



The Municipal Manager
P. O. Box 19
George
6530

Reference: Erf 9255 George

6 December 2023

Sir

**AMENDED APPLICATION FOR SUBDIVISION AND PERMANENT DEPARTURES:
ERF 9255 GEORGE**

Attached hereto, please find an application in terms of

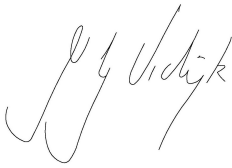
- Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 9255 George into a Portion A ($\pm 413\text{m}^2$) and a Remainder ($\pm 427\text{m}^2$).
- Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure for the relaxation of the following building lines:
 - the southern side boundary building line on the proposed Remainder of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a covered braai area.
 - the northern side boundary building line on the proposed Portion A of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a braai room.
- Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure from development parameter (d)(i) applicable to a "Dwelling house" to allow

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SACPLAN REG No. A/1386/2010

- for windows and an outside door of the dwelling unit on Portion A at a distance of 1.2 metres from the new southern boundary of Portion A; and
- for windows of the dwelling unit on the Remainder at a distance of 1.0 metres from the new northern boundary of the Remainder.

Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

A handwritten signature in black ink, appearing to read 'J. Vrolijk', with a stylized, cursive script.

Jan Vrolijk

MOTIVATION REPORT
APPLICATION FOR SUBDIVISION AND PERMANENT DEPARTURES
ERF 9255 GEORGE

6 December 2023



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MOTIVATION REPORT
APPLICATION FOR SUBDIVISION AND PERMANENT DEPARTURE (RELAXATION
OF BUILDING LINES)
ERF 9255 GEORGE

1. BACKGROUND

The following application was submitted to the George Municipality on 17 November 2023:

- *An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 9255 George into a Portion A ($\pm 413\text{m}^2$) and a Remainder ($\pm 427\text{m}^2$).*
- *An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure for the relaxation of the following building lines:*
 - ⇒ *the new southern side boundary building line on the proposed Portion A of Erf 9255 George, from 1.5 metres to 1.2 metres to accommodate the southern wall of the existing dwelling house on the proposed Portion A.*
 - ⇒ *the new northern side boundary building line on the proposed Remainder of Erf 9255 George, from 1.5 metres to 1.1 metres to accommodate the northern wall of the existing dwelling house on the proposed Remainder.*

In response to this submission a Section 40 letter was issued by the George Municipality indicating that the following is outstanding and/or needs to be amended:

- *Subdivision/Departure Plan:*
 - *To indicate the applicable building lines on the proposed subdivided properties with access and existing structures.*

- *To indicate all existing structures on the plans. Departures to be applied for where applicable.*
 - *The building line (0m) to move to the “internal boundary” between the homes.*
 - *The side boundary building line (1.5m) to move to the “outer Boundary” of erf 9255, George.*
 - *Building line relaxation would thus be required for the braai areas on each property’s “outer boundary”.*
 - *To confirm and apply for departure of development parameter (d) of Dwelling House if applicable on the “internal boundary if applicable.*
- *Motivation report to be updated where applicable.*

A copy of the Section 40 letter dated 27 November 2023 is attached hereto as **Annexure “A”**. The application and motivation report have been updated to comply with the requirements of the Section 40 letter.

2. AMENDED APPLICATION

- Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 9255 George into a Portion A ($\pm 413\text{m}^2$) and a Remainder ($\pm 427\text{m}^2$) as indicated on the proposed subdivision plan attached hereto as **Annexure “B”**.
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure for the relaxation of the following building lines:
 - ⇒ the southern side boundary building line on the proposed Remainder of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a covered braai area.
 - ⇒ the northern side boundary building line on the proposed Portion A of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a braai room.

- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure from development parameter (d)(i) applicable to a “Dwelling house” to allow
 - ⇒ for windows and an outside door of the dwelling unit on Portion A at a distance of 1.2 metres from the new southern boundary of Portion A; and
 - ⇒ for windows of the dwelling unit on the Remainder at a distance of 1.0 metres from the new northern boundary of the Remainder.

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

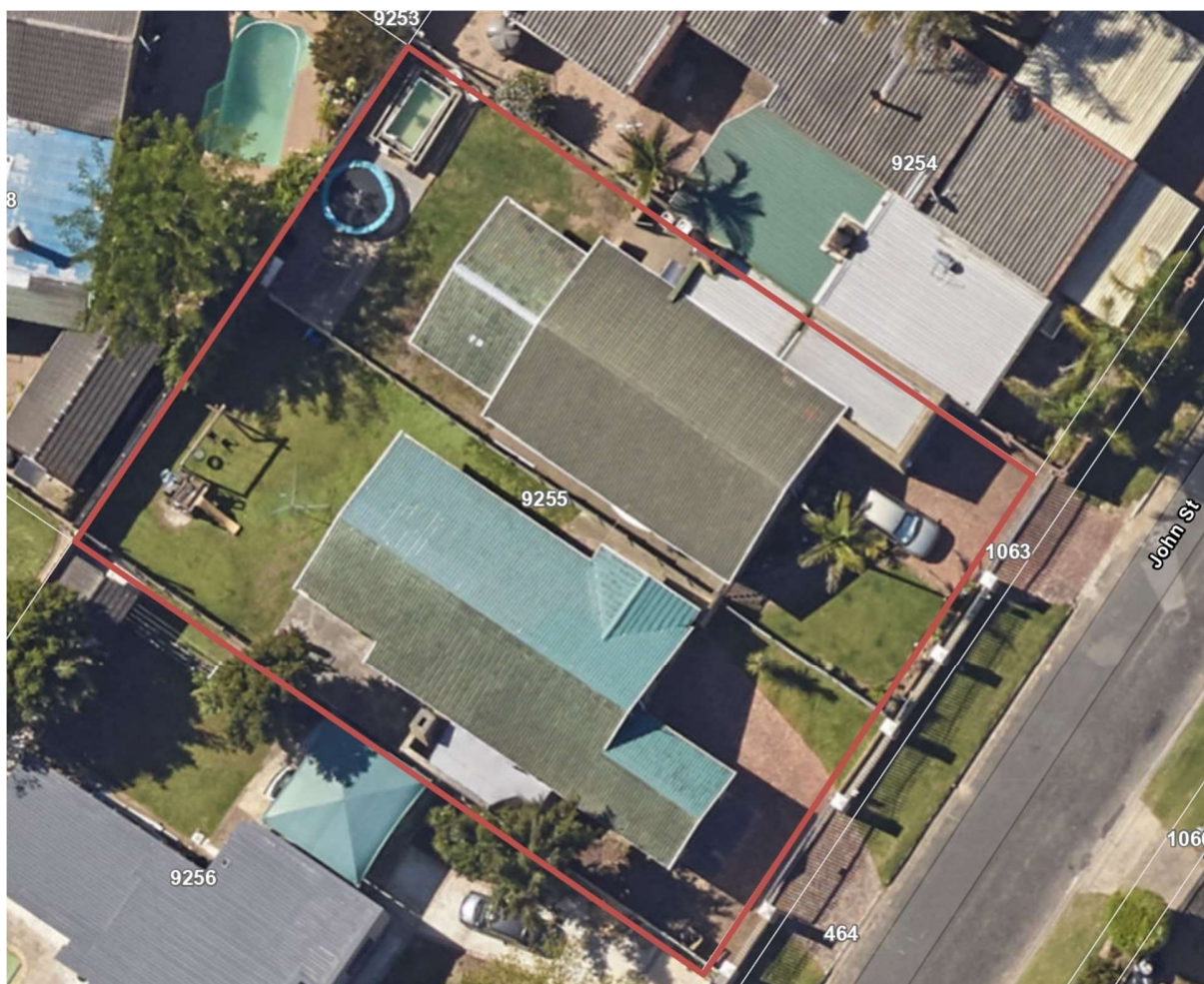
3. DEVELOPMENT PROPOSAL

Erf 9255 George has been developed with two dwelling units. The dwelling unit situated on the northern portion of the erf and consists of 2 bedrooms, 2.5 bathrooms, a study, open plan kitchen / scullery / dining room / lounge, a braai room and a single garage, with an extent of $\pm 156\text{m}^2$.

The dwelling unit situated on the southern portion of the erf consists of 3 bedrooms, 2 bathrooms, open plan kitchen / dining room / lounge, a single garage, an outside toilet and a covered braai area, with a total extent of $\pm 126.6\text{m}^2$.

The erf has informally been divided into 2 portions by means of a “Vibre-crete” wall and steel palisade fence, which separates the two dwelling units from each other. The development is rounded off by means of neatly kept lawn and a few shrubs on each portion and a street boundary wall consisting of plastered and painted columns with steel palisade sections. Separate steel sliding gates provide vehicular access to the dwelling house and second dwelling unit from John Street.

The position of the two dwelling units in relation to the erf boundaries and to each other is indicated in the aerial photo below.



The owner intends subdividing the application erf along the current division, thus creating two separate Single Residential Zone I erven. The northern dwelling unit will be situated on the proposed Portion A, whilst the southern dwelling unit will be situated on the proposed Remainder.

As the extent of the proposed new erven will be greater than 250m², but not exceeding 500m², the stipulated side boundary building lines in respect of both proposed portions are 0.0 metres on one side and 1.5 metres on all other sides.

In terms of the Section 40 letter it is proposed that the 1.5 metre building line be applicable along the outer boundaries of Portion A and the Remainder and that the 0.0 metre building line be applicable along the newly created erf boundary between Portion A and the Remainder.

The single garage and the braai room of the existing dwelling unit on the proposed Portion A is situated on the northern side boundary. The dwelling unit itself is however situated 3-metres from the northern boundary whilst the dwelling unit will be situated 1.2 metres from the proposed southern side boundary of Portion A. In terms of the Section 40 letter the 1.5-meter building line will be applicable along the northern boundary and the 0.0-meter building line will be applicable along the southern boundary of Portion A. As the existing braai room is located on the northern side boundary an application for relaxation of the 1.5 metre northern lateral building line will be required to legalize this braai room in terms of the new building line applicable along this northern boundary.

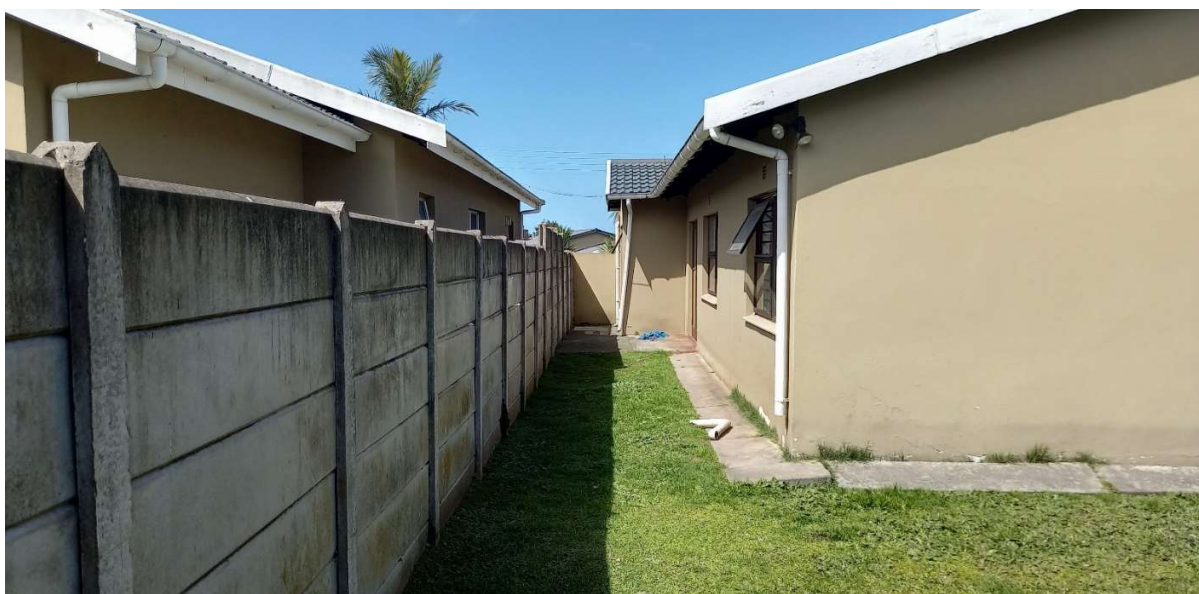
It should however be mentioned that approved building plans exists for this braai room and an application for relaxation of this building should have been issued before. Copies of the approved building plans for the northern dwelling unit indicating the braai room dated 2004 and 2009 is attached hereto as **Annexure “D”**. The braai room is thus not an illegal structure. Application will however be made to legalise the braai room in terms of the new building line applicable to Portion A.

The dwelling unit on the proposed Remainder is situated approximately 3.0 metres from the existing southern side boundary and 1.10 metres from the proposed northern side boundary of the Remainder. In terms of the Section 40 letter the 1.5-meter building line will be applicable along the southern boundary and the 0.0-meter building line will be applicable along the northern boundary of the Remainder. The dwelling unit on the Remainder will thus comply with the building lines applicable to the Remainder. A copy of the approved building plan for this dwelling unit dated 1988 is attached hereto as **Annexure “E”**. An outside braai area which is covered by shade cloth has however been developed in the new 1.5-meter southern boundary building line which will now be applicable to the Remainder. No building plan approval exists for this covered braai area. Building plans thus needs to be submitted for this covered braai area. An application for relaxation of this 1.5-meter southern boundary building line to 0.0 metres to allow for this covered braai area will also be necessary.

