# 2 BELLAIR STREET, GEORGE



NANGAMSO MHOBO (C/9488/2022)

# HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT GEORGE MUNICIPALITY

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# **Contents**

1.	INTRODUCTION	3
1.1	Background Information	3
1.3	Purpose of this Report	4
2.	PROPERTY DETAILS	4
2.1	Property Description	4
2.2	Brief Description of Subject Site	5
2.3	Existing Zoning	6
2.4	Existing Land Uses	6
3.	PROPOSED DEVELOPMENT	7
3.1	Application	7
3.2	Development Proposal	7
3.3	Access and Traffic Impact	8
3.4	Parking	8
3.5	Municipal Engineering Services	8
4.	STATUTORY CONTEXT	8
4.1	Chapter 2, Section 7 of the Spatial Planning and Land Use Management Act, 2014	8
4.2	Consistency and compliance with LUPA, 2014 (Act 3 of 2014)	9
4.3 Ame	Western Cape Provincial Spatial Development Framework, 2014(and Chaptendment Feb 2021)	
4.4	George Municipal Spatial Development Framework, 2023 (MSDF)	11
5.	NEED AND DESIRABILITY OF THE APPLICATION	12
6.	CONCLUSION	12
List of	Figures	
	1: Subject property	
_	2: Subdivision plan	
_	3: Locality of the Property	
	4: Erf 13171, George(subject property)	
	5: Zoning as per the GIS Viewer	
-	7: Surrounding land uses (Google maps 2023) Error! Bookmark not defi	
	8: Serviced Area Error! Bookmark not defi	
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List	Λt	12	n	ΔC
LIJL	v.	ıa	v	-

Table 1: Property Information	4
Table 2: Compliance with SLUMA Principles	<u>c</u>

# **Annexures to the Motivating Memorandum:**

Annexure A - Signed application form

Annexure B – Deeds Search

Annexure C – Locality Map

Annexure D – General Plans

Annexure E – Proposed Subdivision Plan

Annexure F – Zoning Map

Annexure G – Council Resolution Dated 23 November 2008

#### 1. INTRODUCTION

#### 1.1 Background Information

A council resolution dated 23 November 2008 stated the following:

- a) "That Erf 13171 Borchards be sold by means of the open public tender process at market related upset price of 15 000 plus VAT"
- b) That should 13171 George be subdivided successfully one Erf be allocated to Leon Kotze (Identity number 5101265105081) and Elsie Booysen (Identity number 7111040281089), on condition that the participants qualify for a subsidy.
- c) Erf 13171, George form part of the Infill Erven Project.
- d) that it be noted there are no outstanding accounts in respect of Erf 13171, George.

Thus, George municipality is submitting an application for the subdivision of Erf 13171, George into to portions, in terms of Section 15 (2)(d) of the Land Use Planning By-law for George Municipality, 2023, the two portion will be subdivided into the following:

- Portion A (±221 m<sup>2</sup>)
- The Remainder of Erf 13171, George (±295m<sup>2</sup>)

The subject property, Erf 13171, George, is currently owned by the George Municipality. At present, two separate families are residing on the property. The property has been informally subdivided into two distinct portions to accommodate the independent occupation and use by each family. Therefore, this application seeks to formalise the subdivision within the property to enable the transfer of ownership of each portion to the respective occupying family. See the subject property image below.



Figure 1: subject property

### 1.2 Land Use Application

The application is to obtain the necessary land use rights in order to develop two single residential Zone III properties, on Erf 13171, George, the application is therefore made in terms of the following, as read with the George Integrated Zoning Scheme Bylaw, 2023:

- 1.2.1 Subdivision of Erf 13171, George in terms of Section 15 (2)(d) of the Land Use Planning By-law for George Municipality, 2023 into the following portions, namely:
  - Portion A (± 221 m²)
  - The Remainder of Erf 13171, George (± 295m²). See subdivision plan below.

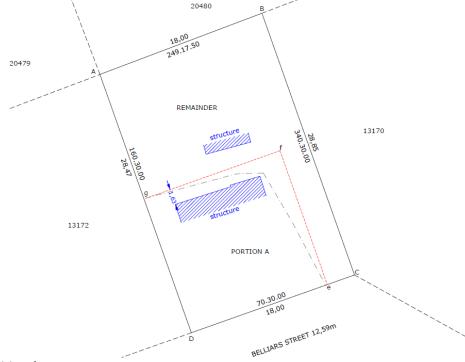


Figure 2: Subdivision plan

#### 1.3 Purpose of this Report

This report serves as motivation to conduct an application for a subdivision of Erf 13171, George to provide ownership to the families currently occupying the property. The property will be subdivided into two portions, each portion will be transferred to the separate owners, as per the council resolution dated 23 November 2008. The intention of the George Municipality is to promote densification in residential areas; therefore, the proposed subdivision aligns with this principle.

