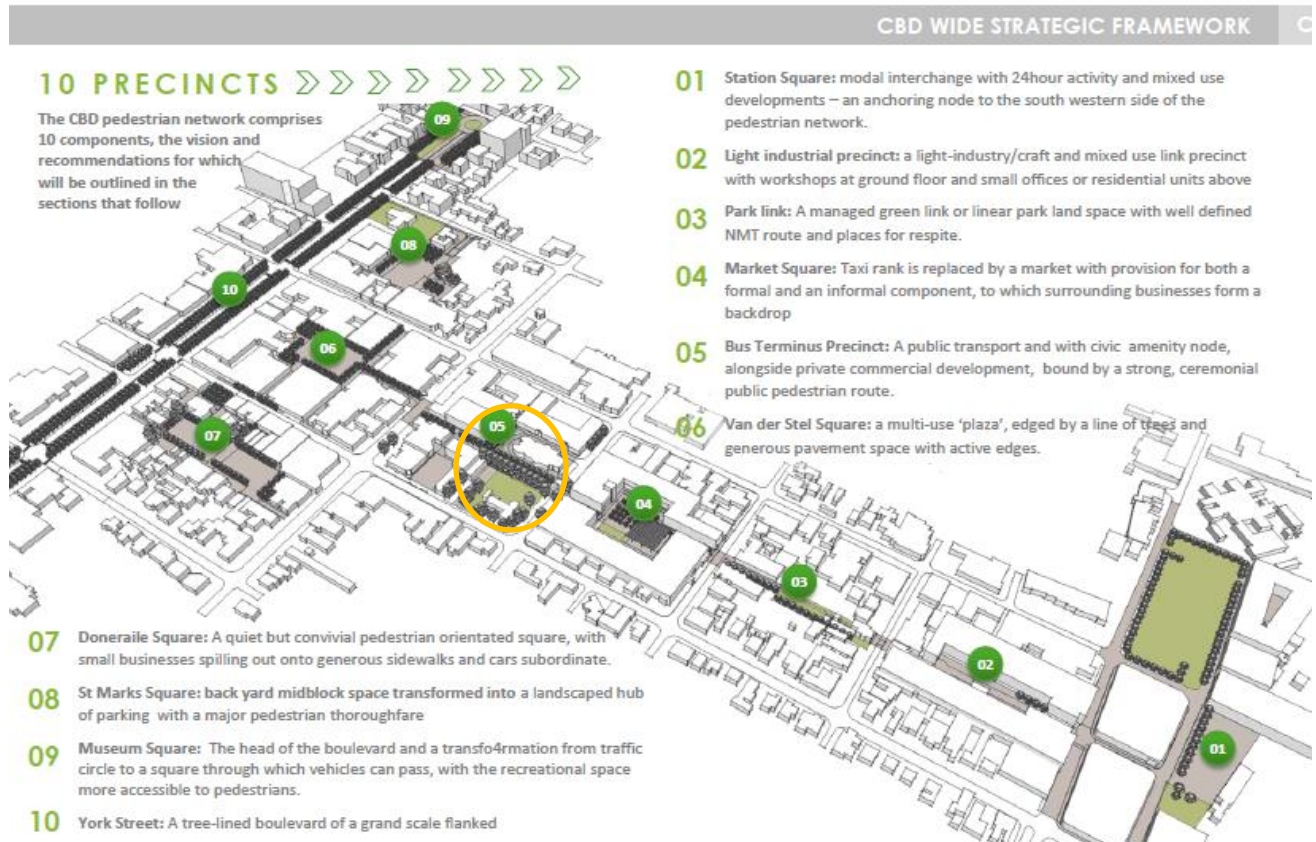
The LSP advocates the location of extended government office complexes in the CBD and suggest that a suitable location must be thoroughly investigated further. A location on the premises of the present York Hostel in Market Street is a suitable option in terms of the CBD objectives. The proposed municipal office use, and described ancillary uses, are proposed next to the bus terminus and is considered to be investment towards the revitalizing of part of the CBD and supporting the intensification of use in the CBD - and is not contrary to the principles of the historic LSP. The area was identified, ten years ago, as a Medium-term High-Density Residential Development Edge. The CBD, and specifically this area, has seen considerable development and mixed-use integration in the past decade. The proposed development complies with all the objectives of the 2019 MSDF, being a more recent barometer of the development context of the site. The function of this area (CBD) as the primary service delivery node of George has not changed.

