



TOWN PLANNING

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DEVELOPMENT MANAGEMENT CONSULTING

**PROPOSED REMOVAL OF RESTRICTION, SUBDIVISION
& PERMANENT DEPARTURE
FOR M BEZUIDENHOUT**

**ERF 5288, 10 ANN STREET, TWEERIVIEREN
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 REMOVAL OF RESTRICTIVE CONDITION, SUBDIVISION & PERMANENT DEPARTURE: ERF 5288, 10 ANN STREET, TWEERIVIEREN GEORGE MUNICIPALITY & DIVISION

1. BACKGROUND INFORMATION

Erf 5288 George is a residential property located in Ann Street, Tweerivieren. The large double storey dwelling house approved many years ago, is no longer practical as a family home due to its size. If it was a single storey structure, the situation would have been different. It is proposed to divide the structure with a firewall, which is partly in place. This firewall will be extended through the structure in the position of the proposed new boundary between Portion A and the Remainder. The proposed subdivision will create a more practical solution for this large double storey dwelling house.

DMC Town Planning has been appointed to address the necessary land use requirements to enable the continued use of the property. The power of attorney attached as **Annexure 1** to this report.

2. PROPERTY DETAILS

The table below includes relevant information regarding Erf 5288 George.

Property Descriptions:	Erf 5288 George
Title Deed Nos	T56003/2017 (Annexure 2)
Size of the properties:	930m ²
Bond:	Yes, Nedbank (Annexure 3)
Physical Address:	10 Ann Street, Tweerivieren, George
Owner:	Marzanne Bezuidenhout
GP & SG Diagrams	1093/73 (Annexure 4)
Zoning	Single Residential Zone I (dwelling house)

The conveyancer certificate confirms that there are no conditions in the title deed that restricts this land use application except for Par B(2) to be removed. The registered bond for the property is also confirmed. The conveyancer's certificate is attached hereto as **Annexure 5**.

3. APPLICATION

This land use application in terms of the George Municipality: Land Use Planning By-law (2023) for Erf 5288 George entails the following:

- **Removal of Restrictive Condition** B(2) in terms of Section 15(2)(e) of the said by-law from T56003/2017.
- **Subdivision** of in terms of Section 15(2)(d) of the said by-law into Portion A ($\pm 449\text{m}^2$) and the Remainder ($\pm 481\text{m}^2$).
- **Permanent departure** in terms of Section 15(2)(b) of the said by-law for the relaxation of the northwestern rear building line of the proposed Portion A from 1.5m to 0.0m for the existing structure.
- **Registration** of an exempt 4m wide access & services servitude *abcd* over Portion A in favour of the Remainder in terms of Section 24(1)(f)(v) of said by-law.

4. CONTEXTUAL INFORMANTS

4.1 LOCALITY

As stated, Erf 5288 George is a residential property located in Ann Street, Tweerivieren. Tweerivieren is a northern lying neighbourhood that is only accessible through Denneoord to the west and is surrounded by open spaces.

A locality map is attached hereto as **Annexure 6**.

4.2 ZONING

Erf 5288 George is zoned Single Residential Zone I (SRZI) and use accordingly. All the surrounding properties are also zoned SRZI and the Katrivier (Private open space (OSZII)) is across Ann Street to the south. The zoning of the subject property is not proposed to change following this land use application. An additional Single Residential Zone I-property is to be created.



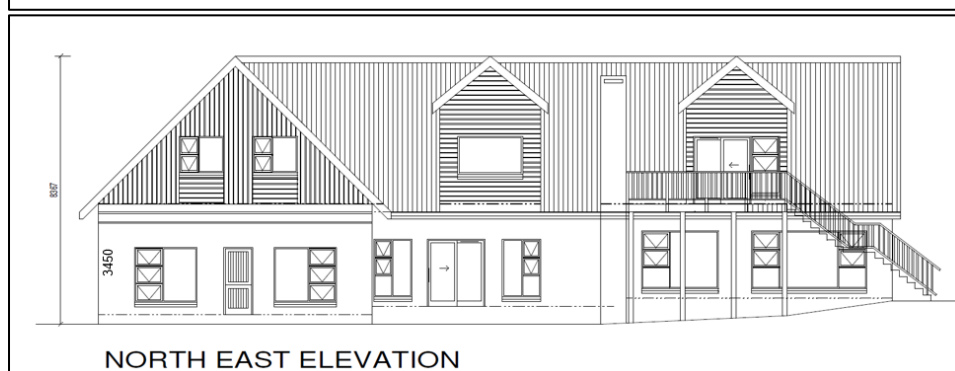
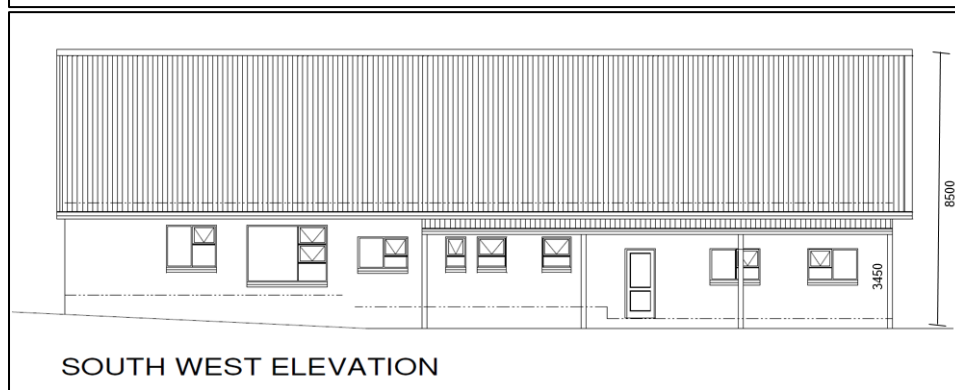
4.3 CHARACTER OF THE PROPERTIES

Tweervieren is characterised by SRZI properties ranging between $\pm 450\text{m}^2$ and $\pm 1050\text{m}^2$. Ann Street is one of five streets in Tweervieren that basically ends against the public open space. The property has a flat topography and obtains access from Ann Street along most of its street boundary. It has ample outdoor living space and a swimming pool. A tandem carport is also found along the southwestern boundary. At present the street building line is 4.0m with the side and rear building lines being 2.0m.

The following image shows the property and area as seen from above. The image following the aerial image shows the property as seen from Ann Street.



The four elevations of the existing structure are shown below.



5. PRE-APPLICATION CONSULTATION

The pre-application was considered and discussed on 26 February 2025 with the feedback attached hereto as **Annexure 8**. Their comments are shown and addressed below:

5.1 TOWN PLANNING

- Application for removal of restrictive condition must be included with the land use application.
- Proposed building plans clearly indicating how the dwelling houses will comply with the George Integrated Zoning Scheme By-law, 2023 (Zoning Scheme) will be required.
- Departure applications will be required in instances where the development does not comply with development parameters of a dwelling house.

Noted and done accordingly. Proposed floor plans are attached for two dwelling units, one for Portion A and one for Remainder Erf 5288 George. It is not cost effective to prepare complete building plans if there are no certainty whether a land use application will be approved.

5.2 CIVIL ENGINEERING SERVICES

- Access restricted to Ann Street. Access permitted in accordance with the Zoning Scheme regulations.

