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PROPOSED ADMINISTRATOR'S CONSENT & PERMANENT DEPARTURES FOR K. SCHRODER

**ERF 177, 6 ROOIKRANSIE STREET, HEROLDS BAY
GEORGE MUNICIPALITY & DIVISION**



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Aerial images:

<https://gis.elsenburg.com/apps/cfm/#>

<https://gis.george.gov.za/portal/apps/webappviewer/index.html?id=0283eccf869641e0a4362cb099290fca>

<https://www.google.com/earth/>

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PROPOSED ADMINISTRATOR'S CONSENT & PERMANENT DEPARTURES
ERF 177, 6 ROOIKRANSIE STREET, HEROLDS BAY
GEORGE MUNICIPALITY & DIVISION

1. APPLICATION OVERVIEW & PROPERTY DETAILS

Erf 177 Herolds Bay is a residential property located in Rooikransie Street, Herolds Bay upper. The property was registered to Klaus Schroder on 5 February 2024. The previous homeowners (L Smit & PD Roux) bought the property with four kitchens. The owners (A & HS Harmse – owners from 1994 to 2019) before the previous owners utilized the residence as a guest house, which the previous owners discontinued. A notice was served on the previous owners for the unauthorised land use after a neighbour complained to the Municipality. The previous owners were not aware that all was not lawful regarding the property and started the process to ensure compliance. Two kitchens have already been removed with the second kitchen retained as part of the second dwelling unit as described later in this report. The previous owners did however make some additions without building plan approval as discussed later in this report.

The property was surveyed by Mr. Graham Savage, professional land surveyor. The building plans for the property were updated in accordance with this survey. We address the exact position of structures in this application as shown in paragraph 1.1 below. The position is not exactly as shown on previous building plans and the 2002-land use approval. *Marlize de Bruyn Planning* was appointed to address the land use requirements so that updated building plans can be approved for the dwelling house and second dwelling house. The power of attorney attached as **Annexure 1** to this report.

1.1 PROPERTY DETAILS

The table below includes relevant information regarding Erf 177 Herolds Bay.

Property Description:	Erf 177 Herolds Bay
Physical Address:	6 Rooikransie Street, Herolds Bay
Owner:	<i>K. Schroder (Previous owners: L Smit & PD Roux)</i>
Title Deed No:	T5428/2024 (Annexure 2)
Bondholders consent	Investec (Annexure 3)
Size of the property:	671m ²
SG General Plan	8442/74 (Annexure 4)
Zoning	Single Residential Zone I

The attached conveyancer's certificate (**Annexure 5**) confirms that the title deed includes Par B6(b) for which Administrator's consent is required. See condition 6(b) below.

At first this paragraph (6(a)) limits the number of dwelling units to one but then states that if the property is included in the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.

Erf 177 Herolds Bay is located in the area of the George Integrated Zoning Scheme By-law (2023) which does make more than one dwelling unit possible for the property as discussed in more detail later in this report. Par. 6(b) then addresses the building lines for the property, namely 5.0m from the street line, 3.0m from the rear and 1.5m from the lateral boundary for which any encroachments require Administrator's consent. Detail regarding the title deed is addressed later in this report.

1.2 APPLICATION

This land use application for Erf 177 Herolds Bay entails the following:

- **Administrator's consent** in terms of Section 39(4) of the Western Cape: Land Use Planning Act (2014) regarding paragraph B6(b) of title deed T39794/2019 to encroach the street and rear boundary building line.
 - *Eastern Street boundary building:*
 - Relaxation from 5.0m to 1.298m for the braai area (ground floor) and balcony above (1st floor);
 - Relaxation from 5.0m to 2.539 & 2.831m for the constructed position of the garage and the second dwelling unit above on first floor;
 - Relaxation from 5.0m to 0.0m for the awning in front of the garage and pedestrian access gate;
 - Relaxation from 5.0m to 1.388m for the swimming pool.
 - *Western rear boundary building line*
 - Relaxation from 3.0m to 1.170m for the braai and covered area;
- **Permanent departure** in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for an increase in the coverage from 50% (335m²) to 53.13% (352m²).
- **Permanent departure** in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the relaxation of the following building lines:
 - *Eastern Street boundary building:*
 - Relaxation from 4.0m to 1.298m for the braai area (ground floor) and balcony above (1st floor);
 - Relaxation from 4.0m to 2.539 & 2.831m for the constructed position of the garage and the second dwelling unit above on first floor;
 - Relaxation from 4.0m to 0.0m for the awning in front of the garage and pedestrian access gate;
 - *Southern side boundary building line*
 - Relaxation from 2.0m to 1.920m for the dwelling house and braai area (ground floor) and balcony above (1st floor).
 - *Western rear boundary building line*
 - Relaxation from 2.0m to 1.170m for the braai and covered area;
 - *Northern side boundary building line*
 - Relaxation from 2.0m to 1.741m & 1.898m for the dwelling house and awning in front of the garage.

2. CONTEXTUAL INFORMATION: LOCALITY, ZONING & CHARACTER

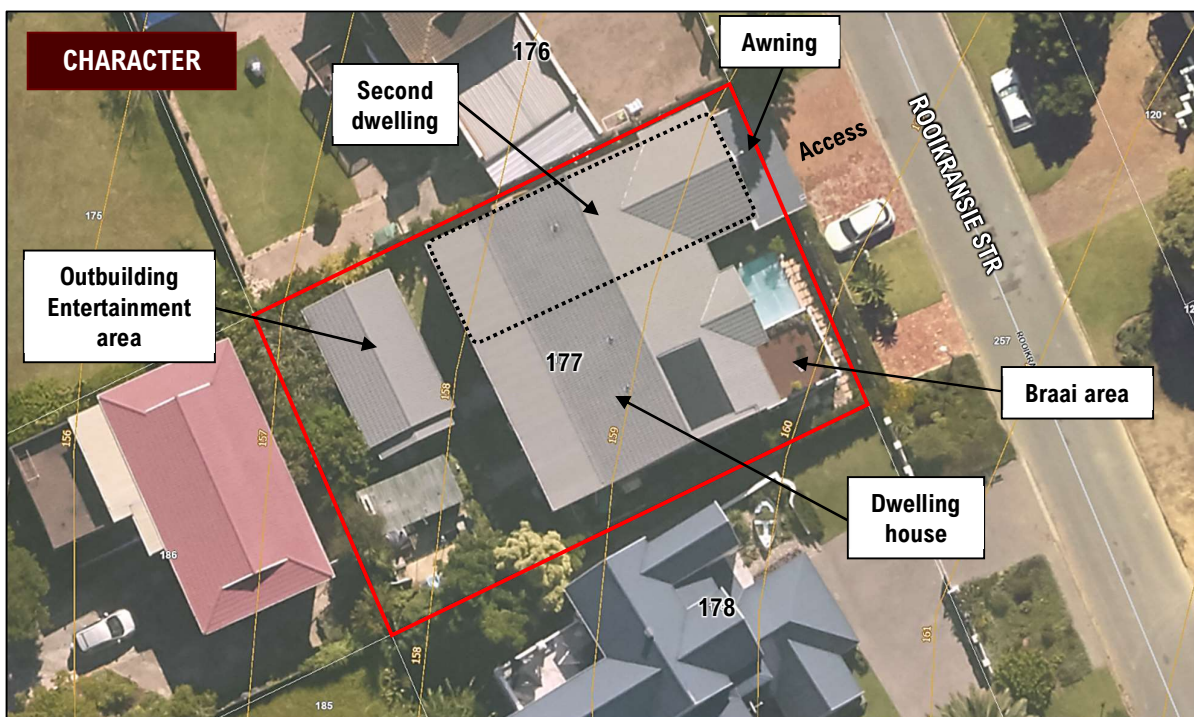
Erf 177 Herolds Bay is located in the upper Extension 2 of Herolds Bay, a low-density coastal suburb of George. Erf 177 Herolds Bay sits on the northern edge, at the entrance to the suburb. A locality plan is attached hereto as **Annexure 6**.

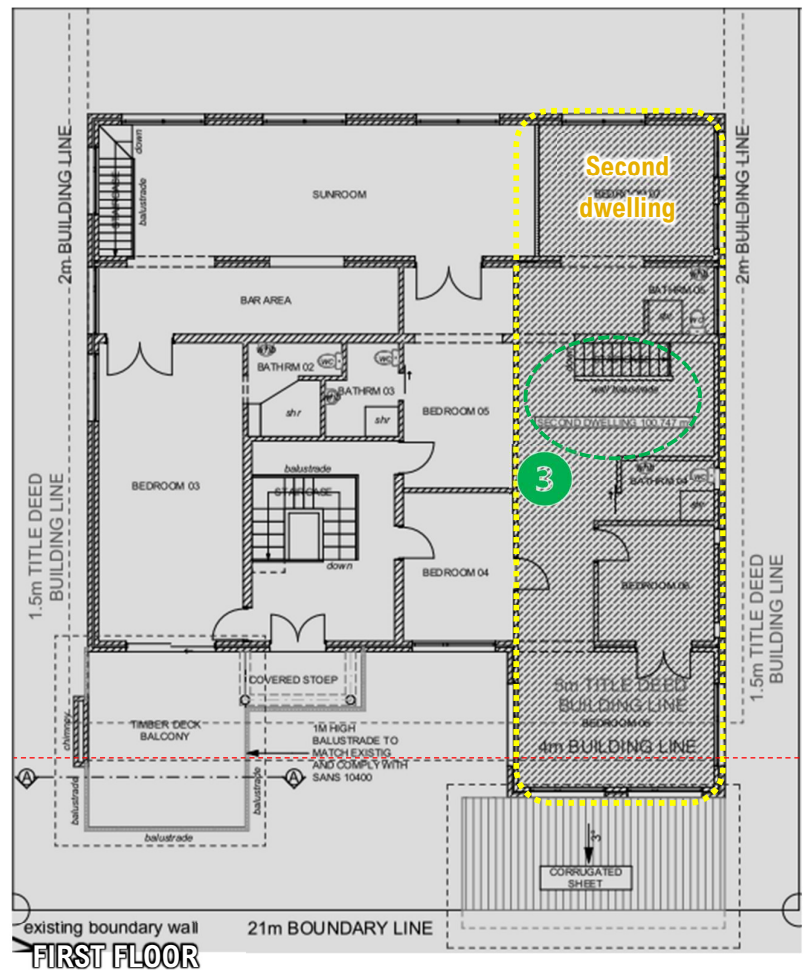
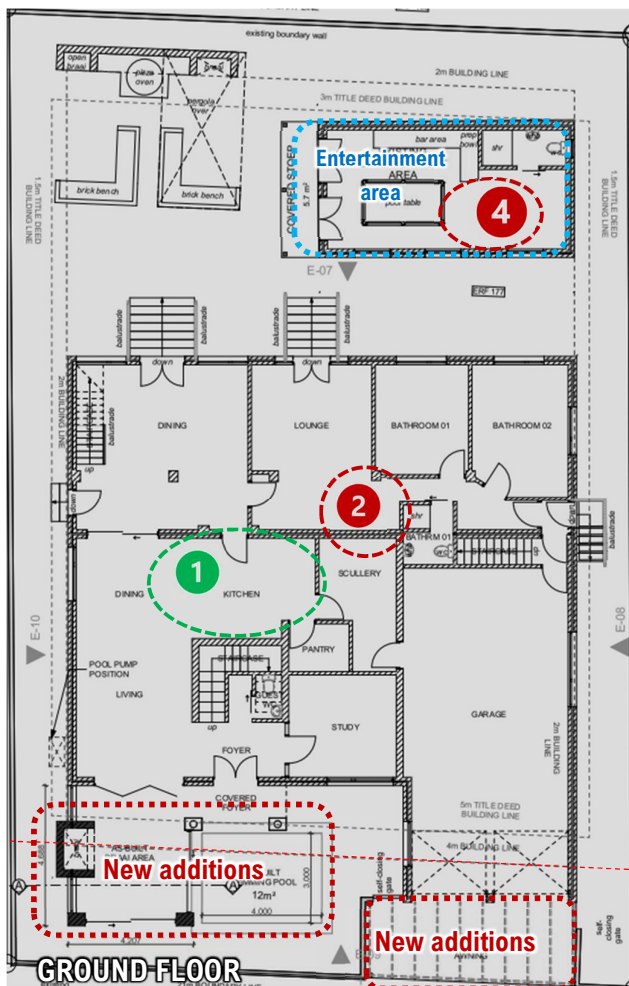
The property is zoned Single Residential Zone I (dwelling house) (SRZI) and surrounded by other SRZI properties on its sides and Rooikransie Street to its east. The current owners do not wish to change the land use or zoning on the property. The zoning of the subject property will remain SRZI (dwelling house) following this land use application and the use of the property will remain for residential purposes.

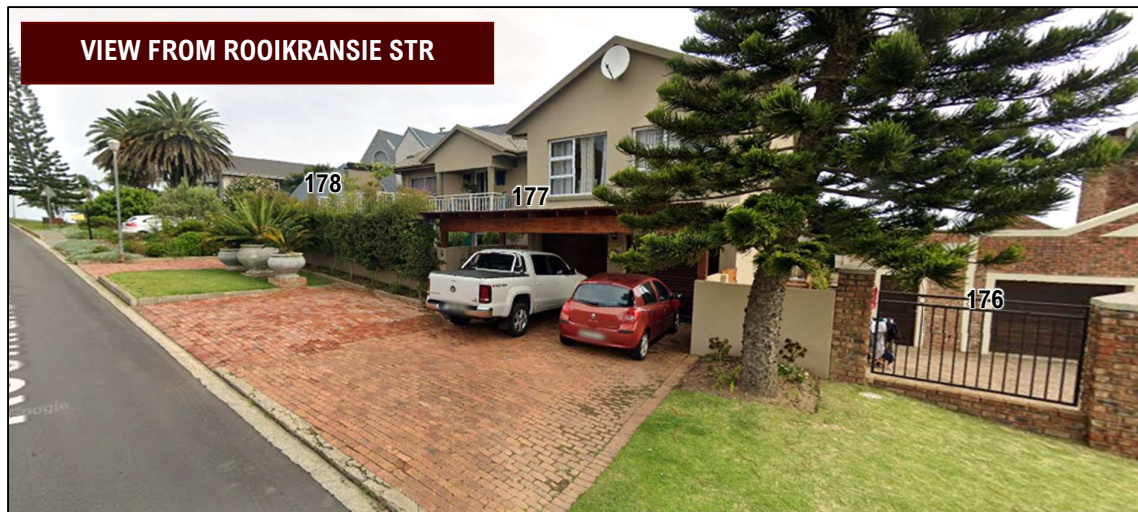
The property is a developed residential property of 671m². According to the George Integrated Zoning Scheme Bylaw (2023), is currently subject to a 4m street building line and 2m building lines on its side and rear boundaries. The property also has a maximum coverage parameter of 50% (336m²). The various relevant development parameters are compared in a table later in this motivation report.