#### 2. PROPERTY DETAILS

#### 2.1 Property Description

Erf 13171, George is currently developed as two separate properties by the current occupants. Therefore, a need for a formal subdivision application is required. The subject property is currently owned by George municipality, held under the title deed number T62625/1989. The deed search of the property shows no restrictive title deed conditions that may limit the proposed land use application.

Project Summary	
Objective	To obtain the necessary land use rights in order to develop two Single Residential Zone III erven and provide ownership to the relevant parties.
Property	Erf 13171, George
<b>Property Diagram</b>	Surveyor General Diagrams (12093)
Registered Owner	George Municipality
Applicant	George Municipality
Title Deed	T62625/1989
Restrictive Title Deed Condition	None
Extent	516 m <sup>2</sup>
Zoning Scheme	George Integrated Zoning Scheme By-Law, 2023
<b>Current Zoning</b>	Single Residential Zone III
Proposed Development	Subdivision
<b>Current Land Use</b>	Two dwelling houses
Proposed Land Use	Residential
NHRA Approval Required	Not applicable
EIA Approval Required	Not applicable

Table 1: Property Information

# 2.2 Brief Description of Subject Site

The subject site is located on 2 Bellair street, Georg2, in the suburb known as Bochards, Southwest of the George central hub. The property is within a serviced area. The subject property is depicted in the General Plan 12093 (See **Annexure D**). The subject property is located in a low-income area bordered by Lawaaikamp, Conville and George Industrial. *See locality Map below*.



Figure 3: Locality of the property

# 2.3 Existing Zoning

The subject property is zoned as Single Residential Zone III in terms of the George Integrated Zoning Scheme By-law, 2023, as depicted on the GM: GIS, the site currently developed as separate properties and consists of two dwelling houses. See Google Streetview image below.



Figure 4: Erf 13171, George (subject property)

# 2.4 Existing Land Uses

The subject property is currently occupied by two dwelling houses, the property forms part of the residential neighbourhood in Borchards. The subject site is situated within an established neighbourhood consisting of Single Residential properties, Business Zone and a public open space zoned property to the north of the property as shown in Figure 3 below. See figure depicting surrounding land uses as gathered from the Google maps (2023) below.



Figure 5: Zoning as per the GIS Viewer



Figure 6: Surrounding land uses (Google maps 2023)



Figure 7: surrounding land uses

# 3. PROPOSED DEVELOPMENT

# 3.1 Application

The application submitted is for a subdivision of Erf 13171, George into two properties, namely Portion A and the Remainder of Erf 13171, George, in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2023

# 3.2 Development Proposal

The subject property is 516m<sup>2</sup> in extent and will provide for affordable housing opportunities (single residential plots), by means of subdivision into two portions (Include sizes).

# 3.3 Access and Traffic Impact

The subject property currently obtains access from Bellair Street. The proposed accesses of both Portion A and the remainder of Erf 13171, George. Will be retained Therefore, the access to both the properties will be obtained from Bellair street. A panhandle will be registered in favour of the Remainder of Erf 13171, George to provide access to the site.

# 3.4 Parking

Sufficient on-site parking will be provided for each subdivided portionand will conform to the George Integrated Zoning Scheme By-law, 2023.

# 3.5 Municipal Engineering Services

The subject properties is located within a fully serviced precinct, with civil engineering service network available in the adjacent urban fabric. Development considered in bulk services planning.



Figure 6: serviced area

#### 4. STATUTORY CONTEXT

# 4.1 Chapter 2, Section 7 of the Spatial Planning and Land Use Management Act, 2014

Development Principle	Comply (yes/ no)	Reason
The principle of Spatial Justice	Yes	<ul> <li>As described in the PSDF, the development aims to create inclusionary settlement with a focus on the public realm, supporting civic interaction and adequate access through the public environment, making urban opportunities accessible to all, and addresses past spatial imbalances where certain classes of society were limited to certain parts of the economy.</li> </ul>