Access is only possible from Ann Street. As seen on the site plan included with the subdivision plan (Annexure 7**) the access arrangement will be adjusted to comply with the relevant regulations.**

- All parking must be provided on-site, in compliance with the Zoning Scheme parking requirements. No parking is allowed within the road reserve, and the owner may be held liable for any costs incurred to prevent unauthorized parking in this area. All movability should be done on site.

Noted and done accordingly. Ample parking is available within the boundaries of the property which complies with the relevant regulations.

- Normal Development Charges (DCs), if applicable, will be levied in accordance with the DC policy and the applicable By-law and / or policy.
- Water and Sewer are available, subject to the confirmation of capacity.
- Stormwater: The developer must ensure full compliance with the relevant Stormwater By-law.

Noted.

5.3 ELECTRO-TECHNICAL SERVICES

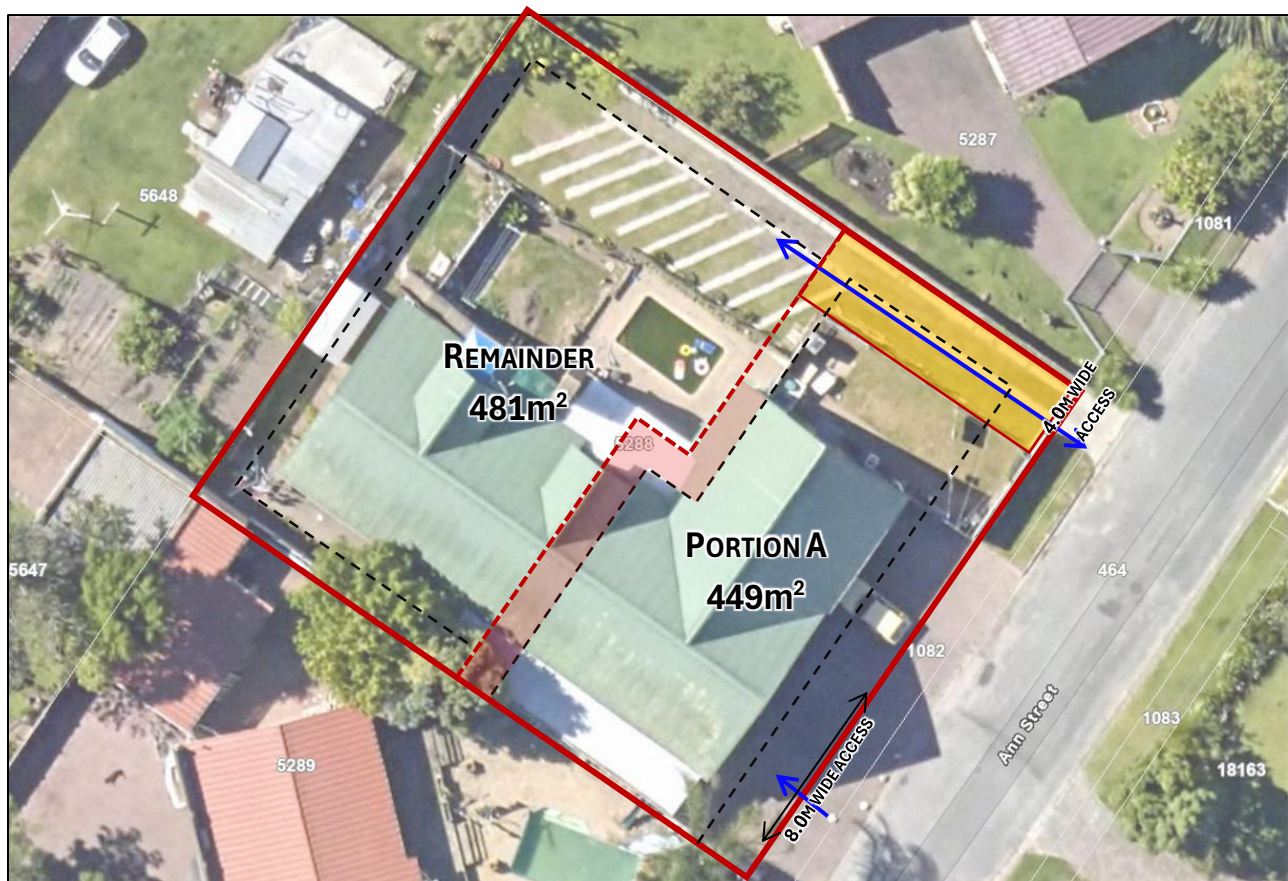
- A dedicated electrical service connection will be required to the new erf. DCs applicable.

Noted.

6. DEVELOPMENT PROPOSAL

It is proposed to subdivide Erf 5288 George in a Portion A and Remainder as shown earlier in this report. The subdivision line will in part be through the existing double storey structure in a position where a section already has a firewall. This firewall will be extended to ensure compliance with the National Building Regulations following approval of this land use application.

Portion A will accommodate a double storey dwelling house consisting of 3 bedrooms, kitchen, ample living spaces, a double garage and a tandem carport on the southwestern side of the structure. The proposed Remainder will accommodate also a double storey dwelling with 3 bedrooms and kitchen/living/dining on the first floor. The existing swimming pool will be on this property. At this point in time this proposed Remainder does not have any garaging. There is however ample space to construct garaging/carport while complying with the zoning by-law.



The title deed does restrict subdivision which is to be removed. The building line relaxation requested considers the position of the existing structure and is linked to the extent of the proposed properties. All relevant details regarding this development proposal are discussed in the paragraphs of this report.

6.1 REMOVAL OF RESTRICTIVE CONDITION

Condition B(2) of the title deed states the following:

2. Geen onderverdeling van hierdie perseel (persele) sal toegelaat word nie."

This condition prohibits any subdivision of the property. It is proposed to formally remove this condition as it prevents sensible densification / infill development and there are already other erven in the area that have been subdivided in the recent past. Section 33(4) of the George Municipality: Land Use Planning By-law (2023) must be considered when the removal of title conditions is requested:

(4) 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 all rights enjoyed by the beneficiary or only some of those rights.*

Considering this land use application for Erf 5288 George the removal of the restrictive condition has value for the property owner as it will make the more efficient use of a large double storey dwelling house possible through subdivision. The principles of densification within the urban area is supported without negatively impact on the character of this established residential neighbourhood. It will also have value for the Municipality from a rates perspective.

Preventing subdivision does not have 'personal' benefits for the Municipality as this paragraph in the title deed is in conflict with the general principles of the GMSDF, as approved by the Municipality. Personal benefits for the property owner will lead to the effective use of a property with this development potential. Socially, not removing this condition, will not hold any benefit. It will prevent the use of the property in accordance with the GMSDF and prevent ownership for more than one family within the urban area. The zoning by-law now determines the parameters regarding the development of property within the municipal area of George.

Lastly, it can be stated that removing the restrictive condition as discussed for Erf 5288 George will not remove any rights presently enjoyed. Restricting the use of a property and not being able to develop as proposed, does not hold any benefit for the Municipality, other property owners in the area of the owner of this property.

Removing the conditions as proposed for Erf 5288 George as proposed through this land use application, has more benefits than disadvantages.

6.2 SUBDIVISION & REGISTRATION OF A SERVITUDE RIGHT OF WAY

The proposed subdivision will create two Single Residential Zone I erven. The subdivision line will run from northeast to southwest through the existing dwelling house, creating Portion A ($\pm 449\text{m}^2$) and the Remainder ($\pm 481\text{m}^2$). Access arrangements will comply with the provisions of the zoning by-law as discussed elsewhere in this report.