A portion of existing dwelling unit on Portion A will be located 1.2 metres from the new common boundary between Portion A and the Remainder whilst a portion of the existing dwelling unit on the Remainder will be located at a distance of 1.10 metres from the new common boundary

between Portion A and the Remainder. Both dwelling units have openings facing towards the new erf boundary line. In terms of development parameter (d)(i) applicable to a “Dwelling house” a setback of at least 1.5 metres is required if openings are facing an erf boundary. A departure from this requirement is thus required to legalize the existing openings.

The following photos indicate the position of the two dwelling units in relation to each other with the openings referred to above clearly visible on the photos.



The purpose of this application is to obtain approval for the proposed subdivision and permanent departures to enable the transfer of the two subdivided portions as separate residential erven.

4. PRE-APPLICATION CONSULTATION

The pre-application consultation discussion of the proposed application by the relevant officials of George Municipality took place on 15 August 2023. The signed pre-application consultation application form contains the following comments that need to be addressed in the application:

“Town Planning:

- *Applicant to ensure that development parameters are complied with such as building lines etc. Departures will be required where applicable.*
- *To provide parking and access as per requirements set in Section 42 and 45 of the George Integrated Zoning Scheme. To indicate access, widths and parking on the proposed subdivision plan.*
- *Applicant to motivate in terms of SPLUMA, MSDF 2023, LSDF’S and zoning scheme etc.*
- *To indicate the building lines applicable to the proposed subdivided erven and apply for building line relaxations where applicable.*
- *To indicate the location of the main engineering services on site.*
- *To indicate all illegal structures / uses and sizes thereof. Contravention levies may be applicable. To indicate whether any structures will be demolished?*
- *Note that portions may be limited to one dwelling only.*
- *To motivate deviation from minimum erf sizes for this area.*
Genevafontein, Twee Rivieren, Denver Park and Eden – 800m² or average size of properties in surrounding area whichever is greater.”

No negative issues were thus mentioned, and permission was granted to proceed with the submission of the application. The issues raised in the Town Planner’s comments are addressed in the respective points in this motivation report.

The signed pre-application consultation form with the municipal comments on the proposal is attached hereto as **Annexure “F”**.

5. GENERAL INFORMATION REGARDING ERF 9255 GEORGE

5.1 Locality

Erf 9255 George is situated at 6 John Street, Denneoord. The locality of the application erf is indicated on the locality plan which is attached hereto as **Annexure “G”**.

5.2 Existing land use

Erf 9255 George is currently developed with two dwelling units and is used for single residential purposes.

5.3 Extent

Erf 9255 George is 840m² in extent.

5.4 Existing zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023 Erf 9255 George is zoned Single Residential Zone I.

5.5 Surveyor General Diagram

A copy of the Surveyor General Diagram of Erf 9255 George is attached hereto as **Annexure “H”**.

5.6 Title Deed

Erf 9255 George is registered in the names of John Ernest Saayman and Johanna Petronella Saayman. The Title Deed of the application erf is attached hereto as **Annexure “I”**.

5.7 Power of Attorney

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by John Ernest Saayman and Johanna Petronella Saayman, the registered owners of Erf 9255 George, to prepare the application referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “J”**.

5.8 Bondholder's Consent

Erf 9255 George is encumbered by a bond. The consent of ABSA, the bondholder is attached hereto as **Annexure “K”**.

5.9 Conveyancer Certificate

A Conveyancer Certificate in respect of Erf 9255 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 development of the erf as proposed in this application.

6. DESIRABILITY OF THE APPLICATION FOR THE SUBDIVISION OF ERF 9255 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 subdivision 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

The application erf has a slight slope towards the south-east. The topography of the erf had been considered in the development of the two dwelling units. The topography is of such a nature that it will not have a negative impact on the proposed subdivision 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 the application erf and in the vicinity of the erf do not appear to have construction anomalies relating to unstable soil conditions. It can, therefore, be accepted that the soil condition is suitable to accommodate the proposal.

There is, as such, no reason why this application cannot be supported from this point of view.

6.2.3 Vegetation

The vegetation on the application erf consists of a neatly kept lawn, with a few shrubs. As the application erf has already been “divided” along the proposed subdivision boundary, no vegetation will have to be removed to accommodate the proposed subdivision.

Vegetation will therefore have no influence on the proposed development.

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 subdivision cannot be supported.

6.3 Proposed land use

The application erf is currently developed with two dwelling units. The owner intends subdividing the application erf into 2 Single Residential Zone I erven. The proposed subdivision will not result in a change of land use, or a new building being erected. The two existing dwelling units will remain intact, with a dwelling unit situated on each of the 2 newly created erven. The only change will be in ownership, as the owner will be able to alienate each of the two erven separately by means of full title.

6.4 Density of the proposed development

It is proposed to subdivide the erf into 2 portions. Both the proposed erven will be smaller than 600m², which is the minimum erf size for Denneoord, as per the Council Policy regarding minimum erf sizes in George. In terms of this Policy an area of 600m² is mentioned as the minimum erf size to accommodate a dwelling house and a second dwelling unit in various suburbs which are comparable with Denneoord. It seems, therefore, that the subdivision as proposed in this application could result in only 2 dwelling units being developed on the application erf, which is similar to the current number of dwelling units on the erf. This relates to a gross density of 23.8 dwelling units per hectare, which is comparable with the norm of 25 dwelling units per hectare, aimed at by the Department of Environmental Affairs and Development Planning.

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

6.5.1 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.

6.5.2 “Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)”

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

- “Spatial justice”
- “Spatial sustainability”
- “Spatial efficiency”
- “Spatial resilience”
- “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 subdivision 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 a residential erf situated within the Urban Edge being developed to fuller 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 | Complies with. | George Municipality approved a Spatial Development Framework for George, 2023. The Spatial |

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| 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. | | Development Framework contain 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 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 smaller erven, 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 smaller erven, 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 residential development in the George Spatial Development Framework, 2023. |
| Ensure that special consideration is given to the protection of prime and unique agricultural land. | Not applicable. | Erf 9255 George is zoned as indicated in point 4.4 of this Motivation Report. The provisions of the Act on the Subdivision of Agricultural Land, 1970 (Act 70 of 1970) therefore do not apply to the application. 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. | The proposed development does not trigger any listed activities in terms of environmental legislation. |
| Promote and stimulate the effective and equitable functioning of land markets. | Complies with. | The application erf is situated in Denneoord, in an area currently characterized by Single Residential development. In the George Spatial Development Framework, 2023, this area is indicated as an area where the single residential development should be retained. The land use proposed in this application is therefore in line with the development proposals in the relevant Spatial Development Framework. 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 | Complies with. | All infrastructure required for the development will be provided by the |

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| provision of infrastructure and social services in land developments. | | developer at his cost in accordance with municipal requirements. |
| 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 and in an existing residential area. 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 erven is increasingly considered not viable. This could lead to neglect, which could result in reducing property values in an area. The development of smaller erven, 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. |

| 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. The required infrastructure for the proposed development will be provided by the developer at his costs. 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. |

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| Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts. | Complies with. | In terms of the contents of this motivation report the proposed development will have no negative financial, social, economic or environmental impacts. The proposal will in fact have a positive effect on the upliftment of the area, as a portion of the application erf will be placed under separate ownership. It will thus be possible to comply with any procedures which the George Municipality has 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 By-Law, 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 managed 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 development 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, 2023 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, 2023, 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 must adhere to when submitting land use applications and which officials needs to take into |

| | | |
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| | | 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.

6.5.3 “Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)”

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

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

19(1) If a spatial development framework or structure plan specifically provides for the utilization or development of land as proposed in a land use application or a land development

*application, the proposed utilization or development is regarded as **complying** with that spatial development framework or structure plan.*

*19(2) If a spatial development framework or structure plan does not specifically 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 6.5.4 and 6.5.6 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 6.5.2 above. The comments in paragraph 6.5.2 are thus also relevant as far as Section 59 of LUPA is concerned.

6.5.4 Western Cape Provincial Spatial Development Framework (WC PSDF)

6.5.4.1 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, a number of principles are mentioned, namely spatial justice, spatial sustainability, spatial resilience, spatial efficiency, accessibility and quality of life and good administration that spatial planning must comply with. The impact of the application on spatial justice, spatial sustainability, spatial resilience, spatial efficiency, has already been fully discussed in Section 6.5.2 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.

6.5.4.2 Protection of agricultural land

In terms of the WC PSDF, it is indicated that agricultural land must be protected. Erf 9255 George is zoned Single Residential Zone I and is not used for agricultural purposes. This objective of the WC PSDF is therefore not relevant to this application.

6.5.4.3 Urban Edge

The WC PSDF provides for a guideline which determines that towns should identify an urban edge and that development should be limited to areas inside the urban edge. The George Municipality identified an urban edge, and the application erf 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.

6.5.4.4 Densification

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 advantages:

- *The ability to walk to a number of 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.

Subdivision of an existing Single Residential Zone I erf, is proposed in this application. The subdivision could result in a density of 23.8 dwelling units per hectare being attained on the application erf, which is in line with the average density set in the Western Cape Provincial Spatial Development Framework. The proposal, therefore, meets the broader requirement for densification as set out in this guideline in the WC PSDF.

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 and densification, which could be used to determine whether this application falls within the stipulations of the framework.

6.5.4.5 Summary

From the content of point 6.5.4 it seems clear that the application can indeed be considered compatible with the WC PSDF.

6.5.5 George Spatial Development Framework, 2023 (GSDF)

Erf 9255 George is located within the study area of the George Spatial Development Framework, 2023 (GSDF) and the framework therefore applies to this application. Map 37: *“Composite Spatial Development Framework for the George City Area”* indicates that the area where the application erf is situated is located within the Urban Edge.

The George Spatial Development Framework, 2023 (GSDF) does not go to the detail level of individual erven. Except for the mentioned indication that the application erf falls within the Urban Edge of George and that urban sprawl must be contained (Policy C2.1 in the Growth Management table on page 121), the GSDF contains no specific future development proposals for this area which could be used to evaluate the compatibility of a land use application with the Spatial Development Framework.

The application erf is not situated within the area of a Local Spatial Development Framework.

6.5.6 George Integrated Zoning Scheme By-Law, 2023

Erf 9255 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 currently may be used for the purposes of one dwelling house and a second dwelling of not larger than 175m². A second dwelling unit of ±126.6m² has been developed on the erf. The owner intends subdividing the application erf into 2 Single Residential Zone I erven. The proposed subdivision will not result in a change of land use, or a new building being erected. The two existing dwelling units will remain intact, with a dwelling unit situated on each of the 2 newly created erven. The only change will be in ownership, as the owner will be able to alienate each of the two erven separately by means of full title.

Although the By-Law does not contain any stipulations with regards to the subdivision of residential erven, the “*Land use description*” in respect of a “*second dwelling*” in the George Integrated Zoning Scheme By-Law, 2023, reads as follows:

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

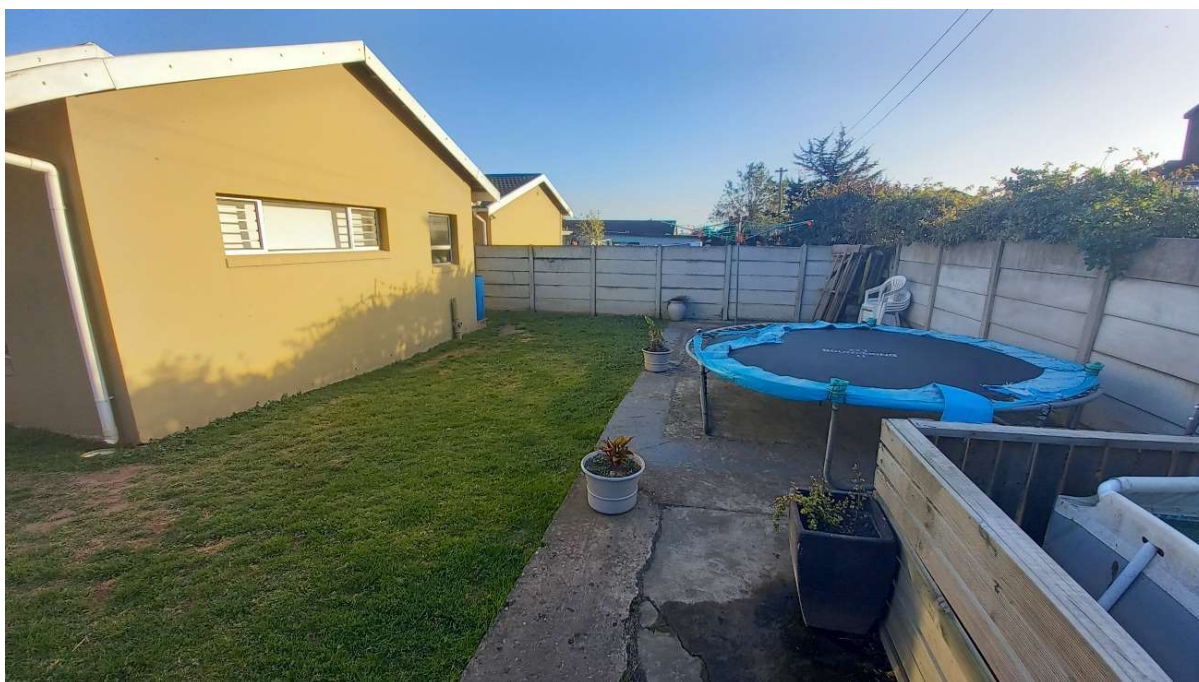
- (a) *The second dwelling must remain on the same land unit as the dwelling house and not be alienated separately.*

Referring to the “*Development parameters*” applicable to second dwellings, it is, inter alia, stated:

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

Notwithstanding the above stipulations, the following aspects must be taken into regard with reference to the proposed subdivision of the application erf:

- The initial dwelling house on the application erf had been erected on the southern portion of the erf, creating a developable erf portion on the northern side thereof. Building plans for this dwelling house were approved in 1988 and are attached hereto as **Annexure “E”**.
- Ample space was thus available on the northern section of the erf for the development of a second dwelling unit which was eventually approved in 2004 with further approved extensions to this dwelling unit approved in 2009. Copies of the building plans for this dwelling unit are attached hereto as **Annexure “D”**.
- Due to the east / west dimension of the erf, combined with the first dwelling house being situated on the southern portion thereof, the erf can be subdivided without having to provide a panhandle access, which would have reduced the developable area of the proposed subdivided portion.
- The dimensions of the 2 proposed portions are such that a comfortable north-facing dwelling house, fitting in with the character of the surrounding area, could be accommodated on each subdivided portion.
- There is sufficient space available on the western side of each proposed portion for practical open outdoor living areas as well as for vehicular maneuvering space and on-site parking on the street side of the proposed portions. The following photos indicate the outdoor living area on each of the subdivided portions.



