



TOWN PLANNING

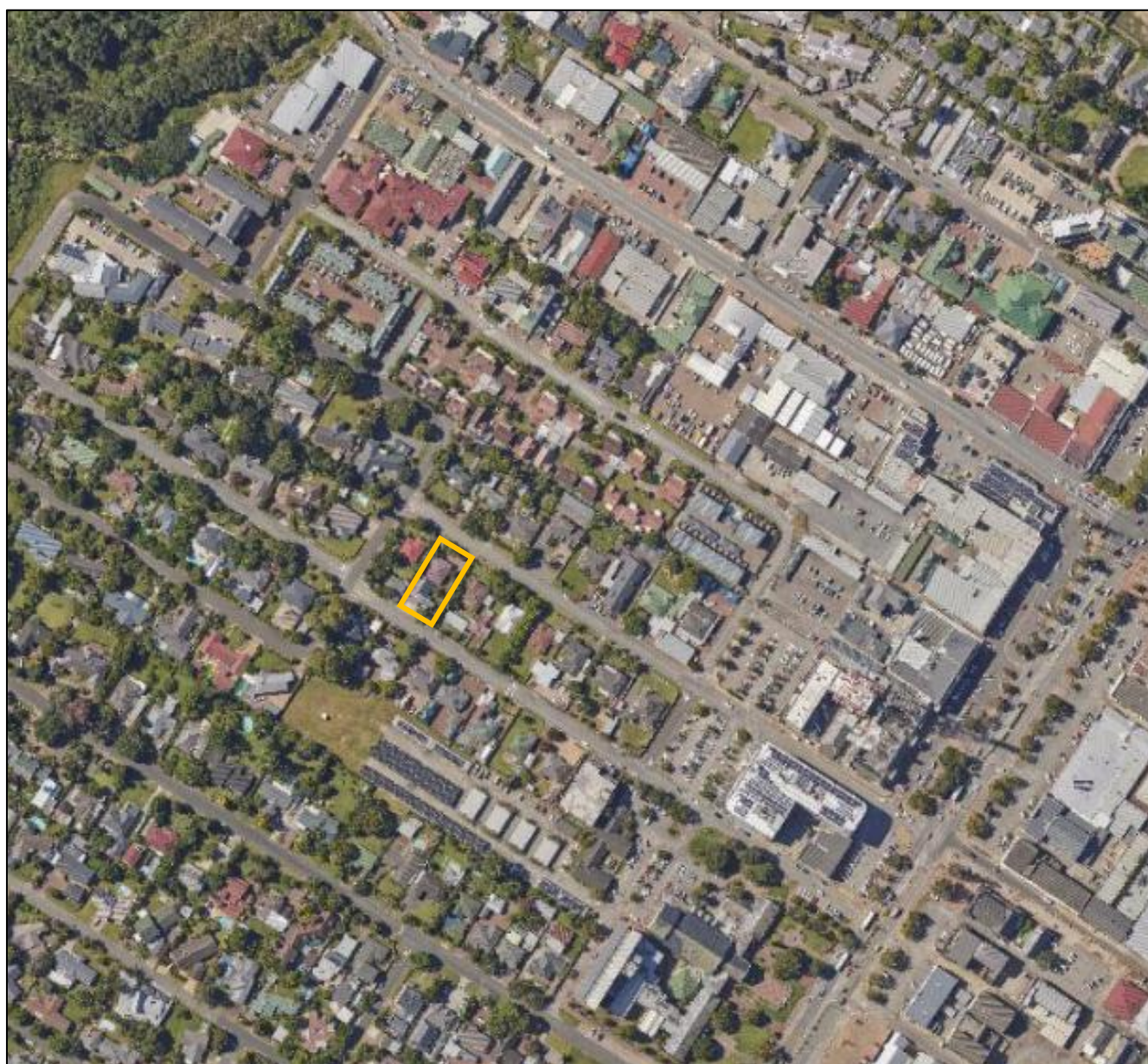
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DEVELOPMENT MANAGEMENT CONSULTING

**PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS, REZONING &
PERMANENT DEPARTURES
FOR *CJTS EIENDOMME PTY LTD***

**ERF 1342, 17 ST. JOHN STREET & 18 PROGRESS STREET, GEORGE CBD
GEORGE MUNICIPALITY & DIVISION**



CONTENTS

1. BACKGROUND INFORMATION & PROPERTY DETAILS	2
1.1 APPLICATION.....	2
2. CONTEXTUAL INFORMANTS	3
2.1 LOCALITY	3
2.2 ZONING & LAND USE.....	3
2.3 CHARACTER OF THE PROPERTY & AREA	4
3. DEVELOPMENT PROPOSAL	5
3.1. REZONING	7
3.2. PERMANENT DEPARTURES	7
3.3. REMOVAL OF RESTRICTIVE CONDITIONS	7
3.4. ADDITIONAL CONSIDERATIONS	10
3.4.1. PUBLIC INTEREST	10
3.4.2. MUNICIPAL ENGINEERING SERVICES & ACCESS	10
3.4.3. ENVIRONMENTAL & HERITAGE CONSIDERATIONS	11
3.4.4. SOCIO-ECONOMIC CONSIDERATIONS.....	11
4. REGULATORY CONSIDERATION OF THE APPLICATION	12
4.1. STATUTORY INFORMANTS	12
4.1.1. SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)	12
4.1.1. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)	13
4.1.2. GEORGE MUNICIPALITY: LAND USE PLANNING BYLAW, 2023	13
4.1.3. GEORGE MUNICIPALITY: ZONING SCHEME BY-LAW, 2023	13
4.2. SPATIAL PLANNING INFORMANTS.....	14
4.2.1. WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) (2014).....	14
4.2.2. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023).....	14
4.2.4. GEORGE CENTRAL AREA (INCLUDING THE CBD) LOCAL STRUCTURE PLAN, 2016.....	16
5. NEED & DESIRABILITY.....	17
5. PRE-APPLICATION CONSULTATION.....	18
6. CONCLUDING.....	18

ANNEXURES

1. Power of Attorney
2. Copy of Title Deed
3. Bond Holder's Consent
4. SG Diagram
5. Conveyancers certificate
6. Locality plan
7. Site Development Plan
8. Floor plans
9. Approved building plans
10. Pre-application consultation

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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REMOVAL OF RESTRICTIVE CONDITIONS, REZONING & PERMANENT DEPARTURE: ERF 1342 17 ST. JOHN STREET & 18 PROGRESS STREET, GEORGE CBD GEORGE MUNICIPALITY & DIVISION

1. BACKGROUND INFORMATION & PROPERTY DETAILS

Erf 1342 George is a developed property in George CBD northwest of York Street. The current owner operates a medical orthotist and prosthesis practice from the property. Before the current owner, the property was briefly used as a residence and dance studio after the previous business operation of about 10 years (*Mascot Ears*) moved. Before *Mascot Ears*, the property was used as offices, for how long is unknown. After all the years of various land uses, this property is still zoned Single Residential Zone I (SRZI). The current owner now proposes to follow the necessary application process to obtain land use approval for the change in use. In good faith, the owner purchased the property during 2022 due to each past use and the municipal business rates applicable to the property.

Marlize de Bruyn Planning was appointed to address the land use requirements for this land use application. The power of attorney attached as **Annexure 1** to this report. The table below includes relevant information regarding Erf 1342 George.

Property Description:	Erf 1342 George
Physical Address:	17 St. John & 18 Progress Street, George
Owners:	CJTS Eiendomme Pty Ltd
Title Deed No:	T61395/22 (Annexure 2)
Bond Holder:	Nedbank (Annexure 3)
Extent of the property:	1075m ²
Zoning of the property	Single Residential Zone I
SG Diagram	1455/1939 (Annexure 4)

The attached conveyancer's certificate (**Annexure 5**) confirms that the title deed includes restrictive conditions B(a)(b)(c)(d) to be removed with this proposed land use application of Erf 1342 George.

1.1 APPLICATION

This land use application for Erf 1342 George entails the following:

- **Removal of Restrictive Condition** paragraph B(a)(b)(c)(d) of title deed T61395/22 in terms of Section 15(2)(f) of the George Municipality: Land Use Planning By-law (2023).
- **Rezoning** in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-law (2023) from Single Residential Zone I (dwelling house) to Business Zone IV (offices).
- **Permanent departure** in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the following relaxations:
 - Northwestern side boundary building line form 3.0m to 0.0m for the existing lab and carport.
 - Southwestern street boundary building line (Progress Street) from 5m to 0.0m for the existing carport.
 - Street centre line setback from 6.5m to 6.4m (Progress Street) for the existing carport.

2. CONTEXTUAL INFORMANTS

2.1 LOCALITY

Erf 1342 George is a developed property in George CBD just 200m northwest of York Street in the central business district (CBD). The property is level and borders residential properties to its sides and is surrounded by a mixed land use including businesses, office, flats, group housing, dwelling houses, and community zones. The property is walking distance from York Street and several main public transport routes. The property is also walking distance from several businesses, places of instruction, medical consulting rooms and the main office of George Municipality. A locality plan is attached hereto as **Annexure 6**.

2.2 ZONING & LAND USE

Erf 1342 George is zoned Single Residential Zone I (SRZI) in terms of the George Integrated Zoning Scheme By-law (GIZS). The dominant zoning for the area is a mix of Single Residential Zone I, Business Zone IV, and General Residential Zone III. The zoning of the property is proposed to change from SRZI to Business Zone IV following this land use application and the land use is proposed to change from residential to offices (medical consulting room).



The property has been used for various business purposes over the last decades by previous owners. The current owner operates a medical orthotist and prosthesis business from the property. As the property is still zoned SRZI but the use is offices (medical consulting rooms), the current property owner wishes to rezone the property accordingly to align the zoning with the land use on the property.

2.3 CHARACTER OF THE PROPERTY & AREA

Erf 1342 George is a level property with an existing dwelling house and outbuilding on. The property is located in the George CBD and is located on the edge area between the residential neighbourhood and the business district. Erf 1342 George is not addressed specifically in the GMSDF. The property is in a mixed-use area of the George CBD urban node and the land use on the property will be specialised medical consulting rooms following this land use application. The property is located within the CBD functional area (GMSDF), within the densification zone (GMSDF), and within the medium-term business & high-density residential development edges. The image below shows the character of the property.