The subdivision plan is attached hereto as **Annexure 7**.

6.3 PERMANENT DEPARTURE

Building lines are determined by the extent of a residential property. Following the subdivision of the property, the Remainder will have building lines of 1.5m along its northeastern, southwestern, and northwestern boundaries, with a 0.0m building line along its new southeastern side boundary.

Portion A will have a 3.0m street building line, a 1.5m rear building line along its northwestern boundary, a 1.5m side building line along its northeastern boundary, and a 0.0m side building line along its southern boundary.

As the existing structure will be bisected by the new property boundary along Portion A's new rear boundary and the Remainder's new side boundary, a relaxation of Portion A's rear building line from 1.5m to 0.0m is required. To ensure compliance with building regulations, the owners will extend the existing firewall along the proposed boundary to fully enclose the shared wall of the structure.

No building line relaxations are required for the Remainder, as it already has a standard 0.0m building line along the affected boundary, where the common wall of the houses will be located.

The requested building line relaxation is therefore necessary to accommodate the position of the existing structure. It is not feasible or practical to demolish a section of the existing structure to comply with a rear building line, not visible from general public view.

6.4 FURTHER CONSIDERATIONS

6.4.1. MUNICIPAL ENGINEERING SERVICES & ACCESS

No expansion of municipal engineering services for a new SRZI property is expected except the provision of separate services connections.

The proposed 4m-wide servitude will originate from Ann Street and will provide access to the proposed Remainder. Portion A will have access from Ann Street as shown in **Annexure 7**.

6.4.2. IMPACT ON NEIGHBOURING PROPERTIES

The public interest in this application is expected to be limited, as no new development is proposed. The existing structure will be divided in two dwelling units with a new subdivision line separating these two dwelling units.

Minor changes will be made to the existing structure which will improve the use of the property.

6.4.3. ENVIRONMENTAL & HERITAGE CONSIDERATIONS

The property accommodates no protected trees or other environmental features such as watercourses. Consequently, there will be no negative environmental impact of the cadastral changes proposed.

The house on Erf 5288 George is not older than 60 years and thus not protected in terms of the National Heritage Resources Act, 1999.

7. NEED & DESIRABILITY

Need depends on the nature of the proposal and is guided by the principle of sustainability. This land use report demonstrates that the proposed cadastral changes of Erf 5288 George is responsive to the property's existing character, its size and the large double storey dwelling unit which can be divided as it can comply with the National Building Regulation regarding a firewall. The proposed removal, subdivision, and departure will not have any physical changes or impact surrounding properties, the visual landscape, or the environment as the application is purely technical and not physical. Furthermore, the proposal fulfils the property owner's need to utilise the property in an effective manner within the urban edge of George.

Desirability from a planning perspective, is defined as the degree of acceptability of a proposed cadastral change on a property. The relevant factors include the physical characteristics of the properties, existing planning in the area, character of the area, the locality and accessibility of the properties as well as the provision of services.

Physical characteristics of the properties

The removal of a restrictive title condition, subdivision, and departure will not directly affect the physical characteristics of the property.

Existing planning in the area

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

Character of the area

The removal, subdivision, and departure will not negatively affect the character of the area as shown earlier in this report. It will support the SRZI character and the spatial objectives for the greater George area.

Provision of services

Municipal engineering services is already available for this residential erf. The necessary connections and contributions for a new residential erf will be required, following the approval and implementation of the subdivision. The Remainder and Portion A will have access from Ann Street as discussed and shown elsewhere in this report.

Economic impact

This land use application for removal, subdivision, and departure will enhance the value of the property/ies and will create additional opportunities for ownership.

Direct impact on surrounding properties

No neighbours are expected to be impacted negatively by the proposed cadastral changes as discussed earlier. It is expected that the use of the property will improve.

It is our view that the need and desirability of the proposed removal of a restrictive condition, subdivision, and permanent departure for Erf 5288 George, shows no negative impacts.

8. LEGISLATION & POLICIES

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.

8.1 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 land use report, are addressed below:

8.1.1. 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 fully relevant to this land use application.

Spatial sustainability as described in Section 7(b) of SPLUMA is relevant as follows:

- The proposed removal of a restrictive condition, subdivision, and permanent departure hold no expected negative environmental impact.
- The effective and equitable functioning of land markets is not negatively affected by this application but rather supported.
- No negative impacts are expected on surrounding properties.
- Land (and an existing structure) within the urban edge will be optimally used for residential purposes.

Efficiency as described in Section 7(c) of SPLUMA is not fully relevant to this application. However, it can definitely be stated that the erf is being subdivided to authorise the most efficient use of the property.

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 5288 George supports the relevant development principles of SPLUMA.

8.2 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.

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

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 5288 George, no conflict was found with the George Municipal Spatial Development Framework (GMSDF).

8.3 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 cadastral changes 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 land use report as relevant.

8.4 GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS)

Erf 5288 George is Single Residential Zone I (dwelling house) property and is developed accordingly with a dwelling house. Following the proposed removal, subdivision, and departures there will be two SRZI properties under 500m².

Both newly created properties will be subject to 3.0m street building line, a 1.5m side building line, a 0.0m side building line, and 1.5m rear building lines.

The common boundary between the two proposed properties will be a Portion A's rear boundary and the Remainder's side boundary. A building line relaxation for Portion A's rear boundary from 1.5m to 0.0m is required for the existing structure.

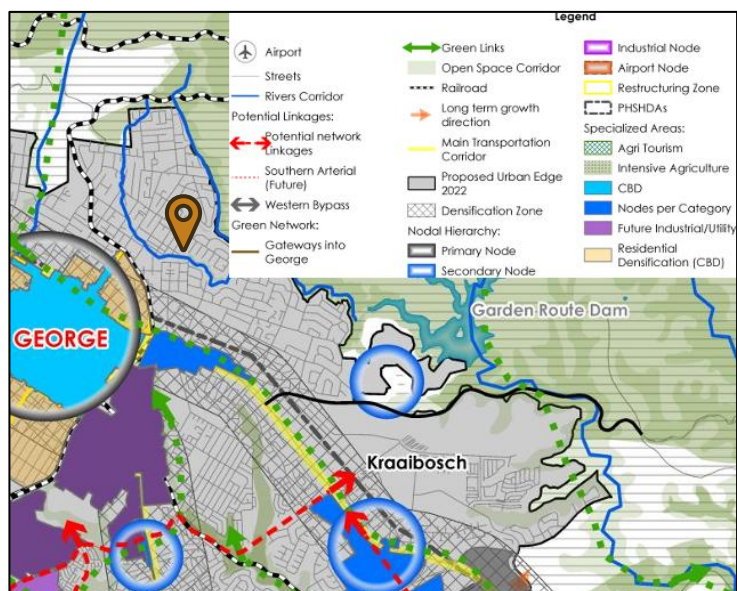
The structure on Portion A is also 0.0m from the southwestern side boundary which has a 0.0m building line. The common boundary building line on the Remainder is already 0.0m and does not need to be relaxed.

All other relevant development parameters are complied with such as height. The elevations included earlier in this report, includes the wall plate height and the maximum height on each elevation.

