

**Menslike Nedersettings, Beplanning en Ontwikkeling  
Human Settlements, Planning and Development**

**Collaborator No.:** 2597002  
**Reference / Verwysing:** Erf 9234, George  
**Date / Datum:** 23 November 2023  
**Enquiries / Navrae:** Primrose Nako

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Jan Vrolijk Town Planner  
P O Box 710  
**GEORGE**  
6530

**APPLICATION FOR REZONING AND PERMANENT DEPARTURE: ERF 9234, GEORGE**

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that the following applications on Erf 9234, George for:

- 1) Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2023, of Erf 9234, George from "Single Residential Zone I" to "Community Zone I".
- 2) Departure, in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023, for the relaxation of the following boundary building lines applicable to Erf 9234, George:
  - a) western side boundary building line from 5.0 meters to 1.0 meter and northern rear boundary building line from 5m to 1.450 meters to accommodate a playroom, classroom, toilet, and canopy.
  - b) northern rear boundary building line from 5.0 meters to 0.250 meters to accommodate a tuck shop, storeroom, and toilets.
  - c) northern rear boundary building line from 5m to 0.850 meters and eastern side boundary building line from 5.0 meters to 0.450 meters to accommodate a shaded outdoor play area.

**BE APPROVED** in terms of Section 60 of said By-law for the following reasons:

**REASONS FOR DECISION:**

- (i) The proposal conforms to the land use character of the surrounding area.
- (ii) Apart from the Departures applied for, the proposal aligns with the land use description and development parameters applicable to a Place of Instruction.
- (iii) The property is situated within the Restructuring Zone as earmarked in the George Spatial Development Framework, the proposal aligns with the objective of this zone;

- (iv) The creche is already operating on the property and no objection was received from surrounding property owners. It can therefore be assumed that the surrounding neighbours do not have a problem with the facility;
- (v) The rezoning will not have a negative impact on mixed use character of the surrounding built regime, the streetscape or neighbours' rights and amenities;

Subject to the following conditions imposed in terms of Sections 66 of the said By-law, namely:

**CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT**

- 1) That in terms of the Land Use Planning By-law for the George Municipality, 2015, the rezoning approval shall lapse if not implemented within a period of two (2) years from the date it comes into operation.
- 2) This approval shall be taken to cover the Rezoning and Departure applications as applied for and as indicated on the site layout plan 200 drawn by AAM – Chris Kleu Architects dated August 2022 attached hereto as “Annexure A” which bears Council’s stamp and shall not be construed as to depart from any other Council requirements or legal provision.
- 3) A site development plan that complies with Section 23 of the George Integrated Zoning Scheme By-law, 2023 must be submitted to the satisfaction of the Directorate: Human Settlements, Planning and Development, for consideration and approval, prior to submission of building plans.
- 4) A contravention levy of R 104 082,42 VAT Included is payable on the submission of building plans for the unlawful land use.

**Notes:**

- a) *Parking, manoeuvring space and access must comply with the standards as stated in the zoning scheme (see condition 13);*
- b) *A Traffic Impact Assessment must be submitted to the satisfaction of the Directorate: Civil Engineering Services (see condition 29) when the site development plan (see condition 3) is submitted;*
- c) *A building plan must be submitted for approval in accordance with the National Building Regulations (NBR) for the above-mentioned development;*
- d) *The contravention levy was calculated as follows:*

<b>Factor</b>	<b>Calculations</b>
Floor area (directly related)	Existing Building 1: 244m <sup>2</sup> Existing Building 2: 136m <sup>2</sup> Existing Building 3: 55m <sup>2</sup> Subtotal: 435m <sup>2</sup> Less: - 60m <sup>2</sup> (home occupation) Total: 375m <sup>2</sup>
Floor Area (indirectly related)	Parking: 265m <sup>2</sup> Shaded Play Area: 83m <sup>2</sup> Total: 348m <sup>2</sup>
m <sup>2</sup> value of the Property	$\frac{\text{Total Municipal Value of property (R2 650 000)}}{\text{Total area of property (1541m}^2\text{)}} = \text{R 1719.66/m}^2$
Contravention levy 10% (directly related)	$10\% \times \text{R } 1719.66 \times 375\text{m}^2 = \text{R } 64\,487.25$ Plus Vat (15%) = R 74 160.34
Contravention levy 5% (indirectly related)	$5\% \times \text{R } 1719.66 \times 348\text{m}^2 = \text{R } 29\,922.08$ Plus VAT (15%) = R 34 410,39
Total Contravention	R 104 082,42



## CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

- 5) The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:
- 6) The amounts of the development contributions are reflected on the attached (Annexure B) calculation sheet dated 23/05/2023 and are as follows:

Roads:	R	215 868,66	Excluding VAT (Refer to attached DC calculation sheet)
Sewer:	R	220 828,90	Excluding VAT (Refer to attached DC calculation sheet)
Water:	R	<u>170 984,00</u>	Excluding VAT (Refer to attached DC calculation sheet)
Total:	R	607 681,56	Excluding VAT
- 7) The total amount of the development charges of **R607 681,56** Excluding VAT shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
- 8) Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 7 above, which may lead to a change in the proportional contribution to municipal public expenditure will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

*Note: The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to submission of building plans for a final calculation.*

- 9) As provided in section 66(5B)(b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R607 681,56 Excluding VAT shall be adjusted in line with the consumer price index published by Statistics South Africa up to the date when payment is made in terms of Condition 8 above.
- 10) Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
- 11) All services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, or any other relevant authority, (hard copy and electronically) for approval prior to any construction work taking place. All work is to be carried out by a suitable qualified/registered electrical contractor under the supervision of the consulting engineer who is to provide the relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.
- 12) Approval with regards to a place of instruction is subject to the submission and approval of building plans, which shall include a detailed Site Development Plan (SDP), indicating proposed land use changes to the erf/erven. The SDP should, but not limited to, address all internal parking requirements (i.e. within the development area) , position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic.
- 13) Any, and all, costs directly related to the development remain the developers' responsibility.
- 14) Only one connection permitted per registered erf (water and sewer connections). Condition 12 applies.
- 15) Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of

another development are to be determined by the developer and the owner of the other erf. (condition 12 applicable)

- 16) Any service from another erf that must be accommodated across the development or incorporated into the services of the development: all negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned. (condition 12 applicable)
- 17) Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality. (condition 12 applicable)
- 18) Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.
- 19) Provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Environmental Services.
- 20) The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.
- 21) Transfers, building plan approvals and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the satisfaction of the Dir: CES, or any condition of any authority has not been satisfactorily complied with.
- 22) The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
- 23) No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
- 24) Municipal water is provided for potable use only. No irrigation water will be provided.
- 25) A water meter must be installed by the developer prior to construction to monitor water usage during the construction phase. The Dir: CES (Water section) is to be consulted by the developer, prior to installation, regarding the required specifications. Failure to complying with the water meter application process, will result in the developer being responsible for payment of penalties and/or an estimated non-metered water consumption by this department at a rate as per the applicable annual Tariff List. In this regard, transfers, building plan approval and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full. The water meter is to be removed on completion of construction if so required by the Dir: CES.
- 26) The developer / erf owner is to apply to the George Municipality for the installation of an individual erf water meter prior to any building work commencing on an erf.
- 27) The development, in its entirety or in phases, is subject to confirmation by the Dir. CES of the availability of Water and Sanitation bulk treatment capacity at the time of the development implementation, or if developed in phases before the commencement of each phase. A development/implementation program is to be provided by the Developer when requesting confirmation of this capacity from the Dir. CES. If the Developer does not adhere to the program the Dir. CES will be entitled to revise the availability of such bulk capacity.
- 28) If required, the developer is to have a Traffic Impact Assessment (TIA) conducted by a registered traffic engineer. The terms of reference of the TIA are to be finalised with the Dir. CES together with any other approving authority, and who must also approve the TIA. All recommendations stipulated in the TIA report and as approved by the Dir. CES and/or relevant authority are to be implemented by the developer. All costs involved will be for the developer.
- 29) The discharge of surface stormwater is to be addressed by the developer. Condition 12 applies. All related costs are for the developer. The developer is to consult with the Dir: CES to ensure that stormwater planning is done on line with the available stormwater master plans.
- 30) A layout plan indicating the proposed storm water drainage must be submitted to the Dir: CES for prior approval. Condition 12 applies.