The property has a slight downward slope from east to west. The structure consists of a dwelling house and an integrated second dwelling house. Entertainment areas are provided on the western and eastern side of the property. The previous homeowners also bought the property with four kitchens. The owner before the previous owner utilized the residence as a guest house, while the previous owners discontinued this use shortly after purchasing the property.

The required municipal processes are now followed to ensure compliance as needed. Of the four (4) kitchens, only two (2) are retained, one for the dwelling house and one for the second dwelling (above the garage).







3. DEVELOPMENT PROPOSAL

As mentioned earlier, the previous owners acquired the property with four kitchens. The owner before the previous owner operated the residence as a guest house. The previous and current property owners are following the relevant process to ensure compliance with the relevant legislation.

An awning that encroaches over the street boundary, was constructed by the previous owners in front of the garage and pedestrian gate. The main aim of this awning was to provide a covered space for visitors to stand at the pedestrian gate before entering the property. For aesthetic reasons, it was extended along the street frontage of the garage. As mentioned earlier, Mr. Graham Savage, professional Land Surveyor was appointed by the property owners to provide a land surveyor's certificate for the property (see **Annexure 7**). It was then found that the awning extends over the street boundary. This awning will be adjusted as needed following this land use application, to be located up to the street boundary and not over it. This awning does not comply with the definition of a carport.

On 19 September 2002, the Municipality approved the relaxation of the street boundary building line to 3.0m for the extension of the garage. This garage accommodates 4 vehicles. See the letter of approval attached hereto as **Annexure 8**.

The survey by Mr. Savage now also showed that the house is not positioned as believed before and shown on approved building plans. This land use application reflects all that the survey has shown. See paragraph 1.1 of this report for the detail.

Regarding the use of the dwelling house, the following:

- (1) The main kitchen will remain on the ground floor of the dwelling house.
- (2) The kitchen in the adjacent lounge was removed.
- (3) The kitchen situated above the garage will be retained and is part of the second dwelling unit.
- (4) The kitchen in the entertainment room was converted into a bar/coffee station, and the room will be repurposed accordingly. This is also in accordance with original building plans – the aim of this addition by the owners then (A & HS Harmse).

On the side of the house facing the street, the previous owners (L Smit & PD Roux) added a covered braai stoep, partly enclosed and a swimming pool, along with a balcony above the braai stoep on the first floor, without approved plans. This balcony flows from the main bedroom and is not linked to a living/entertainment area. The swimming pool maintains greater than 1.0m distance from the boundary in accordance with the zoning by-law.

The rear of the property offers a party covered braai area with a pizza oven. This is linked to the entertainment room. The property therefore offers two entertainment areas depending on need and the weather conditions.

Permanent departure – Coverage

Firstly, the allowable coverage for a SRZI property of 671m² is 50% or 325m² whichever is greater. In this case, 50% of the property would be 336m² and is thus greater. The current footprint on the property is 352m², which represents 53.13% and exceeds the allowable coverage by 3.13%. To address this, a permanent departure is necessary. It is argued that the 3.13% encroachment is not visually perceptible and does not cause any noteworthy impacts on neighbouring property owners, the streetscape, or the overall character of the area since it remains inconspicuous in every way. Aesthetically, this property is pleasing and not negatively impacted by the slight increase in coverage.

Permanent departure – Building lines

The title deed impedes 5m street, 1.5m side, and 3m rear building lines on Erf 177 Herolds Bay. Administrator's consent is requested to consent the relevant encroachments of the title deed building lines (see paragraph 5).

The zoning scheme impedes 4m street and 2m side and rear building lines on Erf 177 Herolds Bay. The existing house slightly encroaches on the side building lines and these are also addressed with this application. The newly added braai room with balcony above and the awning are on the eastern side of the house, and both encroach on the street boundary. The newly added swimming pool complies with the regulations of the zoning scheme and is 1.388m from the street boundary.

The awning is built over the street boundary (0m) as described earlier. The portion of the awning that encroaches beyond the property line will be removed. The braai area with balcony above ground floor is built 1.298m from the street building line. Permanent departures are thus required to authorise the awning and braai area within the street building line. Neither of the two additions could have been built elsewhere on the property. As stated, the awning in front of the garage extends from the pedestrian gate and is a practical feature but also an aesthetic feature. The front courtyard created with the small swimming pool and covered; partly enclosed braai area creates an inviting space when entering the property.

Aesthetically, the street boundary wall with vegetation, the awning in front of the garage and pedestrian gate together with the double storey dwelling house, creates a pleasing visual experience. It cannot be stated that what is visible from the public realm is detrimental to the streetscape. See image included earlier and images to follow.

The braai area in the rear of the property requires a relaxation of the 2.0m zoning by-law building line to 1.170m. This braai area is partly covered, has built in benches as well as pizza oven. It is linked to the entertainment area – room constructed following building plan approval in 2010. The title deed includes a 3m rear boundary building line which is therefore also addressed through this land use application as discussed.



While the awning is unavoidably visible from the street, its presence is deemed within character, given that it is not uncommon for roof extensions from the garage to be visible from the street or located on a property boundary.

As stated, the awning also contributes to the aesthetic of the house as seen from the street. This awning is not a carport as this structure does not comply with the definition for a carport as contained in the zoning by-law.



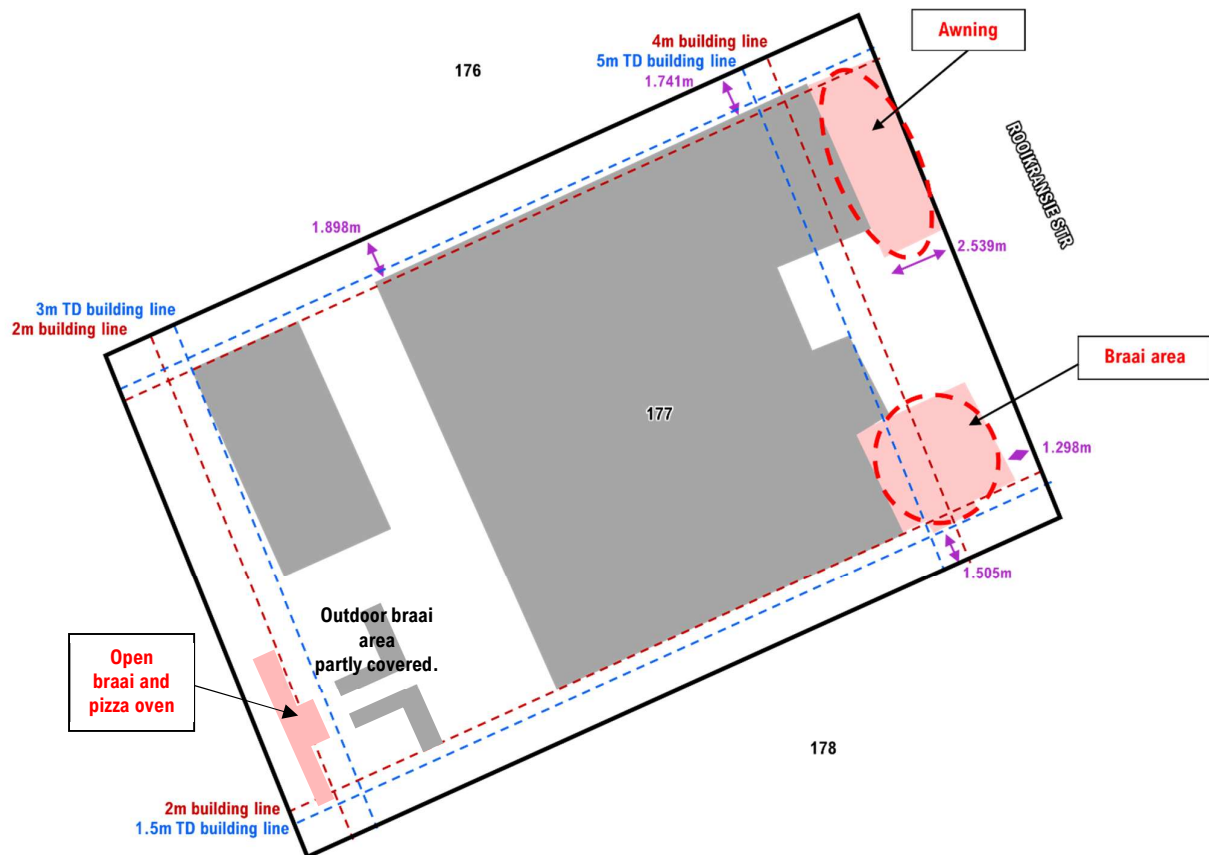
Administrators consent – Condition 6(b)

The rationale behind seeking permanent departures is applicable to the Administrator's consent as well. Additionally, there is a conflict between the building lines stipulated in the title deed and those outlined in the zoning scheme. Administrator's consent is being sought in accordance with Condition 6(b) of the title deed. The detail is described in paragraph 1.1 of this report.

It should be noted that paragraph B6(a) states that only one dwelling unit is allowed but that if the property is included in a town planning scheme, what is permitted with the latter is allowed.

6. (a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.

The previously approved building plans are attached hereto as **Annexure 9**. The as-built site and building plans are attached as **Annexure 10**. The following illustration shows the footprint of the structure as seen from above in relation to the **zoning scheme** and **title deed** building lines.



4. STATUTORY INFORMANTS

The criteria for the consideration of land use applications as per the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SLPUMA), the Western Cape Land Use Planning Act, (Act 3 of 2014) (LUPA) and the George Municipality: By-law on Municipal Land Use Planning (2023) builds on each other. SLPUMA introduced legislative and procedural changes to the management of land use planning in South Africa. The Western Cape Province followed with LUPA and thereafter George Municipality with the Municipal Land Use Planning By-law (2023). What is relevant to this land use application is discussed in the paragraphs to follow.

4.1. SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)

Section 7 of this Act sets out the five development principles that are applicable to spatial planning, land development and land use management and section 42 of SPLUMA then refers to the factors that must be considered by a municipal tribunal when considering a land use planning application, which include but are not limited to:

- Five SPLUMA development principles;
- Public interest;
- Constitutional transformation;
- Respective rights and obligations of all those affected;
- State and impact of engineering services, social infrastructure and open space requirements;
- Compliance with environmental legislation.

Relevant aspects not addressed in the earlier paragraphs of this motivation report, are addressed below:

3.1.1. Five development principles

The five development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration are not all directly relevant to this land use application.

Spatial justice as described in Section 7(a) of SPLUMA is not relevant to this land use application.

Spatial sustainability as described in Section 7(b) of SPLUMA is relevant for alterations on a developed property as follows:

- No negative environmental impact is expected.
- The effective and equitable functioning of land markets is not negatively affected by this land use application.
- No negative impacts are expected on surrounding properties. See previous paragraphs.

Efficiency as described in Section 7(c) of SPLUMA is not relevant to this land use application.

Spatial resilience as described in Section 7(d) of SPLUMA is not fully relevant to this land use application.

Good Administration as described in Section 7(e) of SPLUMA indicates the responsibilities of all involved in any land use matter.

The paragraphs above show that the land use application for Erf 177 Herolds Bay supports the relevant development principles of SPLUMA.

3.1.2. Environmental considerations

Erf 177 Herolds Bay is a developed residential property, within the urban edge. There are no trees or vegetation on the portion of the property where additions were made, and there are no watercourses on the property. the images below show the extent of environmental features (none) before the additions were made. The portion was grassed.



3.1.3. Municipal engineering services, access & traffic

The municipal engineering services provided to this property will continue to be used as at present and development contributions will be paid as needed. The access from Rooikransie Street will continue to be used to the garage. According to the zoning by-law, the dwelling house requires 2 parking bays and the second dwelling unit one. Therefore, 3 parking bays are needed. Four parking bays are provided in the garage. The second dwelling unit is located above the garage with an access leading to the second dwelling unit from the rear of the garage.

3.1.4. Public interest

The additions on Erf 177 Herolds Bay were primarily made on the eastern street side of the house and does not impact directly in any way on any neighbour. The encroachments found regarding the position of the dwelling house through survey are minuscule and unnoticeable.

4.2. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)

LUPA requires that local municipalities consider the following when deciding on land use applications:

- Applicable spatial development frameworks;
- Applicable structure plans;
- Land use planning principles referred to in Chapter VI (Section 59) which is an expansion of the five development principles of SPLUMA;
- Desirability of the proposed land use; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans.

Section 39(4) of LUPA regards Administrator's consent in regard to title conditions. The section states: "Any reference to the approval by the Administrator or Village Commission in a restrictive condition, except a restrictive condition in terms of which the Provincial Government acquires private rights, is deemed to be a reference to the approval by the relevant municipality". approval from the George Municipality is thus required to encroach on the TD building line.

Considering the aim of this land use application for Erf 177 Herolds Bay, it was found to be consistent with the George Municipal Spatial Development Framework (GMSDF) as well as the Herolds Bay Local Spatial Development Framework (HB LSDF) as discussed later in this motivation report.

4.3. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2023

The general criteria for the consideration of applications in terms of this By-law are included in Section 65 which, inter alia, includes:

- Desirability of the proposed utilisation of land;
- Impact of the proposed development on municipal engineering services;
- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans;
- Relevant municipal policies;
- Western Cape Provincial Spatial Development Framework;
- Section 42 of SPLUMA (public interest, constitutionality);
- Land use planning principles transposed from LUPA; and
- Provisions of the applicable zoning scheme.

The above is addressed elsewhere in this motivation report as relevant.

4.4. GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2017 (GIZS)

Erf 177 Herolds Bay is zoned Single Residential Zone I (Dwelling house) in terms of the George Integrated Zoning Scheme By-law (GIZS) (2017). The zoning of the property is not proposed to change. Only permanent departures are proposed as needed and described in detail throughout this report. This land use application is formulated to authorise the structures on the property in the positions they were built in. The proposal in relation to the zoning by-law is shown in Paragraph 1.1 of this report.

The eastern street building line and the coverage are the only development parameters that are not complied with in terms of the zoning scheme. See the following table for the comparison between the development parameters and the reality. The density will be 2 dwelling units and all other relevant development parameters are complied with.