The subdivision of the application erf as proposed in this application is, therefore, not comparable with the subdivision of, for instance, a second dwelling which is attached to the main dwelling

house, which requires an irregularly shaped “forced” subdivision boundary between the 2 dwelling units.

The application erf is also ideally situated to be subdivided, for the following reasons:

- The application erf is situated in close proximity to the well-developed public open space in St Paul’s Street, as well as being close to the higher density simplex development at the church complex to the south of the application erf.
- There are no other developed residential erven in the vicinity of the application erf where the existing development is suitably located on the erf to be subdivided in a similar manner than the application erf. The subdivision as proposed in this application cannot, therefore, set an unacceptable precedent.

In terms of Schedule 2 of the mentioned By-Law, the following development parameters will be applicable, as both subdivided portions will be greater than 250m², but not exceeding 500m²:

| Development Parameter | GIZS | Proposed Portion A | Proposed Remainder | Compliance |
|-----------------------|---------------------------------------|----------------------------------------------------|----------------------------------------------------|--------------------------------|
| Coverage | 200m ² or 65% | 29.6% | 37.8% | Complies with |
| Street building line | 3.0m | 3.0m | 4.1m | Complies with |
| Lateral building line | 0m on 1 side 1.5m other sides | Northern side: 0m Southern side: 1.2m | Southern side: 0m Northern side: 1.1m | Relaxations applied for |
| Rear building line | 3.0m | N/a | N/a | Complies with |
| Parking | 2 bays | 1 covered, 1 open | 1 covered, 1 open | Complies with |
| Height | 6.5m wall plate 8.5m ridge of roof | N/a | N/a | Complies with |

6.5.7 Title Deed

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

The title deed of Erf 9255 George was scrutinised, and it was found that it contains no conditions prohibiting the subdivision as proposed.

6.5.8 Existing Council Policy

There are existing Council Policies which are indicative of minimum erf sizes in respect of the various suburbs in George. The application erf is situated in Denneoord, where the proposed minimum erf size is 600m² per erf. The proposed Remainder will be ±427m² and the extent of the proposed Portion A will be ±413m². In terms of this Policy an area of 600m² is mentioned as the minimum erf size to accommodate a dwelling house and a second dwelling unit in various suburbs which are comparable with Denneoord. It seems, therefore, that the subdivision as proposed in this application could result in only 1 dwelling unit being developed on each of the proposed portions. Both subdivided portions will, therefore, be able to accommodate only the 1 existing dwelling unit each.

Although the extent of both the proposed subdivided portions are slightly smaller than the minimum size for the area, it should be taken into consideration that the proposed subdivision will not result in a change of the land use or a new building being erected. The two existing dwelling units will remain intact, with a dwelling house situated on each of the two newly created erven. The only change will be in ownership, as the owner will be able to alienate each of the two erven separately by means of full title. The subdivision as proposed in this application will, therefore, be compatible with the Council Policy regarding minimum erf sizes in Denneoord.

6.5.9 Conclusion

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

6.6 Compatibility of the proposal with the character of the area

The application erf is situated in Denneoord, in an area characterized by single residential development of varying sizes. It is proposed to subdivide the application erf into 2 Single Residential erven of 413m² and 427m² each, which could be alienated separately. The proposed subdivision will thus create further diversification as far as erf sizes in the area concerned.

Both the proposed erven will be smaller than 600m², which is the minimum erf size to accommodate a dwelling house and a second dwelling unit, as per the Council Policy regarding minimum erf sizes in George South. The proposed subdivision will, therefore, result in only 1 dwelling unit being developed on each of the subdivided portions the application erf, which is equal to the current number of dwelling units on the application erf.

The proposed subdivision will result in separate ownership for each subdivided portion, with a smaller garden area, which will be more affordable to develop and maintain, which could be beneficial to the property values in the area concerned.

It is, therefore, evident that the subdivision as proposed in this application will be compatible with the existing, as well as the future character of the surrounding area.

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

The application erf is situated within the Urban Edge of George. As the application erf has already been “divided” along the proposed subdivision boundary, no vegetation will have to be removed to accommodate the proposed subdivision. The vegetation on the proposed subdivided portions consists of neatly kept lawn, with a few shrubs and trees.

The proposed subdivision will thus not have a negative impact on the natural environment.

6.8 Potential of the property

Erf 9255 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 unit of not larger than 175m². The minimum erf size required for the development of a dwelling house and a second dwelling unit in Denneoord is 600m². The application erf has already been developed with a dwelling unit of ±156m² and a second dwelling unit of ± 126.6m² in extent.

The proposed subdivision will result in the application erf being subdivided into two separate title single residential erven, both erven being smaller than 600m². The proposal, therefore, has the potential of only two dwelling units being developed, which is the same as the present number of dwelling units developed on the application erf.

The subdivision, as proposed in this application, will therefore not result in increasing the development potential of the application erf, it will only result in a change of ownership of the subdivided portion, without having a negative impact on the surrounding development.

6.9 Access to the property

The application erf is situated on the western side of John Street, in Denneoord. The erf is easily accessible from the George CBD via Wellington Street and St Paul' Road. As indicated on the approved building plans, attached hereto as **Annexure "D"** and **annexure "E"**, the existing separate vehicular access points from John Street to the dwelling unit on the proposed Remainder) and the dwelling unit on the proposed Portion A will be retained. The following photos indicate the current street elevation from John Street.





Both sliding gates are approximately 4.0 metres wide, and the gates are set approximately 14.0 metres apart. The width of the gates and the distance between the gates, therefore, confirm with the requirements in the George Integrated Zoning Scheme By-Law, 2023, in this regard.

There is good visibility in both directions into John Street, from the current access points.

Access to the properties will therefore not be negatively impacted upon by the subdivision as proposed in this application.

6.10 Provision of parking

The parking requirements applicable to different land uses are set out in table format in Section 42 of the George Integrated Zoning Scheme, 2023. In respect of dwelling houses on erven larger than 350m², provision must be made for a minimum of 2 on-site parking bays per dwelling house.

As indicated on the approved building plans, attached hereto as **Annexure “D”** each dwelling unit has an existing single garage. The aerial photo in point 2 of this report clearly indicated an enlarged paved area adjacent to both garages which is used as an open parking bay. The provision of on-site parking will therefore not be negatively impacted upon by the subdivision as proposed in this application.

6.11 Provision of services

Existing municipal services are available to the application erf. Should any upgrade, extension or relocation of services be required as a result of this application, this will be at the 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 subdivision of the application erf 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 IN RESPECT OF ERF 9255 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 for relaxation of the building lines as mentioned in point 1 above 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 rights 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 application erf is situated on the western side of John Street, a local street, in Denneoord. The erf is situated in close proximity to a public open space, containing a grassed play area and all-weather tennis and netball courts, 2 churches and a small medium density residential complex. The area surrounding Erf 9255 George has a predominantly single residential land use character, with dwelling houses and outbuildings, situated in neatly kept gardens. The dwelling houses and outbuildings on the surrounding residential erven are all situated at varying distances from the lateral and rear boundary building lines.

The following aerial photo indicates the locality of Erf 9255 George, as well as the buildings situated on the erf, in relation to the immediate surrounding residential area.



From the above photo it is clear that the buildings on Erf 9254 George, located directly to the north of Portion A, are also located on the 0.0 metre southern side erf boundary line. The braai room on Portion A is attached to these encroachments on Erf 9254 George. The braai room is in fact smaller than the buildings on Erf 9254 George which encroach this building line. There is as such no way that the braai room on Portion A can have an effect on the buildings on Erf 9254 George. Both encroachments are furthermore located behind garages and are as such not visible from John Street. The building line relaxation required for the braai room will thus not have any effect on the character of the immediate surrounding area.

The building line relaxation required along the southern boundary of the Remainder is located along side a shade cloth carport which is located within the northern lateral building line on Erf 9256 George. From the photo above it is also clear that extensive encroachments are also situated alongside the southern building line on Erf 9256 George. The building line relaxation for the covered braai area on the Remainder will thus also fit in with the character of the adjacent southern erf. The covered braai area is furthermore located at such a distance from John Street that it cannot have any effect on the character of the existing development along John Street.

From the approved building plans attached hereto as **Annexure "D"** it is clear that the two dwelling units have been in existence since 2005, thus for more than 18 years. The two dwelling units thus form an integral part of the existing character of the area for more than 18 years.

As no changes are proposed by way of this application to any of the two dwelling units, it is argued that the departures will have no changing effect on the existing planning of the area.

In this regard it should also be taken into consideration that the application erf will be subdivided along the existing "Vibre-crete" wall and steel palisade fence, which currently separates the dwelling house from the second dwelling. This "division" has been in existence for a number of years and as far as could be ascertained, none of the adjacent land owners have objected against the application erf being "divided" in such a manner nor regarding the openings of the two dwelling units being too close to each other. As is visible from the photo below the height of the "Vibre-crete" wall between the two dwelling units is of such a nature that it protects the privacy

of both dwelling units. This is unfortunately an existing situation which cannot be rectified as the openings are required for light and ventilation purposes.



It is thus argued that the 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

This application entails departures on Erf 9255 George to accommodate the proposed subdivision of the application erf into 2 portions, with the two dwelling units situated on separate portions.

The proposed departures will not result in an increase in the number of inhabitants of either the existing two dwelling units beyond that which is accommodated in the proposed zoning of the property. Due to the proximity of the application erf to public transportation, public transportation is available for commuting to schools, open spaces and other community facilities. As such, the

permanent departure as applied for will not have an impact on schools, open spaces and other community facilities in the area. This aspect is, therefore, not relevant to this application.

7.4 Impact on sunlight, view and privacy

As the two dwelling units with their braai room and covered braai area and the dividing wall between the two proposed portions already exist, it is easy to establish whether the departures will have any impact on sunlight, view or privacy of any adjacent erf.

The braai room on Portion A is located in such a position in relation to the buildings on the adjacent northern erf that it cannot have any effect of the sunlight, privacy or view of Erf 9254 George. The encroachment is in fact hidden behind the existing encroachments on Erf 9254 George.

The extent of the covered braai area located in the building line along the southern boundary of the Remainder is of such an extent and height that it can have no impact on the view from the adjacent erf nor on the sunlight of the adjacent erf. The privacy of the adjacent erf will also not be negatively affected by the covered braai area as the carport and driveway of the adjacent erf is located along this boundary line. The covered braai is furthermore screen from the adjacent erf by way of a boundary wall. The photo below gives an indication of the covered braai area in relation to the adjacent erf and the impact thereof on this adjacent erf. It is thus argued that the sunlight, view or privacy of the adjacent erf will not be negatively affected by the proposed relaxation of the building line.



A purchaser of either of the 2 new portions will be aware of the distance between the two dwelling units and the communal erf boundary upon inspection of the erven. The existing position of the openings of the two dwelling units in relation to each other and the amount of protection provided by the “Vibre-crete” wall with regards the openings is clearly visible on site and the impact thereof for any purchaser of a portion will thus be clearly visible to evaluate.

The openings of the two dwelling units facing each other is considered as an “internal” matter, which has as yet not affected either of the tenants. As is visible from the photo in point 7.2 above the height of the “Vibre-crete” wall between the two dwelling units is of such a nature that it protects the privacy of both dwelling units. It is thus argued that the distance of the openings between the new boundary line and the two dwelling units have no impact on the viability of the two dwelling units being used for residential purposes.

7.5 Impact on streetscape

The photos in point 6.9 of this motivation report indicate the John Street elevation of the application erf.

As the two dwelling units and the dividing wall between the 2 proposed portions already exist, it is easy to establish that the departures as proposed in this application will have no impact on the streetscape of the application erf.

7.6 Impact on property values

As indicated in the previous points, the structures in respect of which the permanent departures are required, will not have a negative impact on any of the surrounding properties. The architectural design is sound and the finishes of a good quality. The proposal will only result in both the portions being alienated by means of full title. This could have a positive impact on the surrounding area, as maintenance cost of the smaller properties will be reduced and therefore, be more affordable, compared to one large property, containing two dwelling units.

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 and the provision of parking are discussed in point 6.10 of this motivation report.

As indicated in point 6.10 two on-site parking bays are provided on the street side of both the proposed subdivided portions. The number of parking bays provided conforms with the parking requirement.

The departures as proposed in this application have no impact on the provision of parking on the application erf and does not result in the required number of parking bays not being provided.

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

7.8 Impact on traffic circulation

The erf is enclosed on the John Street side by means of a security fence, consisting of brick columns with steel palisade panels with a separate steel sliding gate for each dwelling unit. As the proposed departures are situated well away from the street boundary of the two portions and behind an approved security fence, the permanent departure as applied for in this application can have no negative impact on the sight distance into John Street.