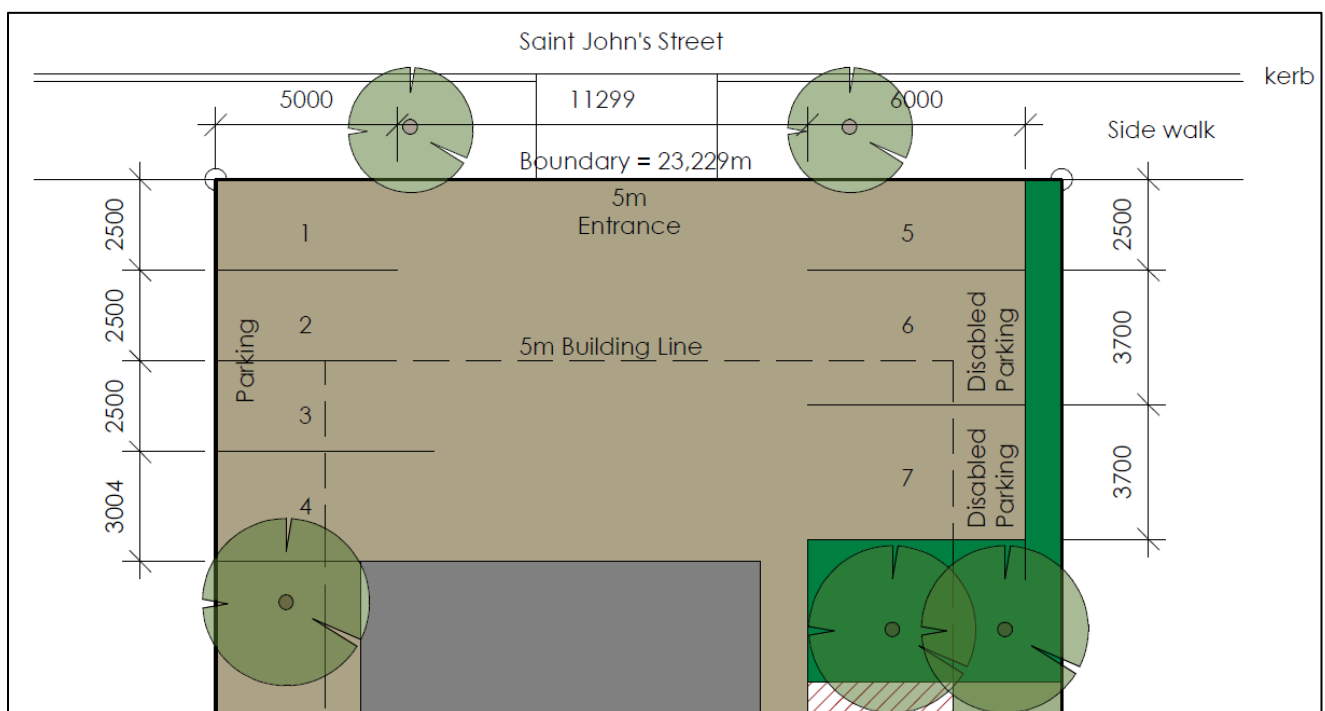
Erf 1342 George has access from the northeastern (St John) and southwestern (Progress) abutting streets. The access on Progress Street does not comply with the provisions of the zoning scheme and will be adjusted to comply. The proposed access arrangements are discussed throughout this application.



3. DEVELOPMENT PROPOSAL

As stated earlier, Erf 1342 George is a developed property in George CBD just 200m northwest of York Street in the central business district (CBD) and is zoned Single Residential Zone I. The property has been used for business purposes for more than a decade by previous owners. The current owner operates a medical orthotist and prosthesis business from the property. In order to align the longstanding land use on the property with its zoning, the current property owner wishes to rezone the property accordingly. Relevant removal of restrictive conditions and permanent departures are included accordingly. The site development plan is attached hereto as **Annexure 7** and the floor plan as **Annexure 8**.

On St John Street, the vehicular access is at present on the northeastern side. It is proposed to move this access centrally as shown on the extract **Annexure 7** from below. A tree located centrally is to be removed. It is however proposed to replace this tree with two indigenous trees on the sidewalk as illustrated on the site plan. Patients access the property from St John Street. A number of alternative parking arrangements were considered prior to concluding with the arrangement included with this land use application shown in **Annexure 7**.



It is proposed to alter the access and parking arrangement on this side of Erf 1342 George to ensure compliance with the provisions of the zoning by-law but to retain the shade ports. A large avocado tree is also located on this side of the property. It is proposed to protect this tree and provide parking and access around this tree. The position of the tree was measured exactly to be certain that staff can manoeuvre around it. The extract from **Annexure 7** below, shows that there is ample manoeuvring space.

The site plan for Erf 1342 shows an existing carport (12) and staff parking (11) area. The carport is 5000m wide and 8905m long. The staff parking area is 5000m wide and 2500m long. The carport is bounded by a 5m building line. The site is adjacent to Progress Street, which has a street center line and a side walk. The total boundary length is 23,229m. The site is divided into several numbered areas (8, 9, 10, 11, 12) and includes a parking area (8) and a side walk. The site is located on the corner of Progress Street and a road that is 11532m wide. The site is bounded by a 5m building line and a 5000m wide area. The site is divided into several numbered areas (8, 9, 10, 11, 12) and includes a parking area (8) and a side walk. The site is located on the corner of Progress Street and a road that is 11532m wide.



3.1. REZONING

It is proposed to rezone the property from SRZI to BZIV for offices so that the existing medical consultation rooms can continue to operate lawfully. Offices, the primary land use for Business Zone IV (BZIV), includes medical consulting rooms. The owner purchased this property as the existing structures was ideal for the nature of the operation with ample parking space as well as already paying business rates to the Municipality. The property also has the potential for the addition of an extra consulting room and rehabilitation room while still providing sufficient parking considering the zoning by-law.

3.2. PERMANENT DEPARTURES

The side building line for the property zoning is 3m, and the street building line is 5m. The section of the structure used as a lab/workshop for prosthesis fabrication is 0.0m from the northwestern side boundary and therefore requires a permanent departure for building line relaxation. The structure was approved before, but the use is now changing. This existing structure is shown on approved building plans (**Annexure 9**) as a storeroom and ablution. A part of the lab was built over 60 years ago, with the rest added in alignment with the existing structure.

The current owner has added two shade carports over the parking bays in the southwestern corner of the property. It is proposed to retain the carports but to alter the method of access, as shown on the site plan (**Annexure 7**). A relaxation of the street boundary building line is therefore also necessary here.

For offices the zoning by-law includes the following as development parameter (c):

The Municipality may require that all buildings or structures on the land unit are set back at least 6,5 metres from the centre line of the abutting street or streets.

For this property the existing structure (carports) facing Progress Street requires a relaxation of this parameter to 6.4m. This is a minor encroachment. Considering the appearance of the street and the build environment surrounding Erf 1342 George, these relaxations are not found to be detrimental to the character of the area.

3.3. REMOVAL OF RESTRICTIVE CONDITIONS

Condition B(a)(b)(c) & (d) of title deed restricts the land use on Erf 1342 George:

- a) That the erf be used for residential purposes only.
- b) That the erf not be subdivided.
- c) That no more than one dwelling together with the necessary outbuildings and appurtenances be erected on a residential erf or a business or industrial erf be used for residential purposes, and that not more than half of the erf be built upon.
- d) That no buildings shall be erected within 10 feet of any street line which forms a boundary of the erf.

These conditions are outdated and especially paragraph (a) restricts the property to developing functionally in terms of the current and strengthening spatial structure of George and the CBD. The intention is not to subdivide the property, but the removal of paragraph (b) is included in the process of removal – there is no reason to keep this paragraph while the other paragraphs are removed.

Paragraph (c) also relates to the use of the property and the development potential thereof. Removing this condition and the other three, does not have a negative impact on anybody's development rights or amenity. A land use application in terms of the planning by-law and building plan approvals protects the rights of all involved.

Paragraph (d) imposes a street building line of 3.14m which is not as restrictive as the zoning building line, but is needed to be addressed through this land use application due to the carports on the southwestern side of the property which is requested to be relaxed as described earlier.

It can be stated that these paragraphs of the title deed is directly in conflict with the Spatial Development Framework and the demarcation of the property within the CBD functional area (GMSDF) and within the medium-term business & high-density. Removing these conditions ensures that only the current municipal regulations apply to the property.

Section 33 (5) of the George Municipality: Land Use Planning By-law states the following:

(5) When the Municipality considers the removal, suspension or amendment of a restrictive condition, the Municipality must have regard to the following:

- (a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;*
- (b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;*
- (c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed;*
- (d) the social benefit of the restrictive condition remaining in place in its existing form;*
- (e) the social benefit of the removal, suspension or amendment of the restrictive condition; and*
- (f) whether the removal, suspension or amendment of the restrictive condition will completely remove rights enjoyed by the beneficiary or only some of those rights.*

The removal of these conditions regarding the use of Erf 1342 George will not have a negative impact regarding financial or other value of the rights for any person. It will provide the property owner the opportunity to optimize the potential of their property. It should add value to the area and therefore support the economic growth of the CBD (as discussed in the GMSDF).

Keeping the title deed restriction will not have any social benefit to others. The repurpose of the property for land use other than residential is made possible by the zoning by-law and the spatial planning proposals contained in the GMSDF (2023). Therefore, no reason for refusal of the removal of the restrictive title condition could be found.



3.4. ADDITIONAL CONSIDERATIONS

3.4.1. PUBLIC INTEREST

The proposed development is not expected to have any negative effect on the neighbouring properties (Erven 1341 & 1343)) as the land use will remain other than residential as it has been for at least about 15 years. The zoning of the property is proposed to change in accordance with the use thereof.

Overshadowing and overlooking of the neighbouring properties (Erven 1341 & 1343 George) are not expected to be issues, as the proposed land use will be on the ground floor in existing structures that have been used for various non-residential uses for many years. The potential new structures shown on the site plan will also be single-story and will not impact neighbours or the area's character.

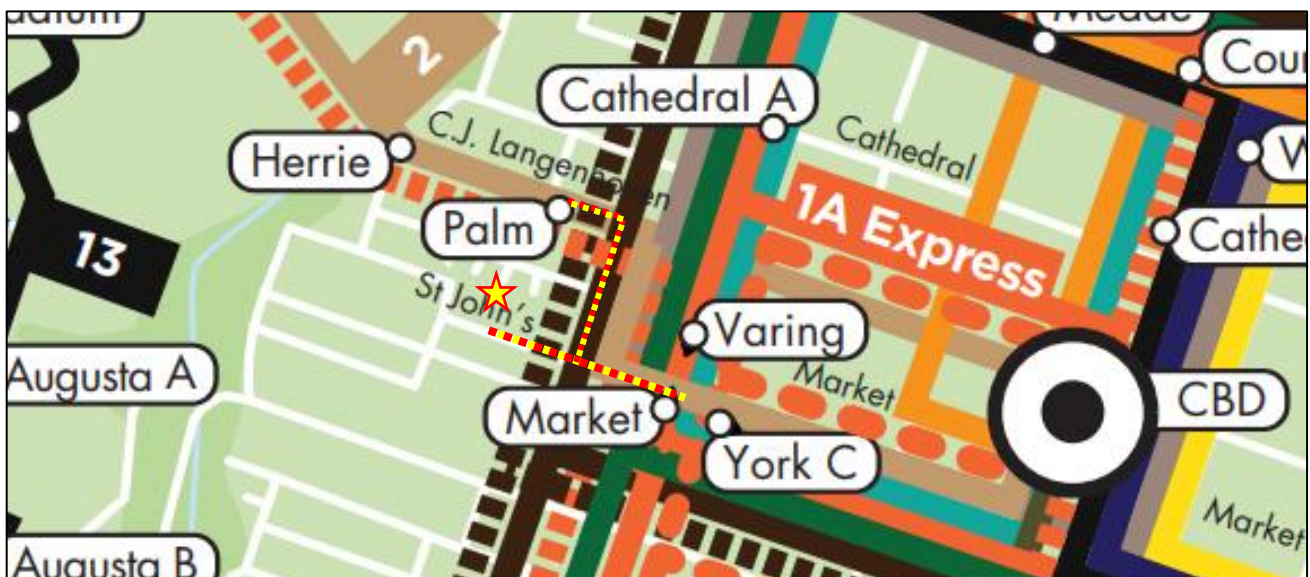
As the property is located in the CBD with an area that is being re-developed over time, the public interest of this land use application is regarded as limited.