The proposals are, furthermore, in line with the intent of the Draft George Municipal Spatial Development Framework, 2023, which was presented to the Municipal Council in October 2022. The area is denoted as a mixed use, intensification area.

5.6 George CBD Pedestrian Network| Urban Design Framework Recommendations | (2015)

The subject property further forms part of a George City wide strategic framework (See as conceptualized in the GEORGE CBD PEDESTRIAN NETWORK URBAN DESIGN FRAMEWORK RECOMMENDATIONS | JUNE 2015 | REVISION 02. The uses proposed compliment the vision of George CBD Pedestrian Urban Design Framework, which relate to provision of space for integration of pedestrian, appropriate (fine grain) economic opportunity, harnessing permeability of public realm and retaining space for possible community 'open area' uses. The intrinsic value of the site, as noted in the concepts contained in the relevant Pedestrian Network (See) also include the 'green' contribution of this part of George to the experience of the CBD. As noted in the description of the proposed land use, the site with its large established trees (existing and proposed), open grounds, off-sets and pedestrian servitudes, and the anticipated retention of the building components of heritage significance, integration

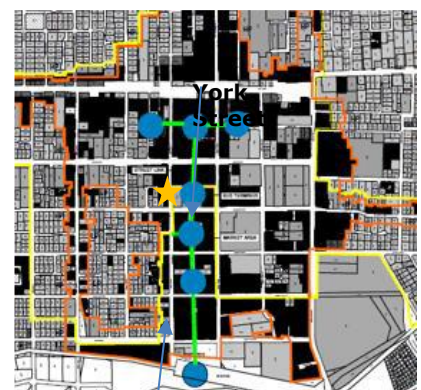
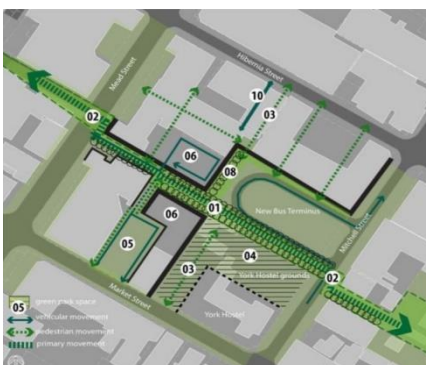
with the public transport infrastructure (bus-stops, horseshoe, rank) will contribute to the implementation of the intent of the mentioned Urban Design Framework (2015). Therefore, the proposal is also in line with the objectives of the report for the CBD improvement. Note that the sections of the site (official parking areas, general open area, will be fenced for security purposes, but the permeability of the site (specifically east-west) will be protected, and the planning will allow for the managed availability of portions of the site for purposes such as a market, etc.



GEORGE CBD PEDESTRIAN NETWORK | URBAN DESIGN FRAMEWORK RECOMMENDATIONS | JUNE 2015 REVISION 02



The subject property is located within the Bus Terminus Precinct – being part of the ‘public transport and with civic amenity node, alongside private commercial development, bound by a string, ceremonial public pedestrian route’.



Market
Street

★ Site
position

Figure 13: Extracts of the George CBD Pedestrian Network 2015.

The Transport Hub comprises of a larger area than just the 'horseshoe' terminus, it includes all on-street bus stops in Cradock, Market & Hibernia Streets in this vicinity, as well as the existing taxi rank to the south, and the mid-block walkway. In effect it can be seen as covering much of the two blocks enclosed by Mitchell, Market, Meade & Hibernia Streets. The extent of the facility having expanded from the 2008 concept. The integrated use of the subject site, supporting the 'hub' intent, is supported, albeit in a slightly different configuration.

