



The Municipal Manager  
P O Box 19  
George  
6530

Reference: Erf 4724 George

6 November 2023

Sir

**APPLICATION FOR REZONING AND PERMANENT DEPARTURES: ERF 4724 GEORGE**

Attached hereto, please find an application in terms of

- Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 4724 George from Residential Zone 1 to General Residential Zone IV for the development of 2 blocks of flats (8 flats).
- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the following permanent departures in respect of Erf 4724 George:
  - the relaxation of the rear boundary building line from 3.0 metres to 1.006 metres to accommodate the proposed southern block of flats; and
  - departure from the parking requirement applicable to "Flats", stipulated in the table entitled "Minimum off-street parking requirements" in Section 42(2) of the George Integrated Zoning Scheme 2023, from 2.0 parking bays per unit to 1.5 parking bays per unit.

Your prompt consideration of the application will be appreciated.

Yours faithfully

**Jan Vrolijk**

**MOTIVATION REPORT:  
APPLICATION FOR REZONING AND PERMANENT DEPARTURES  
(RELAXATION OF BUILDING LINES AND PARKING REQUIREMENT):  
ERF 4724 GEORGE**

6 November 2023



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**MOTIVATION REPORT:**  
**APPLICATION FOR REZONING AND PERMANENT DEPARTURES (RELAXATION OF**  
**BUILDING LINE AND PARKING REQUIREMENT):**  
**ERF 4724 GEORGE**

## **1. BACKGROUND**

Applications for rezoning of Erf 4724 George from Single Residential Zone I to Business Zone VI, a consent use and certain permanent departures to enable the development of the erf for offices and flats were refused by the George Municipality on 8 July 2022. In the refusal letter, a copy of which is attached hereto as **Annexure “A”**, it was, inter alia, mentioned that the high-density residential component as a primary right is supported in terms of the George Spatial Development Framework.

The owner of the erf has subsequently decided to develop the erf with small blocks of flats.

## **2. APPLICATION**

- Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 4724 George from Residential Zone I to General Residential Zone IV for the development of 2 blocks of flats (8 flats).
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the following permanent departures in respect of Erf 4724 George:
  - ⇒ the relaxation of the rear boundary building line from 3.0 metres to 1.006 metres to accommodate the proposed southern block of flats; and
  - ⇒ departure from the parking requirement applicable to “Flats”, stipulated in the table entitled “Minimum off-street parking requirements” in Section 42(2) of the George Integrated Zoning Scheme 2023, from 2.0 parking bays per unit to 1.5 parking bays per unit.

The proposed site and building plan is attached hereto as **Annexure “B”**.

The completed application form for the application for rezoning and permanent departures is attached hereto as **Annexure “C”**.

### **3. DEVELOPMENT PROPOSAL**

The owner intends developing the application erf with 2 double storey blocks of flats, consisting of 8 flats in total. The flats will each have a floor area of 96.5m<sup>2</sup> and will consist of two bedrooms, two bathrooms and an open plan kitchen / lounge area as indicated on the floor plan attached hereto as **Annexure “D”**.

Each unit will have a north facing patio/braai of approximately 10m<sup>2</sup>. In addition, the four ground floor units will each also have a private open space of 125.7m<sup>2</sup> for the two western units combined and 104.3m<sup>2</sup> for the two eastern units combined. Two areas for communal open space, totalling 125.4m<sup>2</sup>, in the south-western and north-eastern corners of the erf, will also be provided. The total open space provided therefore, amounts to approximately 355m<sup>2</sup>, which is 26% of the area of the erf. The remainder of the erf will be developed for a parking area for 12 vehicles, which calculates to 1.5 parking bays per flat, a refuse area and a service yard. The blocks of flats will have a coverage of 28.7%, a FAR of 0.57 and a height of 7.989 metres.

To accommodate the required on-site parking area, the southern block must be positioned more to the south, which results in the building, with a height of approximately 7.989 metres, encroaching the 3.0 metres rear boundary building line applicable to flats with a height lower than 8.5 metres.

The proposed parking ratio of 1.5 bays per dwelling unit is less than the 2.0 parking bays per dwelling unit (visitor's parking included) required for normal areas in the George Integrated Zoning Scheme By-law, 2023.

The following plan indicates the proposed site layout and architectural images of the proposed development on the application erf. A copy of this plan is attached hereto as **Annexure “D”**.



The purpose of this application is to obtain approval for the proposed rezoning and permanent departures (relaxation of building line and parking requirement) in respect of Erf 4724 George to facilitate the development as proposed.

#### 4. PRE-APPLICATION CONSULTATION

The pre-application consultation discussion of the proposed application by the relevant officials of George Municipality took place on 13 October 2023. The completed pre-application consultation form with the municipal comments on the proposal is attached hereto as **Annexure "E"**. The signed pre-application consultation application form contains the following comments that need to be addressed in the application:

##### **"Town Planning and Spatial Planning:**



*The attached documents and plan below, were discussed*

- *The application should be motivated in terms of the relevant legislation and spatial planning policies (i.e. MSDF 2023, LSDF 2012, SPLUMA 2013, LUPA 2014 etc.).*
- *The site is located within a Densification Zone, in terms of the MSDF (2023).*
- *The standard public participation requirements will apply.*
- *The building on the site may be heritage worthy. In this regard, it is requested that the applicant submits a Notice of Intent to Develop (NID) to Heritage Western Cape (HWC) for comment.*
- *Retain existing trees on the site as far as possible.*

**CES:**

- **Access:** *Restricted to Akasia Street.*
- **Parking:**
  - *All parking to be provided on site.*
  - *No parking within the road reserve.*
  - *Manoeuvrability to be managed/handled on site.*
  - *PT1 would be supported, subject to a parking relaxation application.*
  - *Stacking distance must be a minimum of 6m (measured from the erf boundary).*
  - *No TIA will be required.*
- **Water and Sewer:** *Available, subject to conformation*
- **Stormwater:** *Development to adhere to the Stormwater By-law.*
- **DC:** *DCs will be applicable.”*

No negative issues were thus mentioned, and permission was granted to proceed with the submission of the application. The issues raised above are addressed in various points throughout this motivation report.

## **5. GENERAL INFORMATION REGARDING ERF 4724 GEORGE**

## 5.1 Locality

Erf 4724 George is situated at 9 Akasia Street, George East. The following aerial photo indicates the locality of the application erf in relation to the surrounding development. The locality plan is attached hereto as **Annexure "F"**.



## 5.2 Existing land use

Erf 4724 George is currently used for residential purposes. The erf has been developed with a dwelling house and an outbuilding. The development on the erf is rounded off by a garden consisting of neatly kept lawn, trees and shrubs north of the dwelling house and between the dwelling house and the outbuilding. The remainder of the erf consist of a paved driveway and parking area at the back of the house. The erf is accessed via a driveway along the western boundary and steel sliding gate in the low "Vibre-Crete" street boundary wall.

The following photos indicate the north elevations of the dwelling house and outbuilding.





All the mentioned buildings on the application erf will be demolished to accommodate the development as proposed in this application.

### 5.3 Extent

Erf 4724 George is 1 348m<sup>2</sup> in extent.

### 5.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023, the zoning of Erf 4724 George is Single Residential Zone I.

### 5.5 Surveyor General Diagram

The Surveyor General Diagram of Erf 4724 George is attached hereto as **Annexure “G”**.

### 5.6 Title Deed

Erf 4724 George is currently registered in the name of Colven Associates Bay BK, Registration Number 2001/035168/23. The Title Deed of Erf 4724 George is attached hereto as **Annexure “H”**.

### 5.7 Power of Attorney

The Closed Corporation Registration Certificate certifying that Kobus van den Berg is the only Member of Colven Associates Bay CC, Registration Number 2001/035168/23 is attached hereto as **Annexure “I”**.

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Kobus van den Berg as the only Member of Colven Associates Bay CC, Registration Number 2001/035168/23, the registered owner of Erf 4724 George, to prepare the applications referred to in point 2 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “J”**.

### 5.8 Bondholder's Consent

Erf 4724 George is encumbered by a bond. The consent of the bondholder is attached hereto as **Annexure "K"**.

## **5.9 Conveyancer Certificate**

A Conveyancer Certificate in respect of Erf 4724 George is attached hereto as **Annexure "L"**. The Conveyancer Certificate confirms that there are no conditions in the Title Deed of the application erf which restrict the rezoning and permanent departures as proposed in this application.

## **6. DESIRABILITY OF THE APPLICATION FOR REZONING IN RESPECT OF ERF 4724 GEORGE**

### **6.1 Introduction**

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

- Physical characteristics of the site.
- The proposed land uses.
- The compatibility of the proposal with existing planning documentation, spatial frameworks, legislation and policies.
- The compatibility of the proposal with the character of the surrounding area.
- Potential of the site.
- Accessibility of site.
- Availability of parking.
- Provision of services.

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

### **6.2 Physical characteristics of the property**



### 6.2.1 Topography

Erf 4742 George has no visible slope. The topography is of such a nature that it will not have a negative impact on the rezoning as applied for in this application.

### 6.2.2 Surface conditions

Little information concerning the soil conditions in the area is available. The soil condition of the application erf seems stable. The existing structures on Erf 4724 George and other buildings in the vicinity do not appear to have construction anomalies relating to unstable soil conditions. It can, therefore, be accepted that the soil condition is suitable to accommodate the proposed development.

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

### 6.2.3 Vegetation

The application erf has been developed with a dwelling house and a free-standing outbuilding. Small portions of well-kept lawn and a few shrubs and trees have been planted on the northern side of the dwelling house, whilst the remainder of the erf is covered with paving. Existing trees on the erf will be retained as far as possible. There are no trees on the sidewalk.

There is no significant vegetation on the application property which will have an influence on the development as proposed.

### 6.2.4 Other characteristics

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

### 6.2.5 Conclusion

From the contents of the above-mentioned paragraphs, it is clear that there is no reason from a physical characteristics point of view why the application for rezoning cannot be supported.

### **6.3 Proposed land use**

The owner intends developing the application erf with 2 double storey blocks of flats, consisting of 8 flats in total.

Each unit will have a north facing patio/braai. In addition, the four ground floor units will each also have a private open space and two areas for communal open space will also be provided. The total open space provided therefore, amounts to approximately 355m<sup>2</sup>, which is 26% of the area of the erf. The remainder of the erf will be developed for a parking area for 12 vehicles, which calculates to 1.5 parking bays per flat, a refuse area and a service yard. The blocks of flats will have a coverage of 28.7%, a FAR of 0.57 and a height of 7.989 metres. Access will be provided from Akasia Street. A copy of the proposed site layout plan is attached hereto as **Annexure "B"**.

### **6.4 Compatibility of the development proposal with existing planning documentation and policies**

#### **6.4.1 Introduction**

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

#### **6.4.2 "Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)"**

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

- "Spatial justice"
- "Spatial sustainability"

- “Spatial efficiency”
- “Spatial resilience”
- “Good administration”

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

Spatial justice		
Criteria	Compliance	Planning Implication
Past spatial and other development imbalances must be redressed through improved access to and use of land.	Complies with.	This application will result in an underdeveloped residential erf situated within the Urban Edge being developed to its full potential. The proposed development targets the middle-income group and will result in affordable housing being made available. It will also lead to more efficient use of land.
Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation.	Complies with.	George Municipality approved a Spatial Development Framework for George, 2023. The Spatial Development Framework contains development proposals which are aimed at improving the quality of life of all the inhabitants of George, thus creating the opportunity for approval of this application which will result in affordable housing opportunities being made available.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all erven in respect of type of structure allowed, land uses and building lines. These parameters enable the development of blocks of

		flats, as proposed in this application, aimed at the need for affordable dwelling units.
Land use management systems must include all areas of a municipality and especially include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homelands areas.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all erven in respect of type of structure allowed, land uses and building lines. These parameters enable the development of blocks of flats, as proposed in this application, aimed at the need for affordable dwelling units.

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

Spatial sustainability		
Criteria	Compliance	Planning Implication
Promote land development that is within the fiscal, institutional and administrative means of the Republic.	Complies with.	The application erf is situated within the Urban Edge of George and is indicated for densification in the George Spatial Development Framework, 2023.