7.9 Provision of services

Municipal services are available to the application erf. The application erf has already been developed with two dwelling units, which have been connected to municipal services. The proposed permanent departures as applied for in this application will not result in a change of land use or a new building being erected. The existing buildings will remain intact. Should any upgrade, extension or relocation of the existing municipal infrastructure be required as a result

of this application for permanent departure, all costs as a result of such extension will be for the account of the applicant, subject to the conditions of the municipality.

7.10 Fire fighting

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

8. CONCLUSION

Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 9255 George into two portions. Application is also made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for certain departures in respect of Portions A and the Remainder.

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

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

The application 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" – SECTION 40 LETTER

APPLICATION REFERENCE: 2356693

INTERNAL REFERENCE: 2934746

DATE: 2023-11-27

APPLICANT NAME: Jan Vrolijk

EMAIL ADDRESS: janvrolijk@jvtownplanner.co.za

In terms of the Protection of Personal Information Act (POPIA) all correspondence will be communicated directly and only to the applicant as stated above. No information will be given to any third party and/or landowner (if the landowner is not the applicant).

LETTER (1) IN TERMS OF SECTION 40 OF LUP BY-LAW, 2023

- 1. SUBDIVISION IN TERMS OF SECTIONS 15(2)(d) OF THE LAND USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY, 2023 FOR THE OF ERF 9255, GEORGE INTO A PORTION 1 ($\pm 427\text{M}^2$) AND A REMAINDER ($\pm 413\text{M}^2$).**
- 2. DEPARTURE IN TERMS OF SECTIONS 15(2)(b) OF THE LAND USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY, 2023 FOR THE FOLLOWING:**
 - (A) THE NEW SOUTHERN SIDE BOUNDARY BUILDING LINE ON THE PROPOSED REMAINDER OF ERF 9255 GEORGE, FROM 1.5 METRES TO 1.2 METRES TO ACCOMMODATE THE SOUTHERN WALL OF THE EXISTING DWELLING HOUSE ON THE PROPOSED REMAINDER.**
 - (B) THE NEW NORTHERN SIDE BOUNDARY BUILDING LINE ON THE PROPOSED PORTION 1 OF ERF 9255 GEORGE, FROM 1.5 METRES TO 1.1 METRES TO ACCOMMODATE THE NORTHERN WALL OF THE EXISTING DWELLING HOUSE ON THE PROPOSED PORTION 1.**

PROPERTY: Erf 9255, George

Application for:

- Subdivision
- Departure (Building line)

The above-mentioned application(s) submitted per email dated **2023-11-17** do not comply with Section 38 of the Land Use Planning By-law for George Municipality, 2023 and is deemed to be incomplete.

The following is outstanding and/or needs to be amended:

- Subdivision/Departure Plan :
 - To indicate the applicable building lines on the proposed subdivided properties with access and existing structures.
 - To indicate all existing structures on the plans. Departures to be applied for where applicable.
 - The building line (0m) to move to the “internal boundary” between the homes.

- The side boundary building line (1.5m) to move to the “outer Boundary” of erf 9255, George.
- Building line relaxation would thus be required for the braai areas on each property’s “outer boundary”
- To confirm and apply for departure of development parameter (d) of Dwelling House if applicable on the “internal boundary if applicable.
- Motivation report to be updated where applicable.

All enquiries follow ups and documentation submissions need to be directed to the relevant case officer as marked below. The relevant Town Planner **Robert Janse van Rensburg**, should be copied in the e-mail: **rhjansevanrensburg@george.gov.za** as well as the relevant Senior Town Planners, Jeanne Muller (even erf numbers) jmuller@george.gov.za or Ilane Huyser (uneven erf numbers) ihuyser@george.gov.za.

General Town Planning Comments

The relevant case officer for this project is:

Marisa Arries email: marries@george.gov.za

Please amend the application accordingly and upload the amended application/supporting document on the Portal and notify the relevant Town Planner and Case Office per email.

Yours faithfully



Robert Janse van Rensburg
Town Planner
Human Settlements, Planning and Development

ANNEXURE "B" - PROPOSED SUBDIVISION PLAN

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 | janvrolijk@jvtownplanner.co.za | | |
| Tel | 044 873 3011 | Fax | 086 510 4383 |
| | | Cell | 082 464 7871 |

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

| | | | |
|------------------|----------------------------------------------------------------------|-------------|--------------|
| Registered owner | John Ernest Saayman & Johanna Petronella Saayman | | |
| Address | 1 Steve Landman Crescent | | |
| | George | Postal code | 6529 |
| E-mail | johnsaayman55@gmail.com | | |
| Tel | N/a | Fax | N/a |
| | | Cell | 082 324 4130 |

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

| | |
|-------------------------------------------------------|-----------------|
| Property Description [Erf / Erven / Portion(s) and | Erf 9255 George |
|-------------------------------------------------------|-----------------|

| | | | | | | | | | | |
|-----------------------------------------------------------------------------------|---------------------------------------------------|----------|-----------------------------------------------------------------------|--|-------------------------|--|-------------------------------|----------|-----------------------|----------|
| Farm number(s), allotment area.] | | | | | | | | | | |
| Physical Address | 6 John Street, Denneoord, George | | | | | | | | | |
| GPS Coordinates | | | | | Town/City | | George | | | |
| Current Zoning | Single Residential Zone I | | Extent | | 840m² | | Are there existing buildings? | | Y | N |
| Current Land Use | Residential purposes | | | | | | | | | |
| Title Deed number & date | T190/2004 | | | | | | | | | |
| Any restrictive conditions prohibiting application? | Y | N | If Yes, list condition number(s). | | | | | | | |
| Are the restrictive conditions in favour of a third party(ies)? | Y | N | If Yes, list the party(ies). | | | | | | | |
| Is the property encumbered by a bond? | Y | N | If Yes, list Bondholder(s)? | | | | | | | |
| Has the Municipality already decided on the application(s)? | Y | N | If yes, list reference number(s)? | | | | | | | |
| Any existing unauthorized buildings and/or land use on the subject property(ies)? | Y | N | If yes, is this application to legalize the building / land use? | | | | Y | N | | |
| Are there any pending court case / order relating to the subject property(ies)? | Y | N | Are there any land claim(s) registered on the subject property(ies)? | | | | Y | N | | |
| PART D: PRE-APPLICATION CONSULTATION | | | | | | | | | | |
| Has there been any pre-application consultation? | Y | N | If Yes, please complete the information below and attach the minutes. | | | | | | | |
| Official's name | Robert Janse van Rensburg and Ilan  Huyser | | Reference number | | 2727984 | | Date of consultation | | 15 August 2023 | |

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)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 9255 George into a Portion A ($\pm 413m^2$) and a Remainder ($\pm 427m^2$).**
- **Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure for the relaxation of the following building lines:**
 - **the southern side boundary building line on the proposed Remainder of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a covered braai area.**
 - **the northern side boundary building line on the proposed Portion A of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a braai room.**
- **Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure from development parameter (d)(i) applicable to a "Dwelling house" to allow**
 - **for windows and an outside door of the dwelling unit on Portion A at a distance of 1.2 metres from the new southern boundary of Portion A; and**
 - **for windows of the dwelling unit on the Remainder at a distance of 1.0 metres from the new northern boundary of the Remainder.**

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

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

Is the following compulsory information attached?

| | | | | | |
|----------|----------|-----------------------------------|----------|----------|-----------------------------------------------------|
| Y | N | Completed application form | Y | N | Pre-application Checklist (where applicable) |
|----------|----------|-----------------------------------|----------|----------|-----------------------------------------------------|

| | | | | | | | |
|---------------------------------------------------------------|-----|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-----|-----|----------------------------------------------------------------------------------------|
| Y | N | | Power of Attorney / Owner's consent if applicant is not owner | Y | N | | Bondholder's consent |
| Y | N | | Motivation report / letter | Y | N | | Proof of payment of fees |
| Y | N | | Full copy of the Title Deed | Y | N | | S.G. noting sheet extract / Erf diagram / General Plan |
| Y | N | | Locality Plan | Y | N | | Site layout plan |
| Minimum and additional requirements: | | | | | | | |
| Y | N | N/A | Conveyancer's Certificate | Y | N | N/A | Land Use Plan / Zoning plan |
| Y | N | N/A | Proposed Subdivision Plan (including street names and numbers) | Y | N | N/A | Phasing Plan |
| Y | N | N/A | Consolidation Plan | Y | N | N/A | Copy of original approval letter (if applicable) |
| Y | N | N/A | Site Development Plan | Y | N | N/A | Landscaping / Tree Plan |
| Y | N | N/A | Abutting owner's consent | Y | N | N/A | Home Owners' Association consent |
| Y | N | N/A | Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant) | Y | N | N/A | 1 : 50 / 1:100 Flood line determination (plan / report) |
| Y | N | N/A | Services Report or indication of all municipal services / registered servitudes | Y | N | N/A | Required number of documentation copies |
| Y | N | N/A | Any additional documents or information required as listed in the pre-application consultation form / minutes | Y | N | N/A | Other (specify) |
| PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION | | | | | | | |
| Y | N/A | | National Heritage Resources Act, 1999 (Act 25 of 1999) | Y | N/A | | Specific Environmental Management Act(s) (SEMA) |
| Y | N/A | | National Environmental Management Act, 1998 (Act 107 of 1998) | Y | N/A | | (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental -- |
| Y | N/A | | Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) | Y | N/A | | Management: Air Quality Act, 2004 (Act 39 of 2004), |

| | | | | | | |
|---|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Y | N/A | <i>Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)</i> | | | | <i>National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998)</i> |
| Y | N/A | <i>Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations</i> | | | | <i>(strikethrough irrelevant)</i> |
| Y | N/A | <i>Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)</i> | | Y | N/A | <i>Other (specify)</i> |
| Y | N | <i>If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc. N/A</i> | | | | |
| Y | N | <i>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?</i> | | | | |

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 December 2023

Full name:

Johannes George Vrolijk

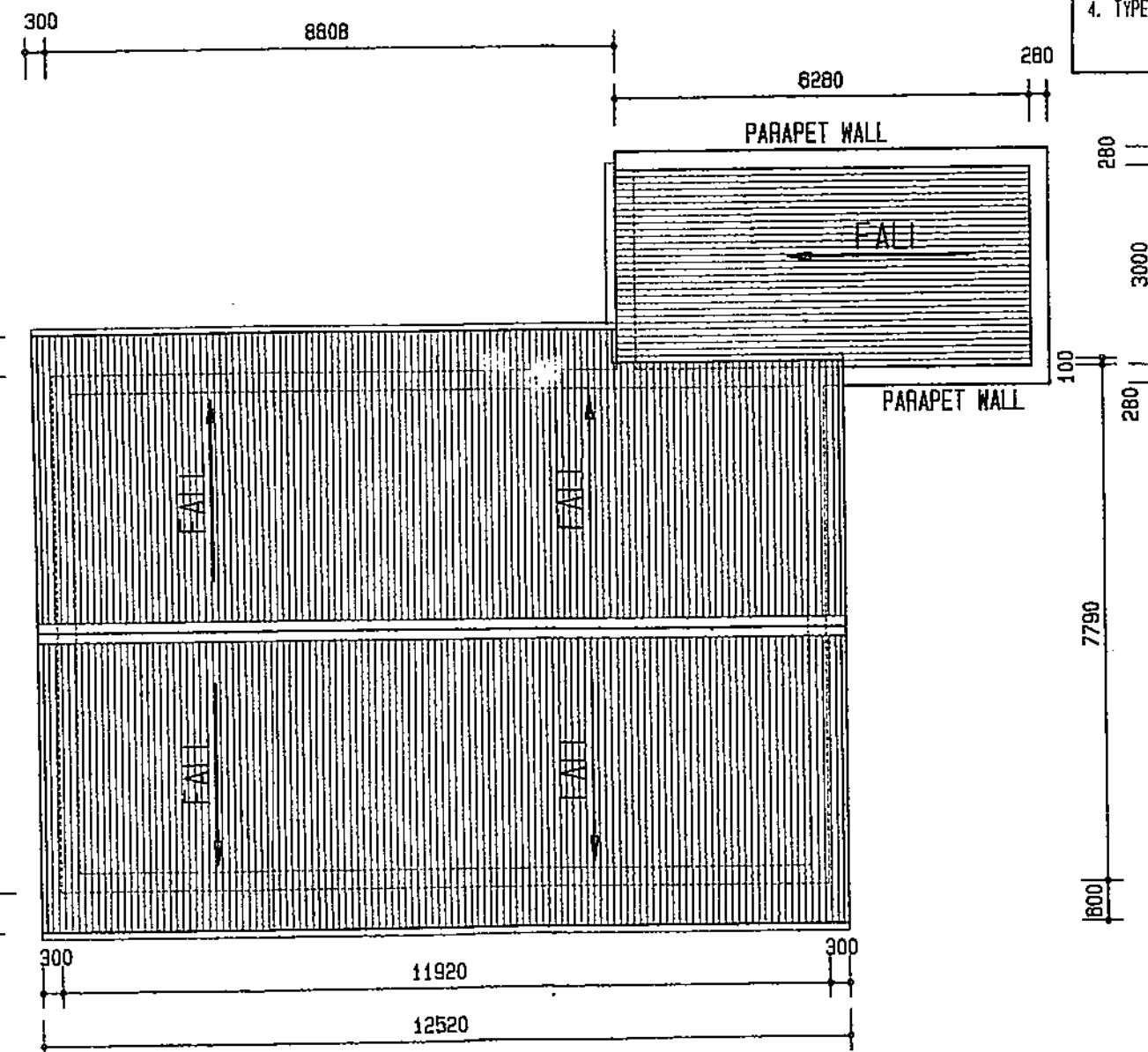
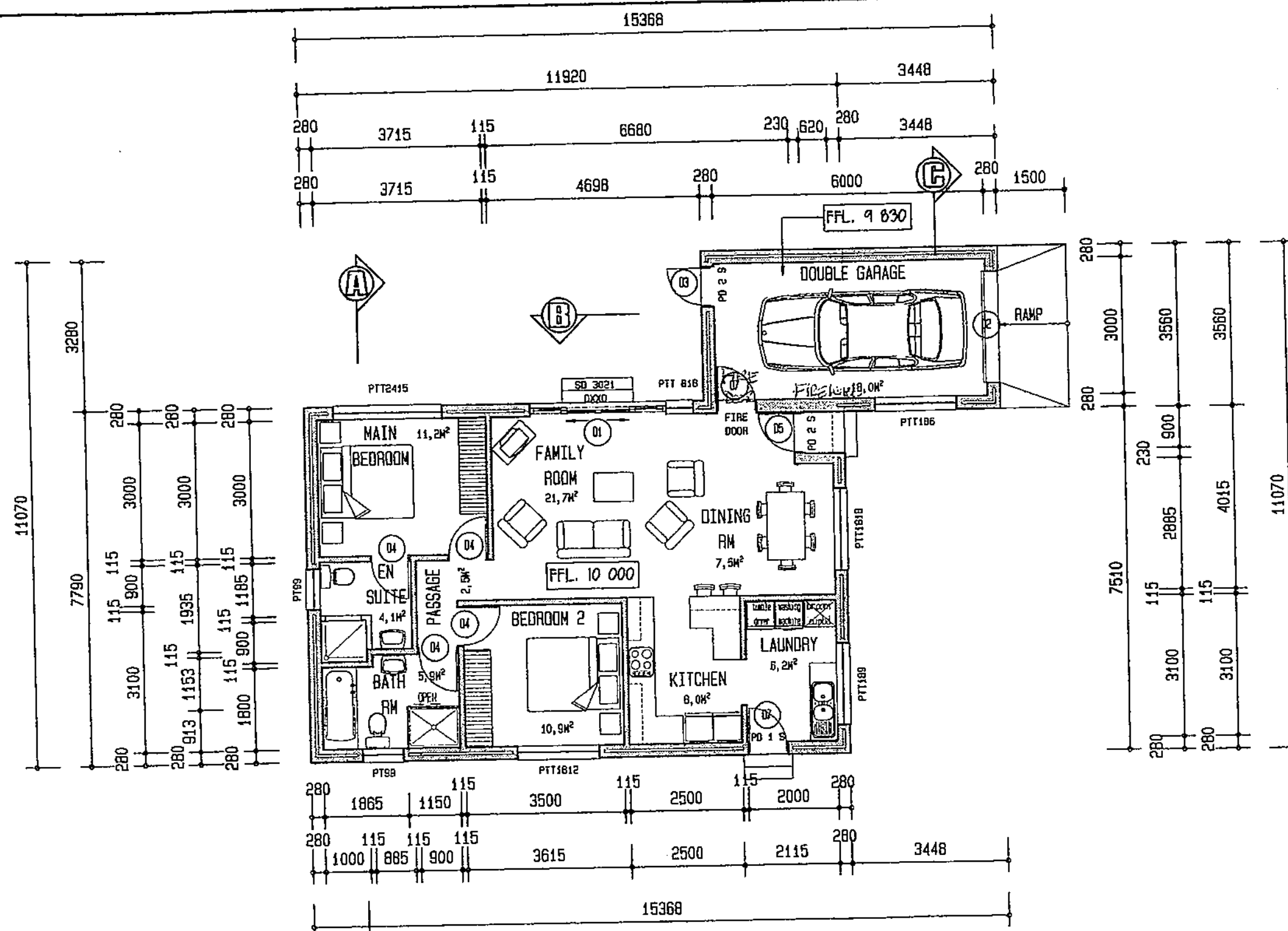
Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

A/1386/2010

**ANNEXURE "D" – APPROVED BUILDING PLANS FOR DWELLING UNIT ON PORTION
A**



GEORGE MUNICIPALITY
 APPROVED subject to Section 7(1)(a) of the National Building Regulations & Building Standards Act 1977 (Act 103/1977).
 The approval hereby granted expires after 12 months of date of approval unless erection of the building is commenced within the said period, or unless the period is extended through a written approval.

- NOTES:-**
1. ALL BRICK WALLS INSIDE MUST BE PLASTERED AND PAINTED. (TYPE OF PAINT CONFIRMED BY OWNER.)
 2. ALL ROOF MUST BE TREATED AND PAINTED. (TYPE OF PAINT CONFIRMED BY OWNER.)
 4. TYPE OF TILES CONFIRMED BY OWNER.

GEORGE MUNICIPALITY
 DIRECTORATE PLANNING & DEVELOPMENT
APPROVED
 DATE: 10.3.05 PLAN NO: 1588/04
 Chief Building Control Officer

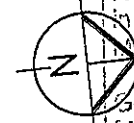
GEORGE MUNICIPALITY
 DIRECTORATE: HEALTH SERVICES
APPROVED 17/2/05
 Director Health Services

- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE NATIONAL BUILDING REGULATIONS & STANDARDS ACT. (ACT 103 OF 1977)
 2. ALL LEVELS AND DIMENSIONS TO BE CHECKED ON SITE BEFORE WORK COMMENCES.
 3. READ FIGURED DIMENSIONS IN PREFERENCE TO SCALING.
 4. ALL WORK TO BE EXECUTED IN COMPLIANCE WITH CODE 0400 OF THE S.A.B.S.

| NAME AND TYPE WINDOW AND DOOR USE WINDOW AND DOOR (WINSTERS SWARTLAND) AND (P.G. GLASS) | | | | | | | | | | | | |
|--------------------------------------------------------------------------------------------|--------------------|--------------------|-------------------|-----------------------|---------------------|---------------------|---------------------|--------------------------|------------------------|---------------------|----------------------|----------------------------|
| WINDOW AND DOOR SCHEDULE | | | | | | | | | | | | |
| ROOM | ROOM AREA | TOTAL ROOM AREAS | WINDOW NR | DOOR NR | WINDOW LIGHT AREA | DOOR LIGHT AREA | TOTAL LIGHT AREA | WINDOW VEN-TILATION AREA | DOOR VEN-TILATION AREA | TOTAL VENT AREA | PERCENTAGE (%) LIGHT | PERCENTAGE (%) VENTILATION |
| MAIN BEDROOM | 11,2m ² | 11,2m ² | PTT2415 2400X1500 | | 3,600m ² | | 3,600m ² | 1,080m ² | | 1,080m ² | 32,1% | 9,3% |
| EN SUITE | 4,1m ² | 4,1m ² | PR99 900X 900 | | 0,810m ² | | 0,810m ² | 0,540m ² | | 0,540m ² | 19,8% | 13,2% |
| BEDROOM 1 | 10,9m ² | 10,9m ² | PTT1812 1800X1200 | | 2,160m ² | | 2,160m ² | 1,080m ² | | 1,080m ² | 19,8% | 9,9% |
| KITCHEN | 8,0m ² | 35,1m ² | | | | | | | | | | |
| FAMILY ROOM | 21,7m ² | | PTT618 600X1800 | SD3021 0XXD 3000X2100 | 1,080m ² | 6,300m ² | 8,315m ² | 0,720m ² | 3,150m ² | 6,657m ² | 23,7% | 19,0% |
| DINING ROOM | 7,5m ² | | PTT1818 1800X1800 | PD 2 S 813X2100 | | ,935m ² | | 1,080m ² | 1,707m ² | | | |
| BATH ROOM 1 | 5,9m ² | 5,9m ² | PT98 900X 900 | | 0,810m ² | | 0,810m ² | 0,540m ² | | 0,540m ² | 13,7% | 9,2% |
| LAUNDRY | 6,2m ² | 6,2m ² | PTT189 1800X 900 | | 1,620m ² | | 1,620m ² | 0,720m ² | | 0,720m ² | 26,1% | 11,1% |

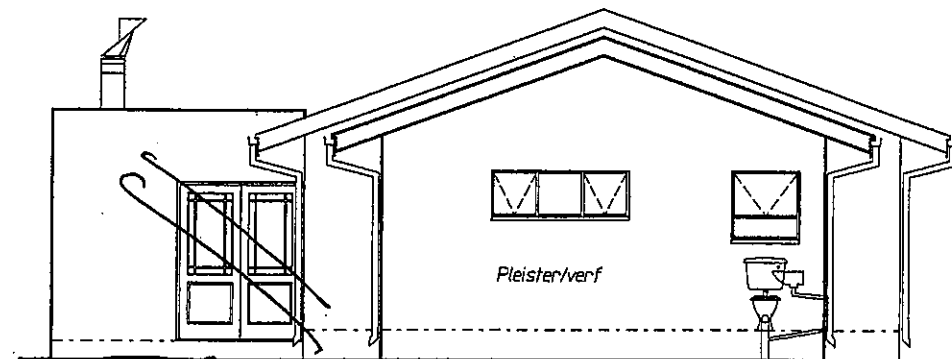
| | | | | | |
|----------------------------------------------------------------|--|--------------------------------------------------|------------------------------|------------------------------------|--|
| NAAM-EN EIENAAR MR J. SAAIMAN | | AANVAAR DEUR EIENAAR APPROVED BY OWNER | | HANDTEKENING <i>[Signature]</i> | |
| ONTWERP MR H. VENTER | | TEKENEN HERMAN VENTER | | Ong Nr / Tek No 2004 | |
| 11 PIERRE ALBERTYN RD PO BOX 394, GEORGE TEL 041 8735572 | | Scale/Skaal 1:100 | | Plan Nr / Plan No No 2 | |
| Date/Datum 22-11-004 | | Erf Nr / Erf No ERF 9255 | | SAAIMAN06W | |
| FLOOR PLAN AND ROOF PLAN | | | NEW HOUSE GRANNY FLAT | | |
| | | | | | |
| TEL WERK --- WORK | | TEL HUIS 044 8711101 HOUSE | | CEL --- | |

No person shall remove or prune any tree within a Municipal Road reserve without the prior permission, in writing being obtained from the Municipality.

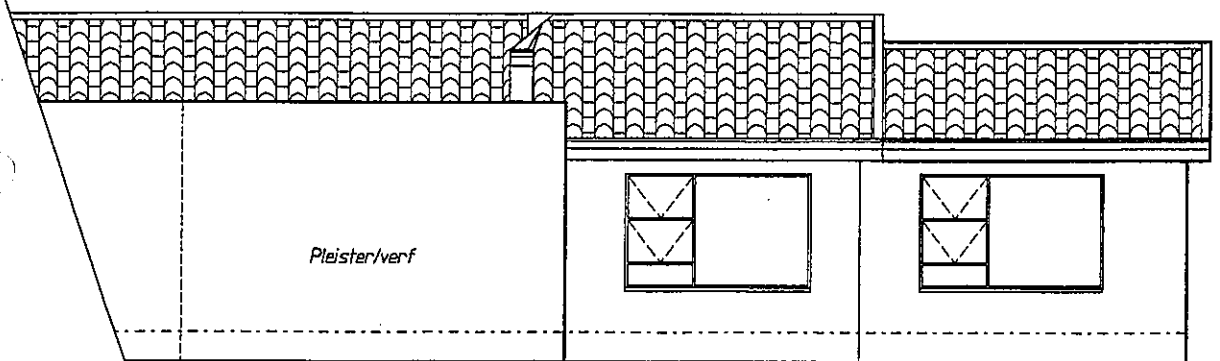


Geen persoon sal enige boom vanaf 'n Munisipale pad reserve verwyder of snoei sonder die skriftelike toestemming van die munisipaliteit.