3.4.2. MUNICIPAL ENGINEERING SERVICES & ACCESS

The municipal engineering services provided to this property will continue to be used and expanded if necessary for the provision of the medical consulting rooms.

This medical practice on Erf 1342 George has 2 medical consultation rooms with a 3rd proposed for the future as well as another rehab room. For the current consulting rooms plus the future third consulting room, 12 parking bays are needed. The site development plan shows that this is possible for the property with one access point from each street servicing the property. The combined entrance and exit from St John Street will be 5m wide and serve the 7 patient parking bays on the northern side of the structure of which 2 is proposed to be disabled bays. The combined entrance and exit from Progress Street will be 8m wide (to accommodate the avocado tree) and serve the 5 staff parking bays on the southern side of practice.

Public transport services are located within walking distance from Erf 1342 George. Proximity to public transport services (see extract below) is certainly valuable within the central areas of George.



3.4.3. ENVIRONMENTAL & HERITAGE CONSIDERATIONS

Erf 1342 George is already disturbed, landscaped, and located within the urban edge within the CBD. The property does not have any watercourses running through it or on it and no environmental barriers are found on or near the property. The property is level and will not require no cutting and filling for the proposed additions. There are some trees on the property, but no trees will be removed, except for one on the northern side as described earlier. There is an avocado tree on the southern street boundary (Progress Street) that the owner proposes to keep. The proposed access from Progress Street will thus accommodate the tree.

Regarding the National Heritage Resources Act, 1999 (NHRA), the existing structure is protected in terms of this Act. The required process is being followed to obtain consent from Heritage: Western Cape for the proposed additions and alterations.



3.4.4. SOCIO-ECONOMIC CONSIDERATIONS

The establishment of medical orthotist and prosthesis offices and consulting rooms in the Central Business District (CBD) has notable socio-economic benefits. This location enhances accessibility for patients, making it easier for a larger population to access essential medical services. The proximity to other medical facilities and hospitals ensures seamless continuity of care, providing convenience and comprehensive support for patients. This economic activity contributes to the overall vitality and mixed use of the CBD. Integration of medical orthotist and prosthesis offices and consulting rooms in the CBD will maximize diversity of land use and socio-economic benefits.

4. REGULATORY CONSIDERATION OF THE APPLICATION

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, 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. STATUTORY INFORMANTS

4.1.1. 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 earlier in this motivation report, are addressed below:

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. The land use application for Erf 1342 George supports the relevant development principles of SPLUMA as follow:

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 to this land use application:

- As the property is already disturbed and developed no negative environmental impacts are expected.
- The effective and equitable functioning of land markets is not negatively impacted on by this application.
- No negative impacts are expected on surrounding properties. See paragraph 4.1.1.2.
- Urban sprawl is not affected by this land use application as the property is located in the urban edge.

Efficiency as described in Section 7(c) of SPLUMA is supported – using existing structures.

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.

4.1.1. 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.

The land use planning principles expands on the five development principles of SPLUMA which is discussed in foregoing paragraphs and desirability of the proposed land use is addressed in Paragraph 4.5.

Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans. Considering the aim of this land use application for Erf 1342 George, no conflict was found with the George Municipal Spatial Development Framework (GMSDF).

4.1.2. GEORGE MUNICIPALITY: LAND USE PLANNING BYLAW, 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.

4.1.3. GEORGE MUNICIPALITY: ZONING SCHEME BY-LAW, 2023

Erf 1342 George is currently zoned Single Residential Zone I (Dwelling house) in terms of the George Integrated Zoning Scheme By-law (GIZS) (2023) but has been used for various businesses over the last almost 20 years by several previous owners. The current owner continued the trend, and it is proposed to now rezone the property to Business Zone IV (offices) to authorise the medical consulting rooms.

Permanent departures for existing structure (lab and carport) are required. a permanent departure is also required for the existing carport that is proposed to be moved from the western corner to the southeastern boundary for two parking bays that will be created under the new proposed parking layout. The existing carport and lab are both built up to (0.0m) the northwestern side boundary. The carport is also up (0.0m) to the southwestern street building line.

The parking requirements for the use of the property will be met. As discussed earlier in this report, the zoning scheme requires 4 bays per consulting room. There are 2 existing consulting rooms, and a 3rd is proposed. That means that 12 bays are required on the property. 12 bays can and will be provided for Erf 1342 George.

The proposed land use complies with all other relevant development parameters for offices (medical consulting rooms).

4.2. SPATIAL PLANNING INFORMANTS

4.2.1. WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) (2014)

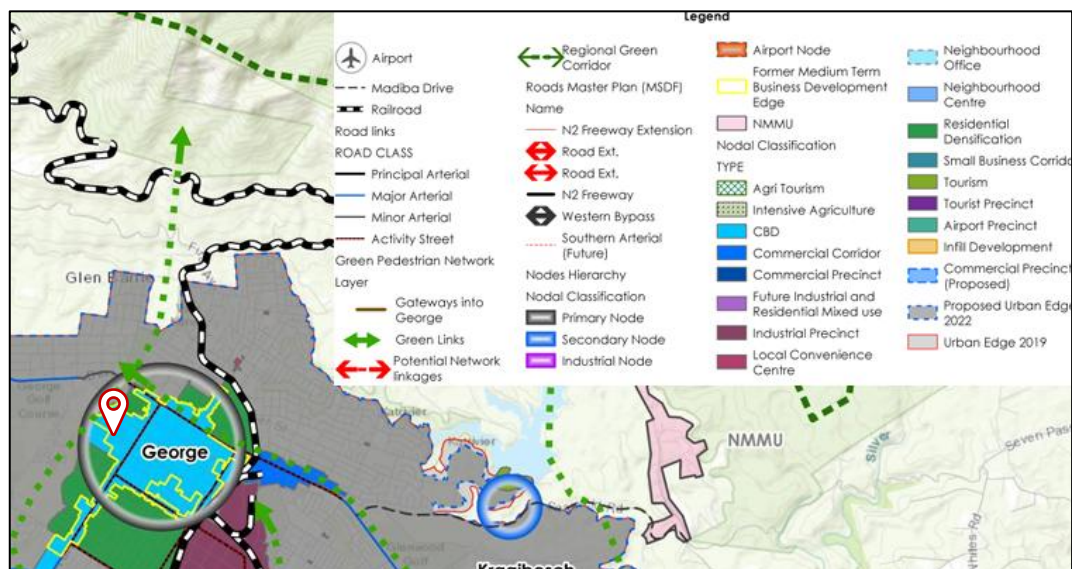
The PSDF aims to restructure the urban and rural landscape of the Western Cape to offer socio-economic opportunities for all. The proposed development on Erf 1342 George will provide a social and medical land use in the CBD of George near public transport and urban facilities, opportunities, and amenities. The proposed medical consulting room will also contribute to the economy of the area.

Due to the urban location of the property, it cannot negatively affect any coastal landscapes, agricultural lands, or natural environments. Thus, this application is not in conflict with the PSDF.

4.2.2. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023)

Erf 1342 George is not addressed specifically in the GMSDF. The property is in a mixed-use area of the George CBD urban node and the land use on the property will be medical consulting rooms (offices) following this land use application. The proposed land use will contribute to revitalisation within the CBD by optimising existing infrastructure on a property in the CBD and is walking distance from York Street and public transport. The property is located wholly within the CBD functional area (GMSDF), wholly within the densification zone (GMSDF), partly within the CBD Area (spatial planning structure) and wholly within the medium-term business & high-density residential development edges. See extract from the George public GIS viewer and the GMSDF.





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 (see Paragraph 4.1.1.1). It is also our view that this land use application for a medical consulting room supports the spatial development vision for George, namely:

Develop George as a resilient regional development anchor of excellence for prosperity, inclusive- and smart growth.

The GMSDF is informed by three spatial drivers, namely:

- *Natural & Rural Environment*
- *Settlements & Systems of corridors and nodes / precincts*
- *Regional accessibility network*

The second driver is of importance for this land use application for Erf 1342 George. The relevant spatial element supporting this development proposal, is the location of the property in a *Category A Node*.

The CBD is the Category A node as described in the GMSDF. It is described as a 'high intensity mixed use area defined by a business edge applicable to the core area, including office use and high-density housing options. Revitalization in the CBD is aimed at the public realm and pedestrian linkages with improved safety. Erf 1342 George is therefore located in the *primary activity centre* of George which will add to the vibrant mix of land uses required in this area which includes residential, commercial, office and public facilities according to the GMSDF.

Of the 6 themes that supports this vision, especially the themes relating to economic growth, managing the growth of the urban settlement and celebrating heritage, are of importance.

Theme A: Infrastructure

This theme is supported as an existing property, located in the CBD, with existing services, is repurposed for medical consulting rooms with limited additional services required, if any. This property has been paying business rates for most likely more than 10 years.

Considering the importance of the CBD for business development and densification/intensification, the proposal for Erf 1342 George will support the uses commonly found in a CBD and other medical land uses in the greater CBD. The mixed-use character of the CBD is supported as well as the principles of smart growth.

Repurposes such as proposed for Erf 1342 George supports a compact and efficient urban form. This in turn protects the urban edge.

This theme is not directly related to this land use application.

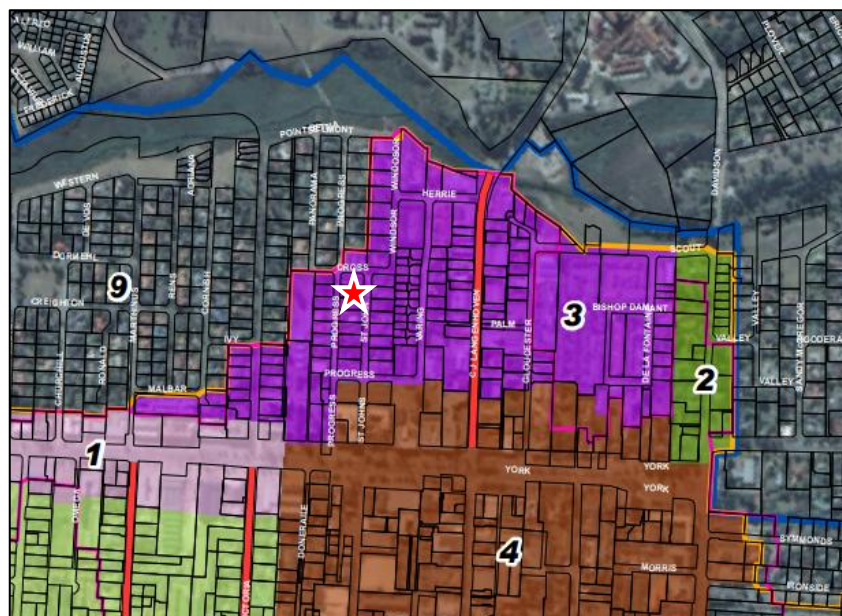
Utilising what we have within the urban edge protects the rural environment surrounding the town.