Ensure that special consideration is given to the protection of prime and unique agricultural land.	Not applicable.	The application erf is situated within the Urban Edge of George.
Uphold consistency of land use measures in accordance with environmental management instruments.	Not applicable.	This provision does not apply to this application.
Promote and stimulate the effective and equitable functioning of land markets.	Complies with.	The application erf is situated to the east of a large shopping centre to the north of Knysna Road, within a mixed - use area located in Akasia Street. The surrounding area is currently characterized by mixed use development, consisting of dwelling houses, offices, a supermarket, shops and blocks of flats. The land use and density proposed in this application are therefore in line with the surrounding development and future planning for the area. The proposed development will thus not have a negative impact on surrounding property values and will contribute to the upgrading of the area, which could result in increasing property values in the vicinity.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Complies with.	All costs pertaining to the infrastructure required for the proposed development will be carried by the landowner.
Promote land development in locations that are sustainable and limit urban sprawl.	Complies with.	The application erf is situated within the Urban Edge of George. The proposed development will, therefore, not result in urban sprawl.
Result in communities that are viable.	Complies with.	Due to the high maintenance cost (labour, water and plants), as well as security risk associated with large properties, the development of large residential erf is increasingly considered not viable. This could lead to neglect, which could result in reducing property values in an area. The use of the underdeveloped application erf for high density



		residential development, as is proposed in this application, can result in a vibrant and viable neighbourhood, which will have a positive effect on property values and the economy of George. This will result in additional income for the Municipality, which could be used for the improvement of quality of services to all the citizens of George.
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Spatial efficiency		
Criteria	Compliance	Planning Implication
Land development optimises the use of existing resources and infrastructure.	Complies with.	The application erf is situated within an existing serviced area. All costs pertaining to the extension of existing infrastructure required for the proposed development will be carried by the landowner.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Complies with.	The municipality has procedures in place that are designed to minimise negative financial, social, economic or environmental impacts.
Development application procedures are efficient and streamlined and timeframes are adhered to by all parties.	Complies with.	George Municipality has adopted the George Municipality: Land Use Planning Ordinance, 2023 which prescribes procedures and time frames developers must comply with when submitting land use applications, and which officials must consider when considering applications. This application has been prepared in accordance with the stipulations of the George Municipality: Land Use Planning By-law, 2023 and the application will therefore be handled and considered in accordance with the time frames as prescribed.

Spatial resilience		
Criteria	Compliance	Planning Implication
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.	Complies with.	The application erf is situated within the Urban Edge of George, in an area indicated for residential densification in the George Spatial Development Framework, 2023.

Good administration		
Criteria	Compliance	Planning Implication
All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act.	This is general principle that municipalities need to comply with.	Input was received from all spheres of government when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus followed in the preparation of the George Spatial Development Framework. As the development proposal can be deemed to comply with the contents of the George Spatial Development Framework, 2023, it can be stated that the proposal complies with this specific criterion.
All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.	This is general principle that municipalities need to comply with.	Input was received from all government departments and sectors when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was

		thus followed in the preparation of the George Spatial Development Framework. As it can be deemed that the development proposal complies with the contents of the George Spatial Development Framework, 2023, it can be stated that the proposal complies with this specific criterion.
The requirements of any law relating to land development and land use are met timeously.	This is general principle that municipalities need to comply with.	The George Municipality has adopted the George Municipality: By-law on Land Use Planning, 2023 which prescribes procedures and timeframes which developers have to adhere to when submitting land use applications and which officials needs to take into consideration when considering applications. This application has been prepared in keeping with the requirements as per the George Municipality: By-law on Land Use Planning, 2023 and the application will from date of submission be dealt with and be considered within the timeframes prescribed in the by-law.
The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.	This is general principle that municipalities need to comply with.	This application will be advertised in accordance with the stipulations as contained in the George Municipality: By-law on Land Use Planning, 2023. All parties will be given the opportunity to participate in the public participation process and will be afforded the opportunity to provide input on the application.
Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.	This is general principle that municipalities need to comply with.	The George Municipality: By-law on Land Use Planning, 2023 contains clear procedures set in order to inform and empower members of the public. This application will be subjected to these procedures.

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

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

The dwelling house does not appear on the 1957 aerial photo of the area concerned and is therefore not considered to be older than 60 years. This legislation is thus not applicable to this development proposal.

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

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

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

- 19(1) If a spatial development framework or structure plan specifically provides for the utilization or development of land as proposed in a land use application or a land development application, the proposed utilization or development is regarded as **complying** with that spatial development framework or structure plan.*
- 19(2) If a spatial development framework or structure plan does not specifically provide for the utilization or development of land as proposed in a land use application or a land development application, but the proposed utilization does not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilization or development is regarded as being **consistent** with that spatial development framework or structure plan."*

The compatibility of the development proposal with existing spatial development frameworks is addressed in points 6.4.5 and 6.4.6 of this report.

The development principles referred to in Section 59 of LUPA, which should also be considered when motivating an application, are directly in line with the principles of SPLUMA which have been discussed in detail in section 6.4.2 above. The comments in paragraph 6.4.2 are thus also relevant as far as Section 59 of LUPA is concerned.

## 6.4.5 Western Cape Provincial Spatial Development Framework (WC PSDF)

### 6.4.5.1 Introduction

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

In terms of the framework, several principles are mentioned, namely spatial justice, spatial sustainability, spatial resilience, spatial efficiency, accessibility and quality of life and good administration that spatial planning must comply with. The impact of the application on spatial justice, spatial sustainability, spatial resilience, spatial efficiency, has already been fully discussed in section 6.4.2 above and it has been shown that the proposed development complies with the relevant mentioned principles.

Several policy statements are also highlighted in terms of the WC PSDF which must specifically correlate with the mentioned principles. Some of the policy statements that are relevant to this town planning application will be addressed in the following points.

### 6.4.5.2 Protection of agricultural land

In terms of the WC PSDF, it is indicated that agricultural land must be protected. Erf 4724 George is zoned Residential Zone I and is not used for agricultural purposes. This objective of the WC PSDF is therefore not relevant to this application.

### 6.4.5.3 Urban edge

The WC PSDF provides for a guideline which determines that towns should identify an urban edge and that development should be restricted to areas inside the urban edge. The George Municipality identified an urban edge, and Erf 4724 George falls within the identified urban edge.



As such, the proposed development will not result in "urban sprawl". The proposal therefore meets the requirement of this guideline set out in the WC PSDF.

#### 6.4.5.4    **Densification**

In terms of the WC PSDF, higher densities and more compact cities must be created. According to the framework, it is recommended that towns should densify to an average density of 25 units per hectare with development densities of 3 to 6 units per hectare on the edge of a town and densities of between 40 to 60 units per hectare in the core of the urban area.

In the framework, it is highlighted that this density was decided upon as a result of studies which indicated that *"this is the minimum density at which urban settlements begin to significantly improve their urban performance"*.

It is indicated that the mentioned density has the following benefits:

- *The ability to walk to several different destinations on foot.*
- *Improve surveillance and security.*
- *Employment and retail opportunities within easy distance.*
- *Vibrant and active streetscape.*

In this regard it is also indicated that *"the figure of an average gross density of 25 du/ha should be seen as a hurdle below which urban settlements will not perform adequately, and above which a number of positive opportunities begin to be achievable."*

Various means to attain densification are mentioned, such as subdivision, additional dwelling units and sectional title developments, redeveloping properties, high density residential areas, **blocks of flats** and infill development in existing areas.

Rezoning of an existing Residential Zone I erf, which is currently developed with a dwelling house, to accommodate 2 blocks of flats, is proposed in this application. The rezoning could result in a density of 89 dwelling units per hectare being attained on the application erf, which is

higher than the norm set in the Western Cape Provincial Spatial Development Framework for the core of the urban area.

The proposal, therefore, meets the broader requirement for densification as set out in this guideline in the WC PSDF.

#### 6.4.5.5 Self-sufficiency

Another important guideline requires that any proposed development must be self-sufficient, as: *“the development needs of the present generations should be met without the ability of future generations to meet their own needs, being compromised.”* The rezoning proposed in this application will be self-sufficient and will place no financial burden on present or future inhabitants of George. The proposed development will make a positive contribution to improvement of the quality of living of the inhabitants of George, as it will provide affordable accommodation and contribute to the property tax structure of the Municipality.

#### 6.4.5.6 Summary

The framework does not go to the detail level of individual erven and therefore does not contain further information, other than the abovementioned compliance with the urban edge, densification and self-sufficiency, which could be used to determine whether this application falls within the stipulations of the framework. From the content of this point seems clear that the application can indeed be considered compatible with the WC-PSDF.

#### 6.4.6 George Spatial Development Framework, 2023 (GSDF)

Erf 4724 George is located within the study area of the George Spatial Development Framework, 2023 (GSDF) and this framework therefore applies to this application.

In terms of the GSDF, the application erf is located within the Urban Edge, as well as in the *“Densification Zone”* along Knysna Road. In the *“Spatial Elements”* table, in point 4.4 on page 84 of the George Spatial Development Framework, 2023, *“Residential densification”* is explained as follows:

- *“Densification zones are areas within existing settlements where residential densification should be accommodated and promoted through appropriate mechanisms such as redevelopment, infill, subdivision, second dwellings, sectional title, greenfield or brownfield development.*
- *Densification is promoted in all urban areas with specific focus on areas surrounding primary transport corridors and identified nodes. Density – measured as walking distance from public transport route (80u/ha (or more to be motivated) for 150, 60u/ha in 151-350m and 45u/ha for 351-500m).”*

The proposed rezoning to accommodate the development of flats on the application erf complies with the mentioned criteria and can therefore be regarded to be compatible with the GSDF, 2023.

Except for the indication that the application erf falls within the Urban Edge of George, as well as within the Densification Zone along Knysna Road, the George Spatial Development Framework, 2023, contains no specific future development proposals for this area which could be used to evaluate the compatibility of a land use application with the Spatial Development Framework.

There is no Local Spatial Development Framework for the area concerned.

#### 6.4.7 George Integrated Zoning Scheme By-Law, 2023

The owner intends using Erf 4724 George for the development of 2 blocks of flats, consisting of 8 flats in total. The erf will have to be rezoned to General Residential Zone IV to enable the proposed development.

The objective of the “General residential Zone IV” use zone is described as follows in the Land Use Table in Schedule 1 of the George Integrated Zoning Scheme By-Law, 2023:

*“The objective of this zone is to promote higher density residential development. The dominant use within this zone must be residential, but limited mixed-use development is possible with the Municipality’s consent. This zone has particular location requirements, such as proximity to*

*transport and amenities, and should not be randomly located without due consideration of the availability of open space and community facilities.”*

The proposed high density residential development is in line with the objective of the proposed zoning, to “*promote higher residential density residential development*”. Being situated in Akasia Street, in close proximity to the public transportation routes in Knysna Road, the shopping complex in Knysna Road and all the amenities in the George CBD, the proposal also fulfils the location requirements, “*proximity to transport and amenities*” as well as “*community facilities*” such as schools, library and medical facilities.

The Land use description of “flats” reads as follows:

*“flats” means a building(s) containing three or more dwelling units of which at least one does not have a ground floor, together with such outbuildings, open space and private roads as are ordinarily associated with flats.”*

The proposed development, consisting of 2 separate blocks of flats, each 2 storeys in height, containing a total of 8 flats, conforms with the land use description of “flats”.

The following table indicates the applicable development parameters in respect of flats in terms of Schedule II of the mentioned By-Law, as well as the compliance of the proposed development with the development parameters.

Development Parameter	Description	Compliance
<b>Coverage</b>	60%	28.7% - complies
<b>Floor factor</b>	2	0.57 - complies
<b>Height</b>	<i>The highest point of a building may not exceed 15 metres to the top of the roof.</i>	7.989 metres - complies
<b>Building line</b>	Street boundary: 5.0 metres Side: 3.0 m (height up to 8.5m) Rear: 4.5m (height above 8.5m)	Street boundary: 5.0 metres - complies Sides: 3.0 metres – complies <b>Rear: 1.006m – Relaxation applied for</b>

<b>Parking</b>	<p><u>Normal areas:</u></p> <p>1.75 bays per dwelling unit / dwelling unit 3 or more habitable rooms. 0.25 bays per unit for visitors</p> <p>Total: 2 bays per d/u</p> <p><u>PT1 areas:</u></p> <p>1.25 bays per dwelling unit / dwelling unit 3 or more habitable rooms. 0.25 bays per unit for visitors</p> <p>Total: 1.5 bays per d/u</p>	<p>8 dwelling units: 12 parking bays – <b>PT1</b> – <b>Relaxation applied for</b></p>
<b>Open space</b>	10% of erf area of 1 348m <sup>2</sup>	10% of erf area: 1 35m <sup>2</sup> Open space provided: 355m <sup>2</sup> - (including 8 balconies) - complies
<b>Refuse room / service yard</b>	Must be provided	Provided – complies

#### 6.4.8 Title Deed

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

The title deed of Erf 4724 George was scrutinised, and it was found that it contains no conditions prohibiting the subdivision and rezoning as proposed.