8.5 GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023)

Erf 5288 George is not addressed specifically in the GMSDF. It is a residential property within the George urban edge and in a demarcated residential area - Tweerivieren. A second dwelling unit is a primary right for this property at present. Through subdivision, the more efficient use of the existing structure is possible, and separate ownership can be obtained.

The residential density, whether a primary and second dwelling is created or subdivision with a dwelling house on each, will be 21.5 dwelling units per hectare which is less than the aim of an average of 25 dwelling units per hectare within the urban edge of George.



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).

9. CONCLUDING

Obtaining approval for the proposed cadastral changes on Erf 5288 George will enable the effective use of this large double storey dwelling house. The proposal is not found to be in conflict with the spatial objectives of the GMSDF and contributes to the broader goals for George by promoting appropriate densification and efficient use of available residential land within the urban area.

Based on the considerations outlined in this land use report, we are of the opinion that this application complies with all relevant planning legislation. It supports the character of the property, holds no environmental conflicts, offers an efficient use of urban space, and supports appropriate densification.



MARLIZE DE BRUYN Pr. Pln

**JUNE 2025
(UPDATED)**

Power of Attorney

I, **Marzanne Bezuidenhout** (), the registered owner of *Erf 5288 George Municipality & Division* hereby authorise *Marlize de Bruyn* and *Denise Janse van Rensburg* from *DMC Town 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 28 February 2025


M Bezuidenhout

Witness 



Bruwer & Reynolds Attorneys
Millwood Building
c/o York and Victoria Street
George

Prepared by me

Fee endorsement	
Purchase price/Value	Amount
R.....	R.....
Outstanding capital Amount	R.....
R.....	R.....
Reason for exemption	Exempt i.t.o
Cat.....	section.....Act.....

CONVEYANCER
Franeois-Scholtz Bruwer
JANINE FOUCHÉ

000037085 / 2019

GEKANSLEER CANCELLED

REGISTRAR

VERBIND

09 OCT 2019

VIR FOR R.....

000025067 / 2017

26 SEP 2017

REGISTRAR

DEED OF TRANSFER

000056003 / 2017

BE IT HEREBY MADE KNOWN THAT

JANINE FOUCHÉ

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at GEORGE on 29th JUNE 2017 granted to him by

EGBERT KRITZINGER

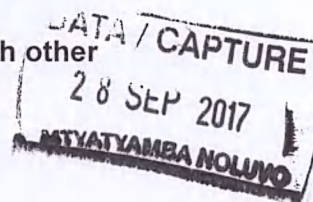
Identity Number [REDACTED]

and

HENERIETA MAGDALENA KRITZINGER

Identity Number [REDACTED]

Married in community of property to each other



And the appearer declared that his said principal had, on 16 May 2017, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

MARZANNE BEZUIDENHOUT

Identity Number [REDACTED]

Married out of community of property

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

ERF 5288 GEORGE in the Municipality and Division of George
Province of the Western Cape

IN EXTENT 930 (NINE HUNDRED AND THIRTY) Square metres

FIRST TRANSFERRED and still held by Deed of Transfer No. T42349/2004 with
Diagram No. 1093/1973 relating thereto.

- A. SUBJECT to the conditions referred to in Deed of Transfer No. 2925 dated 4th April 1905.
- B. SUBJECT FURTHER to the following conditions imposed by the George Municipality for its own benefit:
- "1. Die Transportnemer moet binne 'n tydperk van twee (2) jaar vanaf 29 November 2001, of binne enige verdere tydperk wat die Stadsraad toelaat, geboue op hierdie eiendom oprig waarvan die oprigting ingevolge die George Stadsbeplanningskema toegelaat word en waarvan die waarde gebaseer op minstens R31 000,00 (Een en Dertigduisend Rand) is en indien hierdie erf en 'n aangrensende erf gekonsolideer word, moet die waarde van sodanige geboue gebaseer word op die koste van oprigting soos deur die Stadsraad bepaal, naamlik nie minder as R62 000,00 (Twee en Sestig Duisend Rand) nie. Indien sodanige geboue nie soos voornoem opgerig word nie, moet gelikwideerde skadevergoeding gelyk aan die jaarlikste belasting wat hefbaar sou gewees het op die basis van 'n skatting gelyk aan die waarde soos hierbo bepaal bo en behalwe die belasting wat op die skatting van die grond hef kan word, aan die Stadsraad betaal word totdat sodanige geboue tot genoeg van die Stadsraad voltooi is.
 2. Geen onderverdeling van hierdie perseel (persele) sal toegelaat word nie."

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

EGBERT KRITZINGER
and
HENERIETA MAGDALENA KRITZINGER
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

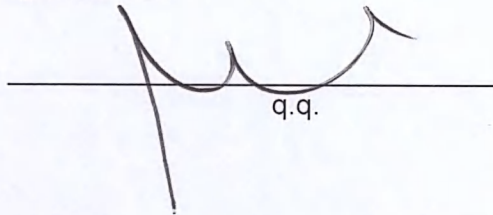
MARZANNE BEZUIDENHOUT
Married as aforesaid

her 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 [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.

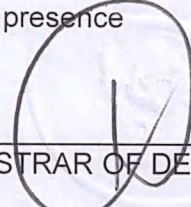
THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

26 SEP 2017



q.q.

In my presence



REGISTRAR OF DEEDS

VERBIND

MORTGAGED

VIR

FOR R

B

033108/22

12 DEC 2022

Belt

REGISTRATEUR/REGISTRAR



Sharon Prinsloo Attorneys
Email: annelise@splegal.co.za

26 February 2025

Your ref: Annelise Oosthuizen

Our ref: T Hilder

Dear Sir/Madam

HOME LOAN IN THE NAME OF : Mrs M Bezuidenhout
ACCOUNT NUMBER : [REDACTED]
SECURITY DESCRIPTION : Erf 5288 George

We refer to your request dated 14 October 2024 and advise as follows:

We have no objection to the following applications, subject to municipal approval:-

- Subdivision of Erf 5288 George in a Portion A ($\pm 431.8\text{m}^2$) and Remainder ($\pm 497.7\text{m}^2$);
- Relaxation of the proposed rear building line of Portion A from 1.5m to 0.0m for the existing structure;
- Removal of restrictive condition B(2) from the title deed T56003/2017.