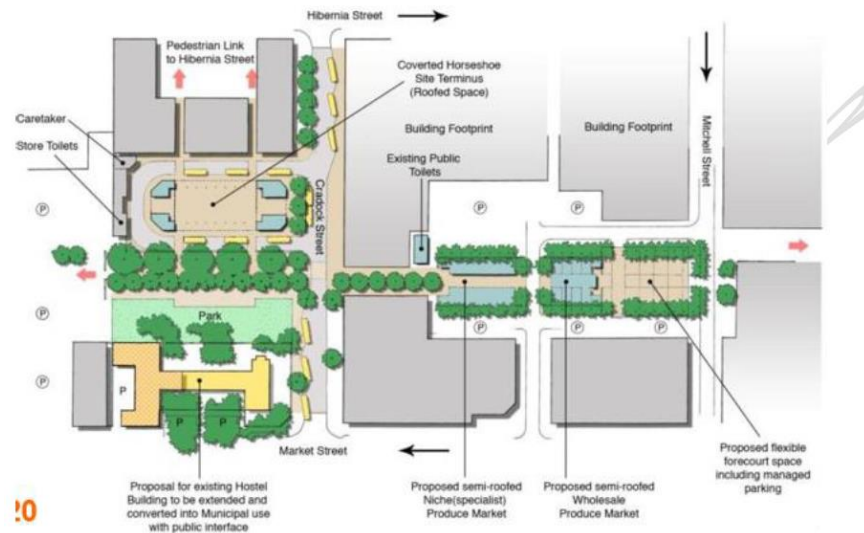


Figure 14: Early concept for the Cradock St Interchange (2008)

6. NEED AND DESIRABILITY

The need for additional municipal office space has been acknowledged by the George Municipal Council and prompted the process of land identification and the subsequent land availability arrangements and mandates.

The zoning and layout configuration also reflect the need to use available space more effectively and on a more integrated basis.

The need to create a vibrant, responsive CBD is supported and combined with the requirement to offer an expanded municipal service provision is acknowledged.

The subject property is deemed suitable for the intended purposes, as supported in the preceding sections of this report and the investigations by the professional team tasked with the technical analysis of the site use. In summary:

- The re-use of the building for the intended purpose is technically feasibility.
- The site is centrally located and highly accessible which will support the viable use (municipal service provision) of the site and also the equitable access to the municipal office.
- There is no technical impediment which will hinder the proposed use.
- The site is of sufficient size to accommodate the proposed use
- Parking can be provided on site and the site is accessible.
- The slope of the site does not hinder the proposed use.
- Engineering services availability can be managed.

- The viability of the current transportation network will be supported – i.e., the destination (area of work opportunity and of service provision) is adjacent to not only local, but also the regional public transport networks – and it relates to various transportation options.
- The retention of the existing trees, as far as possible, and the addition of trees and landscaping is enabled through design.
- Heritage aspects to be absorbed into the existing building/structures upgrading design, to be addressed in the SDP and building plan stage. The upgrading of the site as a multi-use area (offices, walkway, landscape spaces) may provide opportunity for inclusion of the site in strategic heritage planning in future.
- Urban greening opportunity will be utilized this contributing to the environmental health of the larger area. There were no environmental factors identified on site which will hinder the proposed land uses.

The proposed use supports the intent of the various spatial planning frameworks and transportation frameworks previously adopted by the Municipality. Based on technical input received from various municipal departments in the preparation of this application, the proposed use is technically feasible and supports the spatial vision of the future CBD.

It is the applicant's view that the supporting investigation into the desirability of the proposal reveals no obvious negative impacts, and:

- The proposed land use is compatible with the surrounding land uses, being part of the vibrant central business district of George and has potential to provide a positive impact on the local economy.
- There will be a positive impact on the existing character of the area, both from a visual impact- and from an area character perspective. The active use of the area fosters urban regeneration.
- The use of, and land use rights of adjacent properties will remain in place in terms of property values, privacy, views, sunlight exposure, etc.

The proposed development aims to make use of the existing resources and infrastructure in an efficient manner. The development is centrally located and is within very close proximity to public transport thus accentuating the SPLUMA principles (refer to compliance with applicable policies below).