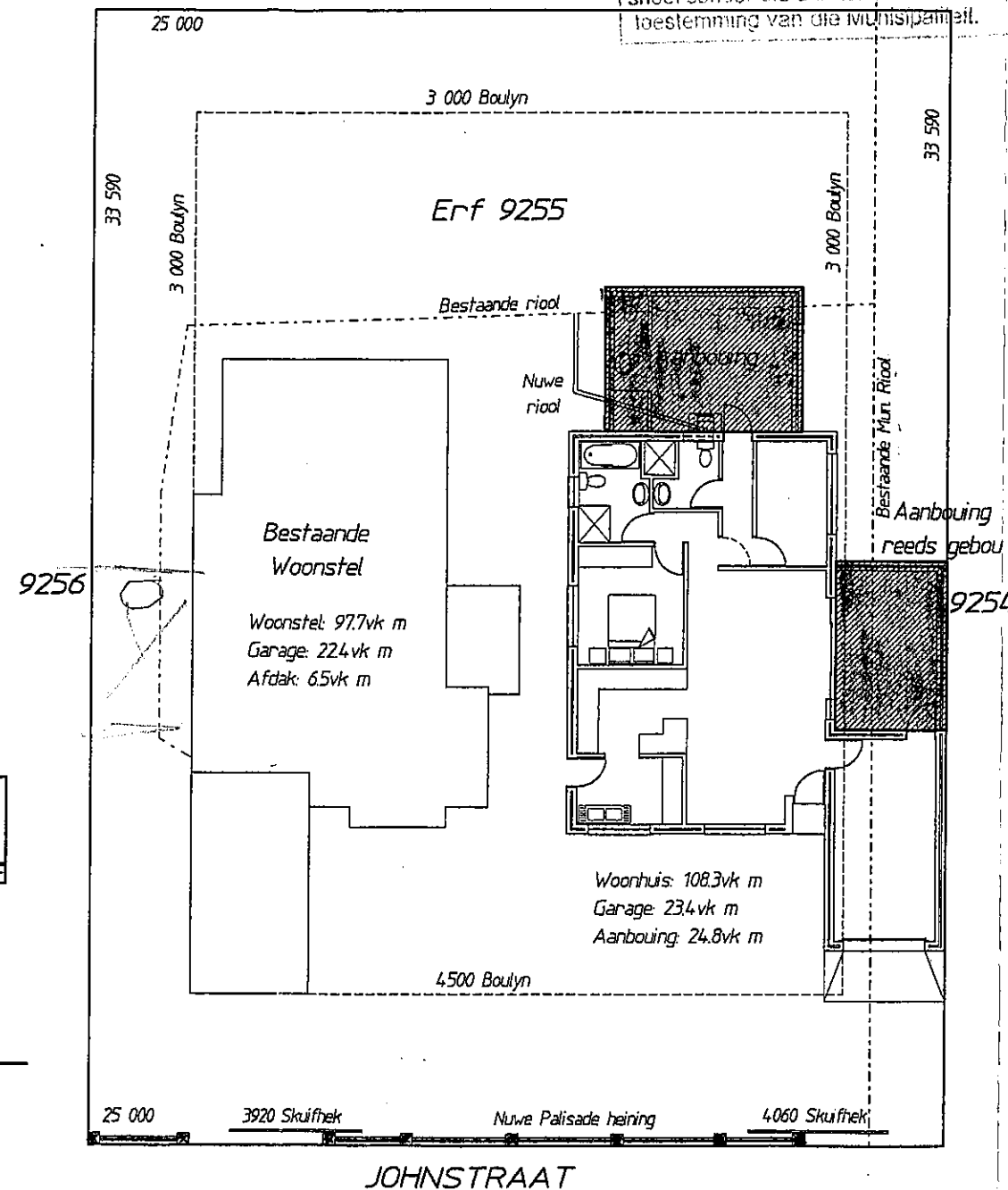
9258



WES AANSIG



NOORD AANSIG



NOTAS

- Areas.
Nuwe slaapkamer: 24.8vk m
Braaikamer-Reeds gebou 16.3vk m
Nuwe Palisade heining: 25.0 m
- Alle mases moet op terrein nagegaan word voordat bouwerk in aanvang neem.
- Alle nuwe bouwerk moet aanpas by bestaande.
- Elektriese toebehore en posisies van kragpunte sal deur eienaar aangewys word.
- MUURKONSTRUKSIE
Alle nuwe mure van baksteen - gepleister en geverf volgens eienaar se keuse.
- Alle glaswerk moet voldoen aan Gedeelte N van seksie 3 van SABS 0400

No final inspection will be carried out after 12h00 on a Friday

7. ERFDEKKING

Erfgrootte: 839.74 m²
Woonstel: 126.6vk m
Woonhuis: 156.5vk m
% Dekking: 33.7%

GEORGE MUNICIPALITY
APPROVED subject to Section 7(1)(a) of the National Building Regulations & Building Standards Act 1977 (Act 103/1977).
The approval hereby granted expires after 12 months of date of approval unless erection of the building is commenced within the said period, or unless the period is extended through a written approval.

Projek

AANBOUINGS AAN
BESTAANDE WOONHUIS
OP ERF 9255 GEORGE

Beskrywing

TERREINPLAN
AANSIGTE

Eienaar J. Saalman

Skala
1 : 100, 1 : 200

Datum
Oktober 2009

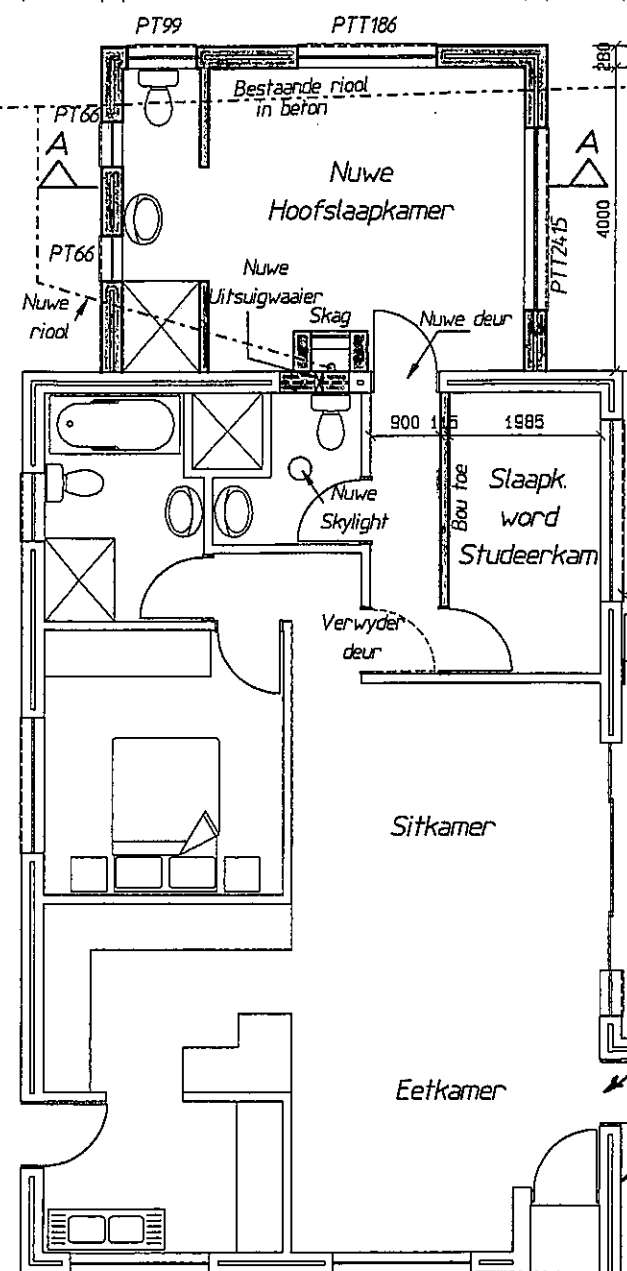
Geteken
P. vd Westhuizen

SACAP 0313

GEORGE MUNICIPALITY
APPROVED
DATE: 3/6/10 PLAN NO: 953/09
Building Control Officer

GEORGE MUNICIPALITY
APPROVED
DATE: 3/6/10 PLAN NO: 953/09
Plans Examiner

280 1000 145 4115
1000 280 5230 280 1000

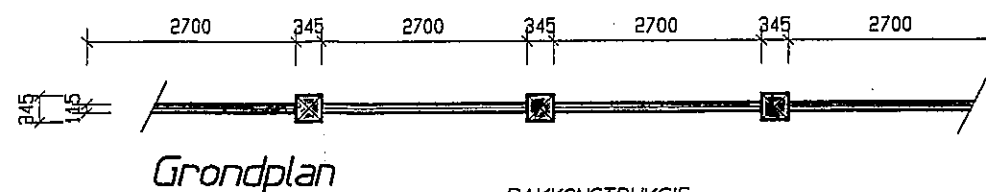


VLOERPLAN

Pallisade heining
deur spesialis

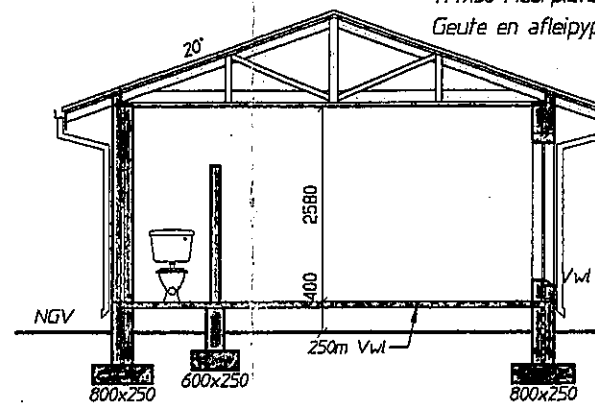


Aansig Palisade heining



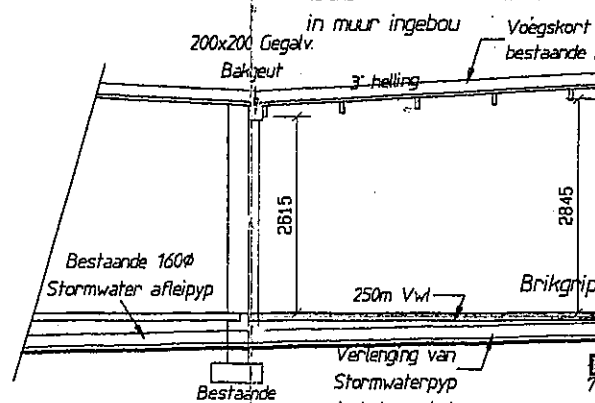
Grondplan

DAKKONSTRUKSIE
Sementteels
op 38x38 Teellatte 320h/a
op Plastiek 'underlay'
Dakkappe deur Gangnail 750mm h/a
114x38 Muurplate
Geute en afleipype moet pas by



SNIT AA

DAKKONSTRUKSIE
Langspan IBR sinkplate 3' helling
152x50 Daklatte 950mm h/a
in muur ingebou

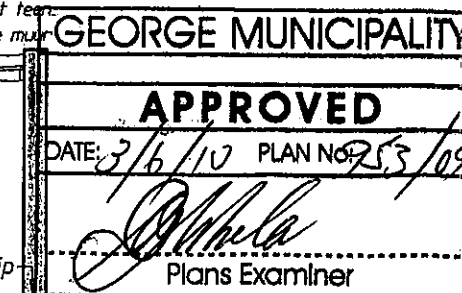


SNIT BB

No final inspection
will be carried out
after 12h00 on a Friday

No person shall remove or place
anything within a Municipal Road
reserve without the prior permission
in writing being obtained from the
Municipality.

Geen persoon sal enige boor of
Munisipale pad reserve verwyder of
snod sonder die skriftelike
toestemming van die Munisipaliteit.



VLOERKONSTRUKSIE
25mm Sement vlaklaag
op 75mm Beton
250m Vwl
op Gekompakteerde vulling

NOTAS

1. Areas.
Nuwe slaapkamer: 24.8vk m
Braaikamer-Reeds gebou 16.3vk m
Nuwe Palisade heining: 250.00m
2. Alle mates moet op terrein nagegaan word voordat bouwerk in aanvang neem.
3. Alle nuwe bouwerk moet aanpas by bestaande.
4. Elektriese toebehore en posisies van kragpunte sal deur eienaar aangewys word.
5. MUURKONSTRUKSIE
Alle nuwe mure van baksteen - gepleister en geverf volgens eienaar se keuse.
6. Alle glaswerk moet voldoen aan Gedeelte N van seksie 3 van SABS 04.00

7. ERFDEKKING
Erfgrootte: 839.7vk m
Woonstel: 126.6vk m
Woonhuis: 156.5vk m

GEORGE MUNICIPALITY
APPROVED subject to Section 7(1)(a) of the National Building Regulations & Building Standards Act 1977 (Act 103/1977).
The approval hereby granted expires after 12 months of date of approval unless erection of the building is commenced within the said period, or unless the period is extended through a written approval.

Projek
**AANBOUINGS AAN
BESTAANDE WOONHUIS
OP ERF 9255 GEORGE**

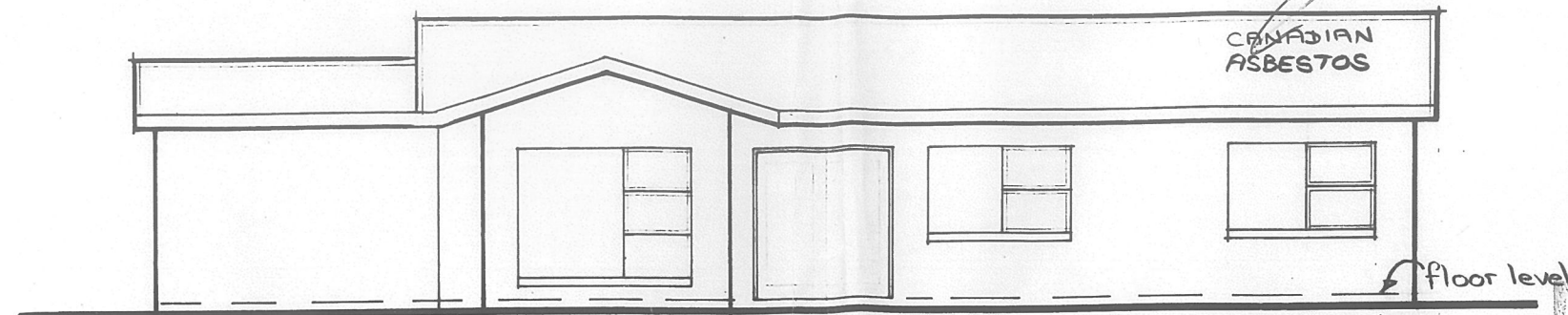
Beskrywing
**VLOERPLAN
SNITTE
PALISADE HEINING**