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

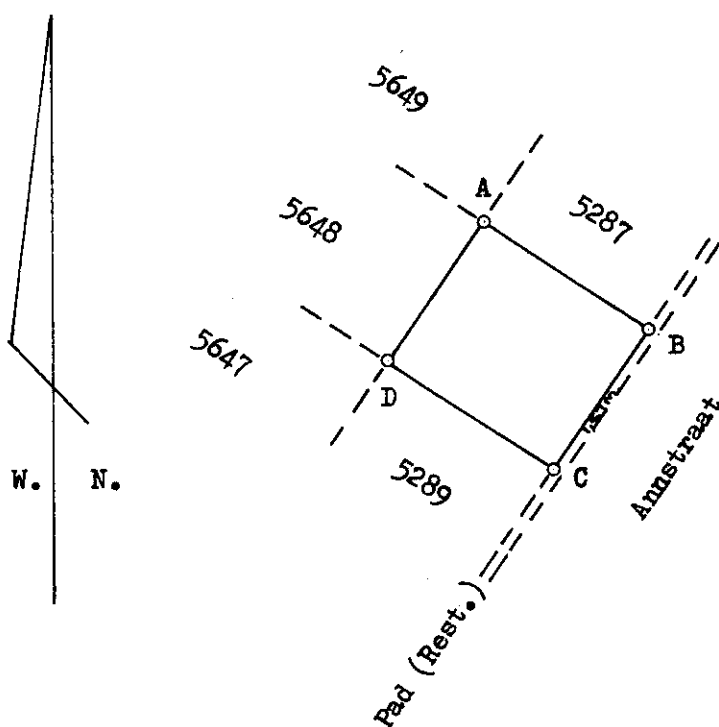
NEDBANK

SYE Meter		RIGTINGS -HOEKE	KOÖRDINATE Stelsel $Le 23^{\circ}$ X		L.G. No.
			Y		1 0 9 3 / 7 3
AB	32,80	303.52.50			Goedgekeur <i>A. L. Meadows</i> ms Landmeter-generaal 23. 5. 73.
BC	28,34	33.52.50			
CD	32,80	123.52.50			
DA	28,34	213.52.50			

Bakens:

A.B.C.D.

16mm. ysterpen.



Skaal: 1 : 1 250.

Die figuur A.B.C.D

stel voor 930 Vierkante Meter

grond, synde

ERF 5288 (n Gedeelte van Erf 1082), GEORGE.geleë in die Munisipaliteit en
GEORGE.

Administratiewe Distrik

Provinsie Kaap die Goeie Hoop.

Opgemeet in September 1971 - Desember 1972.

deur ons,

Landmeter

Hierdie kaart is geheg aan

No. T 42349/2004
gedateer

t.g.v.

Registrateur van Aktes

Die oorspronklike kaart is.

No. 498/1887 geheg aan
Transport/Grondbrief
No. 1905.37.2925

Lêer No. S.8775/76

M.S. No. E.261/73

Komp. BL-7DD/W51

Alg. Plan.I.4(2883)

S

G

B

Registreer voor 31-12-1973.

GOEDGEKEUR KRACTENS	VOORWAARDES	
	MET	SONDER
ART. 9 ORD. 30/1934		✓
ART. 190 ORD. 15/1952		
VERWYSING..... <i>RF 37/4/155</i>		
GEDATEER..... <i>16-7-1968</i>		
<i>P.L. Meadows</i> <i>Mrs</i> LANDMETER-GENERAAL		

MUNICIPALITEIT VAN GEORGE

Eik sertifiseer dat die wettige vereistes van my Raad wat as gevolg van hierdie onderverdeling ontstaan, nagekom is.

[Signature]
 STADSKLERK
 Datum *14/2/70*

GOOSSEN CLOUGH & VENNOTE
 PARTNERS

LANDMETEREN - LAND SURVEYORS

Postbus/P.O. Box 60 George Tel. 3810

CONVEYANCER'S CERTIFICATE

I the undersigned SHARON PRINSLOO, [LPCM No. 85317] Conveyancer in GEORGE, Western Cape, confirm that we've registered a Nedbank bond for:

MARZANNE BEZUIDENHOUT

IDENTITY NUMBER: [REDACTED]

MARRIED OUT OF COMMUNITY OF PROPERTY

over

**ERF 5288 GEORGE IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE**

**IN EXTENT: 930 (NINE HUNDRED AND THIRTY)
SQUARE METRES**

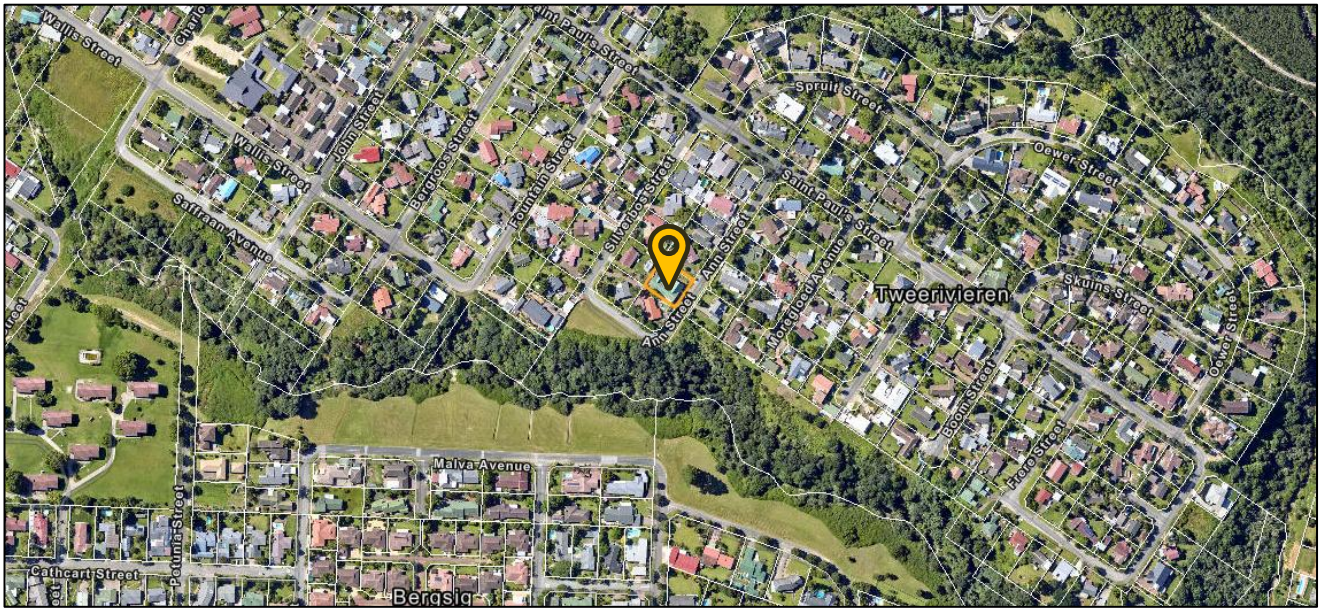
HELD BY DEED OF TRANSFER NUMBER T56003/2017

and received consent from Nedbank for the proposed land use application for subdivision and permanent departure together with consent that paragraph B(2) of the Title Deed for Erf 5288 George may be removed as addressed in the land use report.