- 31) Internal parking requirements (i.e. within the development area), position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic must be addressed and all measures indicated on plans and drawings submitted for approval.
- 32) Adequate parking with a hardened surface must be provided on the premises of the proposed development.
- 33) No private parking will be allowed in the road reserve.
- 34) The approval of the layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dir: CES. A site development plan is to be submitted to the Dir: CES, or any other relevant authority for approval prior to any construction work taking place.
- 35) Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
- 36) Access to parking must conform to the George Integrated Zoning Scheme and sufficient stacking distance should be allowed for, and indicated on the site development plan (see condition 3).
- 37) Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme parking requirements and vehicles must, in terms of Clause 46(b) readily leave the site without reversing across the sidewalk.

#### **CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES**

- 38) The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:
- 39) The amounts of the development contributions are reflected on the attached calculation sheet dated 07/06/2023 and are as follows:  
Electricity: R 0.00 Excluding VAT
- 40) The total amount of the development charges of **R 0.00** Excluding VAT shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
- 41) Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 40 above, which may lead to a change in the proportional contribution to municipal public expenditure will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.
- 42) As provided in section 66(5B)(b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R0.00 Excluding VAT shall be adjusted in line with the consumer price index published by Statistics South Africa up to the date when payment is made in terms of condition 41 above.
- 43) Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
- 44) All services - internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, or any other relevant authority (hard copy and electronically), for approval prior to any construction work taking place. All work is to be carried out by a suitable qualified/registered electrical contractor under the supervision of the consulting engineer who is to provide the relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.

- 45) Should more than two developments/properties be party to or share any service, the Dir: CES & ETS will in conjunction with the parties determine the pro-rata contributions payable.
- 46) Any, and all, costs directly related to the development remain the developers' responsibility.
- 47) Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 45 applies
- 48) Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of another development are to be determined by the developer and the owner of the other erf. (condition 45 applicable)
- 49) Any service from another erf that must be accommodated across the development or incorporated into the services of the development: all negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned. (condition 45 applicable)
- 50) Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality. (condition 45 applicable)
- 51) Suitable servitudes must be registered for any municipal service not positioned within the normal building lines. Servitudes must be registered for all electrical services traversing erven.
- 52) Suitable servitudes must be registered for any municipal service not positioned within the normal building lines. Servitudes must be registered for all electrical services traversing erven.
- 53) Transfers, building plan approvals and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the satisfaction of the Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.
- 54) The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
- 55) No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
- 56) In all cases, where individual customer apply for a supply capacity exceeding that provided for in the calculation of DCs and for the developer paid, will be subject to additional DCs based on the rates applicable at the time.
- 57) Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
- 58) Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
- 59) The developer and/or an owner of an erf shall see to it that no Small Scale Embedded Generation (SSEG) are installed on an erf, any portion of an erf or the development, without prior approval from the ETS. Should any SSEG be installed within any part of the development the Electrotechnical Services will within their discretion either implement applicable penalties and/or disconnect the relevant point of supply.
- 60) Where DCs have been applied for a particular section of the network, but the developer is requested to install and fund a part of the section of network, such work will be credited against DCs calculated.
- 61) Installation of ripple relays are compulsory for all geysers with electrical elements.
- 62) No electricity may be consumed within, or by any part of the development, without the consumption of the supply being metered and billed by a municipal meter (prepaid or credit). All cost, installation and consumption, will be for the cost of the developer. Standard application process will apply.
- 63) Neither the Developer or a property owner are allowed to distribute electricity across property boundaries.
- 64) All electrical infrastructure downstream of the electrical supply point, the LV breaker in the low-voltage kiosk, will remain the responsibility of the various owners/developer. The electrical network above the LV breaker will be deemed part of the George Municipality

distribution network and will be transferred to the municipality at no cost, who will assume responsibility for the maintenance thereof.