Eienaar J. Saaiman

Skala 1:100 Datum Oktober 2009

Geteken P. vd Westhuizen SACAP 0313

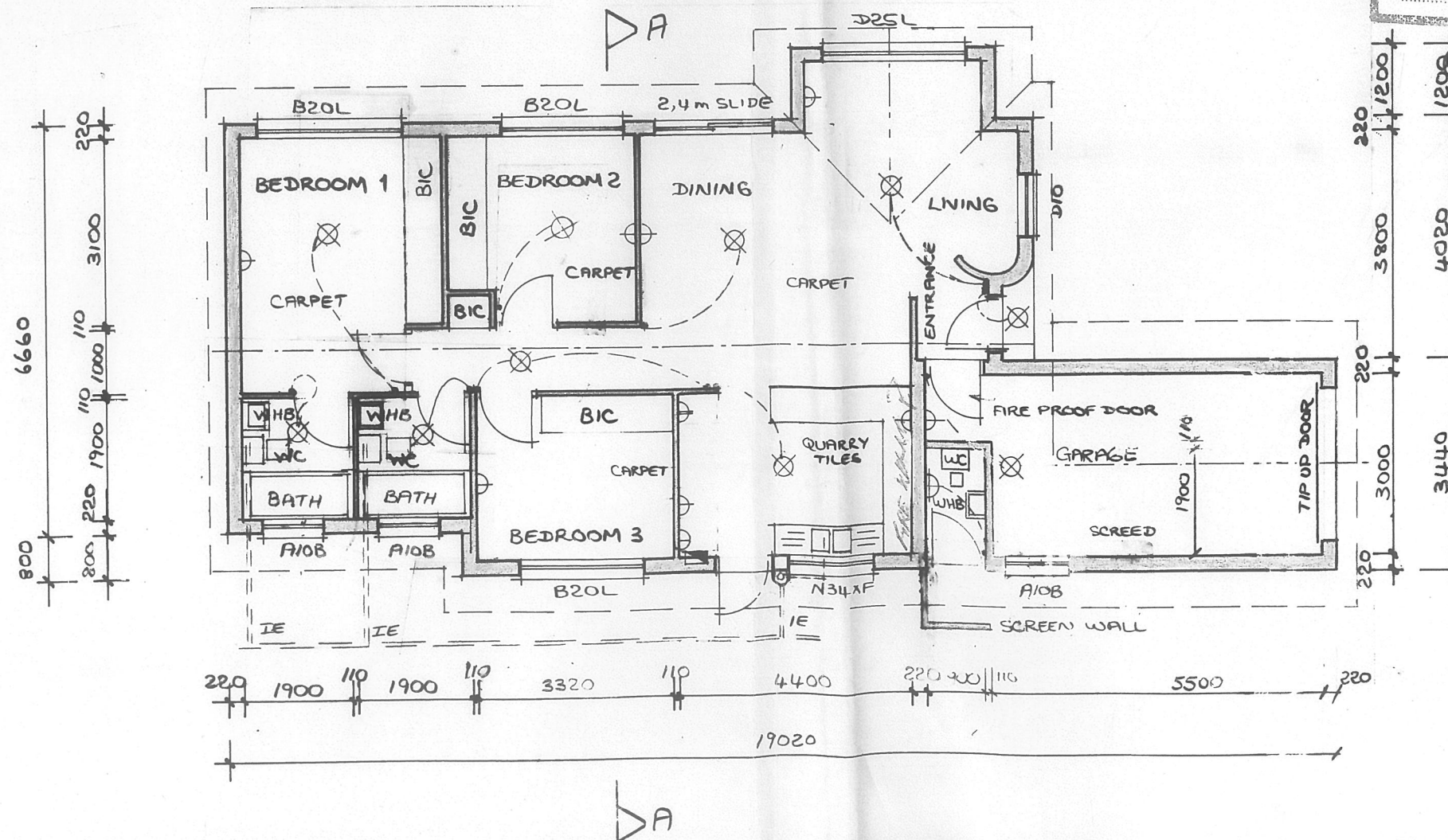
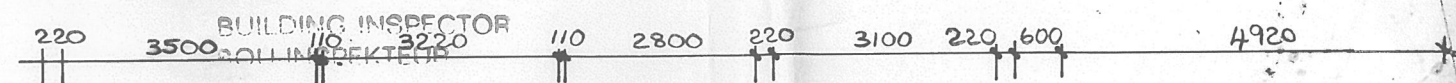
**ANNEXURE “E” – APPROVED BUILDING PLANS FOR DWELLING UNIT ON THE
REMAINDER**



NORTH ELEVATION

Electrical Installation to be done by registered Electrical Contractor with Town Electrical Engineer's approval.

Elektriese Installasie moet deur geregisteerde Elektriese Kontrakteur gedoen word met toestemming van die Stads elektriese Ingenieur.



| | |
|-------------------------------------------------|--------------------------------------------------------------|
| GEORGE MUNICIPALITY MUNICIPALITEIT | |
| DEPARTMENT OF HEALTH HEALTH DEPARTMENT | |
| GOEDKEUR | IN OORREKKE AAN DIE GESONDHEID- EN KINAGIEERREGULASIES |
| APPROVED | SUBJECT TO THE HEALTH AND RODENT REGULATIONS |
| DATE DATUM | 11/1/88 <i>P. J. van der Merwe</i> |
| CHIEF HEALTH INSPECTOR HOOF GESONDHEIDSINSP. | |

| | |
|-----------------------------------------------------------|------------------------------------------------|
| GEORGE MUNICIPALITY MUNICIPALITEIT | |
| DEPARTMENT OF TOWN PLANNING TOEGELIGDE DEPT. | |
| GOEDKEUR | IN OORREKKE AAN DIE NATIONALE BOUREGULASIES |
| APPROVED | SUBJECT TO THE NATIONAL ELECTRICAL LEGEND |
| DATE DATUM | 14/1/88 |
| PLAN No. 13/88 | |
| DIST. BOARD BOUWHEERSEAMPT BUILDING CONTROL OFFICER | |

Werk in verband met elektrisiteit en riool installasies, reparasies en herstelwerk MOET deur 'n persoon in besit van die getrokke goedgekeurde lisensie deur die Muntelplan van George uitgereik, uitgevoer word, en met die goedkeuring van die Stadsplaner.

ALL work in connection with plumbing and drainage installations, alterations, additions and repairs MUST be carried out by a person in possession of the appropriate and updated licences issued by the George Municipality, and with the Town Planner's approval.

JEN-TIM HOMES

P.O. BOX TEL 74 2939
GEORGE

DRAWN BY: CHRIS DE WET

PROPOSED NEW
RESIDENCE FOR
MR. C DE WET
ON ERF 9255
GEORGE

Chris de Wet

ANNEXURE “F” - 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: **Collab Ref #2727984**

Purpose of consultation: **‘n Aansoek om onderverdeling van Erf 9255 George.**

Brief proposal: **Die doel van die aansoek is om Erf 9255 George in twee gedeeltes te onderverdel.**

Property(ies) description: **Erf 9255 George**

Date: **26 Julie 2023**

Attendees:

| | Name & Surname | Organisation | Contact Number | E-mail |
|---------------|---------------------------|-------------------------------------------|------------------------------|----------------------------------------------------------------------------------------|
| Official | Ilané Huyser | George Municipality | 044 801 9477 | ihuyser@george.gov.za |
| Official | Robert Janse van Rensburg | George Municipality | 044 801 9555 | rhjansevanrensburg@george.gov.za |
| Pre-applicant | Jan Vrolijk | Jan Vrolijk Town Planner / Stadsbeplanner | 044 873 3011 082 464 7871 | janvrolijk@jvtownplanner.co.za |

Documentation provided for discussion:

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

Lugfoto liggingsplan

Voorgestelde onderverdelingsplan

L G Diagram

Titelakte

Bouplanne

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)

ONTWIKKELINGSVOORSTEL

| | |
|-----|----|
| YES | NO |
|-----|----|

Erf 9255 George is met twee woonhuise ontwikkel soos aangetoon op die aangehegde bouplanne en lugfoto. Daar bestaan goedgekeurde bouplanne vir beide die twee wooneenhede. Afskrifte van die bouplanne is hierby aangeheg.

Soos vanuit die aangehegde lugfoto afgelei kan word, word die twee woonhuise deur middel van 'n vibre-crete muur van mekaar geskei. Die twee woonhuise word afsonderlik verhuur en funksioneer dus afsonderlik van mekaar. Vanaf straatvlak lyk dit dus reeds soos twee afsonderlike erwe.

Die eienaar het my genader insake die moontlike onderverdeling van die erf in twee gedeeltes soos aangetoon op die voorgestelde onderverdeling sketsplan. Beide gedeeltes sal oor 'n oppervlakte van ongeveer 420m² beskik.

Aangesien ek onseker is of die munisipaliteit so 'n aansoek gunstig sal oorweeg is daar aan die eienaar voorgestel dat 'n vooraf konsultasie aansoek ingedien word sodat die munisipale amtenare se standpunt insake die voorstel verkry kan word, derhalwe die vooraf konsultasie aansoek.

Indien 'n aansoek ingedien kan word sal 'n landmeter aangestel word om die presiese posisie van die twee woonhuise, die onderverdelingslyn en die afstande van die bestaande geboue vanaf die voorgestelde onderverdelingslyn te bepaal sodat, indien nodig, 'n boulynverslapping aansoek moontlik saam met die aansoek om onderverdeling ingedien kan word.

VOORGESTELDE AANSOEK

'n Aansoek in terme van Artikel 15(2)(d) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2015 vir die onderverdeling van Erf 9255 George in 'n Gedeelte 1 (±420m²) en 'n Retstant (±420m²).

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

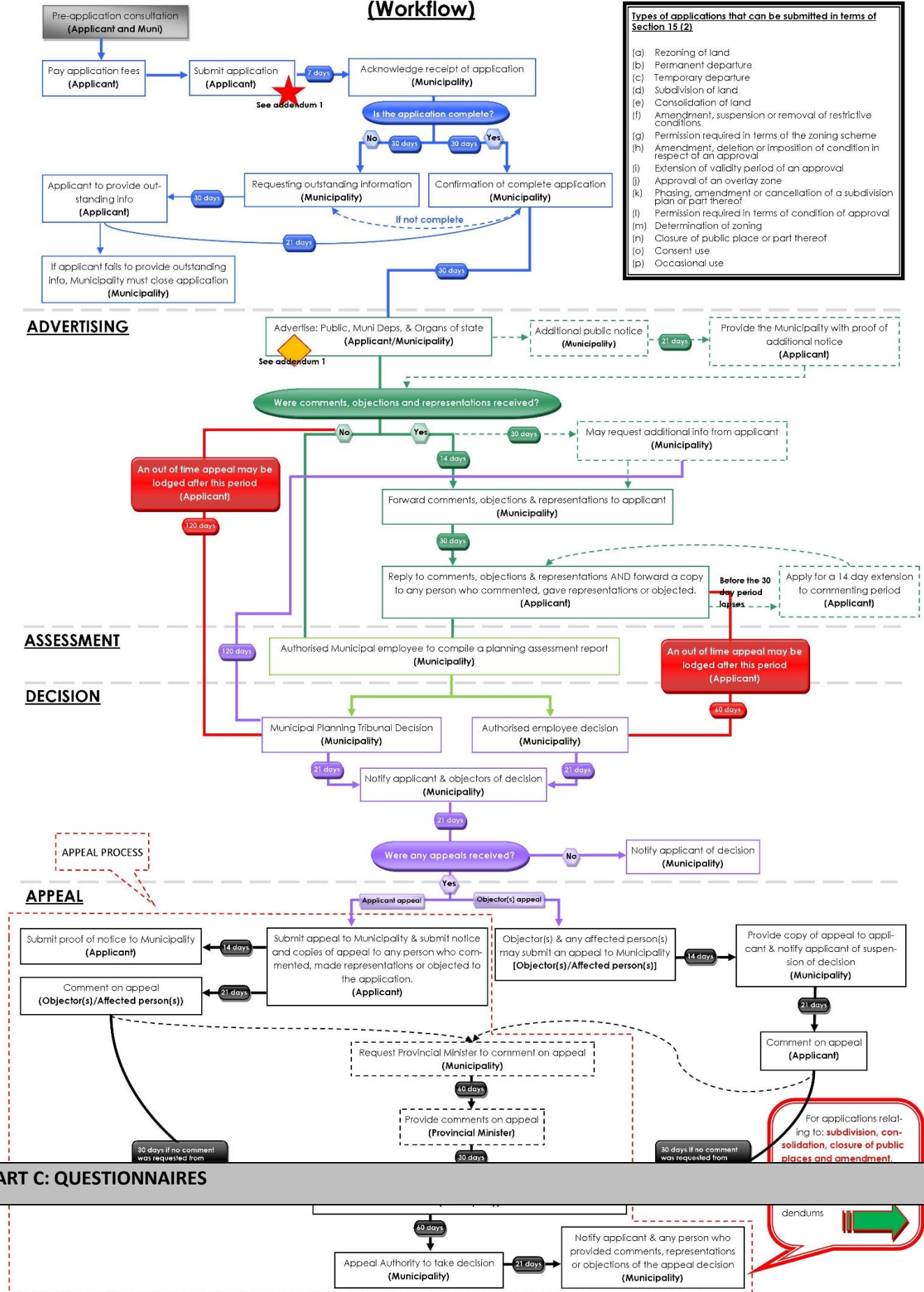
ADVERTISING

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 |
|------------------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| | 2(a) | a rezoning of land; | R |
| | 2(b) | a permanent departure from the development parameters of the zoning scheme; | R |
| | 2(c) | a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land; | R |
| x | 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): | | | To be determined |

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

SECTION B:

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

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

| 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 | N.v.t. | N.v.t. |
|------------------------------------------------------------------------------------------------------------|--|---|--------|--------|

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) (striketrough irrelevant) | | X | | National Department of Environmental Affairs (DEA) & DEA&DP |
| Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)? | | X | | National Department of Water & Sanitation (DWS) |
| Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)? | | X | | South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC) |
| Will the proposal have an impact on any National or Provincial roads? | | X | | National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial |

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

SECTION D:

SERVICE REQUIREMENTS

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

| | | | | |
|------------------------------------------|--|--|---|-----------------------------------------|
| Stormwater: | | | X | Directorate: Civil Engineering Services |
| Road network: | | | X | Directorate: Civil Engineering Services |
| Telecommunication services: | | | X | |
| Other services required? Please specify. | | | 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 (Conveyancer certificate to confirm) |
| MINIMUM AND ADDITIONAL REQUIREMENTS: | | | | | |
| Y | N | Site Development Plan | Y | N | Conveyancer's Certificate |
| Y | N | Land Use Plan | Y | N | Proposed Zoning plan |
| Y | N | Phasing Plan | Y | N | Consolidation Plan |
| Y | N | Abutting owner's consent | Y | N | Landscaping / Tree Plan |
| Y | N | Proposed Subdivision Plan (including street names and numbers) | Y | N | Copy of original approval letter |
| Y | N | Services Report or indication of all municipal services / registered servitudes | Y | N | Home Owners' Association consent |
| Y | N | Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant) | Y | N | 1 : 50 / 1:100 Flood line determination (plan / report) |
| Y | N | Other (specify) | Y | N | Required number of documentation copies |

PART E: DISCUSSION

Pre-application as discussed on 2 August 2023 refers. The plans below were presented at the meeting:



Town Planning:

- Applicant to ensure that development parameters are complied with such as building lines etc. Departures will be required where applicable.
- To provide parking and access as per the requirements set in Section 42 and 45 of the George Integrated Zoning Scheme. To indicate access, widths and parking on the proposed subdivision plan.
- Applicant to motivate in terms of SPLUMA, MSDF 2023, LSDF's and zoning scheme etc.
- To indicate the building lines applicable to the proposed subdivided erven and apply for building line relaxations where applicable.
- To indicate the location of the main engineering services on site.
- To indicate all illegal structures/uses and sizes thereof. Contravention levies may be applicable. To indicate if any structures will be demolished?
- Note that portions may be limited to one dwelling only.
- To motivate deviation from the minimum erf sizes for this area.

Genevafontein, Tweek Rivieren, Denver Park and Eden - 800m² or average size of properties in surrounding area whichever is greater.

PART F: SUMMARY / WAY FORWARD

See Comments in Section E.

OFFICIAL: **Robert Janse van Rensburg**
Town Planner

PRE-APPLICANT: **Johannes George Vrolijk**
(FULL NAME)



SIGNED: _____

DATE: _____ 07/08/2023 _____



SIGNED: _____

DATE: _____ 21 Julie 2023 _____

OFFICIAL: **Ilané Huyser**
(Senior Town Planner)



SIGNED: _____

DATE: _____ 2023.08.15 _____

**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 "G" - LOCALITY PLAN

Erf 9255 George - Locality plan



0 0.0425 0.085 0.17 km

1:1,128

Date: 7/26/2023

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

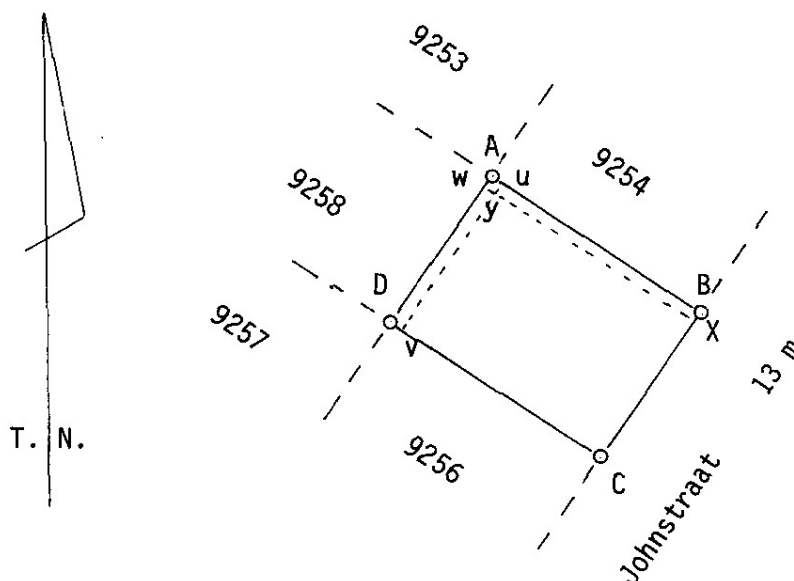


ANNEXURE “H” – SURVEYOR GENERAL DIAGRAM

| SYE Meter | | RIGTINGS -HOEKE | KOÖRDINATE Stelsel Lo. 23° X | | | L.G. Nr. 8847-82 Goedgekeur <i>[Signature]</i> Landmeter-generaal 1983-01-10 |
|--------------|-------|--------------------|---------------------------------|---|-----------|---------------------------------------------------------------------------------------------------------------|
| | | Konstante | Y | | | |
| | | | | + | 0,00 | + 3 700 000 |
| AB | 33,59 | 303.52.50 | A | + | 48 495,13 | + 57 998,21 |
| BC | 25,00 | 33.52.50 | B | + | 48 467,25 | + 58 016,93 |
| CD | 33,59 | 123.52.50 | C | + | 48 481,18 | + 58 037,69 |
| DA | 25,00 | 213.52.50 | D | + | 48 509,07 | + 58 018,96 |
| | | ▲ Geo 1 | | + | 46 649,41 | + 55 980,32 |
| | | ▲ Geo 9 | | + | 50 788,27 | + 55 472,47 |

Bakens

Alle bakens is 16 mm ysterpenne



Skaal: 1 : 1 000

Die figuur A. B. C. D.
stel voor 840 vierkante meter grond, synde
Erf 9255 ('n Gedeelte van Erf 5676), George
geleë in die Munisipaliteit en
Administratiewe Distrik George
Opgemeet in November 1982
deur my, *[Signature]* Landmeter

Hierdie kaart is geheg aan
Transportakte
Nr. T.58619/1983
gedateer
t.g.v.

Registrateur van Aktes

Die oorspronklike kaart is.
Nr. 3045/76 geheg aan
Transport/Grondbrief
Nr. 1976-748-36258

Lêer Nr. S. 8775/76/13
M.S. Nr. E 2511/82
Komp. BL-7DD/W51 (1747)

ANNEXURE "I" - TITLE DEED

293

Millers Ing
BEACONHUIS
MEADESTRAAT 123
GEORGE
6520

Opgestel deur my

| | |
|-----------------|-----------|
| SEELREG DUTY | R. _____ |
| FOOI FEE | R. 340,00 |

M. Seelie
TRANSPORTBESORGER
Goldie M

| | | | |
|-------------------------|--|----------------------------------------------|--|
| VERBIND | | MORTGAGED | |
| VIR FOR R 350 000 00 | | | |
| B000000094 / 2004 | | <i>[Signature]</i> REGISTRATEUR/REGISTRAR | |
| 05 JAN 2003 | | | |

| |
|-------------------|
| T000000190 / 2004 |
|-------------------|

TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

ALIDA HOFFMANN

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

ERIC LOURENS BEKKER
Identiteitsnommer 580312 5006 08 2
Getroud buite gemeenskap van goed

geteken te GEORGE op 11 NOVEMBER 2003

VIR ENDOSSLEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE

S

En genoemde Komparant het verklaar dat sy prinsipaal, op 27 OKTOBER 2003, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedgeer en transporteer aan en ten gunste van

JOHN ERNEST SAAYMAN
Identiteitsnommer 551118 5032 08 4
en
JOHANNA PETRONELLA SAAYMAN
Identiteitsnommer 571109 0044 08 9
Getroud binne gemeenskap van goed met mekaar

hulle Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes ,

ERF 9255 GEORGE
IN DIE MUNISIPALITEIT EN AFDELING VAN GEORGE,
PROVINSIE WES-KAAP;

GROOT 840 (AGT HONDERD EN VEERTIG) Vierkante Meter

AANVANKLIK OORGEDRA kragtens Transportakte No T58619/1983 met Diagram No 8847/1982 wat daarop betrekking het en GEHOU kragtens Transportakte No T91997/2001

- A. ONDERHEWIG aan die voorwaardes vervat in Grondbrief gedateer 23 Julie 1881 (George Erfpagte Boekdeel 11 Nr 6) en waarvan soos volg lees:

"The land thus granted being further subject to all such duties and regulations as either are already or shall in future be established respecting lands granted on similar tenure."

- B. ONDERHEWIG VERDER aan die volgende voorwaardes vervat in Transportakte No T8378/88 soos opgelê deur die Administrateur van die Provinsie Kaap die Goeie Hoop in terme van Artikel 9 van Ordinansie No 33 van 1934 tydens goedkeuring vir onderverdeling van Erf 5676 George, naamlik:

"1. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat hoofgasleidings, elektrisiteits-, telefoon- of televisiekabels of drade en hoof- en/of ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die plaaslike of 'n ander statutêre owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.

445

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

MUG

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

ERIC LOURENS BEKKER, Getroud 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

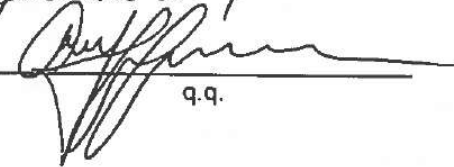
**JOHN ERNEST SAAYMAN en JOHANNA PETRONELLA
SAAYMAN, Getroud soos vermeld**

hulle Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken hulle dat die verkoopprijs die bedrag van R350 000,00 (Drie Honderd en Vyftig Duisend Rand) beloop.

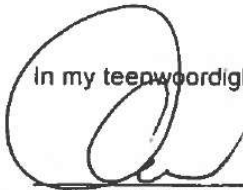
TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

Onderteken, verly en met die ampseël bekragtig op die kantoor van die Registrateur van Aktes te Kaapstad op

5 Januarie 2004


q.q.

In my teenwoordigheid



REGISTRATEUR VAN AKTES



-5-

| | |
|-------------------------|----------------------------------------------------|
| VERBIND . MORTGAGED | |
| VIR FOR R 350 000,00 | |
| B 000093634 / 2004 | <i>De Lange</i> REGISTRATEUR/REGISTRAR |
| 11 NOV 2004 | |

| | |
|-------------------------|---------------------------------------------|
| VERBIND MORTGAGED | |
| VIR FOR R 160 000,00 | |
| B 001331 / 10 | <i>m</i> REGISTRATEUR/REGISTRAR |
| 20 JAN 2010 | |

ANNEXURE “J” - POWER OF ATTORNEY

POWER OF ATTORNEY

We, the undersigned

John Ernest Saayman and Johanna Petronella Saayman

in our capacity as the registered owners of

Erf 9255 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)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 9255 George into a Portion A ($\pm 413\text{m}^2$) and a Remainder ($\pm 427\text{m}^2$).
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure for the relaxation of the following building lines:
 - the southern side boundary building line on the proposed Remainder of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a covered braai area.
 - the northern side boundary building line on the proposed Portion A of Erf 9255 George, from 1.5 metres to 0.0 metres to accommodate a braai room.
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure from development parameter (d)(i) applicable to a "Dwelling house" to allow
 - for windows and an outside door in the dwelling unit on Portion A at a distance of 1.2 metres from the new southern boundary of Portion A; and
 - for a window in the dwelling unit on the Remainder at a distance of 1.0 metres from the new northern boundary of the Remainder.

Signed at George on 5 December 2023



John Ernest Saayman



Johanna Petronella Saayman

ANNEXURE “K” – BONDHOLDER’S PERMISSION



Home Loans
Sales and Service Enablement

9 Lothbury Road
Auckland Park, 2092
Private Bag 72007
Cresta, 2118
South Africa

T 0860 111 007
Swift address: ABSAZAJJ
absa.co.za

16.11.2023

Private/Confidential

**MR JE & MRS JP SAAYMAN
STEVENLANDMANSINGEL 21
LOERIE PARK
6529**

Dear Client/s

REQUEST RECEIVED FOR: CONSENT FOR PROPOSED SUBDIVISION

Mortgage loan account number: 8058294112

Property description: ERF 9255 GEORGE

We refer to the above account and agree to the consent for proposed subdivision on the abovementioned property .

According to your mortgage loan agreement it is your responsibility to ensure that you have sufficient property insurance.

If you are insured with Absa please phone 0860 100 876.

Please note that this consent is valid for a year.

Yours faithfully

Property Control
Our ref: Sophy Nhamposse
Tel: 011 846 5488
Email: hlpc@absa.co.za

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 9255 GEORGE

APPLICATION DETAILS

- An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 9255 George into a Portion 1 ($\pm 427\text{m}^2$) and a Remainder ($\pm 413\text{m}^2$).
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023, for a permanent departure for the relaxation of the following building lines:
 - the new southern side boundary building line on the proposed Remainder of Erf 9255 George from 1.5 metres to 1.2 metres to accommodate the southern wall of the existing dwelling house on the proposed Remainder.
 - the new northern side boundary building line on the proposed Portion 1 of Erf 9255 George from 1.5 metres to 1.1 metres to accommodate the northern wall of the existing dwelling house on the proposed Portion 1.

APPLICATION DATE

Oktober 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:

T190/2004 (current Title Deed)

in respect of:

**ERF 9255 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT: 840 (EIGHT FOUR ZERO) SQUARE METRES

HELD BY DEED OF TRANSFER NUMBER T190/2004

REGISTERED in the name of

JOHN ERNEST SAAYMAN AND JOHANNA PETRONELLA SAAYMAN

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 property.

SIGNED at GEORGE on 17 October 2023



CONVEYANCER