#### 6.4.9 Conclusion

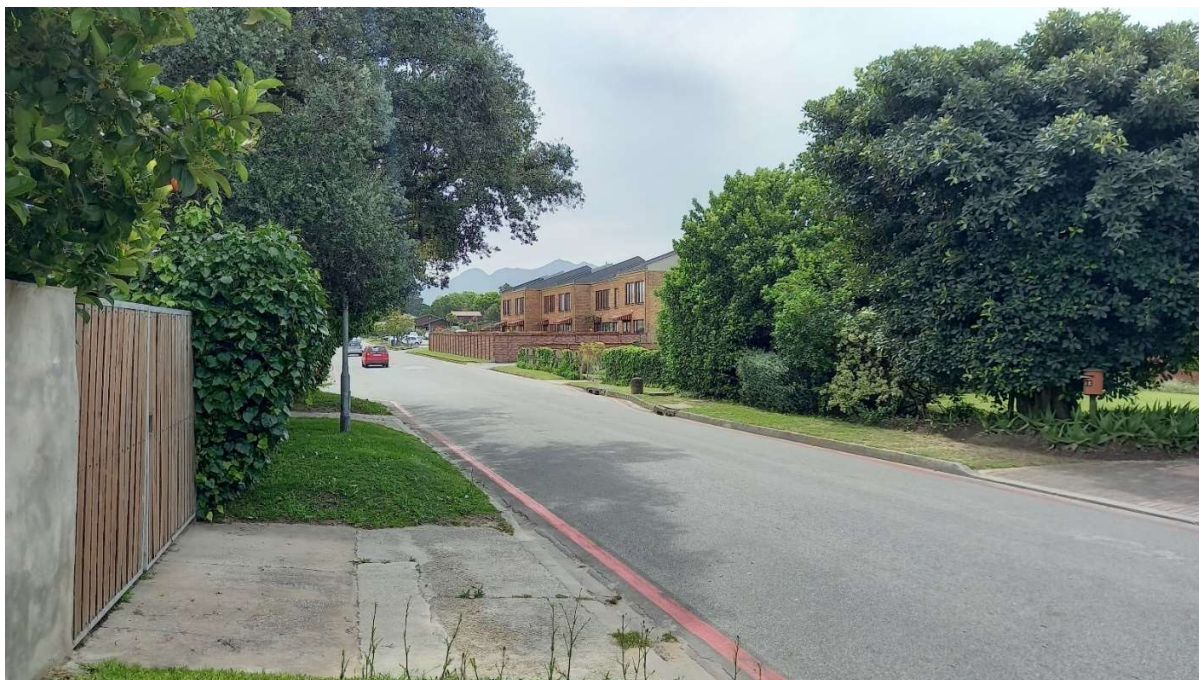
From the above information it is clear that the application for rezoning complies with the mentioned Planning Polices and Planning Guidelines and can be considered desirable.

### 6.5 Compatibility of the proposal with the character of the area

The area surrounding the application erf is characterized by mixed use development, with business development to the west and south, blocks of flats to the north-west in Akasia Street

and dwelling houses to the east. The area is served by the public transport routes of the “Go George” transportation service along Knysna Road. The proposed flats will thus create further diversification as far as the land use, density and type of dwelling units in the area are concerned.

The following photo indicates the block of flats to the north-west in Akasia Street.



Being situated in a mixed-use area, in close proximity to a public transportation route (Knysna Road) and near to the amenities in Knysna Road, including medical practitioners at the corner of Knysna Road and Fifth Street, it is evident that the development as proposed in this application complies with the mentioned location requirements. The proposed rezoning as proposed in this application will, therefore, be compatible with the existing, as well as the future character of the surrounding area.

## **6.6 Compatibility of the proposal with the natural environment of the area**

The application erf is situated within the Urban Edge of George. Except for a few trees, the natural vegetation on the erf had been removed during the initial development of the erf and replaced by a garden, consisting of a few shrubs and lawn. The current development on the



application erven will be replaced by flats, a parking area, vehicular access to the parking area and open space, which will be landscaped as functional open space. The trees on the erf will be retained as far as possible. There are no trees on the sidewalk.

The development as proposed in this application will therefore fit in with the proposed high density residential character envisaged for the area concerned.

### 6.7 Potential of the property

Erf 4724 George is zoned Single Residential Zone I in terms of the George Integrated Zoning Scheme By-Law, 2023. In terms of this zoning, the erf may be used for the purposes of a dwelling house and a second dwelling.

The application erf is situated to the north of Knysna Road and thus falls within the “*Densification Zone*” as indicated on the George Spatial Development Framework, 2023. The erf, therefore, has the potential to be developed at a higher intensity, such as General Residential Zone IV, as is proposed in this application, without having a negative influence on the character of the area concerned.

### 6.8 Access

The application erf is situated on the southern side of Akasia Street, between Fourth and Fifth Avenue, to the north of Knysna Road. The erf is easily accessible from the George CBD. As indicated on the proposed site layout plan attached hereto as **Annexure “B”**, vehicular access to the proposed development will be provided from Akasia Street via a 5.0 metres paved access, situated on the southern side of the erf. Stacking space of 6.0 metres, measured from the Akasia Street kerb, for vehicles entering the site will be provided. Visibility in both directions into Akasia Street is good.

### 6.9 Provision of parking

The application erf will be zoned General Residential Zone IV, to accommodate 8 two-bedroom flats. In terms of the parking requirements applicable to flats, as set out in the table in Section 42



of the George Integrated Zoning Scheme By-Law, 2023, 1.75 bays per flat, plus 0.25 bays per flat for visitors, must be provided in “normal areas. Sixteen parking bays must, therefore, be provided in respect of the proposed 8 flats.

As indicated on the proposed site layout plan attached hereto as **Annexure “B”**, only 12 parking bays will be provided on the erf. The provision of parking does not conform with the requirement for “normal” areas, as set out in the George Integrated Zoning Scheme By-Law, 2023.

The provision of parking is discussed in detail in point 7.7 of this motivation report, where it will be indicated that, as the application erf is situated in a “PT1” area, the parking provided is sufficient.

#### **6.10 Provision of services**

Existing municipal services are available to the application erf. Should any upgrade or extension of services be required because of this application, this will be at cost of the developer and to the satisfaction of the municipality. The proposal will thus not result in infrastructure costs to any external parties. The proposal will thus not place any burden on municipal budget for the provision services infrastructure.

The proposed rezoning will, therefore, not have a negative impact on the provision of services to the surrounding area. The proposal will result in more effective utilisation of existing municipal services, which is one of the objectives of the Western Cape Provincial Spatial Development Framework.

### **7. DESIRABILITY OF THE APPLICATION FOR PERMANENT DEPARTURES (RELAXATION OF BUILDING LINE AND PARKING REQUIREMENT) IN RESPECT OF ERF 4724 GEORGE**

#### **7.1 Introduction**

Specific issues which must be addressed in the motivation of applications are highlighted in the Land Use Planning By-Law for George Municipality, 2023. These issues are, however, aimed at

more complex applications and are not applicable to lesser applications, such as permanent departures in respect of relaxation of building lines.

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

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

## **7.2 Existing planning in the area**

The area surrounding the application erf is characterized by mixed use development, with business development to the west and south, blocks of flats to the north-west in Akasia Street and dwelling houses to the east. The area is served by the public transport routes of the “Go George” transportation service along Knysna Road, which is within walking distance from the application erf.

As indicated on the proposed site and building plan attached hereto as **Annexure “B”**, the proposed southern block of flats will transgress the 3.0 metres rear boundary building line. The bathroom windows facing south towards Erf 13142 George will not have an impact on the adjacent development. Erf 13142 George, which is situated to the south of the application erf, has recently been developed with a large new building, accommodating veterinary services. The relaxation of the rear boundary building line as proposed in this application, will not have a negative impact on the adjacent development.

The permanent departures, as proposed in this application, will not establish an undesirable precedent, and can be accommodated within the existing planning of the area concerned.

### 7.3 Impact on schools, open spaces and other community facilities

The proposed permanent departures will not result in an increase in the number of inhabitants of the proposed flats beyond that which is normally associated with such a development. As such, the permanent departures as applied for will not have a direct impact on schools, open spaces and other community facilities in the area. This aspect is therefore not relevant to this application.

### 7.4 Impact on sunlight, view and privacy

The following aerial photo indicates the properties surrounding the application property.



It is clear that the only erf which could be affected by the proposed relaxation of the rear boundary building line on the application erf, is Erf 13142 George, where a veterinarian clinic has recently been developed.

#### Sunlight:

The application property is situated to the north of the veterinary clinic on Erf 13142 George. As such, the proposed development will not have an impact on sunlight on Erf 13142 George, as no living rooms and outdoor living areas can be affected.

#### View and privacy:

It is also clear from the aerial photo that the proposed development can have no impact on the view or privacy in respect of Erf 13142 George.

The proposed relaxation of the parking requirement cannot have an impact on the sunlight, view or privacy of the adjacent erven.

It is clear from the motivation in this point, that the permanent departures as proposed in this application can have no negative impact on sunlight, view or privacy in respect of the adjacent erf.

### **7.5 Impact on streetscape**

The existing dwelling house and outbuildings will be demolished to accommodate the development as proposed. The side elevation of only one of the blocks of flats will front towards the street. The proposed building will be located 5.0 metres from the street boundary, which creates sufficient space for landscaping on the street side of the building, which will be situated “behind” a street boundary wall. The proposed building line relaxation will occur on the opposite side of the erf and will not be visible from the street. The proposed parking area will be situated on the erf, with the bulk of the parking situated between the blocks and not visible from the street.

The proposed permanent departures will, therefore, have no impact on the streetscape of the application property.

## 7.6 Impact on property values

As indicated in the previous points, the structures in respect of which permanent departures are required, will not have a negative impact on any of the surrounding properties. The architectural design is sound and the finish of an excellent quality. The development represents a substantial capital investment in the property by the owner.

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

## 7.7 Impact on provision of parking

The parking requirements applicable to different land uses are set out in a table entitled “Minimum off-street parking requirements” in Section 42 of the George Integrated Zoning Scheme By-Law, 2023. In respect of flats, it is required that 1.75 bays per dwelling unit with 3 or more habitable rooms be provided, plus 0.25 bays per unit for visitors. A total of 2 parking bays per unit is therefore required per flat. A total of 8 flats will be developed on the application erf, requiring 16 parking bays.

As indicated on the proposed site and building plan attached hereto as **Annexure “B”**, 12 parking bays will be provided in respect of the proposed development, which is less than the 16 parking bays required. Application is therefore made for a permanent departure from the parking requirement applicable to “flats” in Section 42(2) of the George Integrated Zoning Scheme 2023, from 2 parking bays per unit, to 1.5 parking bays per unit, to allow the parking bays as indicated on the proposed site plan.

In this regard the following aspects should be considered:

- In the table “Minimum off-street parking requirements” in Section 42 of the George Integrated Zoning Scheme By-Law, 2023, different parking requirements, which vary

according to the area where the application erf is situated, are proposed. The table refers to “*Normal Areas, PT1 Areas and PT2 Areas*”, with “*PT*” referring to “*Public Transport*”. The philosophy behind the differentiation in parking requirement in the table is that the larger the availability of public transport, the lower the parking requirement. It is indicated that the “*PT1 Areas and PT2 Areas*” must be indicated on the zoning map accompanying the By-Law. The plan indicating the areas is not available yet. The differentiated parking requirements can, therefore, not be implemented without a specific application for relaxation of the parking requirement. It has, however, been indicated by officials responsible for the determination of the parking requirements that it is generally accepted that the “*PT1*” parking requirements apply along bus routes. In terms of the “*PT1*” parking requirements, 1.25 parking bays per dwelling unit with 3 or more habitable rooms may be provided, plus 0.25 bays per unit for visitors. A total of 1.5 parking bays per unit is therefore, required. As a total of 8 flats will be developed on the application erf, 12 parking bays will be required in terms of the PT1 requirement.

- The application erf is situated in Akasia Street, approximately 290 metres north-east of the intersection of Fourth Street and Knysna Road. The application erf is thus within walking distance from the bus routes along Knysna Road, one of the main routes of the “Go George” public transportation service. It is therefore clear that the locality of the application erf conforms with the requirement to be considered being situated within a “*PT1*” area and that the parking ratio of 1.5 parking bays per unit can be applied in respect of the proposed development.
- The purpose of a public transportation service is to curb the use of private vehicles, which will result in optimal use of the public transportation service. By lowering the parking requirement, the public is encouraged to use public transport. The relaxation of the parking requirement, therefore, has a direct impact on the success of the public transportation service. Due to the locality of the application erf, any owner / tenant can conveniently use the public transportation service to access the required facilities.
- The fact that the application erf is located within walking distance from the bus routes along Knysna Road, one of the main routes of the “Go George” public transportation service, will enhance the accessibility to areas which are not within walking distance of the application



erf, such as the CBD and Garden Route Mall development area. This fact also creates the opportunity to relax the parking requirement on the application erf.