65) It will not be the responsibility of the Municipality to maintain and protect any service cables installed by the developer, but not used, i.e. not being metered and not consuming electricity. Should a future owner purchase an erf within the development, the installation and connection of the service cable will be for the cost of the developer or new owner. The connection fee paid to the municipality will be solely for provision of the electrical meter and the cost associated with opening the customer account.

66) The DC calculation assumes that the current electrical connection is sufficient. No upgrading is therefore allowed. Should an upgrade be required, it will be done in terms of condition 42. The standard Development Contributions will be applicable.

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee in terms of Section 79(2) of the Land Use Planning By-Law for George Municipality, 2023.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Human Settlements, Planning and Development, P O Box 19, George, 6530 or Directorate: Human Settlements, Planning and Development, 5th floor, Civic Centre, York Street, George **on or before 14 DECEMBER 2023** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

An appeal that is not lodged within the applicable period mentioned above or that does not comply with Section 79 of the Land Use Planning By-Law for George Municipality, 2023, will be deemed invalid in terms of Section 80 of said By-Law.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully



**C. PETERSEN**  
**SENIOR MANAGER: TOWN PLANNING**

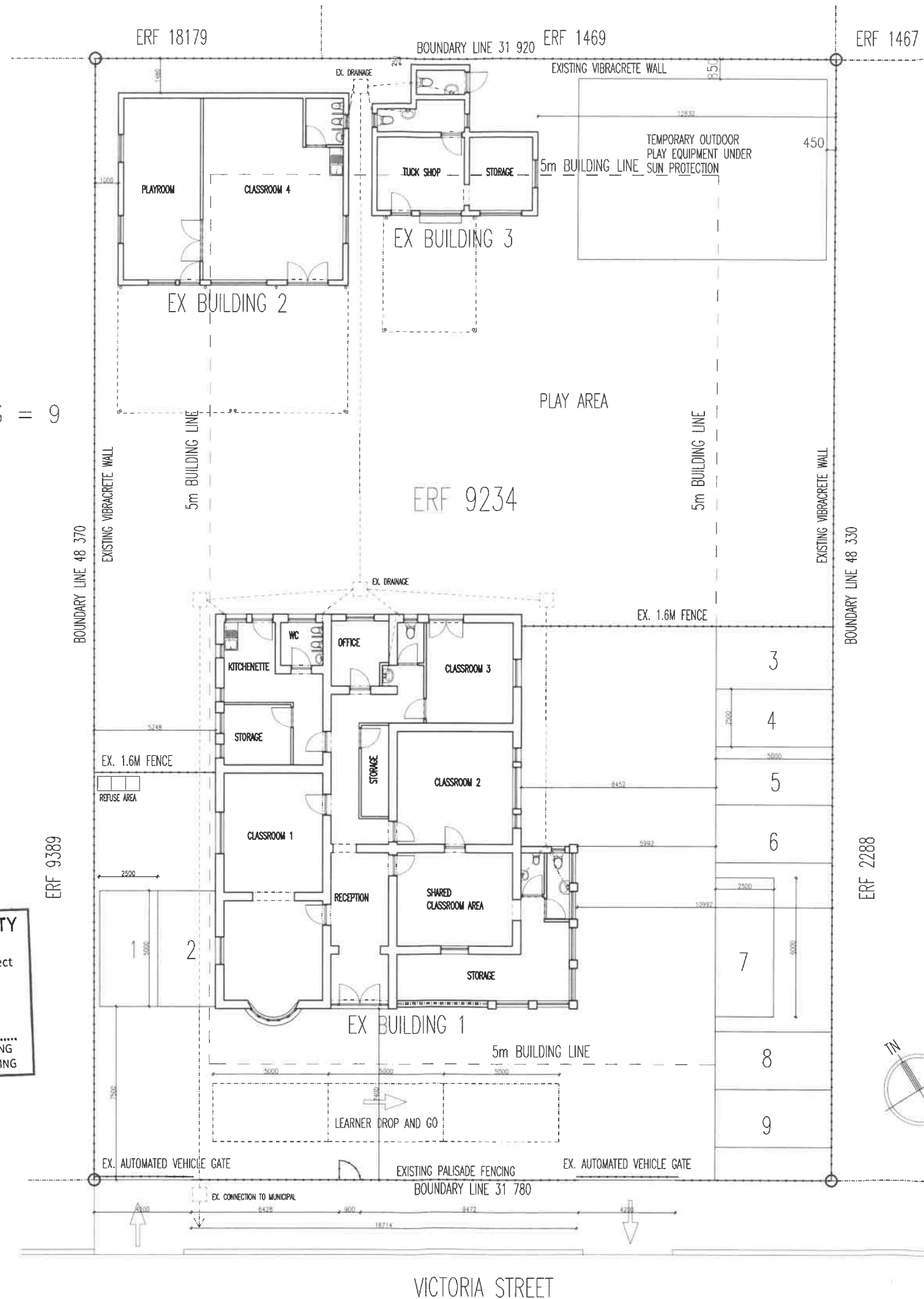
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EX. BUILDING 1 244 SQM  
 EX. BUILDING 2 136 SQM  
 EX. BUILDING 3 55 SQM  
 TOTAL 435 SQM