Part of the existing structure located on Erf 1342 George, is older than 60 years. Retaining and re-using the structure supports the character of the area and this history of George.

This land use application and the nature thereof is found to be consistent and supporting of the GMSDF as required in terms of Section 19 of the Land Use Planning Act, 2014 (LUPA).

The proposed land use on Erf 1342 George will contribute to social integration and mixed land use in the CBD. The proposed application for a medical consulting room in the George CBD on Erf 1342 George is ideal given its location and intention. Area 3 is already an area of high intensity mixed uses, and this provides an additional service from York Street's business district and the entire neighbourhood.

This development proposal therefore supports this structure plan which is part of the implementation of the GMSDF, 2023.



5. NEED & DESIRABILITY

Need and desirability is the balancing of various factors from a planning perspective.

Need

Need depends on the nature of a development proposal and is based on the principle of sustainability. This report has shown that the proposed land use for Erf 1342 George does not impact negatively on the character of the property, the environment, surrounding properties or holds any negative visual impacts. The owner needs to lawfully continue providing the successful medical orthotist and prosthesis practice within the George CBD.

Desirability

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 as well as the provision of services.

Physical characteristics of the properties

This proposal for Erf 1342 George has no negative impact on the physical characteristics of the property or vice versa as the property is level and already disturbed with existing structures used. The proposed future additions, considers the existing structures and future expansion.

Existing planning in the area

This land use application is not in conflict with the George Municipal Spatial Development Framework (GMSDF, 2023). Mixed use within the George CBD and restructuring zone is supported through this land use application.

Character of the area

As discussed, and shown earlier in this motivation report, the proposed development will have no negative effect on the character of the area.

Provision of services

Existing municipal engineering services is to be used and expanded if necessary.

Economic impact

The proposed development cannot have a negative economic impact. It effectively uses available space and maximise the use of available services. The medical consulting room is an active part of the economy in the area.

Direct impact on surrounding properties

No neighbour will be overshadowed or overlooked by the development. The development proposal enhances the area to the benefit of surrounding properties.

It is our view that the need and desirability of the land development on Erf 1342 George, showed no negative impacts.

5. PRE-APPLICATION CONSULTATION

The pre-application consultation is attached hereto as **Annexure 8** and was addressed as follows:

Town Planning:

- *In principle, the proposed land use (offices – medical consulting rooms) is in line with the provision of the spatial policies and objectives of the area.*
- *The residential character of the area should be retained, no buildings that are out of keeping with the character of the area will be allowed.*
- *According to Preliminary Heritage Asset Inventory, the subject property has Grading III C. Thus, comments or approval from Heritage Western Cape will be required.*

Noted. The potential proposed additional consulting room will be single storey and in character with the structure. The necessary heritage application is to be submitted to Heritage: Western Cape.

Civil Engineering Services (CES):

- *Parking and carriageway crossings must comply with Section 42 and 45 of the George Integrated Zoning Scheme, 2023.*
- *No motor vehicle should reverse directly into the street, adequate manoeuvring space should be provided on site.*
- *Only a single driveway or access point will be permitted per street.*

Noted. The current carriageway crossing on Progress Street will be amended and the parking layout will be adapted to ensure that each street boundary only has one, compliant, street access.

6. CONCLUDING

It is our opinion that the proposed land use application for Erf 1342 George is consistent with all relevant considerations as prescribed by the planning legislation. It does not create conflict with the overall spatial objectives for the area. It considers the neighbouring properties and the current spatial structure of the area. The proposed repurpose of this property within the CBD as primary node, will add to the mixed-use character of the area.



MARLIZE DE BRUYN Pr. Pln

August 2024

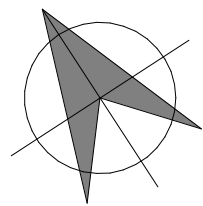
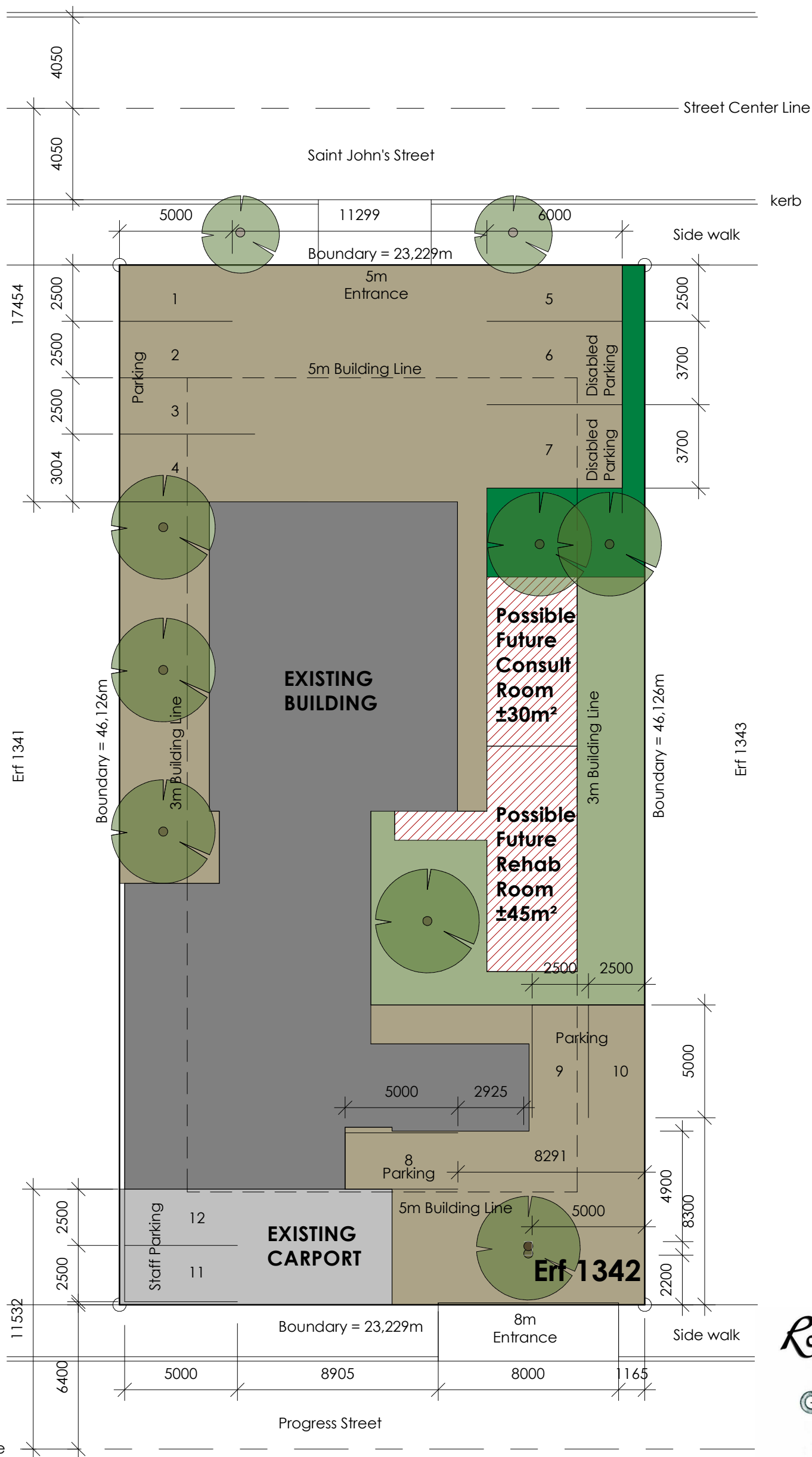


Copyright ©

ERF 1342
18 PROGRESS STREET & 17 ST JOHN STREET, GEORGE CBD

GEORGE MUNICIPALITY & DIVISION

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



Street Center Line

SITE DEVELOPMENT PLAN
Scale 1 : 200

CJTS Eiendomme
ERF 1342
Progress Street,
George

Rooted Living Solutions

Architect
Camilla : Eagar
MArch Professional

064 065 2492
RootedLivingSolutions@protonmail.com
Architecture • Landscape • Design

IN COLLABORATION WITH



PIETER LIEBENBERG
ST 1371

Unit 4
Building 1
Milkwood Village
Beacon Road
Wilderness

Resolution & Power of Attorney

CJTS Eiendomme Pty Ltd (2022/713857/07), the registered owner of *Erf 1342 George Municipality & Division* hereby resolves to authorise *Marlize de Bruyn and Denise Janse van Rensburg* from *Marlize de Bruyn Planning* to submit the required land use application in terms of Section 15 (2) of George Municipality: Land Use Planning By-law (2023) for the property.

Signed at George on 31 July 2024.



HJ Botha
(7610305064080)

Witness





Company Registration | Captured on 09/09/2022

Tracking Number: 9373029989
Customer Code: FMC001

9373029989

ENTERPRISE INFORMATION


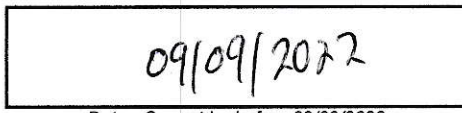

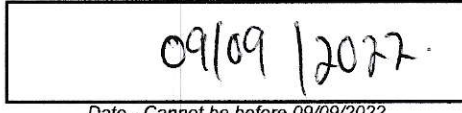
Transaction Date: 09/09/2022
Tracking Number: 9373029989
Name Reservation Application Number: 9372933294
Financial Year End: FEBRUARY
Number of Authorised Shares: 1000 SHARES
Addresses: **POSTAL ADDRESS**

36 BLOMMEKLOOF STREET
DENNEOORD
GEORGE
WESTERN CAPE
6529

ADDRESS OF REGISTERED OFFICE

36 BLOMMEKLOOF STREET
DENNEOORD
GEORGE
WESTERN CAPE
6529

DIRECTORS & INCORPORATORS

Surname and First Names	Director Type	ID Number / Date of Birth	Addresses
BOTHA, HEINRICH JOHANNES	Incorporator	7610305064080	Postal: 36 BLOMMEKLOOF STREET, DENNEOORD, GEORGE, WESTERN CAPE, 6529 Residential: 36 BLOMMEKLOOF STREET, DENNEOORD, GEORGE, WESTERN CAPE, 6529
 Signature		 Date - Cannot be before 09/09/2022	
BOTHA, HEINRICH JOHANNES	Director	7610305064080	Postal: 36 BLOMMEKLOOF STREET, DENNEOORD, GEORGE, WESTERN CAPE, 6529 Residential: 36 BLOMMEKLOOF STREET, DENNEOORD, GEORGE, WESTERN CAPE, 6529
 Signature		 Date - Cannot be before 09/09/2022	



POWER OF ATTORNEY

We the undersigned hereby nominate, constitute and appoint

GIDEON STEFANUS VAN HEERDEN ID [REDACTED]
T/A FINANCIAL MANAGEMENT CONSULTANTS

with power of substitution, to be our lawful agent and on our behalf:

1. Draw, complete and submit all necessary documents as required by the Companies and Intellectual Properties Commission for the registration of a private company with the name **CJTS EIENDOMME**, reserved under reservation number **9373029989**.

And in general for effecting the purpose aforesaid, to do or cause to be done whatever shall be requisite, as fully and effectively for all intents and purpose as we might or could do if personally present and whatsoever our said agent shall lawfully do or cause to be done.