	Title Deed	Zoning Scheme	Erf 177	
Coverage	-	50% (336m ²)	53% (352m²)	
Building lines	Street	4m	1.298m	Braai area + balcony
			2.539m 2.831m	Garage + second dwelling
			0.0m	Awning
	Side	2m	1.92	Dwelling house + braai area
			1.741m 1.898m	Dwelling house + awning
	Rear	2m	1.17m	Braai + covered area

5. SPATIAL PLANNING INFORMANTS

Spatial development frameworks and guideline documents are critical considerations during land use applications as they provide a structured and informed approach to managing land resources. The Western Cape Provincial Spatial Development Framework (2014), the George Municipality Spatial Development Framework (2023), the Herolds Bay Local Spatial Development Framework (2015) all work together to offer a comprehensive framework to assist decision-makers, planners, and stakeholders in making well-informed decisions about land use applications. What is relevant to this land use application is discussed in the paragraphs to follow.

5.1. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2023

Erf 177 Herolds Bay is not addressed specifically in the GMSDF. It is located within the urban edge and in a demarcated residential area – Upper Herolds Bay. This land use application and the nature thereof is found to be consistent with the GMSDF as required in terms of Section 19 of the Land Use Planning Act, 2014 (LUPA). Considering the spatial vision directives of the GMSDF, the proposal for the subject property is found to support the 5 normative development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration. It is also our view that this land use application to rezone and use Erf 177 supports the themes of the SDF as follows.

No conflict was found between the GMSDF and the proposed development of this property. Therefore, this application is consistent with the GMSDF as required in terms of Section 19 of the Land Use Planning Act, 2014 (LUPA).

4.1.1. Herolds Bay Local Spatial Development Framework, 2015

Erf 177 Herolds Bay is located in the upper Extension 2 of Herolds Bay along the higher-lying plateau. Herolds Bay upper is contained within the urban edge and part of the spatial vision to increase densities in the greater George urban area and in larger settlements surrounding George, without compromising the character of these areas. The following densification is proposed for Herolds Bay upper in the LSDF:

Herold's Bay Upper	Infill within designated/ agreed settlement areas and to agreed development parameters.
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Key issues identified (in 2015) with Herolds Bay Upper include:

- Further urban expansion should be limited. **Not relevant.**
- Urban edge should be taken into consideration. **Noted. Erf 177 Herolds Bay falls within the urban edge.**
- Densification should be encouraged where appropriate. **Noted. A second dwelling is created inside the urban edge – densification.**
- Ribbon development along the coastline must be avoided. **Not relevant.**
- Aesthetic and design aspects must be addressed. **The new additions seamlessly integrate with the current house, pose no adverse visual effects, and comply with the specified height parameters.**

The following guidelines are set out in the LSDF for Herolds Bay:

Urban expansion	Only permissible on land earmarked for that particular purpose.
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Not relevant

Densification	To be undertaken in accordance with a Densification Policy.
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Not relevant

Compact urban form	In accordance with guidelines provided in the WC PSDF or otherwise a density prescribed by the Municipality.
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Not relevant

Ribbon development	No further ribbon development should be allowed.
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Not relevant

Design	<ul style="list-style-type: none"> ➤ No residential buildings higher than 2 storeys or 8,5 metres as measured from natural ground level to pitch of the roof. ➤ 3 Storey, staggered buildings may be allowed, as long as they are not higher than 8,5m as measured from the natural ground level to the pitch of the roof. ➤ Only basements that comply 100% with the definition of a "Basement" as stipulated in the relevant Zoning Scheme Regulations shall be allowed. ➤ Basements may only be used for parking- and storage purposes and may not be used for any form of human habitation. ➤ No business / commercial or mixed-use building higher than 3 storeys. ➤ Must allow for more varied and interesting urban environments. ➤ Shall be in accordance with an architectural design manual. ➤ Should a residential component be included in the business / commercial node envisaged, this may not occupy more than 40% of the total floor space of the development. ➤ Where the slope is very steep, building line relaxations may be considered to allow for easier access.
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Noted and in accordance with the guidelines.

Zoning Scheme Regulations	<ul style="list-style-type: none"> ➤ Refer to the relevant Zoning Scheme Regulations in this regard. ➤ Strong consideration should be given to establish an overlay zone for this portion of the study area. ➤ Such an overlay zone should, at a minimum, address the following aspect: <ul style="list-style-type: none"> - Coverage. - Height and definition of the term. - Building lines. - Parking requirements. - Additional dwelling units. - Basements.
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Noted and in accordance with the guidelines. The coverage and building lines are not fully complied with and are addressed accordingly in this application.

The LSDF encourages the establishment of an overlay zone for Herolds Bay which gives specifically adjusted development parameters for the area. The proposed departures on Erf 177 Herolds Bay are not in conflict with the Herolds Bay LSDF and are in character with its surrounding area.

6. PRE-APPLICATION CONSULTATION

The pre-application document is attached hereto as ***Annexure 11***.

TOWN PLANNING

- Following discussion, it was concluded that the alternative option is to apply for the required departures and for Administrator's Consent, in terms of Title Deed Condition 6(b) to allow for the structures within the building lines.

Noted and done accordingly.

- However, should the applicant wish to remove Title Deed Condition 6(b), it is advised that an application is also submitted to remove Condition 6(a) – same will not influence the process, timeframes etc.

Noted.

- Please take note that all parking must be accommodated on the site (and not within the road reserve). Currently the parking below the carport encroaches the property/street boundary. In this regard, please submit a parking relaxation application, if all parking cannot be accommodated on site.
- Surveyor general diagram required to indicate the correct positions of the property boundary and structures. The carport may not encroach the street building line or property boundary.

The awning from the pedestrian gate over the front of the garage is not a carport as it does not comply with the relevant definition included in the zoning by-law. It is a practical and aesthetic feature as discussed earlier in this report.

Ample parking is also provided within the boundaries of the property – 3 parking bays are needed for the dwelling house and the second dwelling unit in total. The garage provides parking for 4 vehicles.

A land surveyor's certificate is part of this submission showing the exact position of all structures.

ELECTRO-TECHNICAL SERVICES

- Standard Development Charges will be applicable upon second dwelling house Town Planning Approval and if their current electrical service connection is for a standard single dwelling unit.

Noted.

7. NEED & DESIRABILITY

Need and desirability is the balancing of various factors. (i) **Need** depends on the nature of a development proposal and is based on the principle of sustainability. This report has shown that the proposed departures on Erf 177 Herolds Bay will not infringe on the character of the area or negatively affect any surrounding property owners. The permanent departures requested is the result of additions that were made that created entertainment areas on both sides of the dwelling house. The building line and coverage departures are minor and not expected to have any impact on surrounding properties. The changes to be submitted for building plan approval responds to the character of the property, Rooikransie Street, and Herolds Bay upper. Most importantly, the proposed departures will fulfil the need for the property owners to submit as-built building plans for Erf 177 Herolds Bay. (ii) **Desirability**, from a planning perspective, is defined as the degree of acceptability of a proposed development on a property. The relevant factors include the physical characteristics of the property, existing planning in the area, character of the area, the locality and accessibility of the property.

Physical characteristics of the properties

No physical characteristics of the property will be changed or affected by the proposed permanent departures for the additions.

Existing planning in the area

As indicated earlier in this report, this land use application is not in conflict with the George Municipal Spatial Development Framework (GMSDF).

Character of the area

As discussed, and shown earlier in this motivation report, the additions cannot have a negative impact on the character of the area.

Provision of services

Municipal engineering services are already available on the property and will be used accordingly. Any additional necessary costs for the second dwelling will be carried by the property owner.

Economic impact

The proposed departures and additions to the house remains in accordance with the residential character of the area and will add value – therefore no negative economic impact expected.

Direct impact on surrounding properties

No serious impact is expected on surrounding properties. A public participation process will follow.

It is our view that the need and desirability of the proposed permanent departures for Erf 177 Herolds Bay, including the Administrator's consent, shows no negative impacts.

8. CONCLUDING

The Administrator's consent and departures required are motivated by several different aspects, including functionality, extent, character of the area, and the resulting nature of the house as built. From this motivation report, it is our opinion that the proposed land use application for Erf 177 Herolds Bay is consistent with all the relevant considerations as prescribed by the planning legislation. It does not create conflict with the overall spatial objectives for the area.



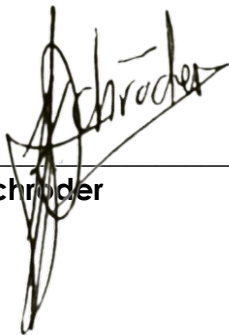
Marlize de Bruyn Pr. Pln

February 2024

POWER OF ATTORNEY

I, **Klaus Schroder (9210305122083)**, the registered owner of **Erf 177 Herolds Bay, George Municipality and Division, Western Cape Province**, hereby instruct Marlize de Bruyn and Denise Janse van Rensburg of *Marlize de Bruyn Planning* to submit the required land use application for the property in terms of Section 15(2) of the George Municipality: Land Use Planning By-law (2023).

Signed at Kyle, Texas on January 10th, 2024.



K Schroder

Witness





This report is compiled exclusively from the very latest data directly supplied to WinDeed by the Deeds Office.

Any personal information obtained from this search will only be used as per the Terms and Conditions agreed to and in accordance with applicable data protection laws including the Protection of Personal Information Act, 2013 (POPI), and shall not be used for marketing purposes.

**** ASTERISKS INDICATE THE INFORMATION IS ENRICHED FROM THE WINDEED DATABASE.**

SEARCH CRITERIA

Search Date	2024/02/09 08:50	Erf Number	177
Reference	E3222 - CJB236	Portion Number	-
Report Print Date	2024/02/09 08:50	Deeds Office	Cape Town
Township	HEROLDS BAY	Search Source	Deeds Office

PROPERTY INFORMATION

Property Type	ERF	Diagram Deed Number	T36027/1979
Township	HEROLDS BAY	Local Authority	GEORGE MUN
Erf Number	177	Province	WESTERN CAPE
Portion Number	0	Extent	671.0000SQM
Registration Division	GEORGE RD	LPI Code	C02700040000017700000
Previous Description	TP9297	Co-ordinates (Lat/Long)**	-34.04849 / 22.398462
Suburb / Town**	-		

OWNER INFORMATION (1)

SCHRODER KLAUS		Owner 1 of 1	
Company Type**	-	Document	T5428/2024
Registration Number	9210305122083	Microfilm / Scanned Date	-
Name	SCHRODER KLAUS	Purchase Price (R)	4 500 000
Multiple Owners**	NO	Purchase Date	2023/11/08
Multiple Properties**	NO	Registration Date	2024/02/05
Share (%)	-		

ENDORSEMENTS (1)

#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	B2781/2024	INVESTEC BANK LTD	3 600 000	-

DISCLAIMER

This report contains information gathered from our suppliers and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. Lexis Convey will not be liable for any damage caused by reliance on this report. This report is subject to the terms and conditions of the [Lexis Convey End User Licence Agreement \(EULA\)](#). LexisNexis Risk Management (Pty) Ltd is a registered credit bureau (NCRCB26).

HISTORIC DOCUMENTS (9)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	B32860/2001	-	-	-
2	B83271/2005	-	-	-
3	B9247/2015	-	-	-
4	B21430/2019	-	-	-
5	T36027/1979	GERMISHUIZEN DULCIE JOAN	Unknown	-
6	T72108/1994	HARMSE ANDRE	49 000	-
7	T72108/1994	HARMSE HENDRIKA STEPHANE	49 000	-
8	T39794/2019	SMIT LEON	4 000 000	-
9	T39794/2019	ROUX PHILIPPUS DANIEL	4 000 000	-

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301

Manie Pretorius
209 Flora Road
Dana Bay
6510

Prepared by me

CONVEYANCER
HERMANUS CHRISTOFFEL PRETORIUS
(84922)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R.....	R.....
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

T

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

HENDRIK MALHERBE OOSTHUIZEN (78695)

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

1. LEON SMIT
Identity Number 700714 5032 08 0
Unmarried
2. PHILIPPUS DANIEL ROUX
Identity Number 650418 5033 08 6
Unmarried

which said Power of Attorney was signed at HEROLDS BAY on 21 NOVEMBER 2023

And the appearer declared that his/her said principal had, on 8 November 2023, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

KLAUS SCHRÖDER

Born on 30 October 1992

Married, which marriage is governed by the laws of state of Texas, USA

his Heirs, Executors, Administrators or Assigns, in full and free property

ERF 177 HEROLDS BAY
IN THE MUNICIPALITY AND DIVISION GEORGE
WESTERN CAPE PROVINCE

IN EXTENT 671 (SIX HUNDRED AND SEVENTY ONE) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T 36027/1979 with
General Plan T.P 9297 relating thereto and held by Deed of Transfer Number
T39794/2019

- A. **SUBJECT** to the conditions referred to in Deed of Transfer Number T2525/1974.
- B. **SUBJECT FURTHER**, as contained in Deed of Transfer Number T36027/1979, to the following conditions imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance Number 33 of 1934 when approving of the establishment of Herolds Bay Township Extension Number 1, namely: -
1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice Number 623 dated 14th August 1970.
 2. In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf, shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance Number 15 of 1952, as amended.
 3. No building on this erf shall be used or converted to use for any purpose other than permitted in terms of these conditions.

4. The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and/or mires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf if deemed necessary by the local or any other statutory authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing, or inspecting any works connected with the above.
5. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
6. (a) This erf shall be used solely for the purpose of erecting thereon one swelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.
- (b) No building or structure of any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf nor within 3 metres of the rear or 1.5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority-
 - (i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres shall be measured from the point furthest from the streets abutting the erf.
 - (ii) An outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.

- (c) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it was one erf.
- (d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf.

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

- 1. **LEON SMIT, Unmarried**
- 2. **PHILIPPUS DANIEL ROUX, Unmarried**

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

KLAUS SCHRÖDER, Married as aforesaid

his Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R4 500 000,00 (FOUR MILLION FIVE HUNDRED THOUSAND RAND) .

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

q.q.