- Due to the location of the application erf on the mentioned transportation route, the erf is also easily accessible to general labourers in the complex.

The relaxation of the building line as proposed in this application has furthermore a positive impact on the provision of parking, as it creates more space for the provision of parking.

In view of the above, it is argued that there is no reason why the application for the permanent departures cannot be approved.

## **7.8 Impact on traffic circulation**

As indicated on the proposed site and building plan, attached hereto as **Annexure "B"**, the application property will be enclosed on the Akasia Street side by means of a boundary wall with a security gate giving access to the erf. Sufficient stacking space is provided on the street side of the gate and there is good visibility in both directions into Akasia Street from the access point.

The permanent departures as applied for in this application can have no negative impact on the traffic circulation in Akasia Street.

## **7.9 Provision of services**

Provision of Municipal services have been discussed in point 6.10 of this motivation report. Existing municipal services are available to the application property. Should any upgrade or extension of services be required because of this application, this will be at cost of the developer and to the satisfaction of the municipality. The proposal will thus not result in infrastructure costs to any external parties. The proposal will thus not place any burden on municipal budget for the provision services infrastructure.

## **7.10 Fire fighting**

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

## 8. CONCLUSION

Application is made in terms of

- Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 4724 George from Residential Zone 1 to General Residential Zone IV for the development of 2 blocks of flats (8 flats).
- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for permanent departures for the relaxation of the rear boundary building line from 3.0 metres to 1.006 metres to accommodate the proposed southern block of flats, as well as from the parking requirement applicable to “Flats”, stipulated in the table entitled “Minimum off-street parking requirements” in Section 42(2) of the George Integrated Zoning Scheme 2023, from 2.0 parking bays per unit to 1.5 parking bays per unit.

As indicated in this report the proposed applications for rezoning and permanent departures in respect of the application erf is compatible with all existing planning documents, spatial plans, legislation and policy documents applicable to the applications.

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

The applications can therefore be considered desirable and is submitted for consideration in terms of the relevant stipulations of the Land Use Planning By-Law for the George Municipality, 2023.

**ANNEXURE "A" - MUNICIPAL LETTER DATED 8 JULY 2022**

**Collaborator No.:** 1986521  
**Reference / Verwysing:** Erf 4724, George  
**Date / Datum:** 8 July 2022  
**Enquiries / Navrae:** Marisa Arries

DELPLAN  
PO BOX 9956  
GEORGE  
6530

DELPLAN Consulting

Email: [planning@delplan.co.za](mailto:planning@delplan.co.za)

11 JUL 2022

**APPLICATION FOR REZONING, CONSENT USE AND DEPARTURE:  
ERF 4724, GEORGE**

Your application in the above regard refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, W.1.33 of 29 July 2015 decided:

- A. That the applicant be informed that the application for **Departure** in terms of Section 15(2)(b) of Land Use Planning By-Law for George Municipality, 2015 to allow two 4m motor vehicles carriageway crossings on Erf 4724, George is **NOT REQUIRED** as the accesses complies with clauses 45(4)(a) and (b) of the George Integrated Zoning Scheme Bylaw, 2017;
- B. That the following applications applicable to Erf 4724, George:
1. **Rezoning** in terms of Section 15 (2)(a) of Land Use Planning By-Law for George Municipality, 2015 of Erf 4724, George from Single Residential Zone I to Business Zone VI;
  2. **Consent Use** in terms of Section 15(2)(o) of Land Use Planning Bylaw for George Municipality, 2015 for the development of four flats on Erf 4724, George;
  3. **Departure** in terms of Section 15(2)(b) of Land Use Planning Bylaw for George Municipality, 2015 for 10 parking bays in lieu of 11 parking bays for offices on Erf 4724, George;
  4. **Departure** in terms of Section 15(2)(b) of Land Use Planning Bylaw for George Municipality, 2015 for relaxation of the following building lines:
    - (i). Southern rear boundary building line from 4.5m to 1m for the proposed flats; and
    - (ii). Eastern side boundary building line from 4.5m to 3.5m for the proposed flats;

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

## REASONS FOR DECISION

- a) The rezoning of Erf 4724, George from Single Residential Zone I to Business Zone IV is in conflict with the principles and guidelines that underpin the George Municipal Spatial Development Framework (2019);
- b) The use zone, applied for identifies offices as the primary land use, however the applicant did not present sufficient site-specific circumstances to consider or justify a deviation from the GMSDF;
- c) With due regard for the above, the proposal is considered to hold potential to negate the spatial structuring and sustainability objectives with regards to the nodal areas, as identified in terms of the MSDF.
- d) In accordance with Section 22 of the Spatial Planning and Land Use Management Act, 2013, the municipality may not consider the rezoning application and therefore, is obligated to refuse the application;
- e) Notwithstanding the aforementioned, the high-density residential component as a primary right is supported in terms of the MSDF, however under the proposed zoning of BZIV, this land use cannot be permitted as a primary land use;
- f) As the Consent Use and Departure applications are proposed as subservient uses to the primary land use applied for, these applications cannot be considered further, and must also be refused.

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 George Municipality's By-law on Municipal Land Use Planning.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director Planning and Development, P O Box 19, George, 6530 or Directorate: Planning, 5th floor, Civic Centre, York Street, George **on or before 29 July 2022** 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.

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

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

Yours faithfully



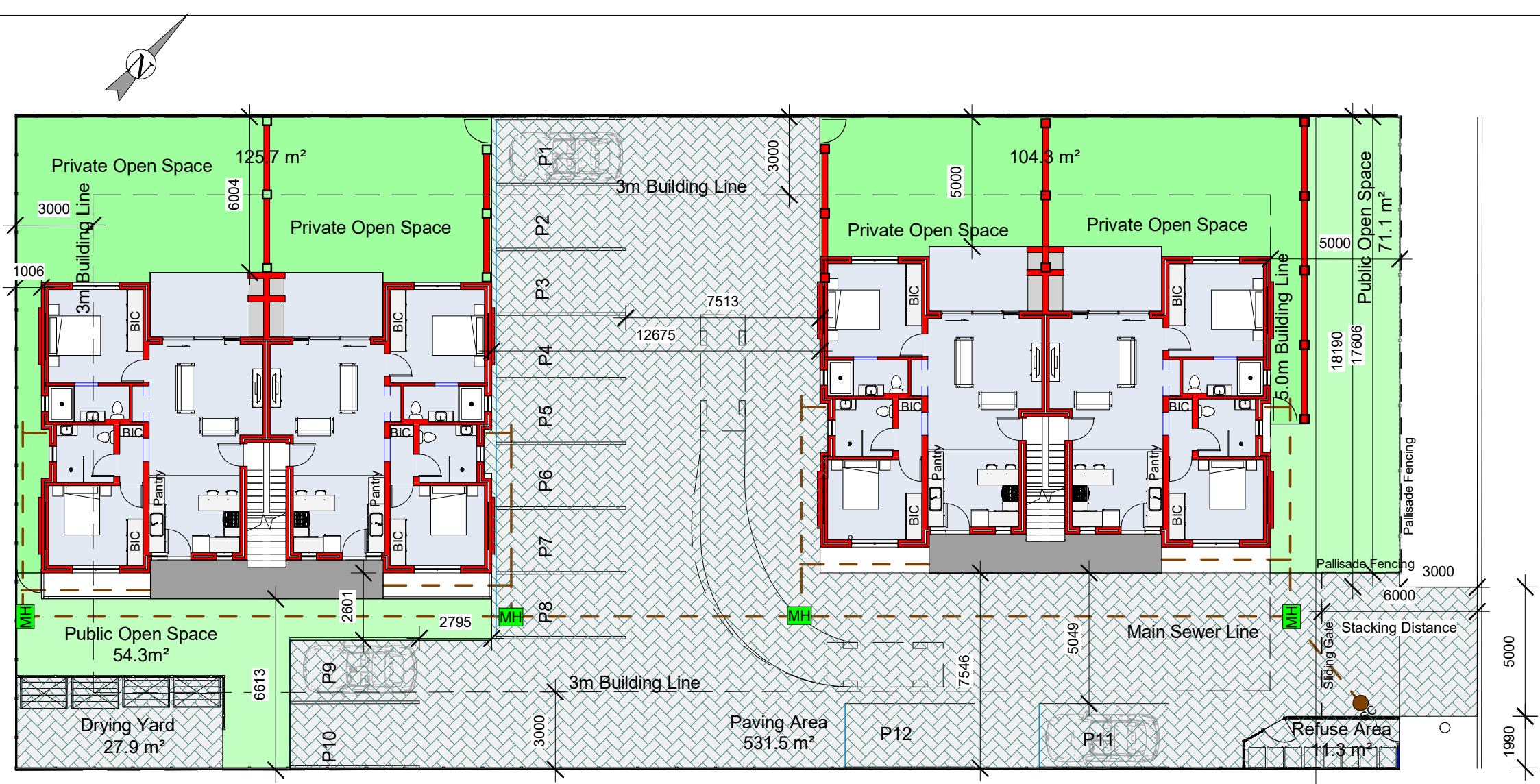
C. PETERSEN

**SENIOR MANAGER: PLANNING AND DEVELOPMENT**

C:\Marisa\Erf 4724, George(rezoning, consent use and departure\_refused)delplan.docx

## ANNEXURE “B” – DEVELOPMENT PROPOSAL





**I Site Development Plan**  
1 : 200

**Area Schedule**

Comments	Name	Area
Ground Floor	G1	96.5 m²
Ground Floor	G2	96.5 m²
Ground Floor	G3	96.5 m²
Ground Floor	G4	96.5 m²
Ground Floor		386.0 m²
First Floor	F1	96.5 m²
First Floor	F2	96.5 m²
First Floor	F3	96.5 m²
First Floor	F4	96.5 m²
First Floor		386.0 m²
Grand total		772.1 m²
Floor Factor		0.57
Site		1347 m²
Coverage		28.7%

Landscape Areas	
Private Open Space	230 m²
Public Open Space	125.4 m²
Drying Yard	27.9 m²
Refuse Area	11.3 m²
Paving	531.5 m²

**Parking Schedule: (12 Parkings)**  
GLA:  
8x Units @ 2 Parkings per Unit = 16 Parkings  
PT1  
8x Units @ 1.5 Parkings per Unit = 12 Parkings



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Revision		
No.	Description	Date

**Mr vd Berg**

**Proposed new flats on erf 4724 George**



johan@jdsdesign.co.za  
www.jdsdesign.co.za Cell: 084 400 5666

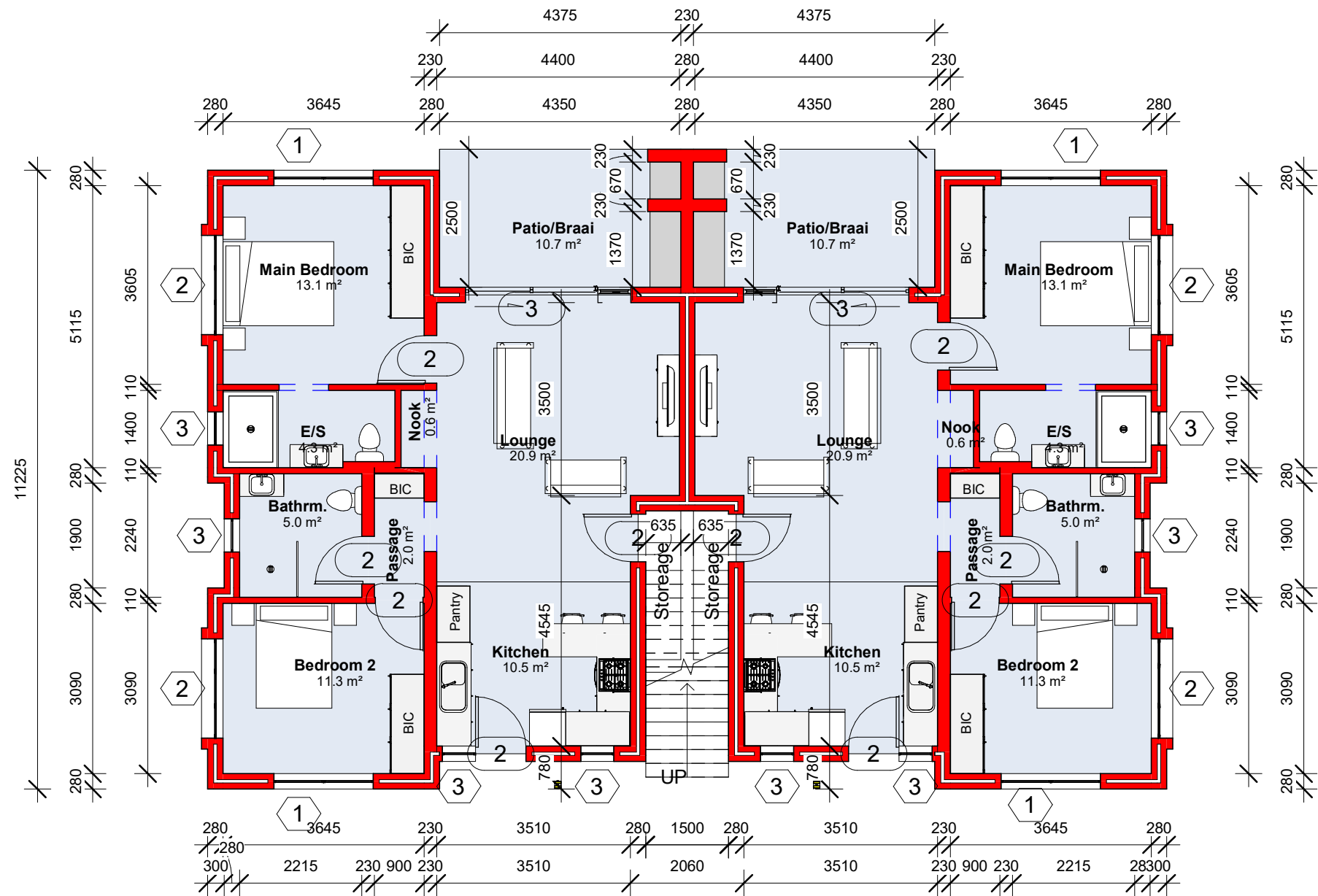
Municipal Submission	
Date	23/10/2023
Drawn:	SACAP REG NO
JJP Jacobs	D 0560