Signed at George on the 09 of September 2022, in the presence of the undersigned witnesses.

.....
HEINRICH JOHANNES BOTHA
ID: 7610305064080

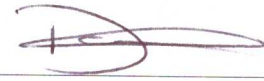
AS WITNESSES:

1. [Signature]
Signature
2. [Signature]
Signature

76

CTN 01445
KATZ ABRAHAMSON ATTORNEYS
1 AVENUE LE SUEUR
FRESNAYE
CAPE TOWN

Prepared by me



CONVEYANCER
DANIELLE ABRAHAMSON (84859)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	[REDACTED]	R. 1750.00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg Act/Proc



T 000061395 / 2022

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

DANIELLE ABRAHAMSON (84859)

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

STUDIO CENTRAL PROPRIETARY LIMITED
Registration number 2018/555287/07

which said Power of Attorney was signed at *Cape Town* on *24 October 2022*



Lexis® Convey 18.1.18.1



And the appearer declared that his/her said principal had, on 13 September 2022, 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:

CJTS EIENDOMME PROPRIETARY LIMITED
Registration Number 2022/713857/07

or its Successors in Title or assigns, in full and free property

ERF 1342 GEORGE
IN THE MUNICIPALITY AND DIVISION GEORGE
PROVINCE OF WESTERN CAPE

IN EXTENT 1075 (ONE THOUSAND AND SEVENTY FIVE) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T715/1944 with Diagram annexed thereto and Held by Deed of Transfer Number T 32021/2019.

- A. SUBJECT to the conditions referred to in Deed of Transfer Number T715/1944.
- B. SUBJECT FURTHER to the following special conditions contained in Deed of Transfer Number T715/1944 imposed by the Cape Province when approving of the establishment of Dominion Township under the provision of Ordinance Number 13 of 1927, which condition shall be binding on the Transferee and his successors in title and may be enforced by the registered owner of any erf forming part of the Dominion Township in respect of the said erf hereby transferred, namely:
 - "a) That the erf be used for residential purposes only.
 - b) That the erf not be subdivided.
 - c) That no more than one dwelling together with the necessary outbuildings and appurtenances be erected on a residential erf or a business or industrial erf be used for residential purposes, and that not more than half of the erf be built upon.
 - d) That no buildings shall be erected within 10 feet of any street line which forms a boundary of the erf.



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

STUDIO CENTRAL PROPRIETARY LIMITED
Registration number 2018/555287/07

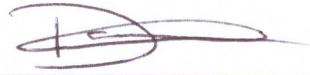
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

CJTS EIENDOMME PROPRIETARY LIMITED
Registration Number 2022/713857/07

or its Successors in Title 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 [REDACTED]

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 05 DEC 2022



q.q.

In my presence



REGISTRAR OF DEEDS





MDB Planning
Email: marlize@mdbplanning.co.za

24 October 2024

Your ref: Marlize de Bruyn

Our ref: Theona Hilder

Dear Sir/Madam

HOME LOAN IN THE NAME OF : CJTS Eiendomme (Pty) Ltd
ACCOUNT NUMBER : [REDACTED]
SECURITY DESCRIPTION : Erf 1342 Dormehls Drift, George

We refer to your request dated 31 July 2024 and advise as follows:

We have no objection to the rezoning of the abovementioned property from Single Residential Zone I (dwelling house) to Business Zone IV (offices), the removal of restrictive conditions B(a), (b), (c) & (d) in Deed of Transfer T61395/2022 and the Permanent Departure for the following relaxations:

- Northwestern side boundary building line from 3.0m to 0.0m for the existing lab and carport
- Southwestern street boundary building line (Progress street) from 5.0m to 0.0m for the existing carport
- Street centre line setback from 6.5m to 6.4m (Progress street) for the existing carport, subject to municipal approval.

It is essential that the client contact Nedbank Group Insurance on 0860 333 111 to update insurance on the property.

If you have any further questions regarding this matter, kindly contact Theona Hilder on 010 234 7719.

Yours faithfully

T. Hilder

THEONA HILDER
Administrator
Administrations
Gauteng Home Loans

cc

Home Loans | Gauteng

16 Constantia Boulevard Constantia Kloof Roodepoort 1709 PO Box 1144 Johannesburg 2000 South Africa
T 0860 555 111 F 011 495 9161

Directors: AD Mminele (Chairperson) JP Quinn (Chief Executive) HR Brody (Lead Independent Director) BA Dames MH Davis (Chief Financial Officer) NP Dongwana Dr MA Hermanus EM Kruger
P Langeni RAG Leith L Makalima MC Nkuhlu (Chief Operating Officer) Dr TM Nombembe S Subramoney
Company Secretary: J Katzin 15.07.2024.

www.nedbank.co.za

NEDBANK

LD

Approved.

L. Mildner Reference
Surveyor-General
16.6.1939

In terms of Section 15 of Ordinance No. 13 of 1927, the Administrator has granted the application to establish this township.

See Prov. Sec. 14, 134/C/43.....
dated 15.8.1934, 13.11.1934..... T.P. File 28/12-1938, 3-12-1938

(1) Portions of York Street
and 12' lane (lettered
abcdeklf, g) closed.

(2) Dunkirk Street
closed

Envt 14318 + 14319

Administrators Certificate
dated 26-7-1948.
page 95 5/8775/41/2

7/c's Notice dated
23/6/1949 p.9c
5/8775/41/1 Admin.
Consent p.100-101
Ref. 1/11/162 do 1988-05-23
1990-05-16

1064 14/11/49

W. H. Jones 89.6.29

LIST OF DEDUCTIONS.

<i>Err. №</i>	<i>Former description.</i>	<i>EXTENT Sq. Ft.</i>	<i>Diagram №</i>	<i>Deed reference</i>
1331	<i>Err. 1</i>	4701	1134/1922	1922-160-7924
1332	2	5423	1135/1922	1922-160-7924
1333	3	10626	1296/1922	1924-117-5843
1334	4	9028	3087/1923	1924-262-13061
1335	5	9019	3965/1923	1924-262-13061
1336	6	8382	3969/1923	1924-262-13061
1337	7	8945	3970/1923	1924-262-13061
1338	8	8904	3971/1923	1924-262-13061
1339	9	8565	3972/1923	1924-262-13061
1340	10	3077/1923	3087/1923	1924-262-13061
1341	11	10516	4155/1923	1924-15-75
1342	12	10841	4156/1923	1924-15-75
1343	13	10841	3974/1923	1924-15-75
1344	14	10841	3664/1923	1924-15-74
1345	15	10821	3656/1923	1924-15-74
1346	16	10821	3165/1923	1924-15-74
1347	17	10821	3085-1923	1925-102-13052
1348	18	11574	4037/1922	1924-280-10866
1349	19	10108	4265/1923	1924-15-73
1350	20	10615	3667/1923	1924-238-14285
1351	21	34363	1136/1922	1922-160-7924
1352	22	11704	1158/1922	1922-160-7924
1353	23	3274	3648/1924	1922-365-8224
1354	24	9390	3649/1924	1922-365-8224
1355	25	10876	3663/1923	1924-117-5847
1356	26	10246	4157/1923	1924-15-71
1357	27	11732	4038/1922	1924-15-71
1358	28	10389	4039/1922	1924-354-17680
1359	29	10989	4154/1923	1924-365-8224
1360	30	10989	1297/1922	1924-117-5843
1361	31	10989	4153/1923	1924-15-71
1362	32	10989	4160/1923	1924-15-78
1363	33	10989	4161/1923	1924-15-78
1364	34	10876	4162/1923	1924-15-78
1319	-	629.30.		
1319	-	625.30.		

FOR TRANSFER REFERENCE
VIDE D.O. REGISTER

S.G. OFFICE NOTES

① Erf 1357 included in consol. Now Erf 7208 vide Dgm 530/90
 ② Erven 1350 and 14318 included in consol. Now Erf 14448 vide Dgm 537/90
 ③ Erf 1348 included in consol. Now Erf 14449 vide Dgm 538/90
 ④ Erven 1355 and 14319 included in consol. Now Erf 14450 vide Dgm 539/90

Allotment Area file: S 8775/74
Main file: S 8775.
Noting Plan: BL-7DD: W-43
Degree Sheet: BL-7DD
George Erf Schedule

BL-7DD: W-43.
George
Sheet

BARCRO NEGATIVE
FILED
APR 19 1966

C.D.R.

Description of Beacons.

A & P are pieces of iron fencing standard each 3' long.
E is a round iron peg, $\frac{1}{2}$ " diameter alongside a flat iron peg.
P' is a hole $\frac{1}{2}$ " diameter drilled in concrete slabs.
RM1, RM2, RM3 & RM4 are Reference Marks.
All other beacons are round iron pegs 18" long & $\frac{1}{2}$ " diameter.

The Building Lines are 10' back from the street lines.
Continue Lines at vertical intervals of 3 Eng. Feet.

ERF	Nº	Diagram	Nº	Sides	Angles of triangles	Coordinates
				feet Constant	to be added	X Y
1	1134/1942					+ 10000.00 + 10000.00
2	1185/1942	A B	980.00	302.18 - 40	A	2125.97 + 1879.70
3	1185/1942	B C	53.01	33.25 - 10	A	1355.75 + 1879.70
4	1294/1943	C	374.00	302.18 - 40	D	1818.00 + 1879.70
5	3965/1943	D E	2382.03	32.18 - 40	D	1260.02 + 1880.66
5	3965/1943	E F	600.00	122.18 - 40	E	1416.11 + 2246.24
6	3965/1943	F G	12.00	32.18 - 40	F	1824.20 + 1919.77
7	3970/1943	G H	574.00	302.18 - 40	G	1957.61 + 1928.00
8	3970/1943	H J	63.00	32.18 - 40	H	1615.53 + 2129.85
9	3971/1943	J K	22.68	122.18 - 40	J	1647.20 + 2183.50
9	3972/1943	K L	12.44	32.18 - 40	K	1666.37 + 2170.70
10		M N	162.48	121.39 - 20	L	1675.00 + 2181.44
10	3975/1943	M N	52.18	32.18 - 40	N	1810.00 + 2009.53
11	4155 - 1943	N O	188.86	122.18 - 40	N	1846.97 + 2152.55
12	4155 - 1943	O P	460.00	122.18 - 40	O	2006.59 + 2051.50
13	3974/1943	P A	500.72	122.18 - 40	P	2393.60 + 1602.49
14						
15	5364/1943	Q R	740.00	302.18 - 40	Q	2092.16 + 1401.16
15	5365/1943	R S	133.00	32.18 - 40	R	1466.74 + 1796.66
16		S T	21.21	77.18 - 40	S	1338.18 + 1609.89
16	5364/1943	T U	774.00	302.18 - 40	T	1818.00 + 1717.80
17		U V	21.21	167.18 - 40	U	2168.86 + 1554.66
17	1986/1943	V V	185.50	212.18 - 40	V	2165.52 + 1519.47
18	1937/1944					
19	4663/1944					
20	5363/1943	W X	710.00	302.18 - 40	W	2185.97 + 1574.34
20	1136/1942	X Y	21.21	347.18 - 40	X	1585.91 + 1935.88
22	1137/1942	Y Z	116.30	32.18 - 40	Y	1571.25 + 1743.94
23	3648/1944	A' B'	710.00	302.18 - 40	A'	2092.16 + 1401.16
24	3649/1944	B' C'	21.21	167.18 - 40	B'	2262.28 + 1619.88
25	5363/1943	C' D'	116.30	32.18 - 40	C'	2286.04 + 1677.77
26	4157/1943	D' W	21.21	212.18 - 40	D'	2286.67 + 1679.99
27	1938/1944					
28	4033/1944	E' F'	778.99	302.18 - 40	E'	2283.66 + 1738.36
29	4158/1943	F' J'	41.00	32.18 - 40	F'	2149.95 + 1740.95
30	1297/1944	J K	52.68	122.18 - 40	J	1647.20 + 2183.50
31	4153/1943	K L	12.44	32.18 - 20	K	1666.37 + 2170.70
31	4153/1943	L M	162.48	121.39 - 20	L	1675.00 + 2181.44
32	4160/1943	M N	67.65	32.18 - 40	M	1810.00 + 2009.53
33	4161/1943	N O	188.86	122.18 - 40	N	1846.97 + 2152.55
34		O G'	480.00	122.43 - 10	O	2006.59 + 2051.50
34	4162/1943	G' H'	104.00	212.18 - 40	G'	2559.95 + 1824.24