In my presence

REGISTRAR OF DEEDS

CONVEYANCER CERTIFICATE

I, the undersigned

MADELEINE GOLDIE

Conveyancer of Millers Incorporated, Beacon House, 123 Meade Street, George hereby certify as follows:

1. That I have perused Deed of Transfer No T5428/2024 in respect of Erf 177 HEROLDS BAY in the George Municipality and Division of George, Western Cape Province IN EXTENT 671 (SIX SEVEN ONE) square metres registered in the name of

KLAUS SCHRODER

Identity Number 921030 5122 083

2. Bond B2781/2024 is registered on the property in favour of Invested Bank Limited.
3. Condition B in deed of transfer T5428/2024 impose conditions by the Administrator of the Cape of Good Hope applicable to the abovementioned property when approving the establishment of Herolds Bay Township Extension Number 1.
4. To the best of my knowledge there are no restrictive conditions of title in the said Deed of Transfer which prohibit:
 - 4.1 After obtaining the necessary **Consent of the Administrator** in terms of section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014 in regard to condition B 6 (b) in the said deed of transfer to the encroaching of the street and rear boundary building line for the following:
 - *Eastern Street Boundary building;*
 - Relaxation from 5.0m to 1.298m for the braai area (ground floor) and balcony above (1st floor)
 - Relaxation from 5.0m to 2.539m & 2.831m for the constructed position of the garage and the second dwelling unit above the first floor;
 - Relaxation from 5.0m to 0.0m for the awning in front of the garage and pedestrian access gate;

- Relaxation from 5.0m to 1.388m for the swimming pool
- *Western rear boundary building line*
- Relaxation from 3.0m to 1.170m for the braai and covered area

4.2 **Permanent departure** in terms of section 15(2)(b) of the George Municipality: Land Use Planning by-law (2023) for an increase in the coverage from 50% (335 m²) to 53.13% (352 m²)

4.3 **Permanent departure** in terms of section 15(2)(b) of the George Municipality: Land Use Planning by-law (2023) for the relaxation of the following building lines:

- *Eastern Street boundary building*
 - Relaxation from 4.0m to 1.298m for the braai area (ground floor) and balcony above (1st floor);
 - Relaxation from 4.0m to 2.539m & 2.831m for the constructed position of the garage and the second dwelling unit above on first floor;
 - Relaxation from 4.0m to 0.0m for the awning in front of the garage and pedestrian access gate;
- *Southern side boundary building line*
 - Relaxation from 2.0m to 1.920m for the dwelling house and braai area (ground floor) and balcony above (1st floor).
- *Western rear boundary building line*
 - Relaxation from 2.0m to 1.170m for the braai and covered area;
- *Northern side boundary building line*
 - Relaxation from 2.0m to 1.741m & 1.898m for the dwelling house and awning in front of the garage.

Signed at GEORGE on this 13th day of FEBRUARY 2024.



MADELEINE GOLDIE

LOCALITY PLAN



Copyright ©

**ERF 177, ROOIKRANSIE STREET
HEROLDS BAY UPPER
GEORGE MUNICIPALITY & DIVISION**

For scale refer to figured dimensions. Measurements always
to be checked by Professional Land Surveyor.

LAND SURVEYOR'S CERTIFICATE

The Chief Town Planner, Municipality of GEORGE

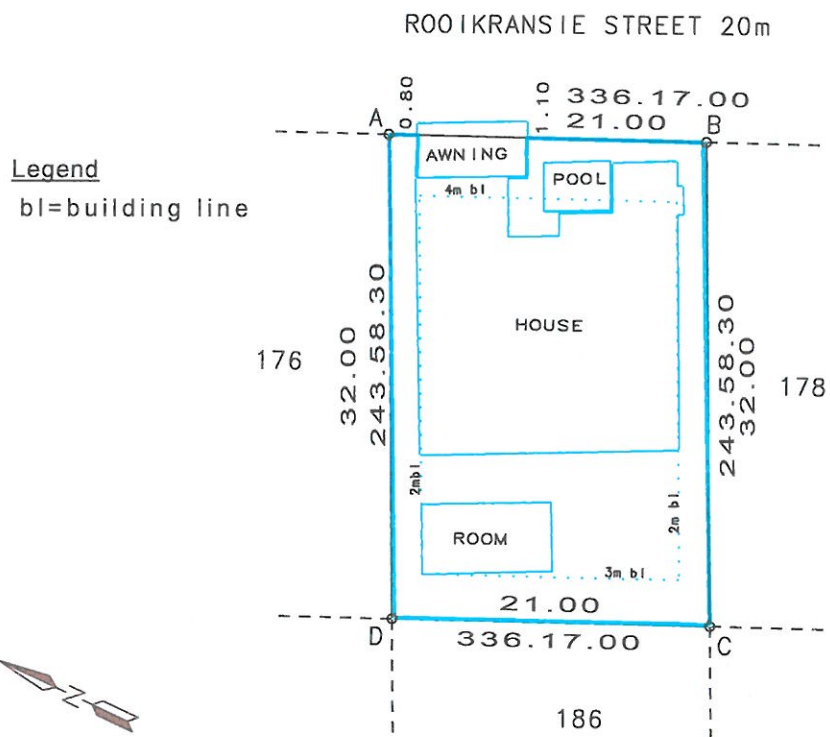
I hereby certify that I have inspected the property known as
ERF 177 HEROLDS BAY EXT 1

Situate in the Municipality of GEORGE
Administrative District of George
Province of the Western Cape

on behalf of Mr P Roux

General Plan No 9297 and that

- a) I have located erf beacons defining this property
- b) the boundary walls defining this property are either on or fall just inside this property and any encroachments are negligible
- c) the carport encroaches over the road as shown on the sketch below.
- d) I have not seen the building plans and do not know if any building line relaxation has been given.



Scale 1:500

Beacon Descriptions

A,B,C,D: wall corner

in January 2024

G. S. SAVAGE & Associates

PROFESSIONAL LAND SURVEYOR

46 ALBERT STREET, P O BOX 752, GEORGE 6530

TEL: (044) 874 2414 Cell: 083 454 1350

CF: 650/HBX1

Ref: 177HBX1.mal

044 874 2600

E-Mail adres/address: olga@george.org.za
Erf 177 Heroldsbaai

Mnr J G Vrolijk

801-9370

19 September 2002

A Harmse
Posbus 10300
GEORGE
6530

Meneer

VERSLAPPING VAN STRAATBOULYN: ERF 177 HEROLDSBAAI

Dit is vir my aangenaam om u in kennis te stel dat die Direkteur Administrasie in terme van magte aan hom gedelegeer tydens 'n Raadsvergadering van 23 Februarie 1994 u aansoek vir verslapping van die 4 meter straatboulyn van toepassing op bogenoemde erf, ten einde u toe te laat om 'n dubbelmotorhuis tot 'n afstand van 3.0 meter vanaf die straat erfrens op te rig, goedgekeur het.

Bouplanne kan derhalwe ingedien word vir goedkeuring.

Die uwe


A J SMITH
DIREKTEUR ADMINISTRASIE

ov/verslap

NOTAS

1. Aansoek Nume draakamer: 205 vk m
Stoep: 182 vk m
 3. Alle nuwe bouwerk moet aangepas by bestaande
 4. Elektriese toekere en posities van kragpunt
volgans elkeen se keuse
 5. MURKONSTRUKSIE
- Alle nuwe mure van bakstene - geplaster en geverf
Kleur volgens elkeen

GEORGE MUNICIPALITY	
APPROVED	
DATE: 17/4/10	PLAN NO: 87/10
Building Control Officer	
GEORGE MUNICIPALITY	
APPROVED	
DATE: 19/4/10	PLAN NO: 87/10
Pots Examiner	

Project

VOORGESTUDE NUWE
BUTEGBOU OP
ERF 177 HEROLDSBAAI

Beskriving

TERREINPLAN

Genoet A. Hornise

Stad Soos voorgeloon

Datum Mei 2009

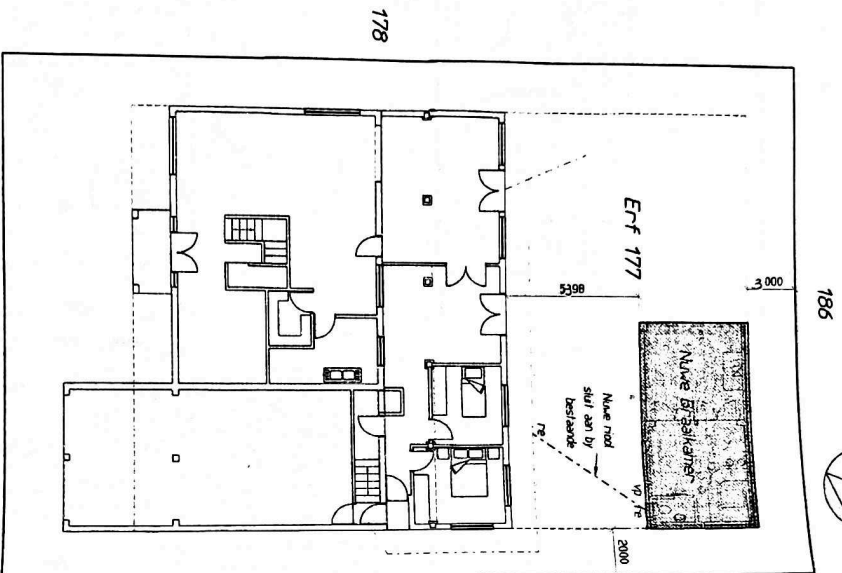
Gelees P. vd Westhuizen

SACAP D00313

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

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.

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 reserw, 'n verwyder of
snoei sonder die skriftelike
toestemming van die Munisipaliteit.

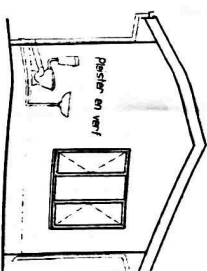


TERREINPLAN
1:200
Rooikransiestraat

NOTAS

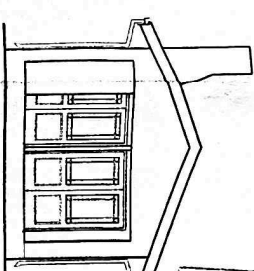
1. Areas Nuwe braaier: 205 vk m
Sloep: 182 vk m
3. Alle nuwe bouwerk moet aangepas by bestaande.
4. Elektriese toedobbe en posities van kragpunt volgens elenaar se keuse
5. MURKONSTRUKSIE
Alle nuwe mure van baksteen - geplaster en geverf
Kleur volgens elenaar

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



NOORD AANSIG
1 : 100

GEORGE MUNICIPALITY
APPROVED subject to Section 71(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.



SUID AANSIG
1 : 100

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 reers of snoei sonder die skriftelike toestemming van die Munisipaliteit.

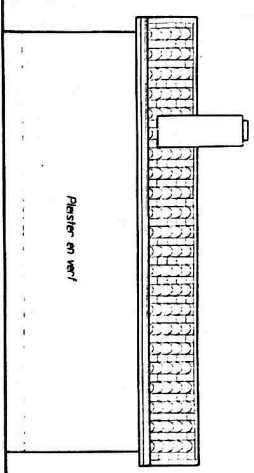
GEORGE MUNICIPALITY
APPROVED
DATE: 19/10/10 PLAN NO: 187/10
Building Control Officer
GEORGE MUNICIPALITY
APPROVED
DATE: 19/10/10 PLAN NO: 187/10
C. S. EXETER

VOORGESTELDE NUWE
BUTEGBOU OP
ERF V7 HEROLDSBAAI

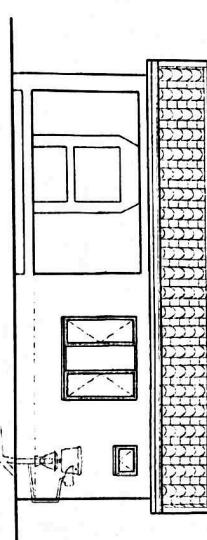
VLOERPLAN
AANSIGTE
SNT

Bestrywing
A. Homse

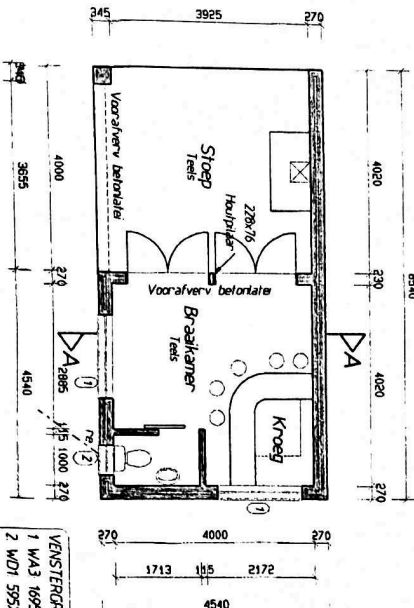
Sked
Soos aangetoon
Datum Mei 2009
Geraken P. vd Westhuizen
SACAP D03B



WES AANSIG
1 : 100

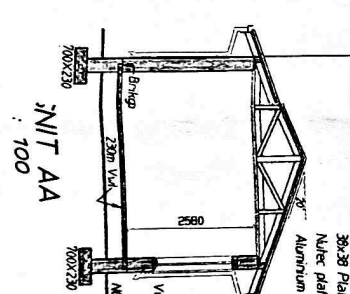


OOS AANSIG
1 : 100



VLOERPLAN
1 : 100

VENSTERGROOTTES
1 W A3 1695X1500
2 WOT 595X595
Alle glaswerk volgens Gied N van god 3 van SABS 04/00



DAKKONSTRUKSIE
1 : 100

DAKKONSTRUKSIE
Sementreëls
op 30x38 Teelalte
Plaster dakseel
Daklappie deur GANONAIL 750mm Ma
114x38 Maurelate
30x38 Platfontale
Nlter platfonte
Aluminium geule en afdrope
VLOERKONSTRUKSIE
23mm Sement veldag
op 75mm Beton
op 230mm Vd
op Gekontroleerde vulling

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 reserwe verwyder of snoei sonder die skriftelike toestemming van die Munisipaliteit.

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.

All dimensions are to be checked on site and any discrepancies to be reported to the architect. No dimension is to be scaled. All specifications and work to be in accordance with the national building regulations. All electrical and drainage work to be carried out by registered artisans. Floor levels to be at least 150mm above outside ground level. Vertical D.P.C. to all changes in floor levels. Site preparation to comply with sections F3-F5 of N.B.R. Concrete strength to be 15MPa & mortar 7 MPa 28 days. D.P.C. under all windowsills, all D.P.C. to be S.A.B.S. 298. R.C. floor slabs, stair cases, 7 steel structures to Engineer's design & detail where applicable. 2 aluminium reg'd above all bathroom, toilet, kitchen, laundry & garage windows.