**Layout and Info**

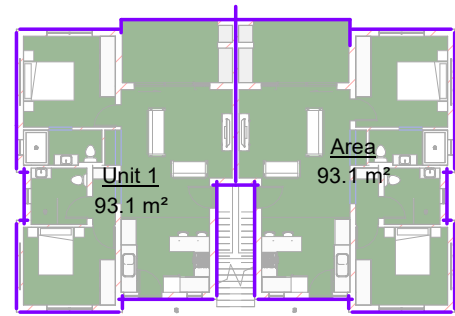
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**1** **01 Ground Floor Lvl**  
1 : 100

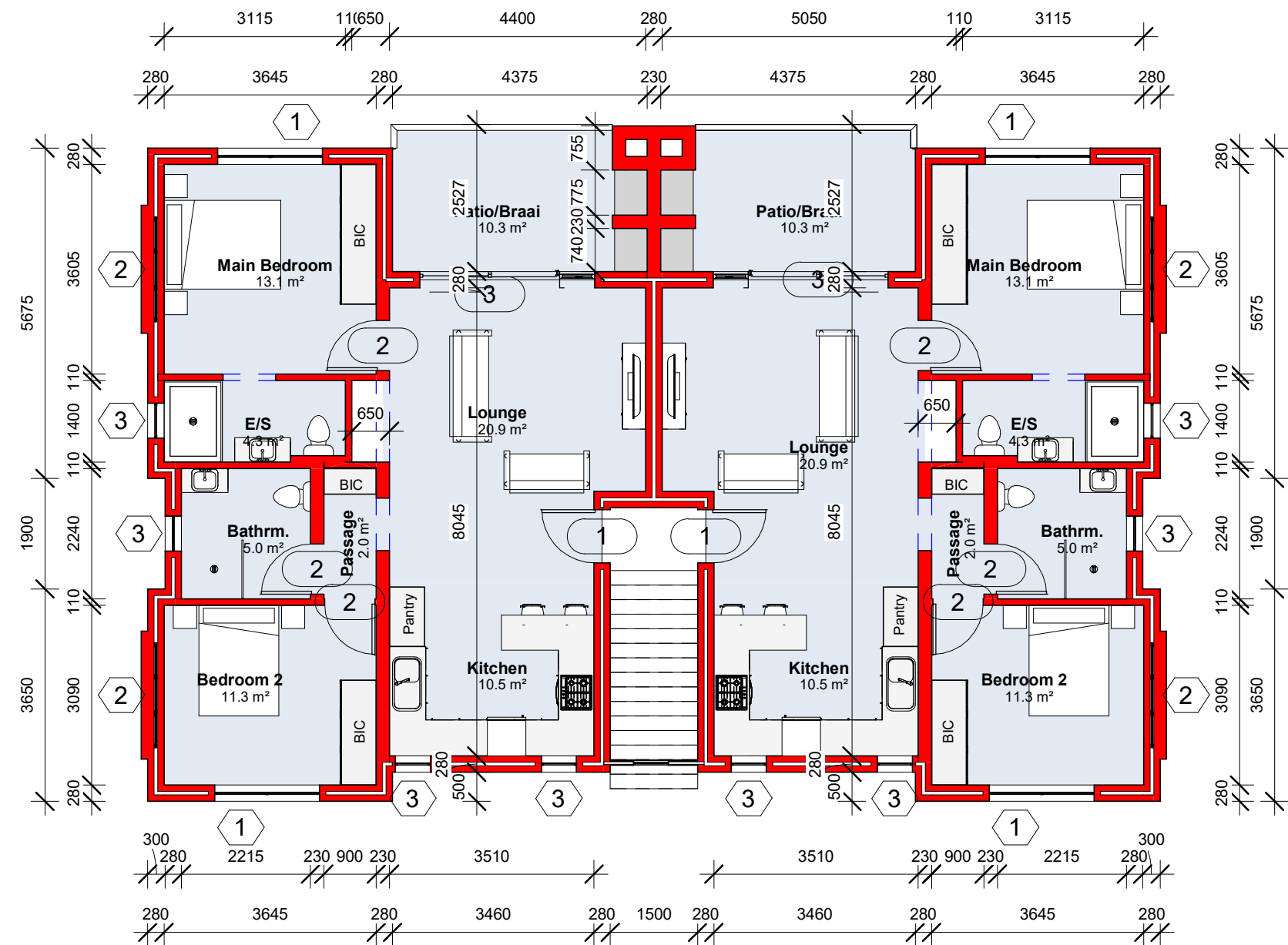


**1) General Notes:**

- a) Patios, stoep to remain open as per building plan
- b) All Garage walls to be fire walls
- c) Garage door to comply with SANS 10400T, section 9.4.3(b)

**2) Drainage Notes**

- a) Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4.21).
- b) Drainage installation to comply with SANS 10400 Part P.
- c) Drainage installations under building work must be installed in terms of Part P of SANS 10400 (4.19.4).
- d) Drainage installations under building work must be protected in terms of Part P of SANS 10400 (4.22.2).
- e) Gulleys to be min 150mm above NGL



**7** **First Floor**  
1 : 100

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Revision		
No.	Description	Date

**Mr Van der Berg**

**Akasia Street,  
George**

**JDS Design Studio**

johan@jdsdesign.co.za  
www.jdsdesign.co.za Cell: 084 400 5666

DRAFT	
Date	21/04/2022
Drawn:	SACAP REG NO
JJP Jacobs	D 0560

**Layout and Info**

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Sheet Size	A2

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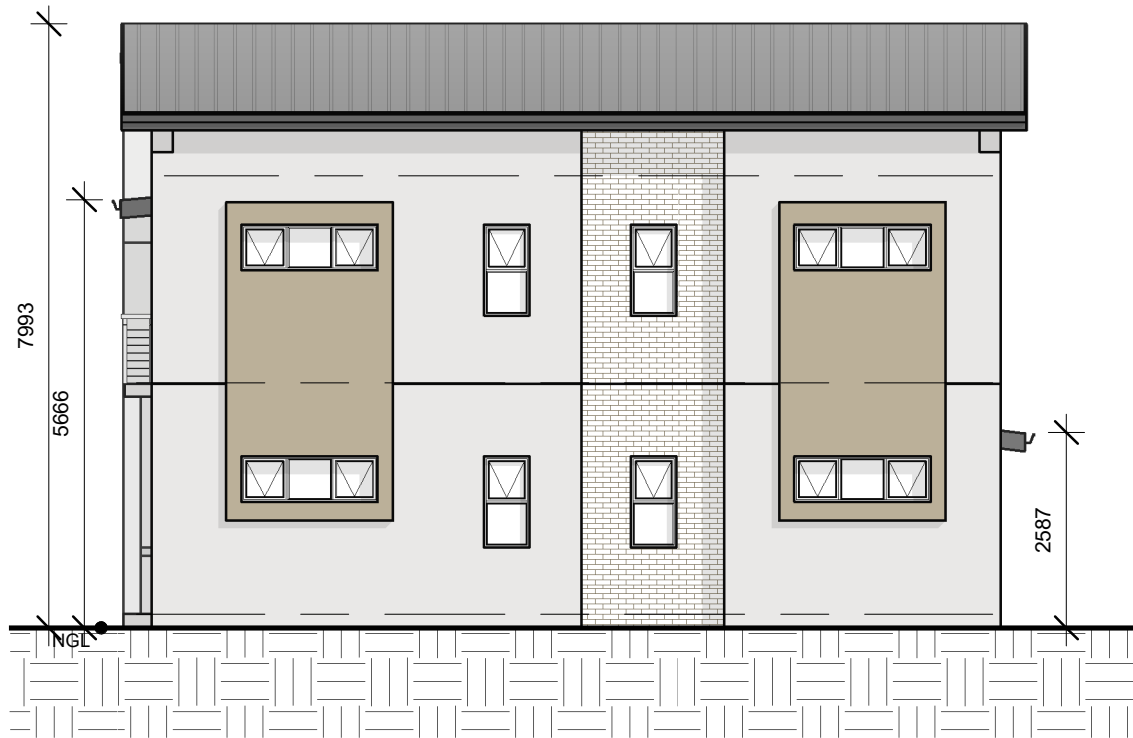
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1 : 100



2 North Elevation  
1 : 100



3 East Elevation  
1 : 100



4 West Elevation  
1 : 100

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Date	21/04/2022
Drawn:	JJP Jacobs
SACAP REG NO	D 0560

Elevations

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## ANNEXURE "C" - APPLICATION FORM





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

**NOTE:** Please complete this form by using: Font: Calibri; Size: 11

### PART A: APPLICANT DETAILS

First name(s)	Johannes George		
Surname	Vrolijk		
SACPLAN Reg No. (if applicable)	A/1386/2010		
Company name (if applicable)	Jan Vrolijk Town Planner / Stadsbeplanner		
Postal Address	P O Box 710		
	George	Postal Code	6530
Email	<a href="mailto:janvrolijk@jvtownplanner.co.za">janvrolijk@jvtownplanner.co.za</a>		
Tel	044 873 3011	Fax	086 510 4383
		Cell	082 464 7871

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

Registered owner	Colven Associates Bay BK, Registration number 2001/035168/23		
Address	4 Valley Road		
	Camfersdrift, George	Postal code	6529
E-mail	<a href="mailto:kobus@colven.co.za">kobus@colven.co.za</a>		
Tel	N/a	Fax	N/a
		Cell	082 0487833

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

Property Description [Erf / Erven / Portion(s) and	Erf 4724 George
---	-----------------



Farm number(s), allotment area.]										
Physical Address	<b>9 Akasia Street, George</b>									
GPS Coordinates					Town/City		<b>George</b>			
Current Zoning	<b>Single Residential Zone I</b>		Extent		<b>1 348m<sup>2</sup></b>		Are there existing buildings?		<b>Y</b>	<b>N</b>
Current Land Use	<b>Residential</b>									
Title Deed number & date	<b>T280/08</b>									
Any restrictive conditions prohibiting application?	<b>Y</b>	<b>N</b>	If Yes, list condition number(s).							
Are the restrictive conditions in favour of a third party(ies)?	<b>Y</b>	<b>N</b>	If Yes, list the party(ies).							
Is the property encumbered by a bond?	<b>Y</b>	<b>N</b>	If Yes, list Bondholder(s)?			<b>Bondholder's consent is attached</b>				
Has the Municipality already decided on the application(s)?	<b>Y</b>	<b>N</b>	If yes, list reference number(s)?							
Any existing unauthorized buildings and/or land use on the subject property(ies)?	<b>Y</b>	<b>N</b>	If yes, is this application to legalize the building / land use?				<b>Y</b>	<b>N</b>		
Are there any pending court case / order relating to the subject property(ies)?	<b>Y</b>	<b>N</b>	Are there any land claim(s) registered on the subject property(ies)?				<b>Y</b>	<b>N</b>		
<b>PART D: PRE-APPLICATION CONSULTATION</b>										
Has there been any pre-application consultation?	<b>Y</b>	<b>N</b>	If Yes, please complete the information below and attach the minutes.							
Official's name	<b>Martin Botha &amp; Jeanne Muller</b>		Reference number		<b>2900576</b>		Date of consultation		<b>13 October 2023</b>	