Dated at GEORGE on 27 FEBRUARY 2025



CONVEYANCER



Copyright ©

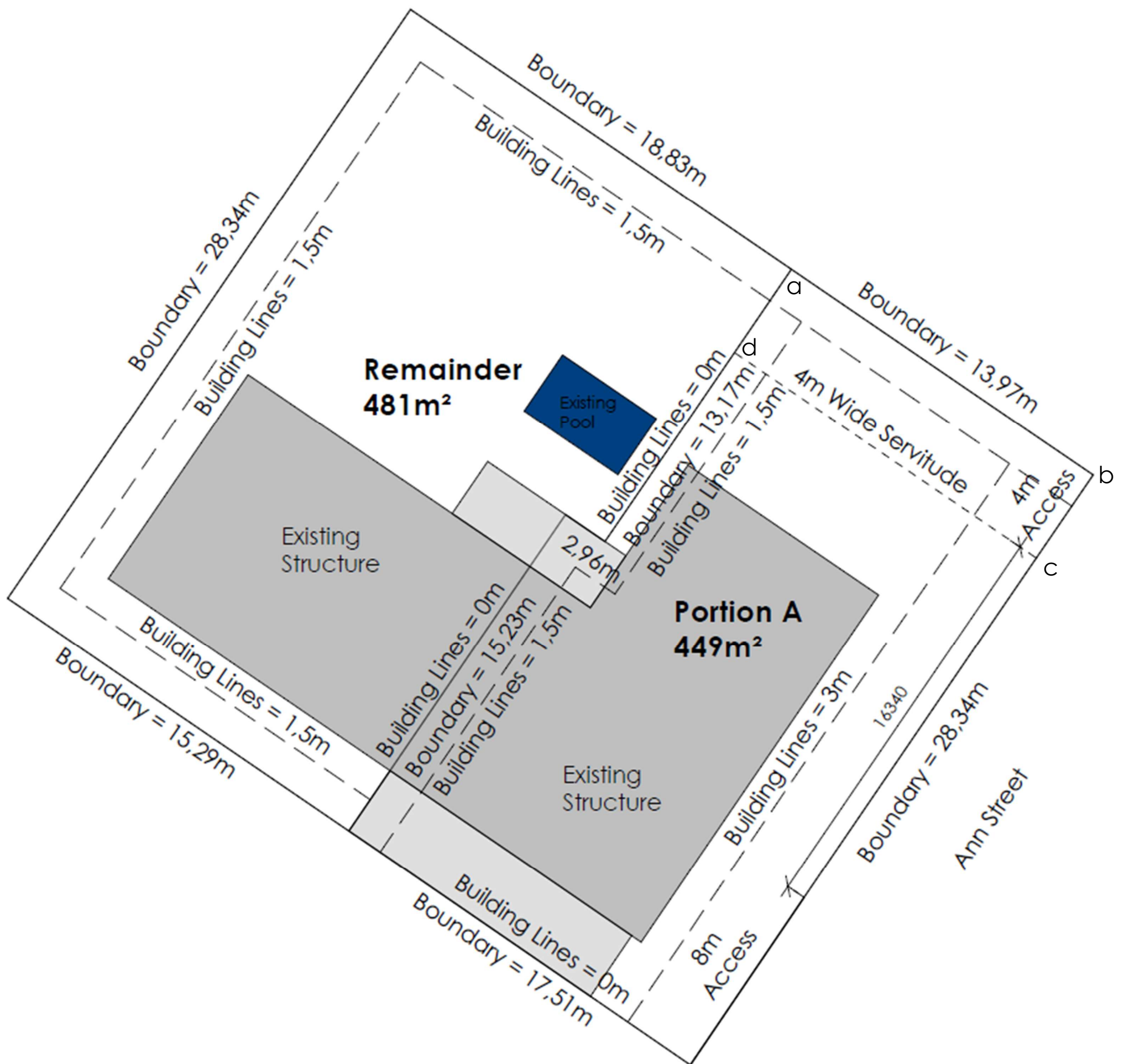
ERF 5288

10 ANN STREET, TWEERIVIEREN

GEORGE MUNICIPALITY & DIVISION

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

SITE & SUBDIVISION PLAN

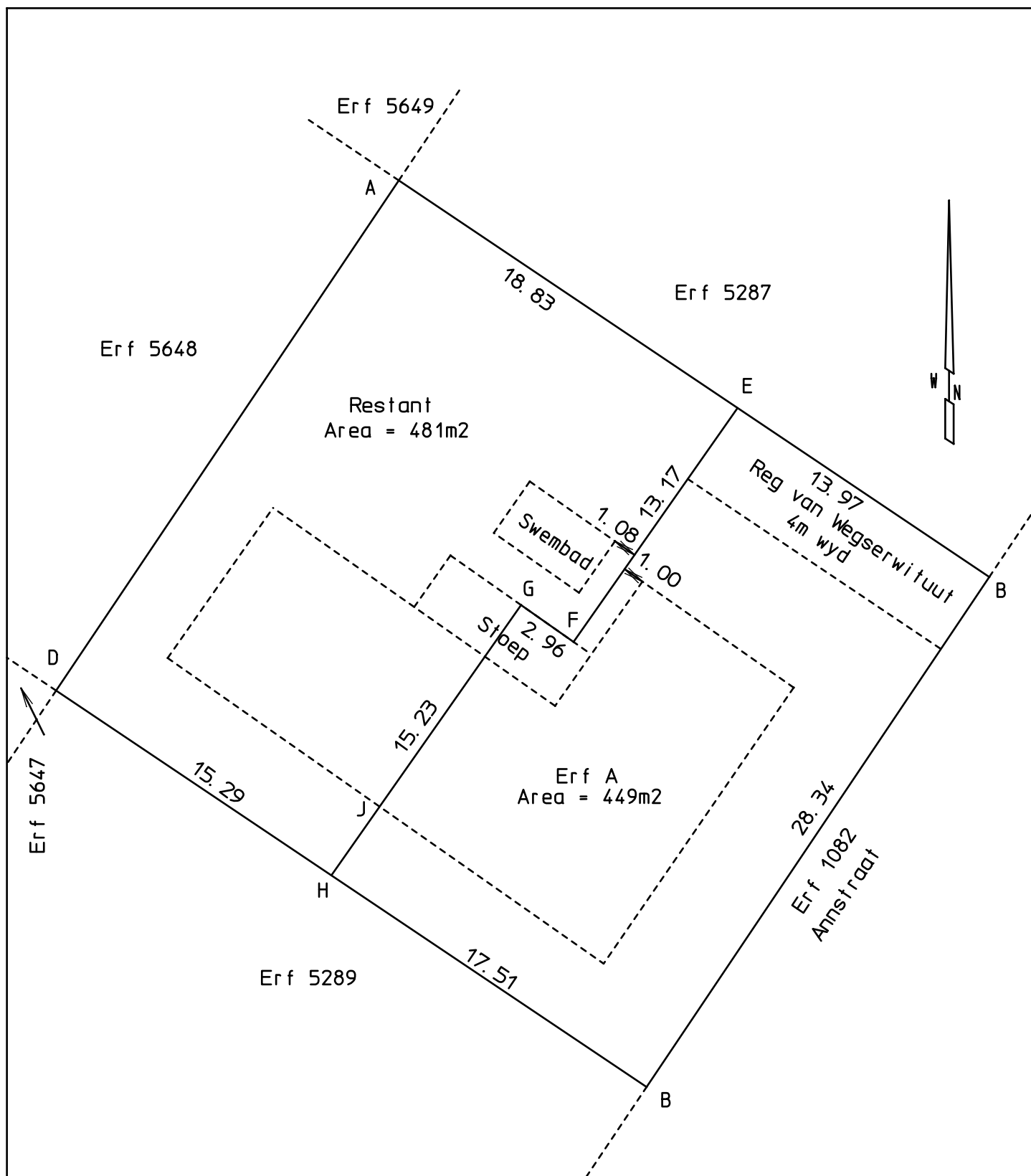


PROPOSED SUBDIVISION OF ERF 5288 GEORGE FOR M BEZUIDENHOUT

- **Subdivision** of in terms of Section 15(2)(d) of the George Municipality Land Use Planning By-law (2023) into Portion A ($\pm 449\text{m}^2$) and the Remainder ($\pm 481\text{m}^2$);
- **Registration** of an exempt, 4m wide access & services servitude *abcd*, over Portion A in favour of the Remainder in terms of Section 24(1)(f)(v) of the George Municipality Land Use Planning By-law (2023).