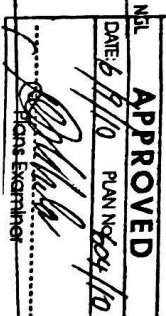
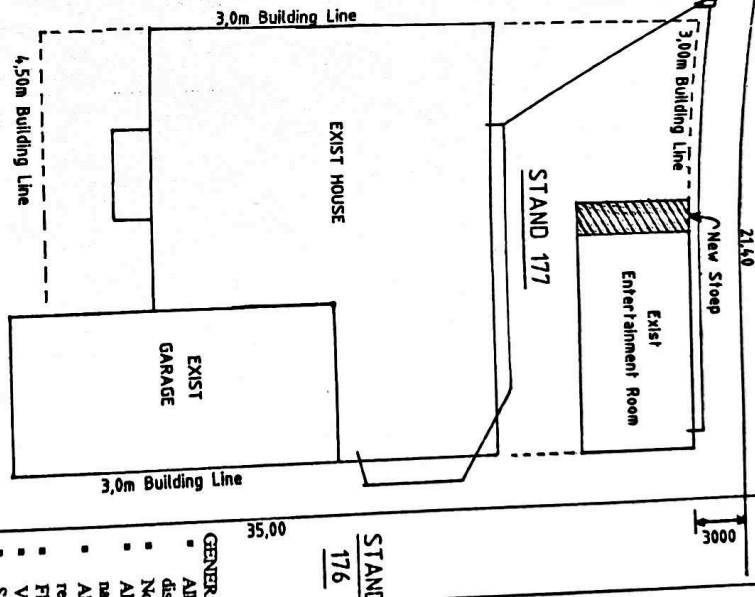
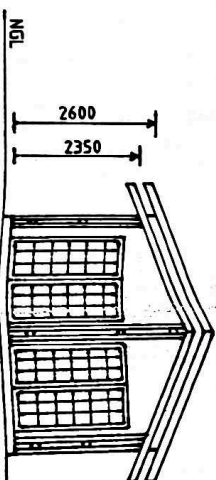
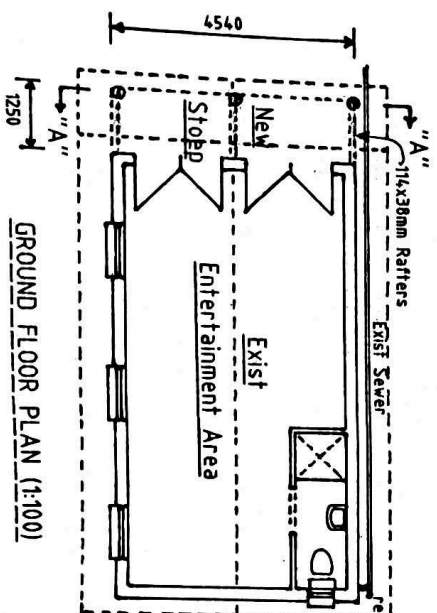
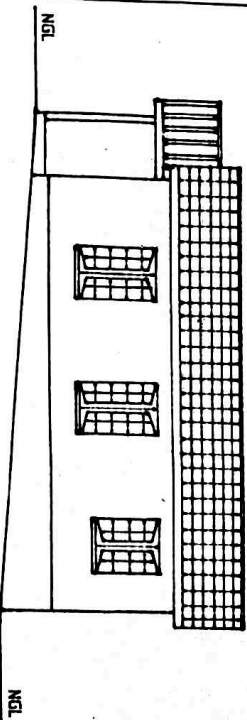
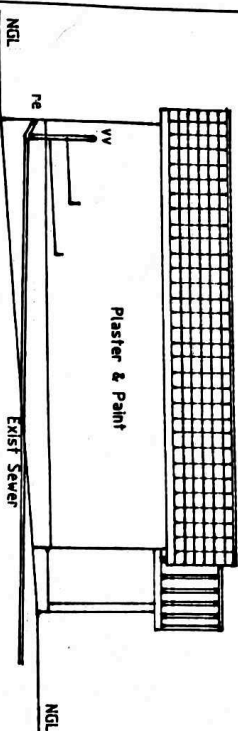
Professional Senior Analyst/Technician

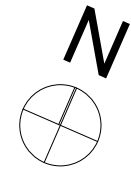
TEL 0441 : 870757 nhu
CELL 043 7227 263

Exist	Entertainment	38,77m ²
New	Stoep	5,68m ²

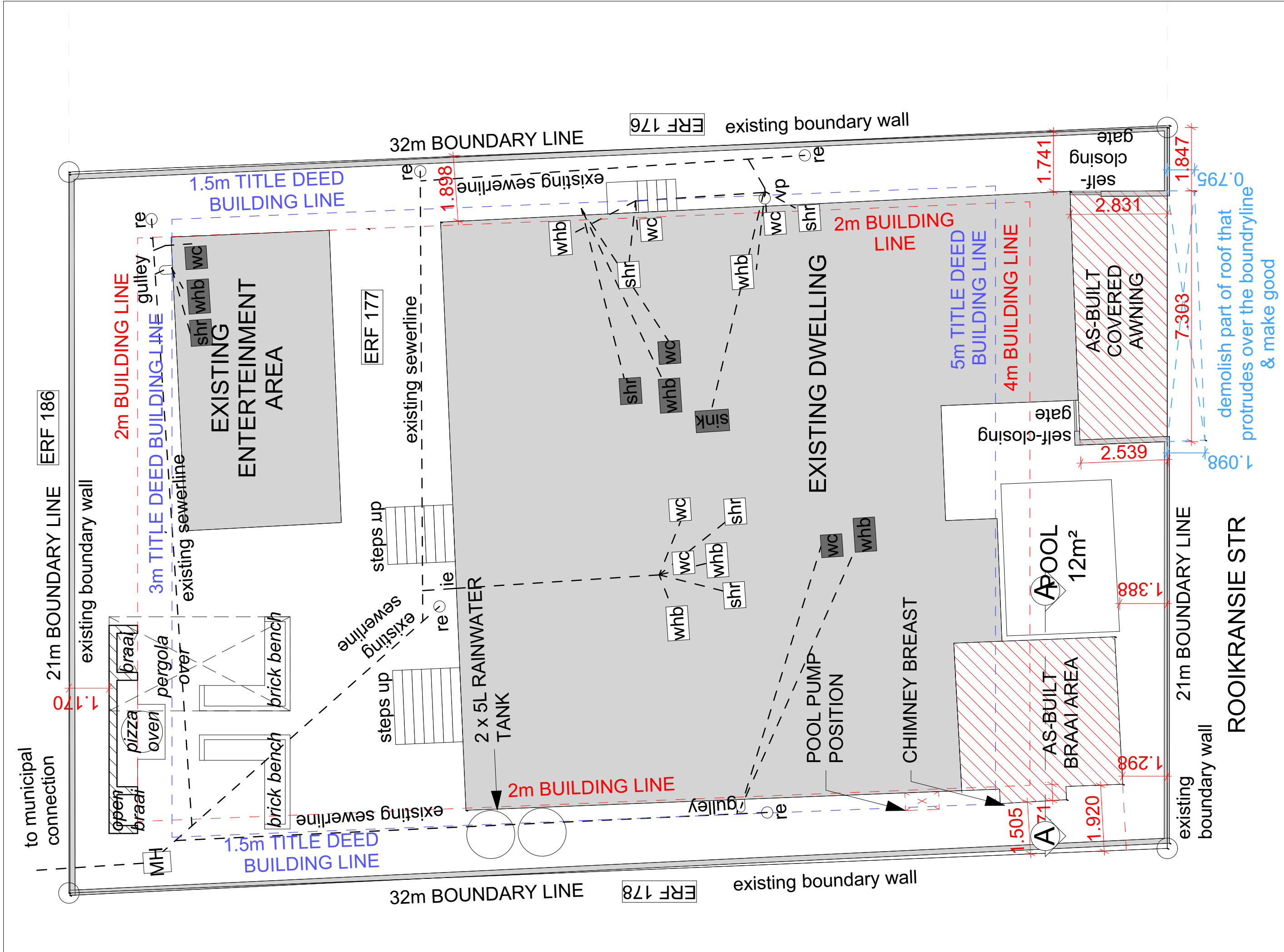
PROPOSED NEW STOEP ON
STAND 177 HAROLDSBAAI

MR:





SITE PLAN
SCALE 1:100



ERF SIZE:	672m ²
EXISTING GROUND STOREY:	271.91m ²
EXISTING FIRST STOREY:	271.91m ²
[SECOND DWELLING incl.]:	100.75m ²
EXISTING ENTERTAINMENT AREA:	44.45m ²
PROPOSED COVERED CARPORT:	21.00m ²
PROPOSED BRAAI AREA:	19.7m ²
TOTAL FLOOR SIZE:	628.97m ²
TOTAL COVERED:	357.00m ²
COVERAGE:	357m ² /53.13%

SCALE ON A2

SIGNATURE OF OWNER/ CLIENT:	DATE:
SIGNATURE OF ARCHITECT: SV de Kock SACAP-PSAT24750417	DATE:

REVISIONS	

DRAWING STATUS
AS-BUILT MUNICIPAL DRAWINGS
PROJECT TITLE
AS-BUILT ADDITIONS TO EXISTING DWELLING ON ERF 177 HEROLDS BAY FOR L. SMIT & F. ROUX

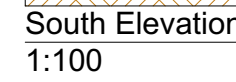
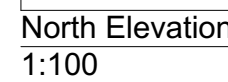
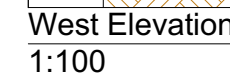
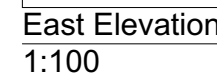
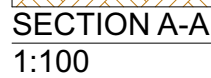
DRAWING DESCRIPTION
SITE PLAN

SCALE	AS SHOWN
DATE	DATE OF 1ST ISSUE
ISSUED	05/02/2024
DRAWN BY	SdK
CHECKED BY	SdK
SNR. ARCHITECTURAL TECHNOLOGIST	SdK



SAS ARCHITECTURE
COMMODITY FIRMNESS DELIGHT
Salmon de Kock Senior Architectural Technologist 096 285 1846
SACAP Reg. nr PSAT 24750417 salmon@sasarchitecture.co.za

PROJECT NO:	DRAWING NO:	REVISION
2083	MD001	00




waterproofing / paving slabs on insulation panels - see drawings for different areas.
Vehicular areas - brick paving laid on 25-30mm sand bed to engineer.



SIGNATURE OF ARCHITECT: SV de Kock SACAP:PSAT24750417	DATE:
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REVISIONS		

<p style="text-align: center;">DRAWING STATUS</p> <p style="text-align: center;">AS-BUILT MUNICIPAL</p> <p style="text-align: center;">DRAWINGS</p>	
<p style="text-align: center;">PROJECT TITLE</p> <p style="text-align: center;">AS-BUILT ADDITIONS TO</p> <p style="text-align: center;">EXISTING DWELLING ON</p> <p style="text-align: center;">ERF 177 HEROLDS BAY</p> <p style="text-align: center;">FOR L. SMIT & F. ROUX</p>	

DRAWING DESCRIPTION		
<h1>Ground Storey, First Storey, Elevations & Section</h1>		
SCALE	AS SHOWN	
DATE	DATE OF ISSUE	
ISSUED	05/02/2024	
DRAWN BY	SdK	
CHECKED BY	SdK	
SNR. ARCHITECTURAL TECHNOLOGIST	SdK	
 <div> SAS ARCHITECTURE COMMUNITY Salomon de Roock Senior Architectural Technologist 066 295 1846 SACAP PRJ PRJ 24755417 salmon@sasarchitecture.co.za </div>		
PROJECT NO:	DRAWING NO:	REVISION
2083	MD100	00

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: 2959923

Purpose of consultation: To discuss proposed land use application

Brief proposal: To be determined

Property(ies) description: Erf 177 Herolds Bay

Date: 11 December 2023

Attendees:

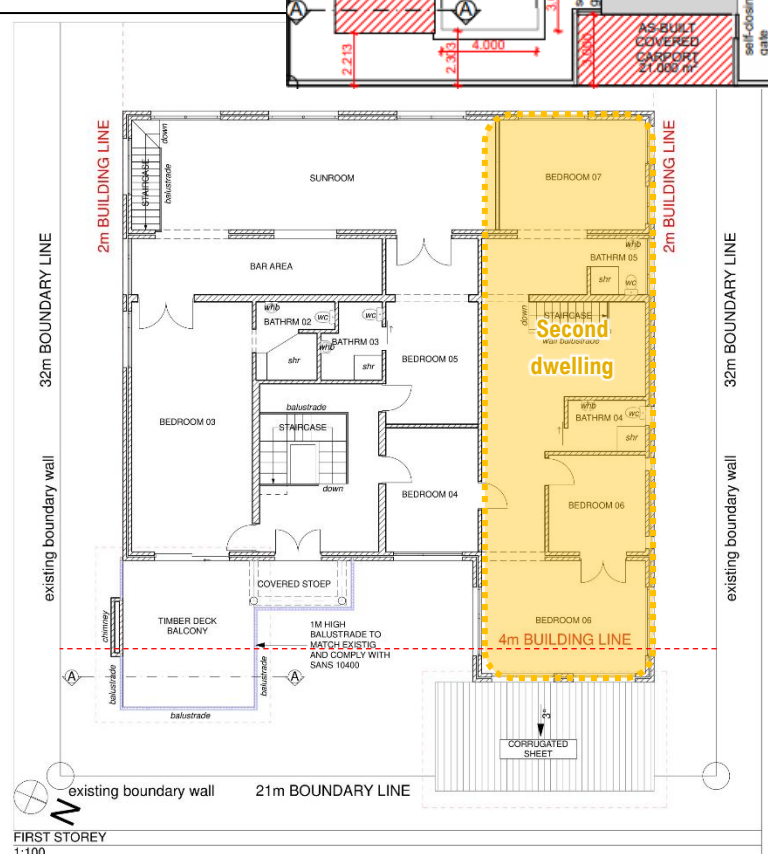
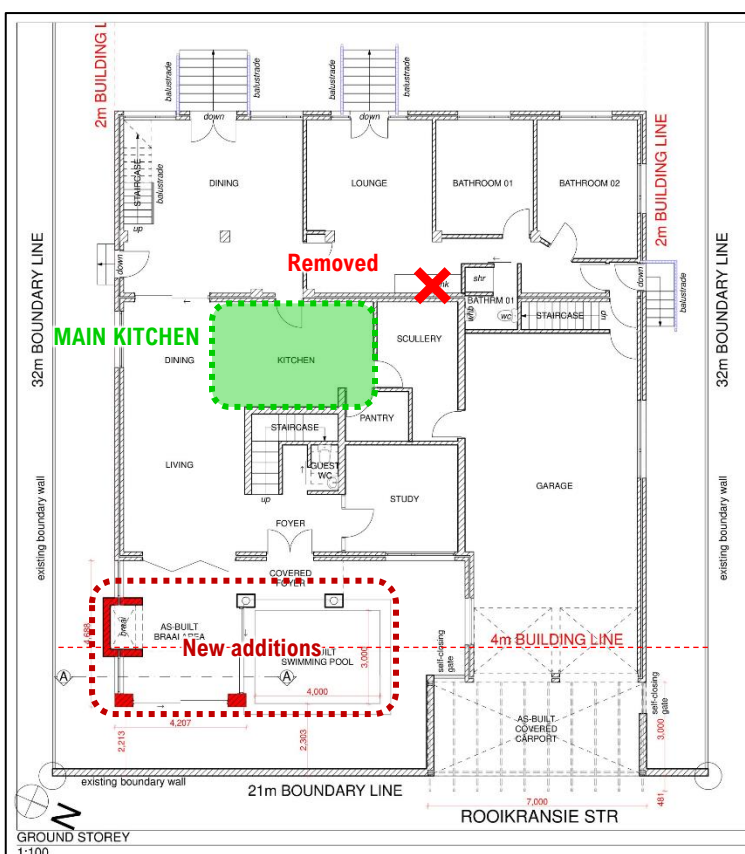
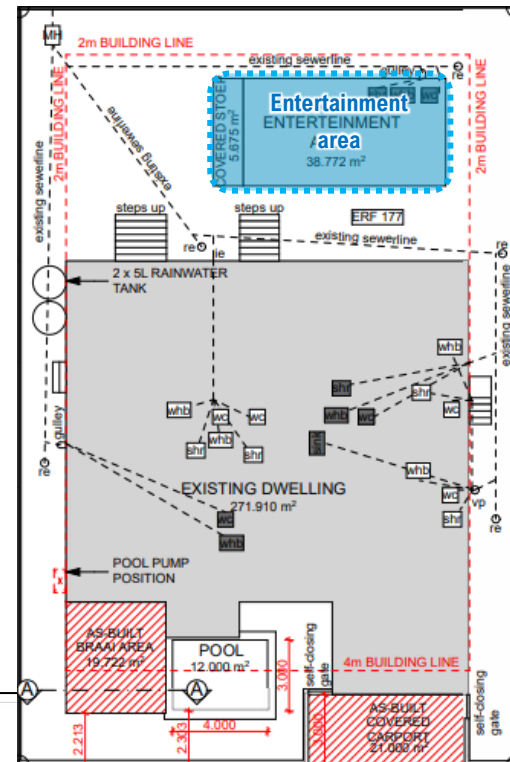
	Name & Surname	Organisation	Contact Number	E-mail
Official	Jeanne Muller	George Mun.	044 801 9138	jmuller@george.gov.za
	Martin Botha	George Mun.	044 801 9191	pmbbotha@george.gov.za
Pre-applicant	Denise Janse van Rensburg	Marlize de Bruyn Planning	0766340150	denise@mdbplanning.co.za marlize@mdbplanning.co.za