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

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

**BANKING DETAILS**

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

**PART F: DETAILS OF PROPOSAL**

**Brief description of proposed development / intent of application:**

- **Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 4724 George from Residential Zone 1 to General Residential Zone IV for the development of 2 blocks of flats (8 flats).**
- **Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the following permanent departures in respect of Erf 4724 George:**
  - **the relaxation of the rear boundary building line from 3.0 metres to 1.006 metres to accommodate the proposed southern block of flats; and**
  - **departure from the parking requirement applicable to “Flats”, stipulated in the table entitled “Minimum off-street parking requirements” in Section 42(2) of the George Integrated Zoning Scheme 2023, from 2.0 parking bays per unit to 1.5 parking bays per unit.**

**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?*

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

Y	N	Locality Plan	
Minimum and additional requirements:			
Y	N	N/A	Conveyancer's Certificate
Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)
Y	N	N/A	Consolidation Plan
Y	N	N/A	Site Development Plan
Y	N	N/A	Abutting owner's consent
Y	N	N/A	<del>Copy of Environmental Impact Assessment (EIA) /</del> <del>Heritage Impact Assessment (HIA) /</del> <del>Traffic Impact Assessment (TIA) /</del> <del>Traffic Impact Statement (TIS) /</del> <del>Major Hazard Impact Assessment (MHIA) /</del> <del>Environmental Authorisation (EA) /</del> <del>Record of Decision (ROD)</del> <del>(strikethrough irrelevant)</del>
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes

Y	N	Site layout plan	
Y	N	N/A	Land Use Plan / Zoning plan
Y	N	N/A	Phasing Plan
Y	N	N/A	Copy of original approval letter (if applicable)
Y	N	N/A	Landscaping / Tree Plan
Y	N	N/A	Home Owners' Association consent
Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Required number of documentation copies
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	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	N/A	National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008),
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y	N/A	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	Y	N/A	National Water Act, 1998 (Act 36 of 1998) <del>(strikethrough irrelevant)</del>

Y	<b>N/A</b>	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)		Y	<b>N/A</b>	Other (specify)
Y	<b>N</b>	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc. <b>N/A</b>				
Y	<b>N</b>	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:

**6 November 2023**

Full name:

**Johannes George Vrolijk**

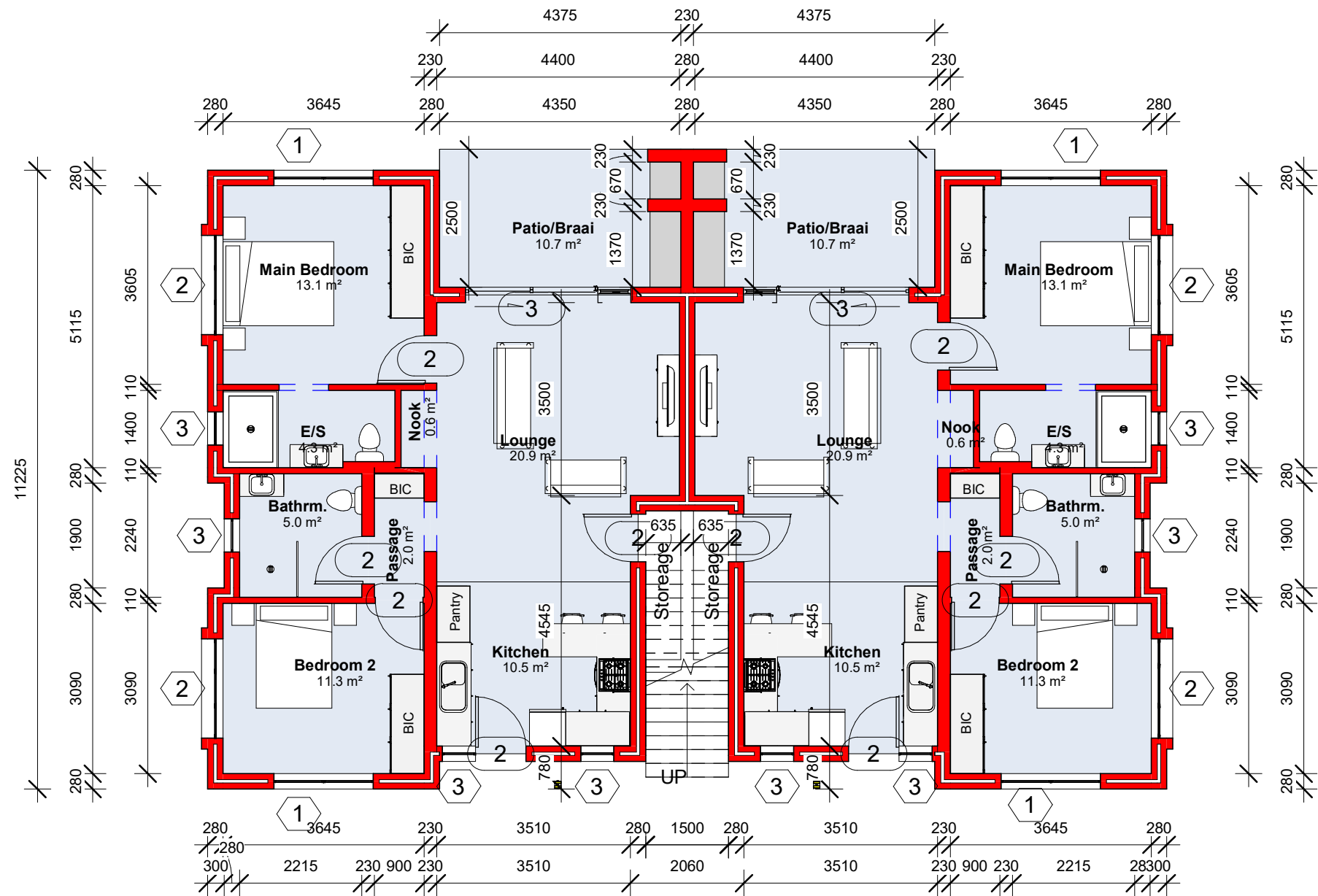
Professional capacity:

**Professional Town Planner**

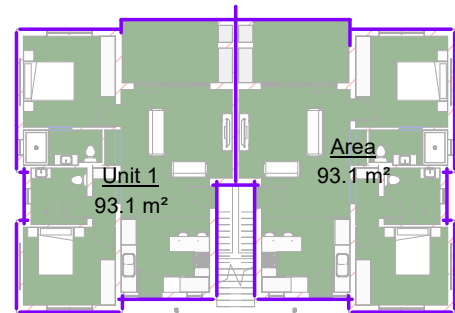
SACPLAN Reg. Nr:

**A/1386/2010**

## ANNEXURE "D" - FLOOR PLAN OF FLATS



**1** **01 Ground Floor Lvl**  
1 : 100

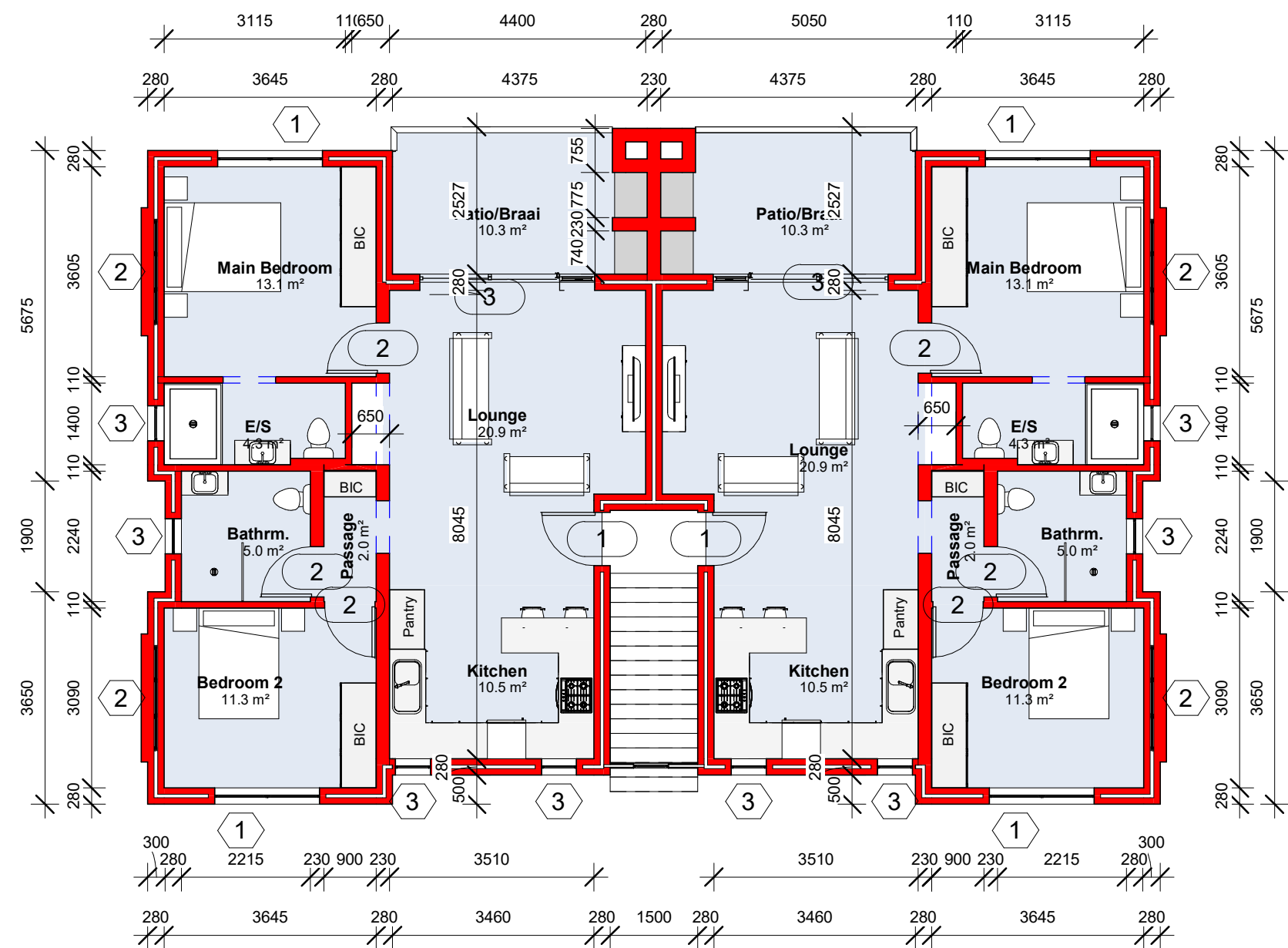


**1) General Notes:**

- a) Patios, stoep to remain open as per building plan
- b) All Garage walls to be fire walls
- c) Garage door to comply with SANS 10400T, section 9.4.3(b)

**2) Drainage Notes**

- a) Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4.21).
- b) Drainage installation to comply with SANS 10400 Part P.
- c) Drainage installations under building work must be installed in terms of Part P of SANS 10400 (4.19.4).
- d) Drainage installations under building work must be protected in terms of Part P of SANS 10400 (4.22.2).
- e) Gulleys to be min 150mm above NGL



**7** **First Floor**  
1 : 100

**Remarks**

This drawing is copyrighted and belongs to JDS.  
No parts hereof may be copied, or used for purposes other than indicated on this drawing without written approval of JDS

Revision		
No.	Description	Date

**Mr Van der Berg**

**Akasia Street,  
George**

**JDS Design Studio**

johan@jdsdesign.co.za  
www.jdsdesign.co.za Cell: 084 400 5666

DRAFT	
Date	21/04/2022
Drawn:	SACAP REG NO
JJP Jacobs	D 0560

**Layout and Info**

<b>1122-01</b>	
Sheet Size	A2

Owner signature



**ANNEXURE “E” - PRE – APPLICATION CONSULTATION FORM**

**LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM**

**PLEASE NOTE:**

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

**PART A: PARTICULARS**

Reference number: **2900576**

Purpose of consultation: **Voorlegging van 'n voorstel om Erf 4724 George met 8 woonstelle te ontwikkel.**

Brief proposal:

- 'n Aansoek om hersonering van Erf 4724 George vanaf Enkel Residensiële Sone I na Algemene Residensiële Sone IV ten einde erf met 8 woonstelle te ontwikkel.
- 'n Aansoek om afwyking van die agtergrensboulyn.
- 'n Aansoek om afwyking van die parkeervereistes.