Plan no: 615G24_Subd1
 Drawn: CE
 Date: February 2025
 Annexure 7



Nota:
1. Lyn GJ stel voor Gemeenskaplike muur

Plan 1 - April 2025
Leer verw No G0545

SKETSPLAN

Erf 5288
van die Dorp
GEORGE

Skaal 1 : 250



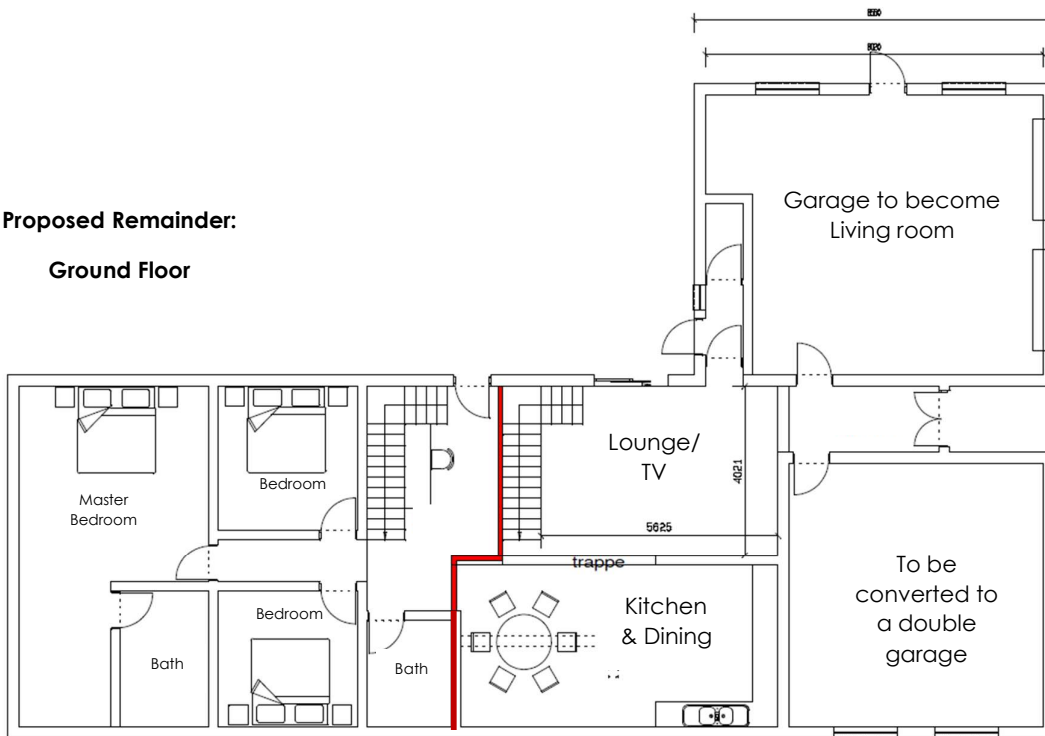
CONRADIE
LANDMETERS

Tel 044 874 0991

ERF 5288 GEORGE

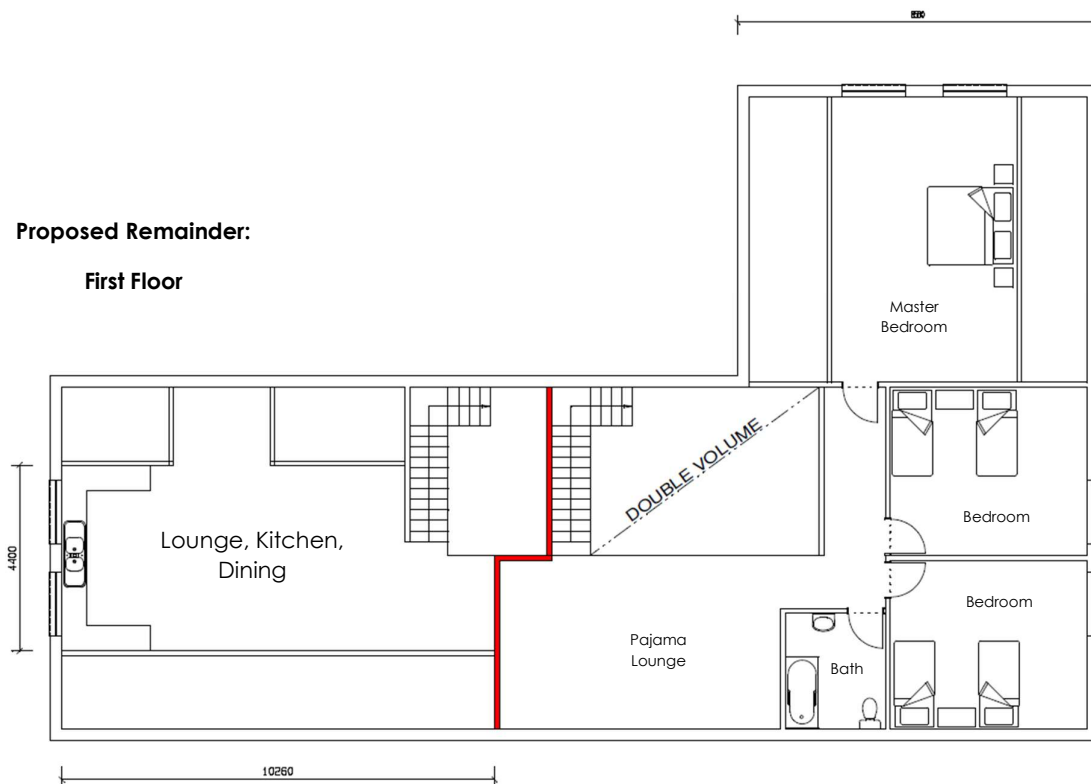
PROPOSED FLOOR PLANS

Proposed Remainder:
Ground Floor



Proposed
Portion A:
Ground Floor

Proposed Remainder:
First Floor



Proposed
Portion A:
First Floor

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.: 3600481** _____

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

Brief proposal: _____ **To be determined** _____

Property(ies) description: _____ **Erf 5288, George** _____

Date: _____ **24 February 2025** _____

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Khuliso Mukhovha	George Municipality	044 801 9744	kjmukhovha@george.gov.za
	Naudica Swanepoel	George Municipality	044 801 9477	nswanepoel@george.gov.za
Pre-applicant	Marlize de Bruyn	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.**
- **Floor plans.**

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 5288 George is a developed 930m², SRZI-property located in Ann Street, Denneoord. The double storey dwelling has a total floor area of ±490m².

With a previous pre-application It was proposed to rezone the property to GRZI (double dwelling house). Following further discussions and considering the way forward, it was decided to rather subdivide the property in two erven. See the draft subdivision plan attached hereto.

Permanent departures will be necessary due to the nature of the existing structure as seen on the draft subdivision plan and access can be obtained with a servitude for access and services.

It will be necessary to remove Par B(2) from the title deed.