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

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

Comprehensive overview of proposal:

ERF 177, is located in Rooiكرانسie Street on the northern edge of Herolds Bay upper. The property is zoned SRZ1 and used accordingly. The current homeowners bought the property with four kitchens. The previous owner utilized the residence as a guest house, which the current owners have discontinued. A notice was served on the current owners for the unauthorised land use. The current owners intend to make internal alterations to ensure lawful use of their property. The primary kitchen will remain on the ground floor, while the kitchen in the abutting lounge to be removed. The kitchen in the section above the garage will remain and it will become a second dwelling unit. The kitchen in the entertainment room will be converted into a bar/coffee station with the room repurposed accordingly. The braai and pizza oven area are situated just outside. On the street side, the current owners added a braaistoep and swimming pool without approved plans. However, these additions will be included in the submission of the as-built plans. Compliance is maintained as the swimming pool adheres to the 1-meter distance from the boundary. A carport/afdak was constructed in front of the garage up to the street boundary. The garage received building line relaxation approval in 2002. Regarding the title deed, Par 6A pertains to a single dwelling unit, but will not be removed as it enforces the zoning by-law regulations. However, Par 6B, which impedes building lines, is proposed to be removed.



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

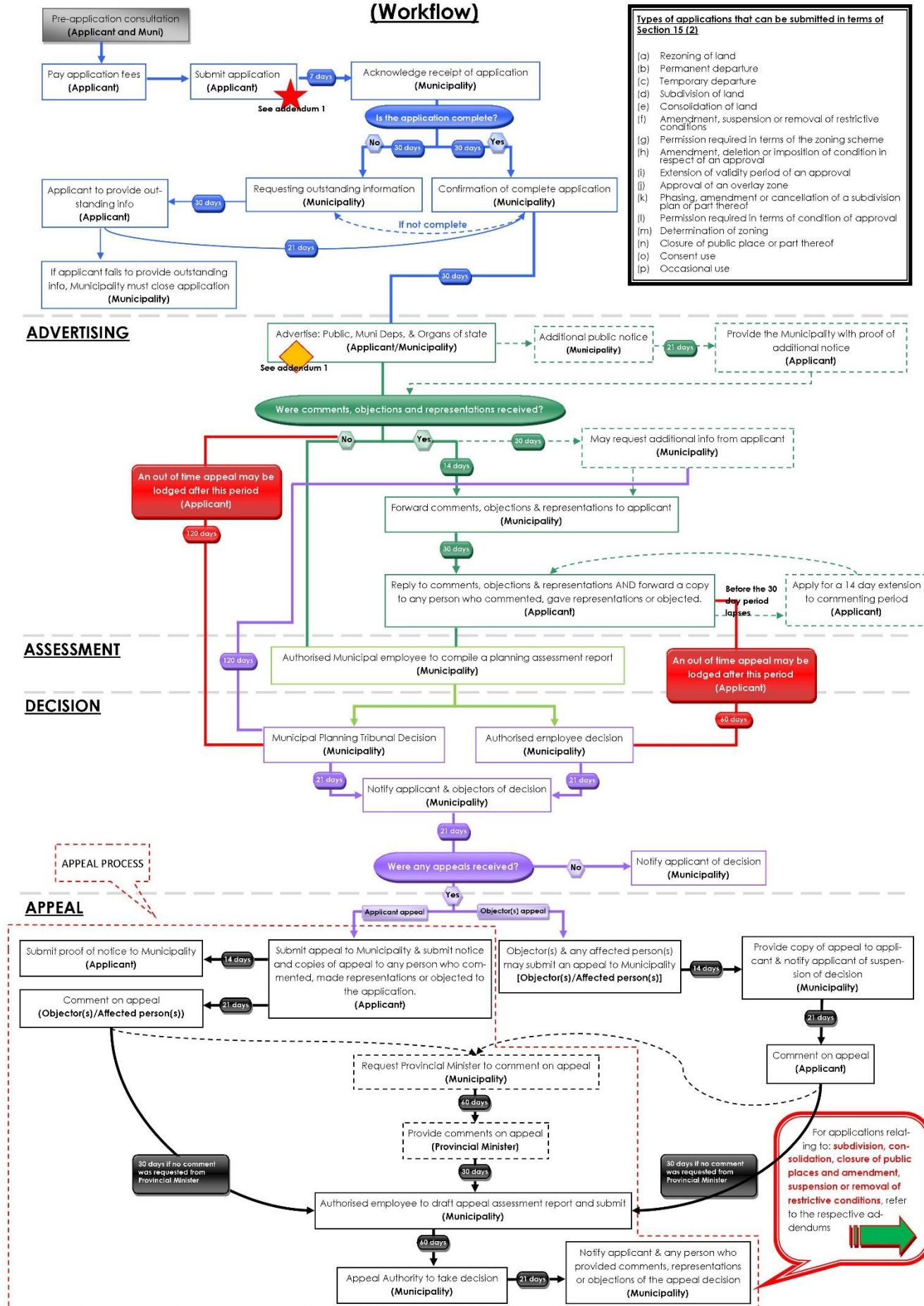
ADVERTISING

ASSESSMENT

DECISION

APPEAL PROCESS

APPEAL



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
X	2(b) a permanent departure from the development parameters of the zoning scheme;	R4 050
	2(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e) a consolidation of land that is not exempted in terms of section 24;	R
X	2(f) a removal, suspension, or amendment of restrictive conditions in respect of a land unit;	R9 750
	2(g) a permission required in terms of the zoning scheme;	R
	2(h) an amendment, deletion, or imposition of conditions in respect of an existing approval;	R
	2(i) an extension of the validity period of an approval;	R
	2(j) an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l) a permission required in terms of a condition of approval;	R
	2(m) A determination of a zoning;	R
	2(n) A closure of a public place or part thereof;	R
	2(o) a consent use contemplated in the zoning scheme;	R
	2(p) an occasional use of land;	R
	2(q) to disestablish a home owner's association;	R
	2(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
Tick if relevant	What prescribed notice and advertisement procedures will be required?	Advertising fees payable
Y	N Serving of notices (i.e. registered letters etc.)	R
Y	N Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.)	R
Y	N Additional publication of notices (i.e. Site notice, public meeting, local radio, website, letters of consent etc.)	R
Y	N Placing of final notice (i.e. Provincial Gazette etc.)	R
TOTAL APPLICATION FEE* (VAT excluded):		TBC following submission of application.

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

SECTION B:
PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?			X	
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	Submit Conveyancer's Certificate
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? _____ GIZSB _____ What is the current zoning of the property? _____ SRZI _____ What is the proposed zoning of the property? _____ SRZI _____ Does the proposal fall within the provisions/parameters of the zoning scheme? _____ To be determined _____ Are additional applications required to deviate from the zoning scheme? (if yes, specify) _____ To be determined _____				

QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents?			X	
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?		X		

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?		X		Northern 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		Northern Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strikethrough irrelevant)		X		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		X		South African Heritage Resources Agency (SAHRA) & Heritage Northern 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) & Northern Cape Provincial Department of Transport and Public Works (DTPW)

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
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 DFFE?		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		Northern Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

SECTION D:

SERVICE REQUIREMENTS

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

Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

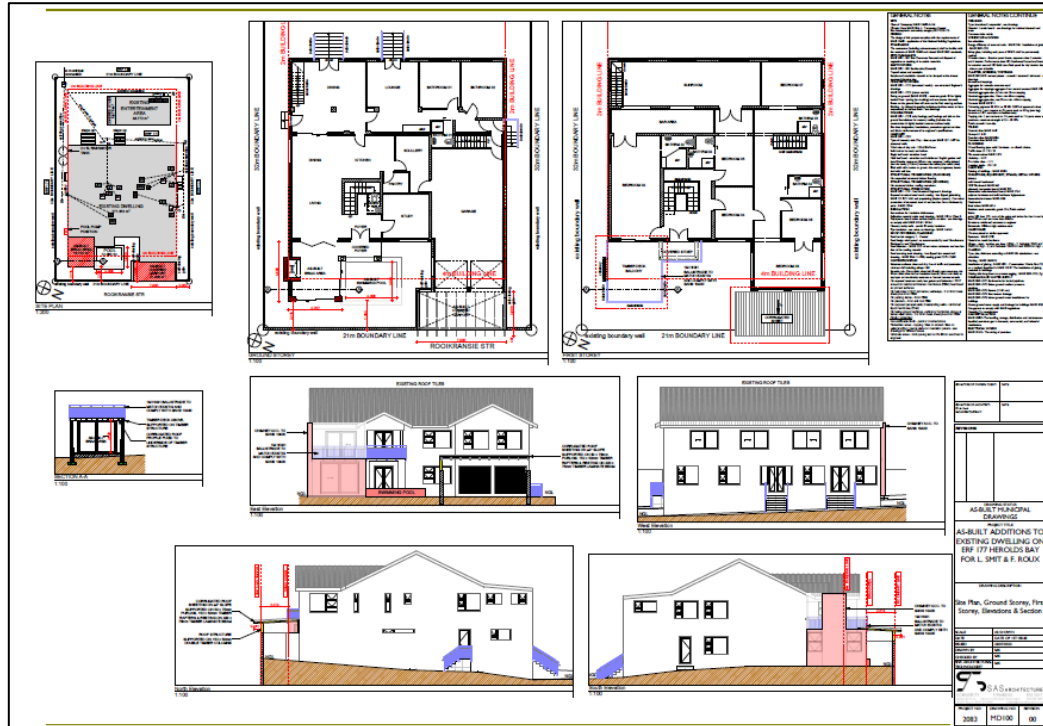
PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

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

Town Planning:

The plan below and attached documents were discussed.



- Following discussion, it was concluded that the alternative option is to apply for the required departures and for Administrator's Consent, in terms of Title Deed Condition 6(b) to allow for the structures within the building lines.
- However, should the applicant wish to remove Title Deed Condition 6(b), it is advised that an application is also submitted to remove Condition 6(a) – same will not influence the process, timeframes etc.
- Please take note that all parking must be accommodated on the site (and not within the road reserve). Currently the parking below the carport encroaches the property/street boundary. In this regard, please submit a parking relaxation application, if all parking cannot be accommodated on site.
- Surveyor general diagram required to indicate the correct positions of the property boundary and structures. The carport may not encroach the street building line or property boundary.

ETS:

Standard Development Charges will be applicable upon second dwelling house Town Planning Approval and if their current electrical service connection is for a standard single dwelling unit.

PART F: SUMMARY / WAY FORWARD

See Part E above.