M3-RM4	752.00	302	18	40	RM3	+	2198.52	+	1558.00
M4-RM2	158.50	32	18	40	RM4	+	1562.96	+	1960.00
M2-RM1	752.00	122	18	40	RM2	+	1647.68	+	2094.00
M1-RM3	158.50	212	18	40	RM1	+	2283.24	+	1692.00

Areas					
Exp. N°	Sq. Feet	Exp. N°	Sq. Feet	Exp. N°	Sq. Feet
1	4 701	13	10 841	25	108 76
2	544.5	14	10 841	26	102 46
3	106 26	15	10 841	27	117 82
4	502.8	16	10 841	28	109 89
5	301.9	17	10 841	29	109 89
6	8382	18	11 574	30	109 89
7	834.3	19	10 108	31	109 89
8	8304	20	10 616	32	109 89
9	8365	21	10 615	33	109 89
10	871.5	22	11 704	34	108 76
11	10 616	23	3274		
12	10 641	24	3490		

(C.D.R.

GENERAL PLAN

the figure ABCDEFGHIJKLMNOP represents the Township of
DOMINION
 in extent 5-4860 Morgen comprising ^⑧ 34 Erven, numbered 1 to 34
 and streets being Partion 1 of Consolidated Erf N° 17
 situate in the Municipality and Division of George, Province of Cape
 of Good Hope, ² annexed vide diagram N° 404 of 1959 annexed to
 Certificate of Registered Title N° 10385 dated 20-9-1939.

The beacons of each Erf represented on this plan are in accordance with regulation, and have been placed under my supervision.

Surveyed in June 1938 by me
T. J. Masland
Land Surveyor
E 123 / 1938
S 8775 / 4

GEORGE ALLOTMENT AREA

Numbered under the Provisions of the Deeds Register
Act No. 47,1937. Noting Plan BL-7DD - W-43
Alterations to numbers shown in Red. *D. M. M. M. M.*
for Surveyor-General
1940, 1955

BARCRO NEGATIVE
FILED
APR 19 1966

CONVEYANCER'S CERTIFICATE

1. I the undersigned, **MARCO VAN DER WALT (LPC 101905)**, in my capacity as conveyancer and attorney practising at Frances Schröter Attorneys Inc. in George, certify that a search was conducted in the Deeds Registry, Cape Town, in respect of the following property (including both current and earlier title deeds / pivot deeds / deeds of transfer):

ERF 1342 GEORGE

In the Municipality and Division of George
Province of the Western Cape

IN EXTENT: 1,075 (ONE THOUSAND AND SEVENTY FIVE) Square Metres

Held by Deed of Transfer Number T61395/2022.

2. The aforementioned property is registered in the name of CJTS Eiendomme (Pty) Ltd. (Registration Number: 2022/713857/07).
3. In respect of which the following developmental restrictive conditions were observed (numbered as per the references in the aforementioned deed of transfer):

*"B. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T715/1944, imposed by the Cape Province when approving the establishment of 'Dominion Township' under the provision of Ordinance number 13 of 1927, which condition shall be binding on the transferee and his successors in title and may be enforced by the registered owner of any erf forming part of the Dominion Township in respect of the said erf hereby transferred, namely:-*

- a) That the erf may be used for residential purposes only.*
- b) That the erf may not be subdivided.*
- c) That no more than one dwelling together with the necessary outbuildings and appurtenances be erected on a residential erf or a business or industrial erf be used for residential purposes, and that not more than half of the erf be built upon.*
- d) That no buildings shall be erected within 10 feet of any street line which forms a boundary of the erf."*

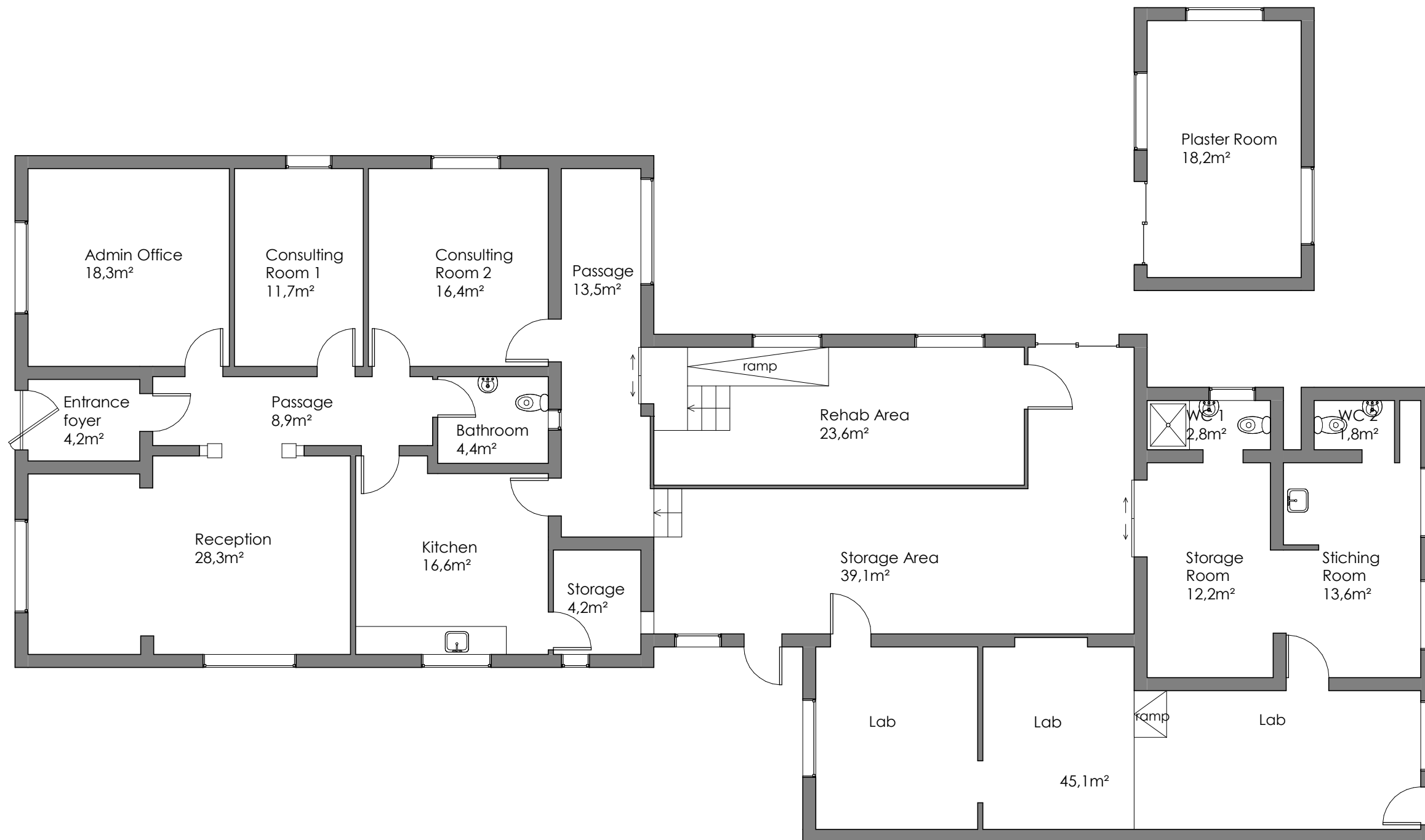
4. The owner of the property now seeks:
- 4.1. The **Removal of restrictive conditions B(a)-(d)** of title deed T61395/2022 in terms of Section 15(2)(f) of the George Municipality: Land Use Planning By-law (2023);
- 4.2. The **Rezoning** of Erf 1342 George in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-law (2023) from a Single Residential Zone I (dwelling house) to Business Zone IV (offices);
- 4.3. **Permanent departure(s)** in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for the relaxation of following:
- 4.3.1. The Northwestern side boundary building line form 3.0m to 0.0m for the existing laboratory and carport;
- 4.3.2. The Southwestern street boundary building line (Progress Street) from 5m to 0.0m for the existing carport;
- 4.3.3. The Street centre line setback from 6.5m to ± 6.0 m (Progress Street) for the existing carport;
- as more elaborated in the accompanying application.
5. There are no further developmental conditions and / or restrictive conditions and / or servitudes, to the best of my knowledge, registered against the aforementioned property, or contained in the title deed, prohibiting the consents, rezoning, and permanent departures applied for herein.
6. A Nedbank Ltd. bond (document number B32086/2022) is registered over the property. The bondholder's consent had been obtained on 24 October 2024 for purposes of this application.

DATED and SIGNED at GEORGE on the 28th day of OCTOBER 2024.



PER: MARCO VAN DER WALT

CONVEYANCER (LPC: 101905)
FRANCES SCHRÖTER ATTORNEYS INC.
SUITE H, WINDSOR PARK
3 VARING AVENUE, GEORGE



GROUND FLOOR PLAN
Scale 1:100

ERF 1342
Progress Street,
George

Rooted Living Solutions



Architect
Camilla : Eagar
MArch Professional

064 065 2492

RootedLivingSolutions@protonmail.com

Architecture • Landscape • Design

IN COLLABORATION WITH



PIETER LIEBENBERG
ST 1371

Unit 4
Building 1
Milkwood Village
Beacon Road
Wilderness

NOTE

Window schedule

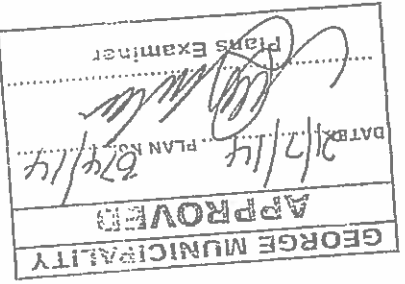
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W2	1200x2000
W3	1200x1500
W4	1500x2200
W5	1200x500
W6	1500x500
W7	1200x1500
W8	1200x2299
W9	1200x2000
W10	900x1128
W11	900x1500
W12	1500x1500
W13	1500x1500
W14	1500x1500
W15	564x887
W16	900x550
W17	900x850
W18	1500x1800
W19	1500x1800
W20	1500x1200
W21	WC3F
W22	WE3/345
W23	1500x1500

NOTE

Plan approval before commencing work.
All work to NBR and local authority.
All dimensions to be checked on site.