TOTAL COVERAGE: 435 sqm  
 SITE: 1540 sqm  
 COVERAGE: 28%

85 LEARNERS  
 1 PARKING PER 10 LEARNERS = 9



**MUNICIPALITEIT GEORGE MUNICIPALITY**  
 Approved in terms of Section 60 of the George Municipality Land Use Planning By-Law (2023) subject to the conditions contained in the covering letter.  
 23/11/2023  
 DATE DATUM  
 SENIOR MANAGER: TOWN PLANNING  
 SENIOR BESTUURDER: STATSBEPANNING

1 SITE PLAN  
 200 SCALE 1:100

REV	DATE	DESCRIPTION	BY
D	21.02.23	ISSUED FOR INFORMATION	AAM
C	12.10.22	ISSUED FOR INFORMATION	AAM
B	16.09.22	ISSUED FOR INFORMATION	AAM
A	24.08.22	ISSUED FOR INFORMATION	AAM

**chris klein architects**  
 107 2344 514 1111 | 1046g, 1046b, 1046c, 1046d, 1046e, 1046f, 1046g, 1046h, 1046i, 1046j, 1046k, 1046l, 1046m, 1046n, 1046o, 1046p, 1046q, 1046r, 1046s, 1046t, 1046u, 1046v, 1046w, 1046x, 1046y, 1046z, 1046aa, 1046ab, 1046ac, 1046ad, 1046ae, 1046af, 1046ag, 1046ah, 1046ai, 1046aj, 1046ak, 1046al, 1046am, 1046an, 1046ao, 1046ap, 1046aq, 1046ar, 1046as, 1046at, 1046au, 1046av, 1046aw, 1046ax, 1046ay, 1046az, 1046ba, 1046bb, 1046bc, 1046bd, 1046be, 1046bf, 1046bg, 1046bh, 1046bi, 1046bj, 1046bk, 1046bl, 1046bm, 1046bn, 1046bo, 1046bp, 1046bq, 1046br, 1046bs, 1046bt, 1046bu, 1046bv, 1046bw, 1046bx, 1046by, 1046bz, 1046ca, 1046cb, 1046cc, 1046cd, 1046ce, 1046cf, 1046cg, 1046ch, 1046ci, 1046cj, 1046ck, 1046cl, 1046cm, 1046cn, 1046co, 1046cp, 1046cq, 1046cr, 1046cs, 1046ct, 1046cu, 1046cv, 1046cw, 1046cx, 1046cy, 1046cz, 1046da, 1046db, 1046dc, 1046dd, 1046de, 1046df, 1046dg, 1046dh, 1046di, 1046dj, 1046dk, 1046dl, 1046dm, 1046dn, 1046do, 1046dp, 1046dq, 1046dr, 1046ds, 1046dt, 1046du, 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PROJECT FILE  
 58 VICTORIA STREET  
 GEORGE  
 ERF 9234

JOB No.	LOCALITY	DRAWING No.	TYPE	SHEET	REV No.
	GRG	9234		200	D

DATE: AUGUST 2022  
 SCALE: 1:100  
 DRAWN BY: AAM