OFFICIAL: __Martin Botha__

PRE-APPLICANT: _____Denise Janse van Rensburg_____

(FULL NAME)

(FULL NAME)

SIGNED:



SIGNED:

DATE:

13/12/2023

DATE:

11 December 2023

OFFICIAL:

Jeanne Muller

(FULL NAME)



SIGNED:

DATE:

13/12/2023

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

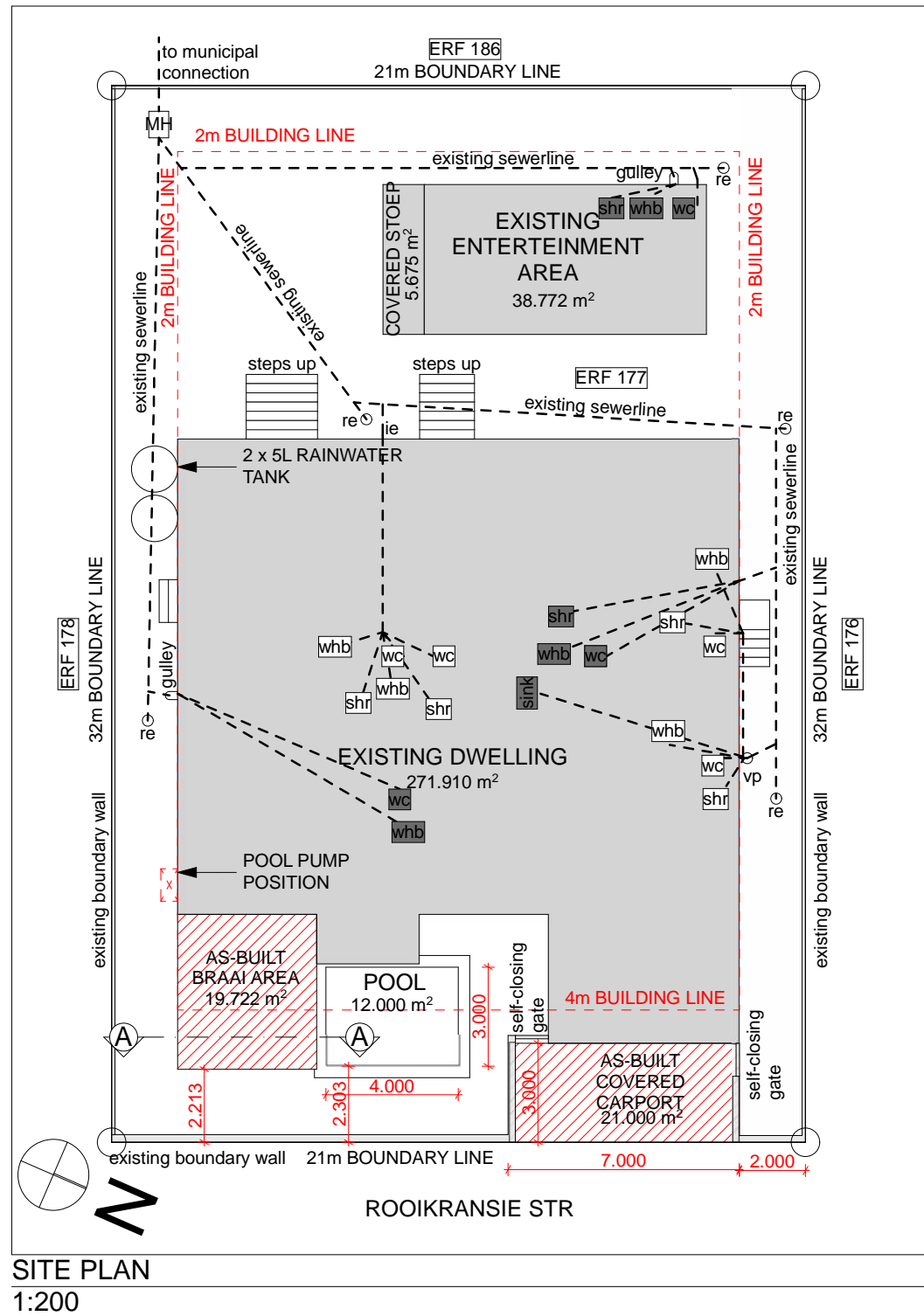
LOCALITY PLAN



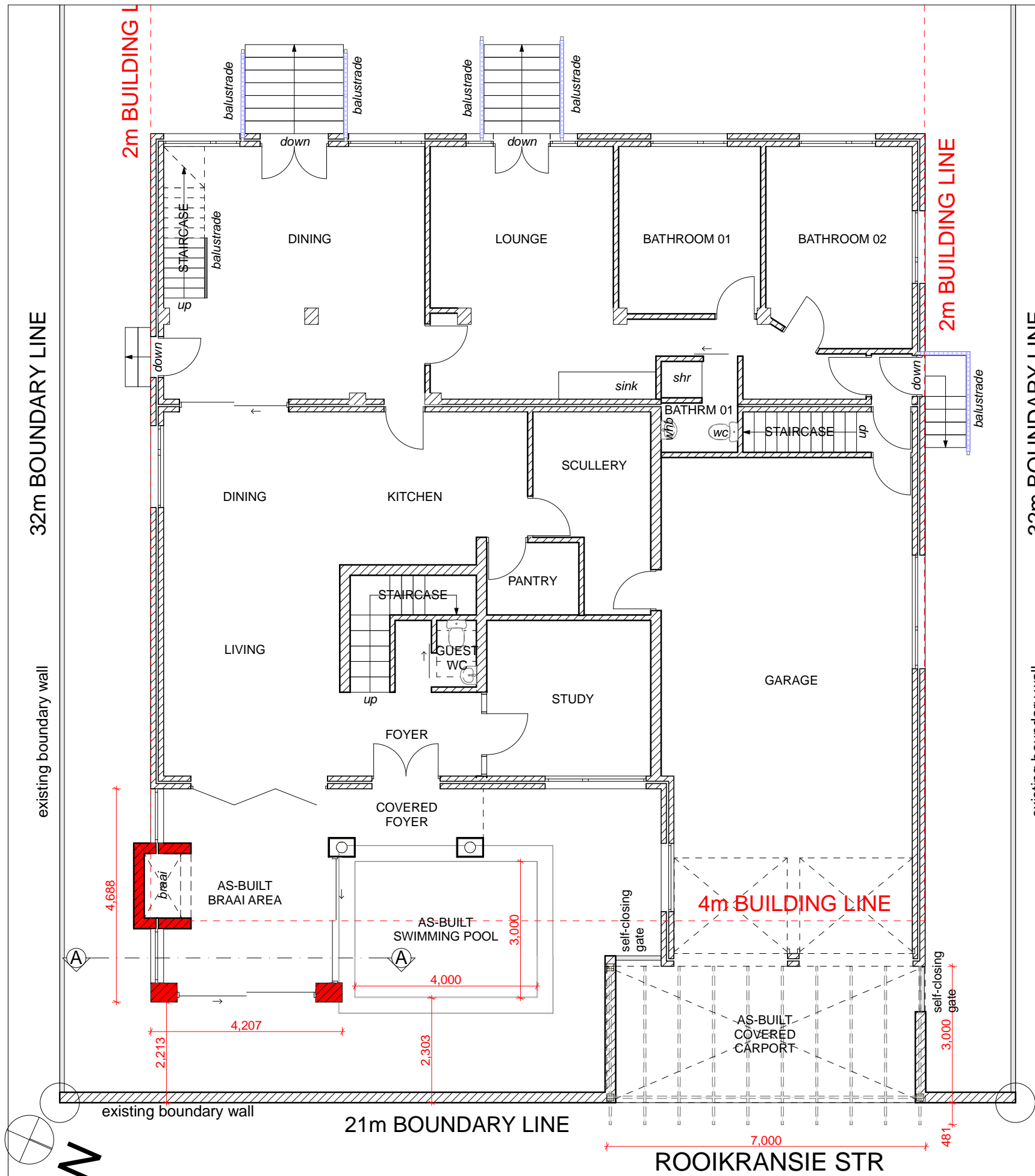
Copyright ©

**ERF 177, ROOIKRANSIE STREET
HEROLDS BAY UPPER
GEORGE MUNICIPALITY & DIVISION**

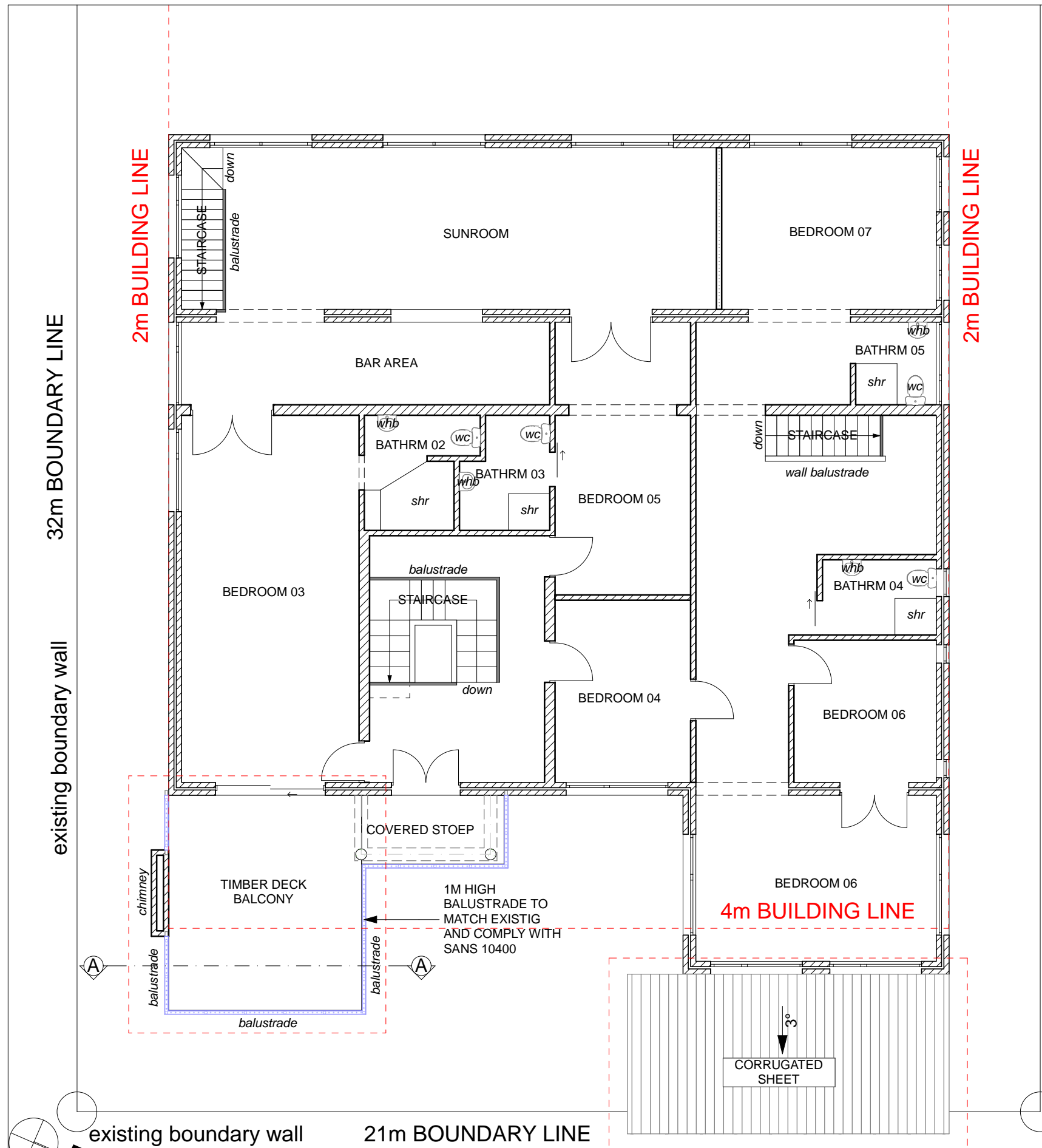
For scale refer to figured dimensions. Measurements always
to be checked by Professional Land Surveyor.