Property(ies) description: **Erf 4724 George**

Date: **9 Oktober 2023**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Jeanne Muller	George Mun.	044 801 9138	jmuller@george.gov.za
	Martin Botha	George Mun.	044 801 9191	pmbotha@george.gov.za
Pre-applicant	Jan Vrolijk			

**Documentation provided for discussion:**

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

**Titelakte van erf**

**Liggingsplan**

**Voorgestelde terreinplan en perspektief tekeninge**

**L G Diagram van erf**

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

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

YES	NO
-----	----

**ONTWIKKELINGSVOORSTEL**

Dit is die voorneme om Erf 4724 George met 8 woonstelle wat oor twee vlakke versprei sal word te ontwikkel ooreenkomstig die aangehegde terreinplan. Elke woonstel sal van 1,5 parkeerplekke voorsien word. Ten einde egter dit moontlik te maak om aan die parkeervereistes te voldoen sal die agtergrensboulyn vanaf 4.5 meter na 1.0 meter verslap moet word.

**VOORGESTELDE AANSOEK**

- Aansoek sal in terme van Artikel 15(2)(a) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die hersonering van Erf 4724 George vanaf Enkel Residensiële Sone I na Algemene Residensiële Sone IV (8 woonstelle).
- Aansoek sal in terme van Artikel 15(2)(b) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die verslapping van die agtergrensboulyn op Erf 4724 George vanaf 4.5 meter na 1.0 meter.
- Aansoek sal in terme van Artikel 15(2)(b) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die verslapping van die parkeervereistes vanaf 2 parkeerplekke per woonstel na 1.5 parkeerplekke per woonstel

## PART B: APPLICATION PROCESS

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

### SUBMISSION

### Draft By-Law on Municipal Land Use Planning

#### (Workflow)

#### Types of applications that can be submitted in terms of Section 15 (2)

- (a) Rezoning of land
- (b) Permanent departure
- (c) Temporary departure
- (d) Subdivision of land
- (e) Consolidation of land
- (f) Amendment, suspension or removal of restrictive conditions
- (g) Permission required in terms of the zoning scheme
- (h) Amendment, deletion or imposition of condition in respect of an approval
- (i) Extension of validity period of an approval
- (j) Approval of an overlay zone
- (k) Phasing, amendment or cancellation of a subdivision plan or part thereof
- (l) Permission required in terms of condition of approval
- (m) Determination of zoning
- (n) Closure of public place or part thereof
- (o) Consent use
- (p) Occasional use

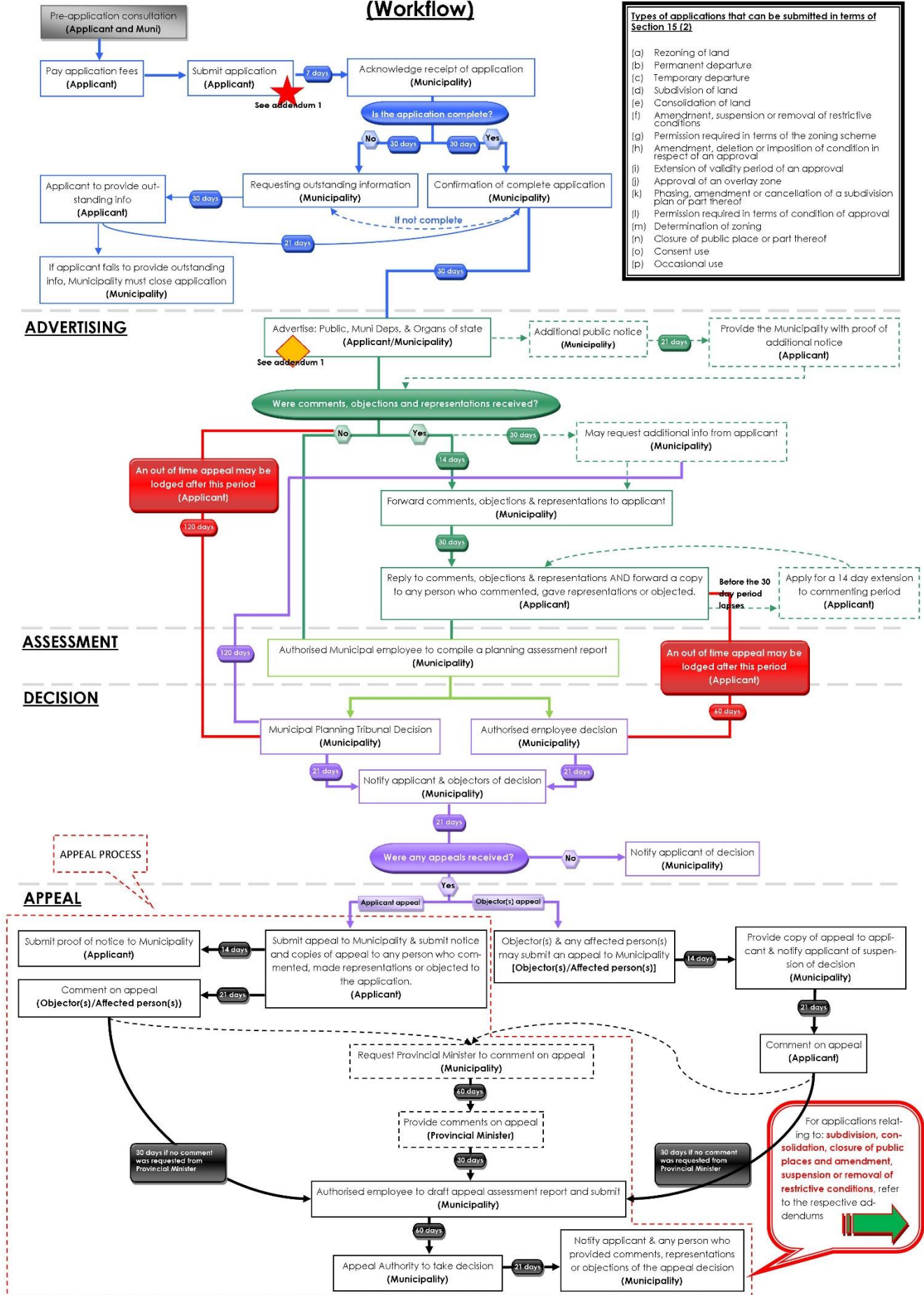
### ADVERTISING

### ASSESSMENT

### DECISION

### APPEAL PROCESS

### APPEAL



## PART C: QUESTIONNAIRES

### SECTION A:

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

Tick if relevant		What land use planning applications are required?	Application fees payable
x	2(a)	a rezoning of land;	R10 200
x	2(b)	a permanent departure from the development parameters of the zoning scheme;	R4050 + R7550
	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e)	a consolidation of land that is not exempted in terms of section 24;	R
	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
	2(g)	a permission required in terms of the zoning scheme;	R
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(i)	an extension of the validity period of an approval;	R
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l)	a permission required in terms of a condition of approval;	R
	2(m)	A determination of a zoning;	R
	2(n)	A closure of a public place or part thereof;	R
	2(o)	a consent use contemplated in the zoning scheme;	R
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a home owner's association;	R
	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
Tick if relevant		What prescribed notice and advertisement procedures will be required?	Advertising fees payable
Y	N	Serving of notices (i.e. registered letters etc.)	R
Y	N	Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.)	R



Y	N	Additional publication of notices (i.e. Site notice, public meeting, local radio, website, letters of consent etc.)	R
Y	N	Placing of final notice (i.e. Provincial Gazette etc.)	R
TOTAL APPLICATION FEE* (VAT excluded):			TBC following submission of application

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

#### **SECTION B:**

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

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?	X		George Ruimtelike Ontwikkelingsraamwerk, 2023	Sal bepaal word
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]			X	Aktebesorger sertifikaat word benodig
Any other Municipal by-law that may be relevant to application? (If yes, specify)			x	
<b>Zoning Scheme Regulation considerations:</b> Which zoning scheme regulations apply to this site? <b>Die George Geïntegreerde Soneringskema Verordening, 2017</b> What is the current zoning of the property? <b>Enkel Residensiële Sone I</b> What is the proposed zoning of the property? <b>Algemene Residensiële Sone IV</b> Does the proposal fall within the provisions/parameters of the zoning scheme? <b>Ja</b> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <b>Ja, boulyne en parkering</b>				

QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
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
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		X		Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strikethrough irrelevant)		X		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?			Submit Notice of Intent to Heritage	South African Heritage Resources Agency (SAHRA) &

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
			<b>Western Cape for comment.</b>	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
Will the proposal require comments from DEFF?		X		Department of Environment, Forestry and Fishery
Is the property subject to any existing mineral rights?		X		National Department of Mineral Resources
Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? ( <del>strikethrough irrelevant</del> )		X		Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

#### **SECTION D:**

#### **SERVICE REQUIREMENTS**

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM:
---	-----	----	------------------	----------------------

				(list internal department)
Electricity supply:			X	Directorate: Electro-technical Services
Water supply:			X	Directorate: Civil Engineering Services
Sewerage and waste water:			X	Directorate: Civil Engineering Services
Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

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

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

## PART E: DISCUSSION

## Town Planning & Spatial Planning:

The attached documents and plan below, were discussed.



- The application should be motivated in terms of the relevant legislation and spatial planning policies (i.e. MSDF 2023, LSDF 2012, SPLUMA 2013, LUPA 2014 etc.).
- The site is located within a Densification Zone, in terms of the MSDF (2023).
- The standard public participation requirements will apply.
- The building on the site may be heritage worthy. In this regard, it is requested that the applicant submits a Notice of Intent to Develop (NID) to Heritage Western Cape (HWC) for comment.
- Retain existing trees on the site as far as possible.

**CES:**

- **Access:** Restricted to Akasia Street.
- **Parking:**
  - All parking to be provided on site.
  - No parking within the road reserve.
  - Manoeuvrability to be managed/handled on site.
  - PT 1 would be supported, subject to a parking relaxation application.
  - Stacking distance must be a minimum of 6m (measured from the erf boundary).
  - No TIA will be required.
- **Water & Sewer:** Available subject to confirmation
- **Stormwater:** Development to adhere to the Stormwater By-law.
- **DC:** DCs will be applicable.

## PART F: SUMMARY / WAY FORWARD

See Part E above.



OFFICIAL: \_Martin Botha\_\_\_\_\_

(FULL NAME)

PRE-APPLICANT: **Johannes George Vrolijk**

(FULL NAME)



SIGNED: \_\_\_\_\_

DATE: \_\_13/10/2023\_\_\_\_\_



SIGNED:

DATE: **6 Oktober 2023**

OFFICIAL: **Jeanne Muller**

(FULL NAME)



SIGNED:

DATE: **13 October 2023**

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

## ANNEXURE "F" - LOCALITY PLAN





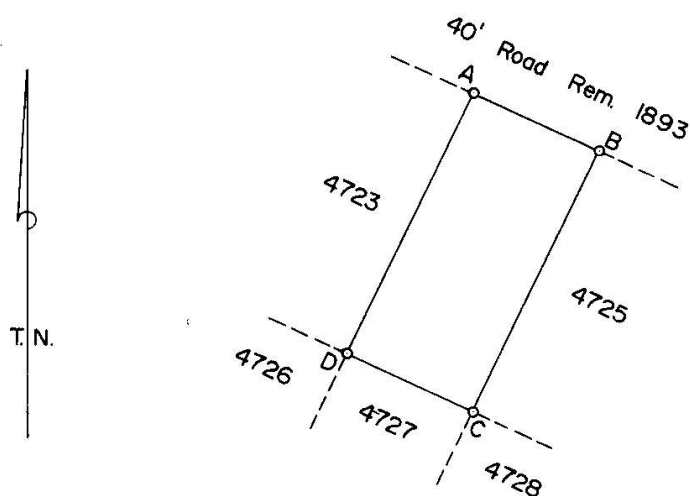


## ANNEXURE “G” – SURVEYOR GENERAL DIAGRAM

SIDES Cape Feet		ANGLES OF DIRECTION	CO-ORDINATES System			S.G. No. 7739/69
			Y		X	
AB	80.00	90.00.00	A			Approved <i>L. Blatch</i> Surveyor-General 13-12-1969
BC	170.00	90.00.00	B			
CD	80.00	90.00.00	C			
DA	170.00	90.00.00	D			

Beacons

A.B.C.D.  $\frac{1}{2}$ " diameter Iron Pegs



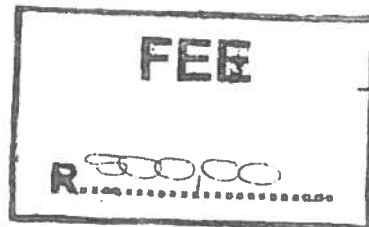
The figure represents	A. B. C. D.	Scale: 1 : 1200	NE R.C AREA 1348 SQUARE METRES of land, being
situate in	13600 Square Feet		
of	ERF 4724 (Portion of Erf 1893) GEORGE		
Surveyed in	the Municipality and		Administrative District
by me,	George		Province of Cape of Good Hope.
	September 1969		<i>Blatch</i> Land Surveyor
This diagram is annexed to	The original diagram is	File No. 8. 8775/4/6.	
No. dated 5362/71	No. 1841/1935 annexed to	S.R. No. 2. 2183/69.	
i.f.o.	Transfer/Grant	Comp. BL - 7DD/X51	
	No. 1935.87.4440		
Registrar of Deeds			