The layout for the development is uncomplicated and technically sound. It will make use of the existing engineering services that have already been rolled out by the Civil Engineering Department and it must be noted that the managed use of access and movement desire lines has been included in the design.

The development proposal (consolidation, rezoning and consent use) will not have an adverse impact on surrounding properties and on the adjacent properties within the vicinity, but will rather aid urban regeneration. The development proposal is furthermore in-line with the municipality's spatial framework, policies and by-laws. The proposed zoning rights facilitates mixed use which relate to alternative energy methods, local economic development, public space development, office use, shared utility spaces, etc. It aims at creating use opportunities and work opportunities both on a short term and long-term basis. The proposal adheres to the SPLUMA principles of spatial governance which articulates integrated spatial planning and spatial resilience that relates to the ability to adapt spaces over time.

The scale and type of development is suited to the site conditions (locality, size, slope, etc) and makes use of existing engineering services. The intended utilization of the site will not detrimentally affect

the safety, health or wellbeing of the surrounding communities. Additional security on site will aid the general surveillance of the area.

Also see Par 8.

7. PRE-APPLICATION CONSULTATION COMMENTS AND RESPONSES

- A Site Development Plan (SDP), in accordance with the provisions of Section 23 of the George Integrated Zoning Scheme (2017) will need to be compiled for submission and approval.

Noted the SDP will be submitted for approval.

- The age of the existing buildings on the site should be determined, as an application to Heritage Western Cape (HWC) for a permit will be required (i.e., if structures older than 60 years are to be demolished and or updated/upgraded).

It is noted that there is a small portion that is older than 60 years, thus the application for the permit will be submitted with the SDP and building plans.

- It is recommended that an application be submitted for the rezoning of the consolidated property from Community Zone I to Business Zone I, in lieu of a rezoning to Business Zone IV. A Business Zone I property *may* include flats (above ground floor only) as a land use and will therefore provide more flexibility to futureproof the site.

Noted and the application is amended accordingly

- Please take note that the Traffic Impact Assessment (TIA) may need to be amended in the future, should flats not be included *in future* (as the trip generation is a function of the land use).

Noted

- Following discussion, it was advised that the trees on the site should be incorporated into them development / layout of the site, where possible.

The trees were mapped by the environmental officer (see the attached tree map) and acknowledged, as far as possible by the design team. New trees and vegetation will be planted.

- Please take note of Erf 9273 George, along the site's southern boundary (same seems to be road reserve and requires further investigation).

Noted. Erf 9273 is a road portion and not included in the subject site.

- As discussed, it is preferred that all information, documentation and specialist studies are submitted together, for the processing of the application.

Noted. Various technical reports, supporting the site design have also been submitted to the building control section in order to evaluate the building upgrading proposals.

- Civil engineering and electrical engineering stated that standard subdivision conditions apply.

Noted.

8. CONSISTENCY WITH SLUMA AND LUPA REQUIREMENTS

Consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (Section 65 of the Planning By-Law), have been considered and reflect as follows:

No	Evaluation checklist (s. 65)	Yes	No	N/A
1(a)	Does the application submitted comply with the provisions of this by-Law?	x		
	Has the motivation submitted been considered?	x		
	<i>Yes, the application merit was debated in the pre-application meeting. The current application memorandum provides further motivation for evaluation</i>			
1(b)	Were the correct procedures followed in processing the application? (See land use application process checklist)	x		
	<i>In Process, the prescribed procedures will be followed</i>			
	Was a condonation required and granted with regards to the process followed? <i>(See land use application process checklist)</i>		x	
1(c)	Have the desirability guidelines as issued by the provincial minister to the utilise land for the proposed land uses been considered? <i>(Not yet applicable)</i>			x
1(d)	Have the comments received from the respondents, any organs of state and the provincial minister been considered? <i>(s. 45 of LUPA)</i>	<i>In process</i>		
1(e)	Have the comments received from the applicant been considered?	<i>In process</i>		
	<i>In Process. Comments received thus far have been incorporated</i>			
1(f)	Have investigations carried out in terms of other laws and that are relevant to the application being considered?	x		
	<i>Investigations relating to building and site design consulted., including access and parking investigations. Heritage Input to be obtained at SDP/building approval stage</i>			
1(g)	Was the application assessed by a registered town planner? <i>(See land use application process checklist)</i>	x		
1(h)	Has the impact of the proposed development on municipal engineering services been considered?	x		
1(i)	Is the application in line, consistent and/or compatible with the IDP of the municipality?	x		
	Is the application in line, consistent and/or compatible with the municipal SDF?	x		
1(j)	Is the application in line, consistent and/or compatible with the IDP of the district municipality including its SDF?	x		
1(k)	Is the application in line, consistent and/or compatible with the structure plan applicable to the area?	x		