BUILDING PLANS AND PROJECT
MANAGEMENT BY O.M.
TEL. 044 8730333
CELL. 078 650 2122
arcbuid@telkomsa.net
REGISTRATION NUMBER T1535
dwg.a/5/14

Owner's notes

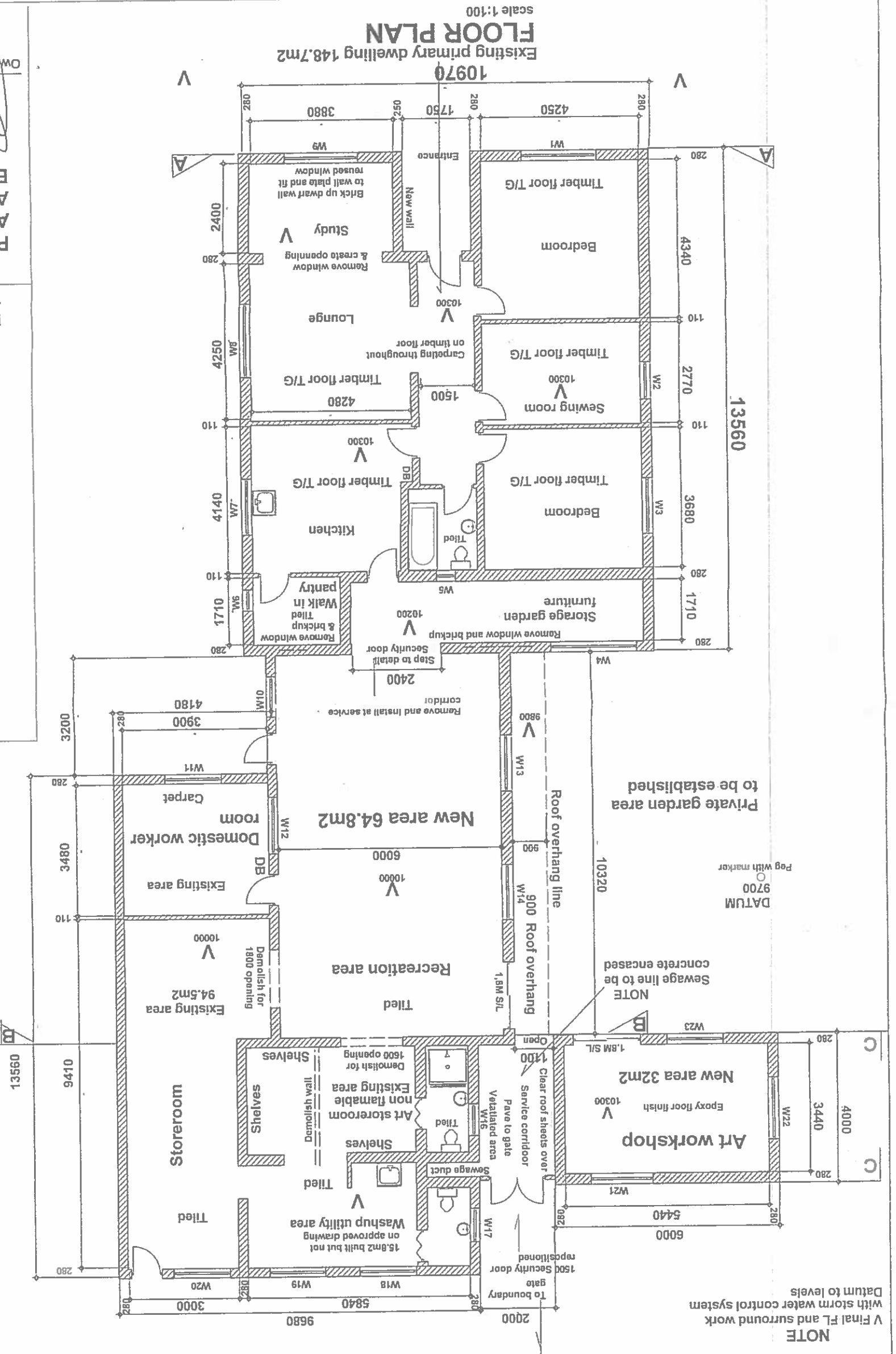


Final finishing and colour scheme to owner's specification

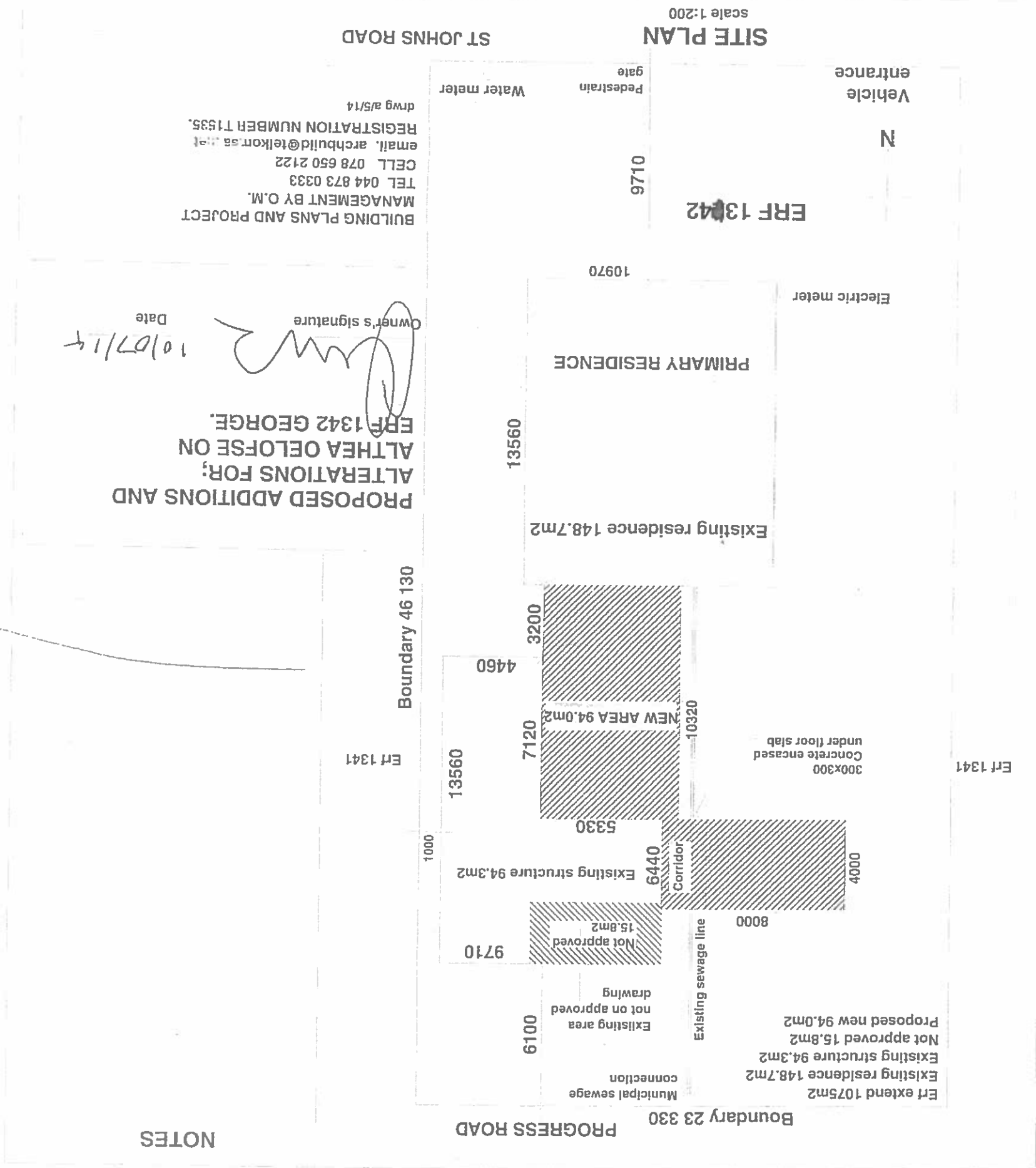
PROPOSED ADDITIONS AND
ALTERATIONS FOR;
ALTHEA OELFSE ON
ERF 1342 GEORGE

Owners signature

Date _____

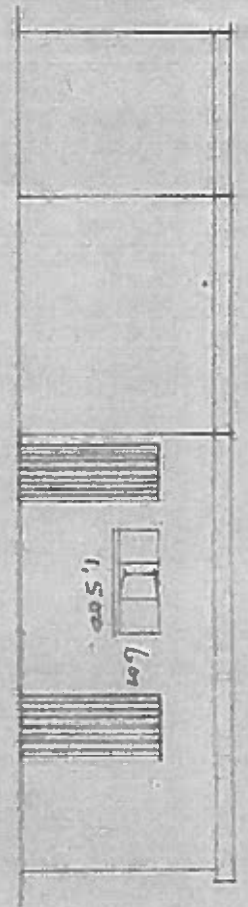


GEORGE MUNICIPALITY	
APPROVED	
DATE: 21/1/14	PLANNING EXAMINER



PROPOSED NEW STORE ROOM & EXTENSION TO EXISTING GARAGE FOR
MR A. Mc ADAM,
ERF 1342 GEORGE.