PART B: APPLICATION PROCESS (WILL FULLY APPLY ONLY ONCE LUPA REGULATIONS ARE IN FORCE)

SUBMISSION

Draft By-Law on Municipal Land Use Planning

(Workflow)

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

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

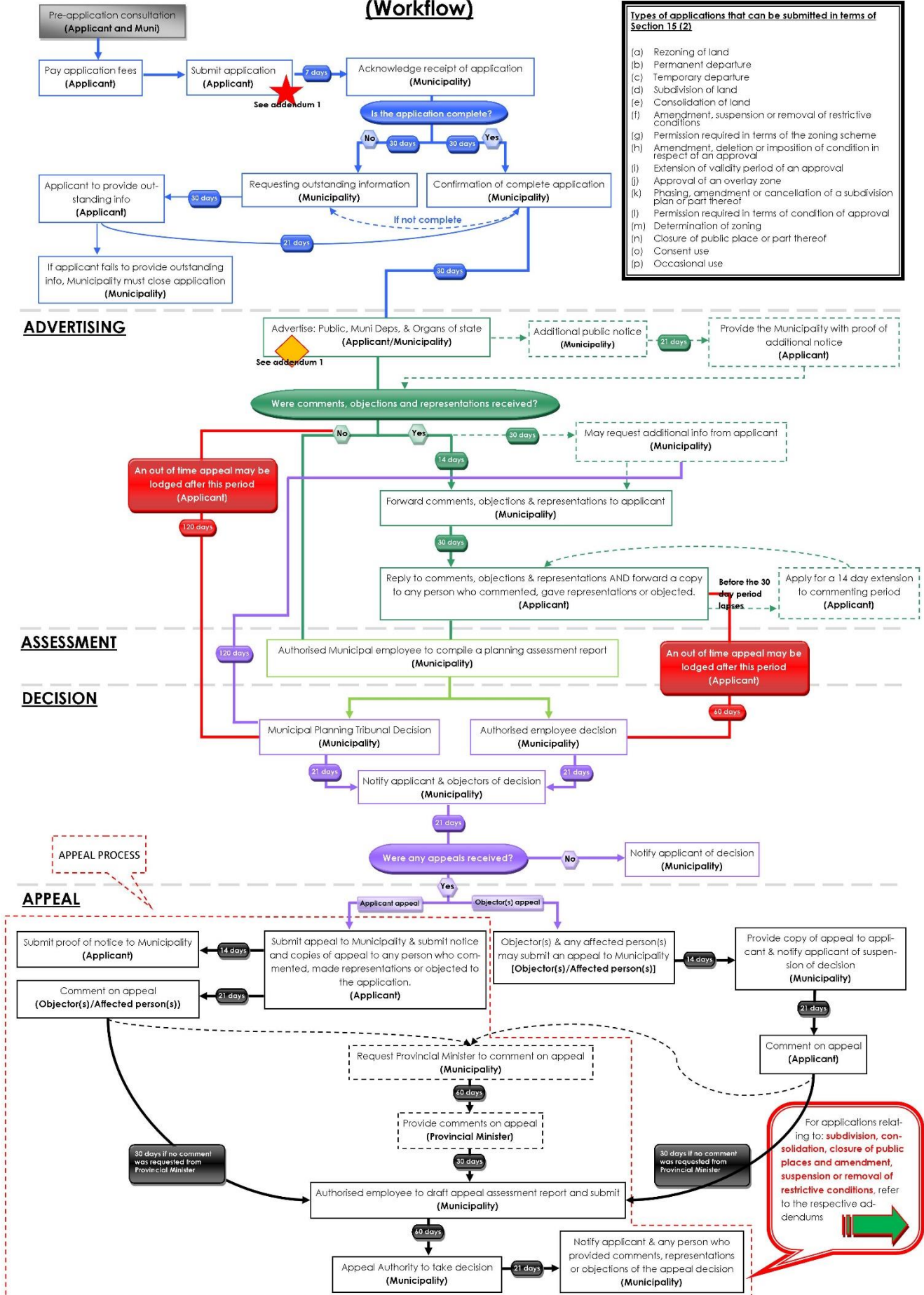
ADVERTISING

ASSESSMENT

DECISION

APPEAL PROCESS

APPEAL



PART C: QUESTIONNAIRES

SECTION A:

DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES

Tick if relevant		What land use planning applications are required?	Application fees payable
	2(a)	a rezoning of land;	R
	2(b)	a permanent departure from the development parameters of the zoning scheme;	R
	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	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
	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 on submission

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	Motivate MSDF, 2023
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 required to confirm.
Any other Municipal by-law that may be relevant to application? (If yes, specify)		X		
Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? <u>GIZSB 2023</u> What is the current zoning of the property? <u>SRZI</u> What is the proposed zoning of the property? <u>SRZI</u> Does the proposal fall within the provisions/parameters of the zoning scheme? <u>To be determined</u> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <u>To be determined</u>				

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

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

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

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		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 wastewater:			X	Directorate: Civil Engineering Services
Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services

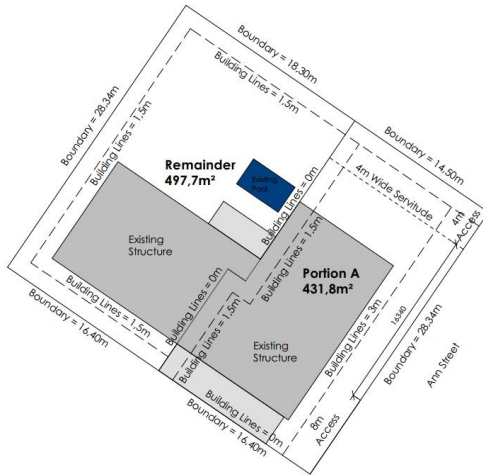
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

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	Homeowners' Association consent
Y	N	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)	Y	N	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	Other (specify)	Y	N	Required number of documentation copies

PART E: DISCUSSION

- Pre-application was presented in a meeting held on 26 February 2025.
- Pre-application was submitted with the subdivision plan and locality plan as indicated below.



Town Planning

- Application for removal of restrictive condition must be included with the land use application.
- Proposed building plans clearly indicating how the dwelling houses will comply with the George Integrated Zoning Scheme By-law, 2023 (Zoning Scheme) will be required.
- Departure applications will be required in instances where the development does not comply with development parameters of a dwelling house.

Civil Engineering Services

- **Access** restricted to Ann Street. Access is permitted in accordance with the Zoning Scheme regulations.
- All **parking** must be provided on-site, in compliance with the Zoning Scheme parking requirements. No parking is allowed within the road reserve, and the owner may be held liable for any costs incurred to prevent unauthorized parking in this area. All movability should be done on site.
- Normal **Development Charges** (DCs), if applicable, will be levied in accordance with the DC policy and the applicable By-law and / or policy.
- **Water and Sewer** are available, subject to the confirmation of capacity.
- **Stormwater**: The developer must ensure full compliance with the relevant Stormwater By-law.

Electro-Technical Services

- A dedicated electrical service connection will be required to the new erf. DCs applicable.

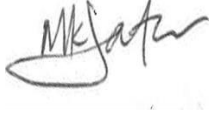
PART F: SUMMARY / WAY FORWARD

- The applicant may proceed to submit an application that addresses the above comments.

OFFICIAL: KHULISO MUKHOVHA

PRE-APPLICANT: MARLIZE DE BRUYN

SIGNED:



SIGNED:

DATE: 26 FEBRUARY 2025

DATE: 26 FEBRUARY 2025

OFFICIAL: NAUDICA SWANEPOEL

SIGNED:



DATE: 26 FEBRUARY 2025

**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 be deemed necessary.*