1(l)	Is the application in line, consistent and/or compatible with the local SDF applicable to the area?	x		
1(m)	Is the application in line, consistent and/or compatible with any other municipal policy or By-Law applicable to the proposed land use?	x		
1(n)	Is the application in line, consistent and/or compatible with the provincial SDF?	x		
1(o)	Is the application in line, consistent and/or compatible with the regional SDF (<i>SPLUMA</i>) or provincial regional SDF (<i>LUPA</i>)?	x		
1(p)	Is the application in line, consistent and/or compatible with the applicable guidelines, standards, principles, norms or criteria set by national and/or provincial government?	x		
1(r)	Is the application in line the consistent and/or compatible with the following principles as contained in section 7 of <i>SPLUMA</i> / 59 of <i>LUPA</i> :			
	1. The redress spatial and other development imbalances of the past through improved access to and use of land?	x		
	2. Address the inclusion of persons and areas previously excluded in the past, specifically informal settlements and areas characterised by wide-spread poverty and deprivation?	x		
	3. Enable the redress of access to land by disadvantaged communities and persons?	x		
	4. Does the application support access to / facilitate the obtaining of security of tenure and/or incremental informal settlement upgrading?			x
	5. Has the potential impact of the development proposal on the value of the affected land /properties been considered?	x		
	6. The impact of the application on the existing rights of the surrounding owners been recognised?	x		
	7. Does the application promote spatially compact, resource frugal development form?	x		
	8. Can the development be accommodated within the existing fiscal (budget), institutional and administrative means of the municipality? (<i>e.g., Infrastructure upgrades required – when, budgeted for, etc.</i>)	x		
	9. Has the protection of prime, unique and/or high potential agricultural land been considered?	x		
	10. Is the application consistent with the land use measures applicable to / contained in environmental management instruments?	x		
	11. Does the application promote and stimulate the equitable and effective functioning of land markets?	x		
	12. Have all current and future costs to all parties for the provision of infrastructure and social services been considered?	x		
	13. Does the application promote development that is sustainable, discourages urban sprawl, encourages residential densification and promotes a more compact urban form?	x		
	14. Will the development result in / promote the establishment of viable communities?	x		

	15.	Does the development strive to ensure that the basic needs of all the citizens are met in an affordable way?	x		
	16.	Will the development sustain and/or protect natural habitats, ecological corridors and areas of high bio-diversity importance?	x		
	17.	Will the development sustain and/or protect provincial heritage and tourism resources?	x		
	18.	Will the development sustain and/or protect areas unsuitable for development including floodplains, steep slopes, wetlands, areas with a high-water table, and landscapes and features of cultural significance?	x		
	19.	Will the development sustain and/or protect the economic potential of the relevant area or region?	x		
	20.	Has provision been made in the development to mitigate against the potential impacts of climate change?	x		
	21.	Does the development include measures to reduce consumption / conserve water and energy resources? <i>(Renewable energy, energy saving, water saving, etc.)</i>	x		
	22.	Does the development take into account sea-level rise, flooding, storm surges, fire hazards?	x		
	23.	Does the development take into account geological formations and topographical (soil and slope) conditions?	x		
	24.	Will the development discourage illegal land occupation – w.r.t. Informal land development practices?	x		
	25.	Does the development benefit the long term social, economic and environmental priorities for the area <i>(sustained job opportunities, sustained income, integrated open space network, etc.)</i> over any short-term benefits <i>(job creation during construction, short term economic injection, etc.)</i> ?	x		
	26.	Does the development contribute towards the optimal use of existing resources, infrastructure, agriculture, land, minerals and/or facilities?	x		
	27.	Does the development contribute towards social, economic, institutional and physical integration aspects of land use planning?	x		
	28.	Promotes and supports the inter-relationships between rural and urban development?	x		
	29.	Does the development promote the availability of employment and residential opportunities in close proximity to each other or the integration thereof?	x		
	30.	Does the development promote the establishment of a diverse combination of land uses?	x		
	31.	Does the development contribute towards the correction of distorted spatial patterns of settlements within the town/city/village?			x
	32.	Does the development contribute towards and /or promote the creation of a quality and functional open spatial environment?	x		
	33.	Will the development allow the area or town to be more spatially resilient that can ensure a sustainable livelihood	x		