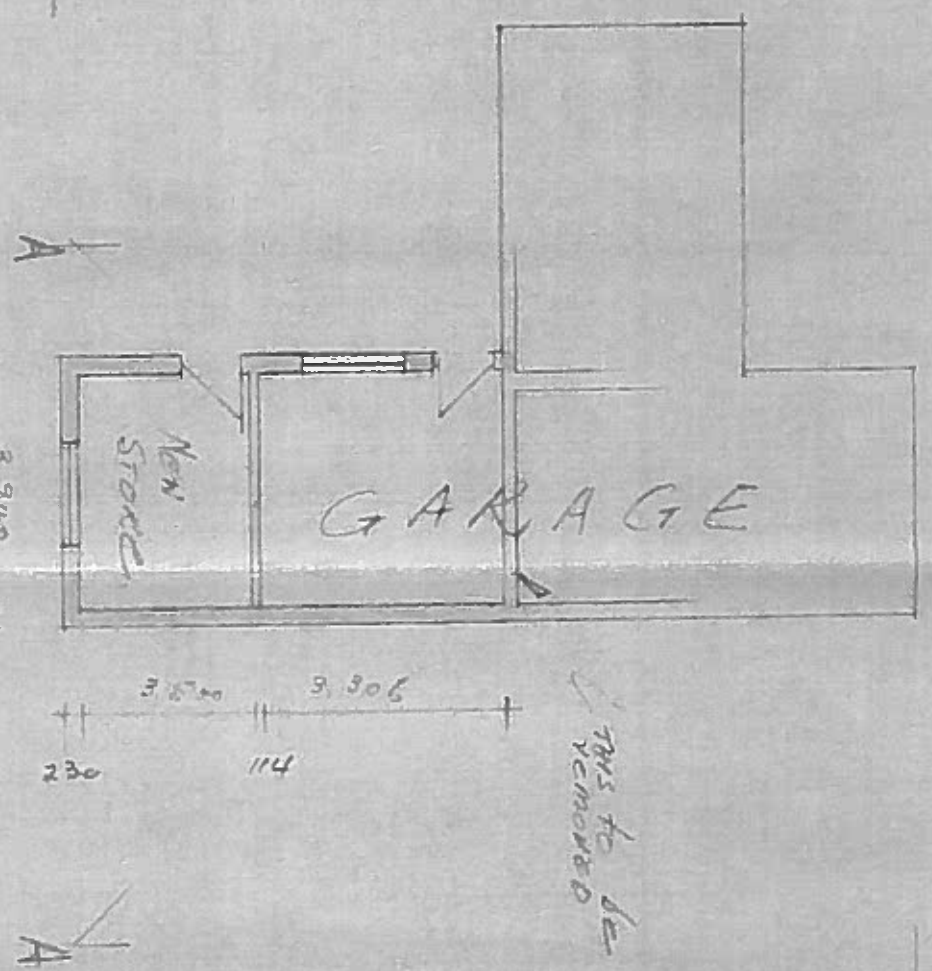
PROGRESS SH



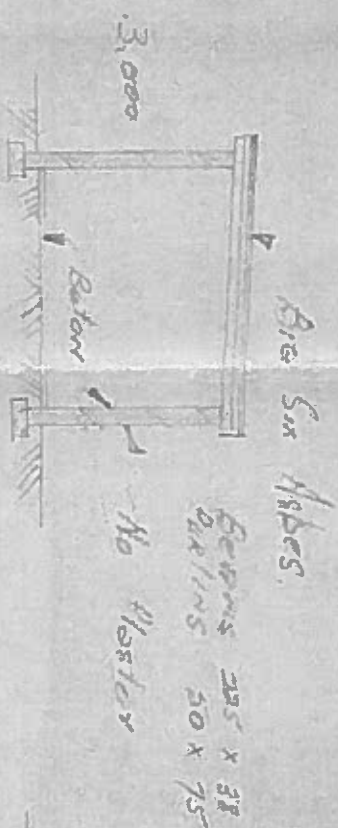
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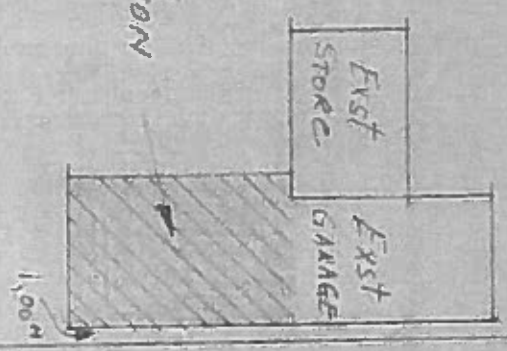
PLAN 1 = 100



DEKSWEE "A" "A" 1 = 100

46.05

New Extension



Ext Dwelling

GEORGE		MUNICIPALITY	
STADINGENIERS DEPARTMENT			
TOWN ENGINEERS DEPARTMENT			
APPROVED		DATE 10/10/1914	
1342/1914		PLAN No. 1829	
Stadingenier		TOWN ENGINEER	

23.61

St. JOHN Str.

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. No.: 3152735**

Purpose of consultation: **To discuss proposed land use application**

Brief proposal: **Removal of Restrictive Condition, Rezoning and Departure**

Property(ies) description: **Erf 1342, George**

Date: **08 May 2024**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Khuliso Mukhovha	George Municipality	044 801 1289	kjmukhovha@george.gov.za
	Jeanne Muller	George Municipality	044 801 1290	jmuller@george.gov.za
Pre-applicant	Denise JvR	MdB Planning	0766340150	denise@mdbplanning.co.za marlize@mdbplanning.co.za

Documentation provided for discussion:

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

- **Copy of title deed**
- **Locality**
- **Site plan**

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

YES	NO
-----	----

Comprehensive overview of proposal:

Erf 1342, George is a residential property located between Progress Street and St John Street in George CBD and is 1075m². The current owner operates a medical orthotist and prosthesis business from the property. As the property is still zoned SRZI but the use is offices (medical consulting rooms), a notice for unauthorised land use was served on the property owner on 30 April 2024. The owner now intends to do the necessary application to rezone the property appropriately for the land use. There are 2 medical consulting rooms with the associated offices, reception, kitchen, workshop area (where e.g. a new leg is made for a patient). This property has been paying business rates for most likely more than 10 years. Before the current owner, the property was again used briefly as residence and dance studio after the previous business operation (Mascot Ears) stopped. Before Mascot Ears, the property was used as offices.

The property is located wholly within the CBD functional area (MSDF), the densification zone (MSDF), the medium-term business development edge, and the medium-term high density residential development edge. It is proposed to rezone the property to BZIV (offices) to operate a specialist Orthopaedic rehabilitation business on the property.

The property's building lines will remain unchanged from the current SRZI regulations, with a 5m street building line and 3m side and rear building lines. However, departures will be necessary due to the change in use of existing structures and the addition of covered parking for staff - four covered parking bays on the Progress Street side of the property is used by staff. Patients reach the property from St. John Street, on the northern side where 4 bays are provided at present with another 3 possible.

The title deed contains condition B(a) restricting the property to residential use only. It is proposed to formally remove this title restriction. The house and outbuilding on the property are more than 60 years old.



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

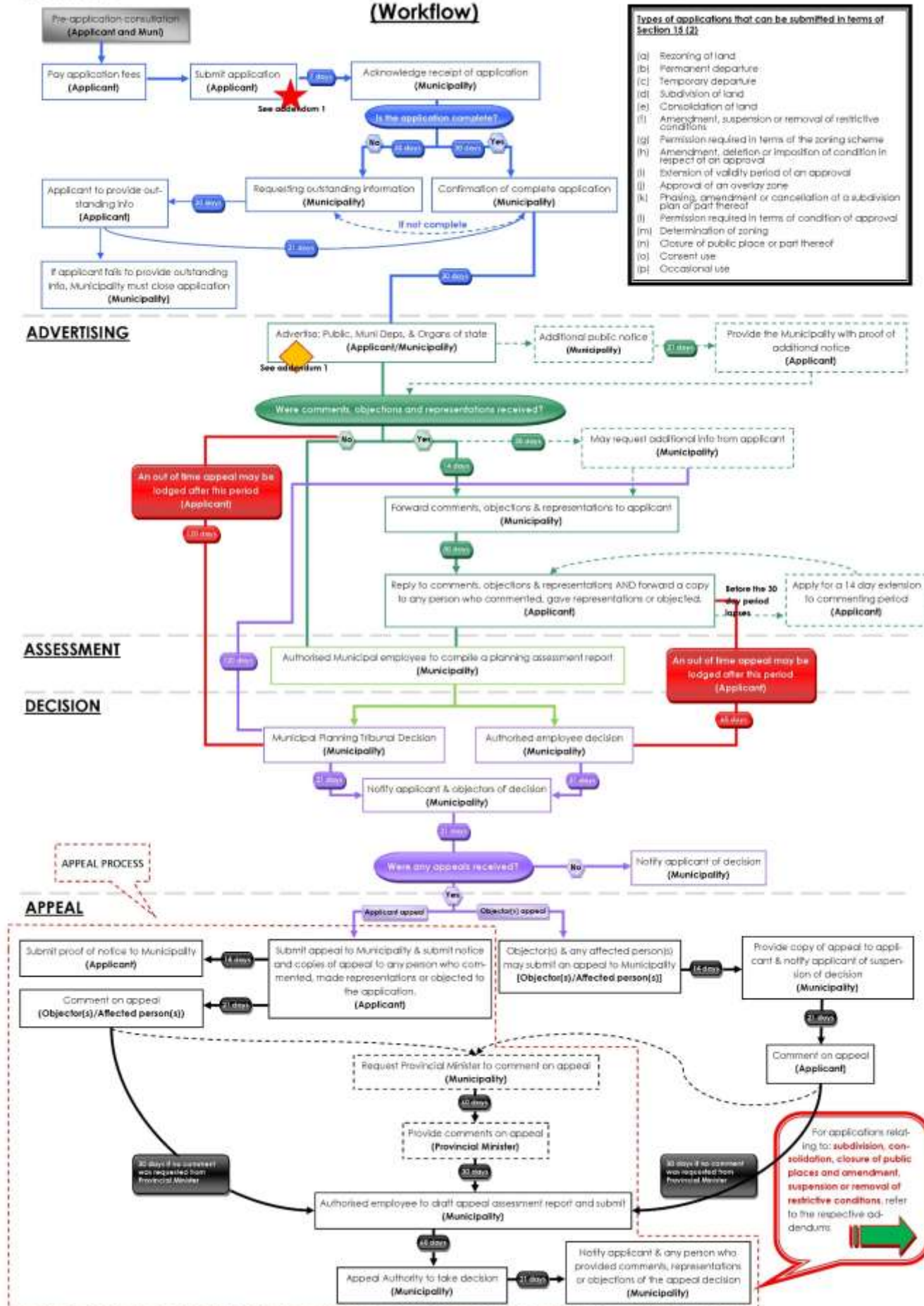
ADVERTISING

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
X	2(a)	a rezoning of land;	R 10 200,00
X	2(b)	a permanent departure from the development parameters of the zoning scheme;	TBC
	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;	R 9 750,00
	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

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			<ul style="list-style-type: none"> - George MSDF, 2023 - George CBD LSDF, 2012
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 (Especially to the Dominion Township the restrictive conditions pertain to)
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? George Integrated Zoning Scheme, 2023 What is the current zoning of the property? Single Residential Zone I What is the proposed zoning of the property? Business Zone IV 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			Western Cape PSDF, 2014

Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?		X		
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SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?		X		Western Cape Provincial Department of Agriculture
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		X		National Department of Agriculture
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		X		Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strikethrough irrelevant)		X		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?			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

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

SECTION D:

SERVICE REQUIREMENTS

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

Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

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

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

		(strikethrough irrelevant)			
Y	N	Other (specify)	Y	N	Required number of documentation copies

PART E: DISCUSSION

- The pre-application was submitted with a preliminary site plan as indicated below.



Town Planning

- In principle, the proposed land use (offices – medical consulting rooms) is in line with the provision of the spatial policies and objectives of the area.
- The residential character of the area should be retained, no buildings that are out of keeping with the character of the area will be allowed.
- According to Preliminary Heritage Asset Inventory, the subject property has Grading III C. Thus, comments or approval from Heritage Western Cape will be required.

Civil Engineering Services

- Parking and carriageway crossings must comply with Section 42 and 45 of the George Integrated Zoning Scheme, 2023.
- No motor vehicle should reverse directly into the street, adequate manoeuvring space should be provided on-site.

- Only a single driveway or access point will be permitted per street.

PART F: SUMMARY / WAY FORWARD

- See Part E above.

OFFICIAL: KHULISO MUKHOVHA
(FULL NAME)



SIGNED:

DATE: 13 MAY 2024

PRE-APPLICANT: DENISE JANSE VAN RENSBURG
(FULL NAME)

SIGNED:

DATE: 06 May 2024

OFFICIAL: JEANNE MULLER



SIGNED:

DATE: 14/05/2024

**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.*