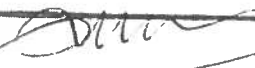
## ANNEXURE "H" - TITLE DEED

Raubenheimers Ing  
Posbus 21  
Cathedralstraat 60  
George  
6530

Opgestel deur my

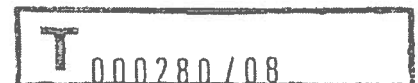


  
TRANSPORTBESORGER  
CLAUGHTON FG

VERBIND		MORTGAGED	
VIR FOR R 1600 000,00			
B	000190/08		
04 JAN 2008		REGISTRATEUR/REGISTRAR	

### TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT



  
~~ALEXANDER JOHANNES LUTHI~~

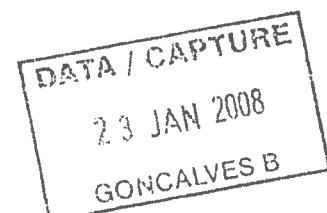
MARTHINUS CHRISTOFFEL COETZER

voor my verskyn het, REGISTRATEUR VAN AKTES te Kaapstad, hy die  
genoemde komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan hom  
verleen deur

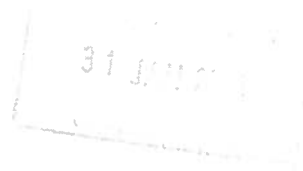
JOHN GERARD BILJON

Identiteitsnommer 370706 5004 08 4

Getroud buite gemeenskap van goed



geteken te GEORGE op 8 November 2007



En genoemde Komparant het verklaar dat sy prinsipaal, op 2 November 2007, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

**COLVEN ASSOCIATES BAY BK**

**Nr. 2001/035168/23**

diese Opvolgers in titel of Regverkrygendes in volkome en vrye eiendom,

ERF 4724 GEORGE

IN DIE MUNISIPALITEIT EN AFDELING GEORGE

WES-KAAP PROVINSIE

GROOT 1348 (EEN DUISEND DRIE HONDERD AGT EN VEERTIG)

Vierkante Meter

AANVANKLIK OORGEDRA kragtens Transportakte Nr T5362/1971 met kaart nr 7739/69 aangeheg en GEHOU kragtens Transportakte Nr T14095/1983

A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte nr T4440/1935 gedateer 5 Junie 1935;

B. ONDERHEWIG VERDER aan die voorwaarde nr 3 vervat in Grondbrief uitgereik op 15 Junie 1922 (George Erfpagbriewe, Boekdeel 15 nr 15) in terme van Artikel 10 van Wet nr 15 van 1887, wat soos volg lees:-

"That all rights to minerals, mineral products, mineral oils and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the State, together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorised in that behalf. The land is subject to such further rights as the public or the Government now may or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging

mining or exploitation of minerals, mineral products, mineral oils, precious stones, precious or base metals on or under the land hereby granted, which rights shall not be impaired or in any way affected by the title deed."

C. ONDERHEWIG VERDER aan die volgende spesiale voorwaardes vervat in gemelde Transportakte nr T4440/1935, naamlik:-

"The Transferor reserves the right to construct, use and maintain across the above property any pipe line for water leading, sewerage, drainage, and any poles or structures for the conduct of any electric or other light or power."

("Transferor" voormeld beteken die Munisipaliteit van George.)

D. ONDERHEWIG VERDER aan die volgende voorwaardes vervat in gemelde Transportakte nr T5362/1971 gedateer 2 Maart 1971, opgelê deur die Administrateur by goedkeuring van die onderverdeling van Erf 1893 GEORGE, naamlik:-

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

(b) Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte

van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die plaaslike owerheid bepaal."



WESHALWE die komparant afstand doen van al die regte en titel wat

**JOHN GERARD BILJON, Getrouwd soos vermeld**

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

**COLVEN ASSOCIATES BAY BK Nr. 2001/035168/23**

diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken dit dat die verkoopprijs die bedrag van **R1 600 000,00 (Een Miljoen Ses Honderd Duisend Rand)** beloop.

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

ALDUS GEDOEN EN VERLY op die Kantoer van die REGISTRATEUR VAN  
AKTES te Kaapstad op 4 Januarie 2008, 2007 *HT*

q.q.

In my teenwoordigheid

**RÉGISTRATEUR VAN AKTES**

**ANNEXURE "I" – CLOSED CORPORATION REGISTRATION CERTIFICATE**



Date: 28/06/2023

Our Reference: 9389466975

KOBUS WOLMARANS  
E-mailed to: sec@mooregrg.co.za  
GEORGE  
6530

**RE: Application to Amend Close Corporation**

**Close Corporation Number: 2001/035168/23**

**Close Corporation Name: COLVEN ASSOCIATES BAY**

We have received a CK2A (Amendment regarding Accounting Officer and addresses) from you dated 28/06/2023.

The Close Corporation 'COLVEN ASSOCIATES BAY' with Enterprise Number '2001/035168/23' was successfully amended on our database.

**Change Summary for 2001/035168/23 as a result of the lodging of document number 9389466975.**

Registered Address Change on 28/06/2023.

86 MEADE STREET GEORGE GEORGE WESTERN CAPE 6529

Yours truly

**Commissioner**

**Please Note:**

The attached certificate can be validated on the CIPC website at [www.cipc.co.za](http://www.cipc.co.za).

The contents of the attached certificate was electronically transmitted to the South African Revenue Services.



COMPANIES AND INTELLECTUAL PROPERTY REGISTRATION OFFICE:

Registrar of Companies & Close Corporations

P.O. BOX 429, PRETORIA, 0001, Republic of South Africa. Docex 256, PRETORIA.

Call Centre Tel 086 100 2472, Website [www.cipro.co.za](http://www.cipro.co.za), WAP [www.cipro.co.za/mobile](http://www.cipro.co.za/mobile)



**Certificate issued by the Registrar of Companies & Close Corporations on Wednesday, June 28, 2023 11:32**  
**Certificate of Amended Founding Statement**



Registration Number **2001 / 035168 / 23**

Enterprise Name **COLVEN ASSOCIATES BAY**

Enterprise Shortened Name **None provided.**

Enterprise Translated Name **None provided.**

Registration Date **29/05/2001**

Business Start Date **29/05/2001**

Enterprise Type **Close Corporation**

Enterprise Status **In Business**

Financial Year End **February**

Tax Number **9819062143**

Number of Members **1**

Aggregate Members' Contribution **R100.00**

Description of Principal Business **PROPERTY INVESTMENT AND RELATED ACTIVITIES**

Postal Address **P O BOX 762  
GEORGE  
GEORGE  
WESTERN CAPE  
6530**

Address of Registered Office **86 MEADE STREET  
GEORGE  
GEORGE  
WESTERN CAPE  
6529**

**Accounting Officer**

Name **MOORE SOUTHERN CAPE INCORPORATED**

Postal Address **P O BOX 1195  
GEORGE  
6530**

Profession **The South African Institute of Chartered Accountants (SAICA)**

Membership/Practice No **925187**

**Active Members**

Surname and first names	ID number or date of birth	Contrib. (R)	Interest (%)	Appoint-ment date	Addresses
VAN DEN BERG, KOBUS	7409095061087	100.00	100.00	01/08/2018	Postal: P O BOX 762, GEORGE, GEORGE, WESTERN CAPE, 6530 Residential: 4 VALLEY ROAD, CAMPHERSDRIFT, GEORGE, WESTERN CAPE, 6529



COMPANIES AND INTELLECTUAL PROPERTY REGISTRATION OFFICE:

Registrar of Companies & Close Corporations

P.O. BOX 429, PRETORIA, 0001, Republic of South Africa. Docex 256, PRETORIA.

Call Centre Tel 086 100 2472, Website [www.cipro.co.za](http://www.cipro.co.za), WAP [www.cipro.co.za/mobile](http://www.cipro.co.za/mobile)



## ANNEXURE “J” - POWER OF ATTORNEY



## POWER OF ATTORNEY

I, the undersigned

**Kobus van den Berg**

in my capacity as the sole Member of

**Colven Associates Bay CC Registration number 2001/035168/23**

the registered owner of

**Erf 4724 George**

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

- *An application in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 4724 George from Residential Zone 1 to General Residential Zone IV for the development of 2 blocks of flats (8 flats).*
- *An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the following permanent departures in respect of Erf 4724 George:*
  - *the relaxation of the rear boundary building line from 3.0 metres to 1.006 metres to accommodate the proposed southern block of flats;*
  - *departure from the parking requirement applicable to "Flats", stipulated in the table entitled "Minimum off-street parking requirements" in Section 42(2) of the George Integrated Zoning Scheme 2023, from 2.0 parking bays per unit to 1.5 parking bays per unit.*

Signed at George on 6 November 2023



**Kobus van den Berg**

## ANNEXURE “K” – BONDHOLDER’S CONSENT



**Technology and Operations  
Account Maintenance**

20 October 2023

**COLVEN ASSOCIATES BAY CC  
PO BOX 762  
GEORGE  
6530**

Dear Sir/Madam

**Consent for Building Line Relaxation And Relaxation Of Parking Requirements): And Rezoning George From  
Single Residential Zone I To General Residential Zone IV (8 Flats),**

**Bond By : Colven Associates Bay Cc  
Bond Over : Erf 4724 George  
Account Number : 362839840**

We refer to the above and advise that Standard Bank has no objection subject to our rights being protected and the following conditions:

Local Authority approval.

The bank is not committing to finance new development.

No buildings to be demolished without the Bank's consent.

The building must comply with SBSA minimum specifications, should there be any further development.

Client must advise bank when building works are done so that we can revalue/reinsure.

The correct Insurance must be applied

No further lending (Re-advance / further advances & Access Bond) will be considered due to the zoning of this property falls outside normal home loans criteria / policy if used for any other purpose than single residential.

Kind regards

**Technology and Operations Home Services SA  
Consultant After Sales  
Customer Contact Centre : +27 0860 123 001**

The Standard Bank of South Africa Limited (Reg. No. 1962/000738/06) Authorised financial services and registered credit provider (NCRCP15)

**Directors:** NMC Nyembezi (Chairman) L Fuzile\* (Chief Executive Officer) LL Bam PLH Cook  
A Daehnke\* GJ Fraser-Moleketi Xueqing Guan<sup>1</sup> GMB Kennealy BJ Kruger Li Li<sup>1</sup> JH Maree  
NNA Matyumza ML Oduor-Otieno<sup>2</sup> ANA Peterside CON<sup>3</sup> SK Tshabalala\*

**Company Secretary:** K Froneman – 2023/06/12

\* Executive Director <sup>1</sup> Chinese <sup>2</sup> Kenyan <sup>3</sup> Nigerian

## ANNEXURE "L" - CONVEYANCER CERTIFICATE



## **CONVEYANCER'S CERTIFICATE**

### **IN TERMS OF SECTION 38(1)(n) OF THE GEORGE MUNICIPALITY: LAND USE PLANNING BY LAW, 2023**

#### **ERF 4724 GEORGE**

#### **APPLICATION DETAILS**

- An application in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 4724 George from Residential Zone I to General Residential Zone IV for the development of 2 blocks of flats (8 flats).
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the following permanent departures in respect of Erf 4724 George:
  - the relaxation of the rear boundary building line from 3.0 metres to 1.006 metres to accommodate the proposed southern block of flats; and
  - departure from the parking requirement applicable to "Flats", stipulated in the table entitled "Minimum off-street parking requirements" in Section 42(2) of the George Integrated Zoning Scheme 2023, from 2.0 parking bays per unit to 1.5 parking bays per unit.

#### **APPLICATION DATE**

November 2023

I, the undersigned

ANDALEEN CHIMES a duly qualified and admitted Conveyancer, practicing at A Chimes & Van Wyk Attorneys, Cathedral Street, George

do hereby certify as follows:

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

**T280/2008**

(current Title Deed)

in respect of:

**ERF 4724 GEORGE**

**IN THE MUNICIPALITY AND DIVISION OF GEORGE**

**WESTERN CAPE PROVINCE**

**IN EXTENT: 1 348 (ONE THREE FOUR EIGHT) SQUARE METRES**

**HELD BY DEED OF TRANSFER NUMBER T280/2008**

REGISTERED in the name of

**COLVEN ASSOCIATES BAY BK, REGISTRATION NUMBER 2001/035168/23**

2. I have appraised myself with the details of the abovementioned Land Development Application.
3. The abovementioned Title Deed contains no conditions restricting the contemplated land use in terms of the abovementioned Land Development Application.
4. There is a bond registered over the erf.

**SIGNED** at George on 6 November 2023.



**CONVEYANCER**