		for the affected community most likely to be affected by economic and environmental shocks?			
1(s)		Is the application in line with the applicable provisions contained in the applicable zoning scheme regulations (By-Law)? (e.g., Definitions, land use description and development parameters)	x		
		<u>consistency with the IDP/Various levels of SDF's/Applicable policies</u>	x		
		<u>consistency with guidelines prepared by the Provincial Minister</u>	x		
		<u>Outcomes of investigations/applications i.t.o other laws</u>	x		
		<u>Existing and proposed zoning comparisons and considerations</u>	x		
		Is the proposal consistent with the principles referred to in chapter 2 of SPLUMA? (Can be elaborated further below)	x		
		Is the proposal consistent with the principles referred to in chapter VI of LUPA?	x		

The need and desirability for the proposed development has been considered in terms of the following factors: *Checklist (Tribunal Report Format)*

NO.	Evaluation check list	Yes	No	N/A
1	Will the natural environment and/or open space systems be negatively affected?		x	
2	Will application result in trees/indigenous vegetation being removed on site or in the road reserve?		x	
3	Does the application have any negative impact on heritage resources?		x	
4	Will the character of the surrounding area be negatively affected?		x	
5	Will the architectural character of the streetscape be negatively affected?		x	
6	Will there be any negative impact on vehicle traffic and pedestrian safety?		x	
7	Will there be a negative impact on traffic movement?		x	
8	Will there be a negative impact on vehicle sight distances?		x	
9	Are there adequate on-site parking / loading facilities provided?	x		
10	Are there adequate vehicle access/ egress to the property?	x		
11	Will the neighbour's amenity to sunlight be negatively affected?		x	
12	Will the application result in overshadowing onto neighbours' properties?		x	
13	Will the neighbour's amenity to privacy / enjoyment of their property / views be negatively affected?		x	
14	Will the proposal have a negative impact on scenic vistas or intrude on the skyline		x	
15	Will the intended land use have a negative impact on adjoining uses?		x	

16	Will the land use pose a potential danger to life or property in terms of fire risks, air pollution or smells or compromise a person's right to a safe and secure environment?		x	
17	Will there be a negative impact on property values?		x	
18	Will the application result in a nuisance, noise nuisance, and disturbance to neighbours?		x	
19	Will adequate open space and/or recreational space be provided (for residential developments)?			x
20	Will approval of the application set a precedent?		x	

9. CONCLUSION

The proposed land use is deemed an extended municipal service offering and will contribute to more efficient land utilization than the historic and current use of the site. Investment in the site will aid urban regeneration. The specific site has been evaluated, from a technical perspective and is deemed desirable to accommodate the intended, integrated use.

The proposed uses are mutually supportive and deemed to be compatible with the adjacent land uses. The anticipated use configuration will foster efficient, secure use by the municipality, but will also allow for site permeability and managed site use. The investment and the extended municipal services to be offered on site will not only offer economic and employment opportunities but will also contribute to the economy and functioning of George as a whole, i.e., extended service delivery in the Human Settlements, Planning and Development and other municipal service departments will support efficient administration which will bode well for all residents and businesses of George.

It has been demonstrated that the application is compliant with the adjudication criteria set out in planning law and thus should be recommended for approval.