SITE PLAN
1:200

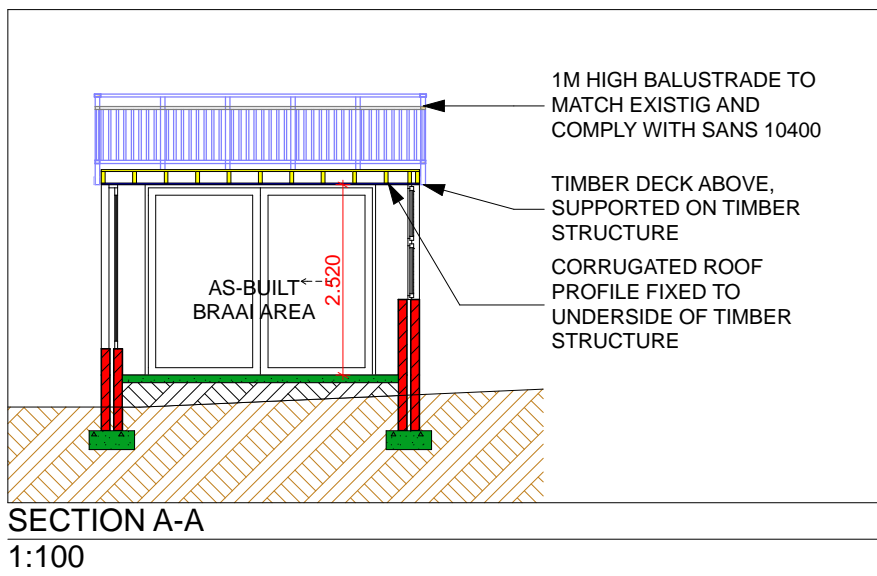


GROUND STOREY
1:100

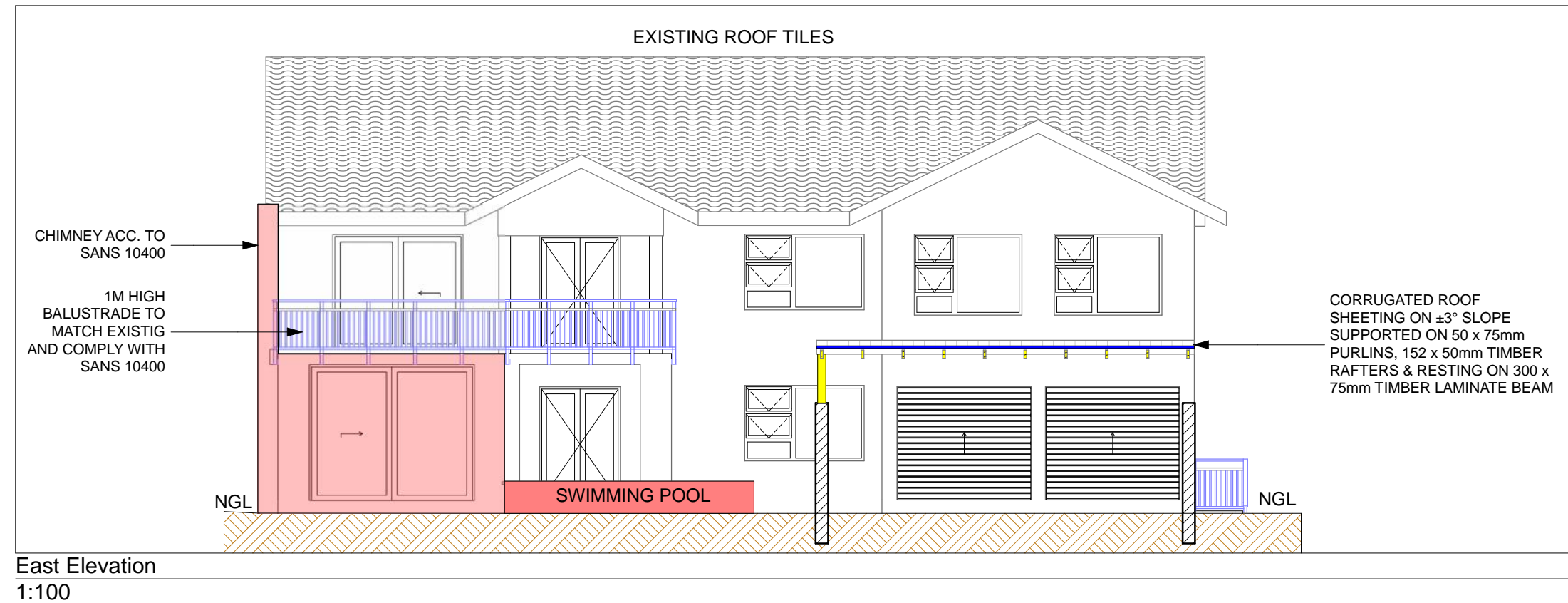


FIRST STOREY
1:100

GENERAL NOTES	
SITE Class of Occupancy SANS 10400-A: H4 Climate Zone SANS 204-4: Temperate Coastal Site Atmospheric corrosivity category ISO 9223: C5	CEILING Type: brander / suspended - see drawings Material: - Laminated board - see drawings for mineral sheeted roof areas Concrete slabs mainly
DESIGN The design of this project complies with the requirements of SANS 10000 - application of the National Building Regulations. The contractor (including sub-contractors) shall be familiar with the contents of SANS 10000 and related SANS 2001 standards.	WINDOWS & DOORS See schedules Energy efficiency of external units - SANS 204. Installation of glazing - SANS 2001-CG1 Shelf glass, including each pane of SIGUs shall be permanently marked
STANDARDS SANS 2001 - B51 Site Clearance: Removal and disposal of vegetation or mounding of re-usable materials. SANS 2001 - B61 Earthworks (General): Topsoil: select and stockpile Surplus and unsuitable material to be dumped at the closest approved dumping site.	PLASTER, SCREEDS, TOPPINGS SANS 2001-CP1 Cement plaster - smooth / textured / skimmed - see drawings Screeds and toppings Aggregate for toppings: aggregate from natural sources SANS 1083 - Nominal aggregate size: 6.7mm min 25mm topping Nominal aggregate size: 13mm min 40mm topping Nominal aggregate size: max 19mm min <40mm topping Colouring pigment: BS 1014 or BS EN 12878 of approved colour Screed mix: 1 part cement to 3 parts sand, or 50 kg (one bag) cement to 130 L sand (two wheelbarrows) Topping mix: 1 part cement to 1 1/2 parts sand to 1 1/2 parts stone to produce a concrete strength of 25 - 30 MPa Finish: smooth / non-slip.
CONCRETE WORKS SANS 2001 - CC1 Structural works - see structural Engineer's drawings SANS 2001 - CC2 (minor works) Paving on ground (SANS 10109) - concrete grade 20 for lightly loaded floor / paving (no trucking and one course domestic floors on the ground that will serve as the final wearing surface. Finishing - by delayed trowelling technique (surface water to have exposed to surface finish - see drawings).	PAINTING Painting of buildings - SANS 10305 FURNITURE, EQUIPMENT, STAIRS, METAL WORKS Joinery solid wood hardwood MDF fibreboard: SANS 540 plywood composite board: SANS 929 decorative melamine-faced board: SANS 1763 polymer laminates and solid surfaces: high-pressure decorative laminates: SANS 4586 Metalwork: Steel plates: SANS 657-4 Stainless steel: austenitic, grade 316. Finish: etched Sails: going 280 riser 170 - sum of the going and twice the riser is not less than 570mm and not more than 650mm Material to match hardware Hinges - steel - number per door >30kg - 2, between 2040 and 2340mm high - 3, and between 2340mm and 3000mm high - 4 GLAZING Type, size, thickness according to SANS 204 calculations - see schedules Marking - SANS 10400 N Installation of glazing - SANS 2001 - Construction Works Part CG1, or a method described in SANS 10137. The installation of glazing materials in buildings Glazing side hung doors to prevent sagging - SANS 2001-CG1, fig 14 DRAINAGE AND WATER SUPPLY SANS 2001-CP1 Earthworks for buried pipelines SANS 2001-CP2 Below ground medium pressure pipelines SANS 2001-CP4 Sewers (>160 mm) SANS 2001-CP5 Stormwater drainage SANS 2001-CP6 below-ground water installations for buildings Above-ground water supply and drainage for buildings: SANS 10252 Gas geysters to comply with SANS regulations Capacity: To manufacturer SANS 10087-The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial, and industrial installations. ELECTRICAL WORKS SANS 10142-The wiring of premises Vehicular areas - brick paving laid on 25-30mm sand bed to engineer



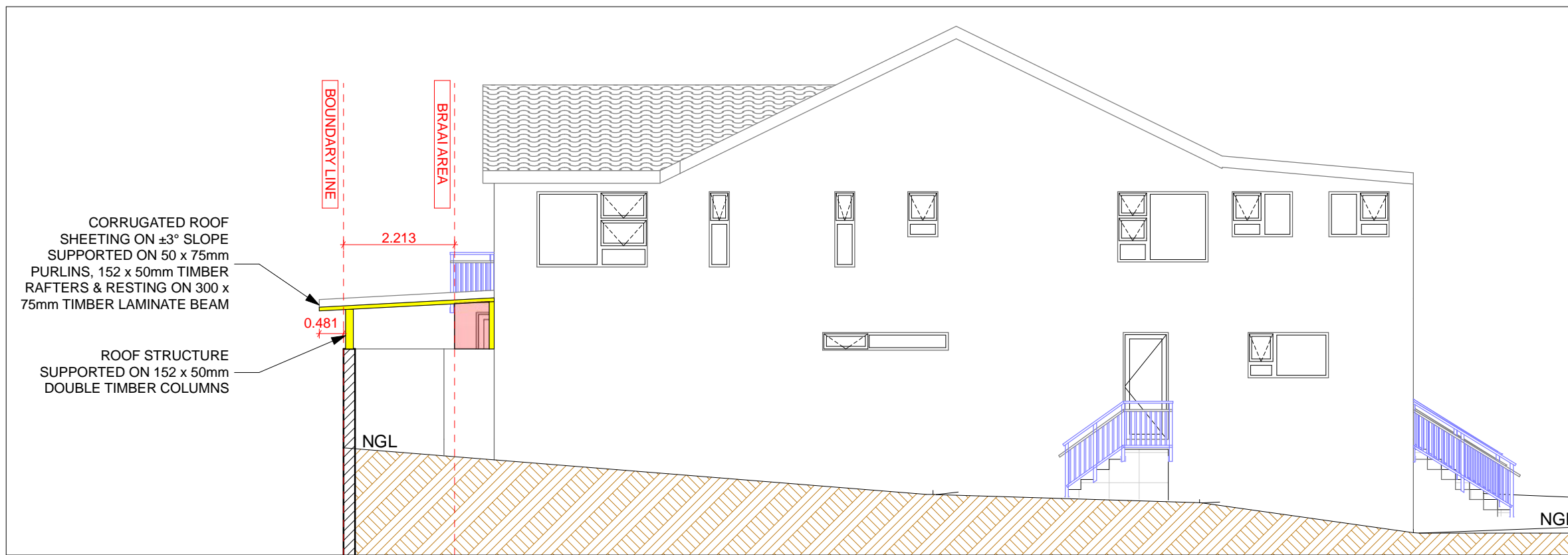
SECTION A-A
1:100



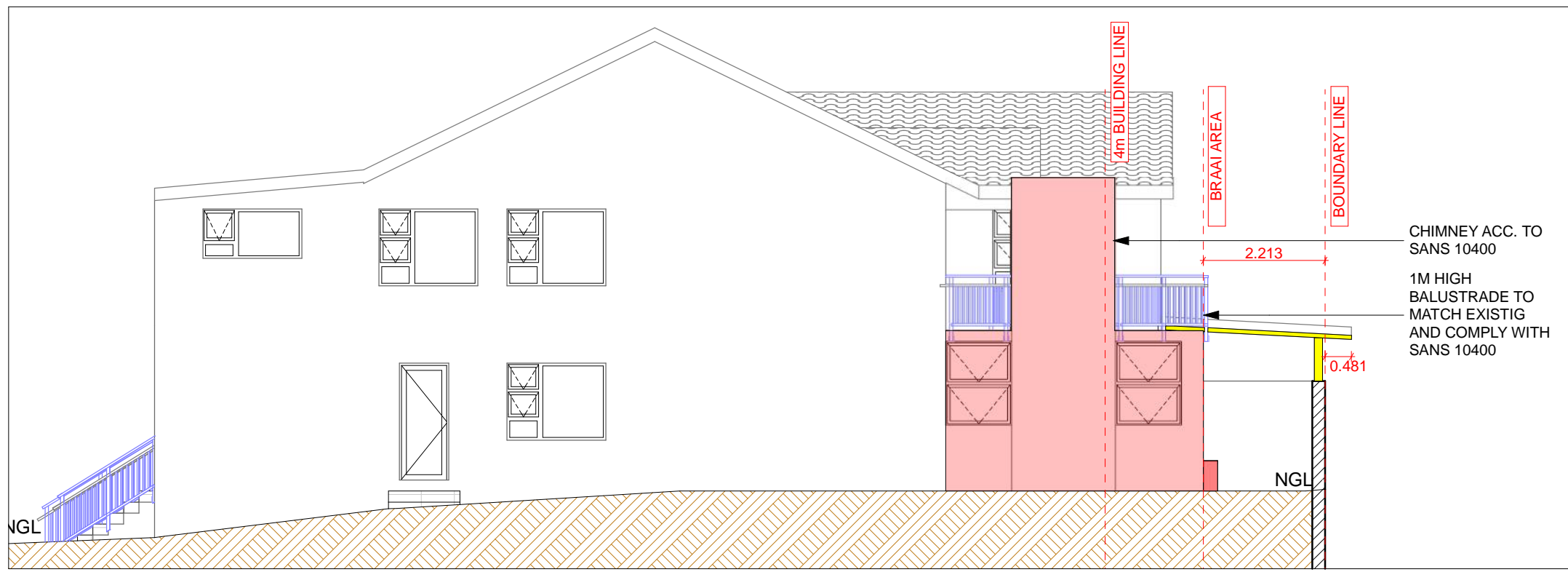
East Elevation
1:100



West Elevation
1:100



North Elevation
1:100



South Elevation
1:100


SIGNATURE OF OWNER/CLIENT:	DATE:
SIGNATURE OF ARCHITECT: Sy de Ruik SACAPSPAT24750417	DATE:
REVISIONS	
DRAWING STATUS AS-BUILT MUNICIPAL DRAWINGS PROJECT TITLE AS-BUILT ADDITIONS TO EXISTING DWELLING ON ERF 177 HEROLDS BAY FOR L. SMIT & F. ROUX	
DRAWING DESCRIPTION Site Plan, Ground Storey, First Storey, Elevations & Section	
SCALE	AS SHOWN
DATE	DATE OF 1ST ISSUE
ISSUED	25/07/2023
DRAWN BY	SdK
CHECKED BY	SdK
SNR, ARCHITECTURAL TECHNOLOGIST	SdK
SAS ARCHITECTURE COMMODITY FIRMNESS DELIGHT Garçon de Rêve, Cesur Architectural Technology, 686 285 1046 84-5257 Rye, 101517 25750417, info@sas-architecture.co.za	
PROJECT NO:	DRAWING NO:
2083	MD100
	REVISION
	00

Stadler & Swart Incorporated
1 Doneraile Street
GEORGE
6529

Prepared by me

CONVEYANCER
THERESA CAMPHER WALDER
MOEGSIENA ISHMAIL

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 4.000.000,00	R. 1.588,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

VERBIND MORTGAGED	
VIR FOR R 3.900 000,00	
B 000021430 / 2019	
25 SEP 2019	
REGISTRAR/REGISTRAR	

T 000039794 / 2019

DEED OF TRANSFER

DATA / VERIFY
27 -09- 2019
VUYELWA LAMANI

BE IT HEREBY MADE KNOWN THAT

GHISLAINE GRACE BARENDSE

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

ANDRE HARMSE
Identity Number 590908 5009 08 9
and
HENDRIKA STEPHANE HARMSE
Identity Number 6008220084088
Married in community of property to each other

DATA / VERIFY
26 -09- 2019
PHUMELELA MAMATY

which said Power of Attorney was signed at GEORGE on 16 AUGUST 2019

And the appearer declared that his/her said principal had, on 18 July 2019, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **LEON SMIT**
Identity Number 700714 5032 08 0
Unmarried
2. **PHILIPPUS DANIEL ROUX**
Identity Number 650418 5033 08 6
Unmarried

their Heirs, Executors, Administrators or Assigns, in full and free property

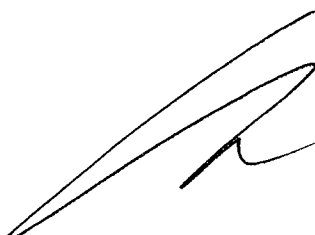
ERF 177 HEROLDS BAY
IN THE MUNICIPALITY AND DIVISION GEORGE
WESTERN CAPE PROVINCE

IN EXTENT 671 (SIX HUNDRED AND SEVENTY ONE) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T 36027/1979 with General Plan T.P 9297 relating thereto and held by Deed of Transfer Number T72108/1994

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T2525/1974.
- B. **SUBJECT FURTHER**, as contained in Deed of Transfer Number T36027/1979, to the following conditions imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance No. 33 of 1934 when approving of the establishment of Herolds Bay Township Extension No. 1, namely:-
 1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice No. 623 dated 14th August 1970.
 2. In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf, shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance No. 15 of 1952, as amended.
 3. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
 4. The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local or any other statutory authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

5. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
6.
 - (a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.
 - (b) No building or structure of any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority –
 - (i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf;
 - (ii) an outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.
 - (c) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it was one erf.
 - (d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditons herein set forth as if it were the original erf.



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

ANDRE HARMSE and HENDRIKA STEPHANE HARMSE, Married as aforesaid

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

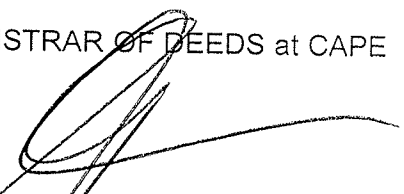
1. **LEON SMIT, Unmarried**
2. **PHILIPPUS DANIEL ROUX, Unmarried**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R4 000 000,00 (FOUR MILLION RAND) .

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

25 SEP 2019



q.q.

In my presence



REGISTRAR OF DEEDS