The principle of Spatial Sustainability	Yes	•	The application property is located within the urban edge of George, and within an established urban environment. The proposed application will allow the municipality to render a basic need to the local populace and sustainably densify the neighbourhood.  The proposed development is situated in an already serviced area. The proposed development will therefore utilise the existing resources and infrastructure available whilst promoting the optimal use of the site.  The proposed development will have a limited impact on the provision of infrastructure and will not require any additional social services outside the development itself.
The principle of Efficiency	Yes	•	The application is observed to minimise social and environmental impacts. It will solve housing issues within the area, hence spatial efficiency can be attained.  The proposed development is situated in an already serviced area. The proposed development will therefore utilise the existing resources and infrastructure available whilst promoting the optimal use of the site.
The principle of Spatial Resilience	Yes	•	The application complies with the requirements of the George Zoning Scheme By-law, 2023. The primary land uses on the proposed portions will be in line with the proposed zonings. This land use proposal is an infill development that aims to make use of the existing pockets of land within the town centre, just at a higher residential density.
Good administration	Yes	•	The application complies with all applicable principles and frameworks. George Municipality is encouraged to process it promptly and efficiently, ensuring transparent public participation. Clear procedures should be followed to keep the public informed and empowered about the proposed development

Table 2: Compliance with SLUMA Principles

# 4.2 Consistency and compliance with LUPA, 2014 (Act 3 of 2014)

Section 19(1) and (2) of LUPA states that the following:

• If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or a land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan.

If a spatial development framework or structure plan does not specifically provide for
the utilisation or development of land as proposed in a land use application or a land
development application, but the proposed utilisation or development is not conflict
with the purpose of the relevant designation in the spatial development framework or
structure plan, the utilisation or development is regarded as being consistent with that
spatial development framework or structure plan.

George Municipal Spatial Development Framework, 2023 denotes the subject area as within the urban development boundary and within a residential densification zone along a main public transport route. It is therefore the municipality's contention that, given the nature of the proposed land uses on the property that the proposed development complies with the spatial objectives outlined in the George Municipal Spatial Development Framework, 2023 and *inter alia* with the Land Use Planning Act, 2014.

# 4.3 Western Cape Provincial Spatial Development Framework, 2014(and Chapter 4 Amendment Feb 2021)

The Western Cape Provincial SDF is a very broad in its overview of the province, however pockets of land that are in well located areas, in the possession of state entities and that are identified as areas of high growth potential, where there is a specific need for housing – must be used for the creation of integrated and sustainable settlements forms. Projects to support, specifically, affordable and conventional housing, as opposed to facilitating only the high-end market segment, must be supported. It can therefore be stated that this proposed development complies with the Provincial SDF in terms of the following principles as set out in the document, namely:

- Spatial justice The aim is to realise a socially just society through inclusionary settlement
  with a focus on the public realm, supporting civic interaction and adequate access through
  the public environment, making urban opportunities accessible to all, and addressing past
  spatial imbalances. The application provides a housing opportunity in an area where
  urban mixed uses are established.
- Sustainability and resilience Land development should be spatially compact, resource-frugal, and compatible with culture and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromise ecosystems. The land use proposals on the subject property relate to the residential densities, within context, expected in a compact city. The application does not affect land delineated as land with high priority agricultural potential nor areas of environmental sensitivity.
- Spatial efficiency This principle relates to the form of settlements and use of resources

   compaction as opposed to sprawl; mixed-use as opposed to mono-functional land uses; residential areas close to work opportunities as opposed to dormitory settlement, and prioritisation of public transport over private car use. The proposed development adheres to all these concepts.
- Access improving access to services, facilities, employment, training and recreation, and
  safe and efficient transport modes is essential to achieving the stated settlement
  transitions of the NDP and OneCape2040. Accessibility is also defined by convenient and
  dignified access to private and public spaces for people with impaired mobility. Good and
  equitable access systems must prioritise the pedestrian, as well as provide routes for
  bicycles, prams, wheelchairs and public transport. An accessible system will offer a choice
  of routes supporting these modes and safe connections between places and communities.

Visual access implies direct sight lines or unfolding views, signs or other visual cues, and being able to see other people - all of which help in negotiating places. The locality of the proposed development will enable an additional of two families to reside in well-located urban fabric. The design of internal roads (including NMT area) and roads linking to the adjacent network, specifically to the public transport network, will be designed to facilitate connectivity for both vehicles and people. Bellair connects to Nelson Mandela Boulevard, the link is important for integration and accessibility to and from economic nodes and to link development potential areas. The best practice approach is to facilitate maximum opportunity for connectivity. This relates to strategic development goals such as integration of communities and forward planning of land identified for growth absorption, in addition to traffic planning considerations.

Quality and liveability - the quality of an environment directly contributes to its liveability.
 A quality-built environment is one that is legible, diverse, varied and unique. Legible built environments are characterised by the existence of landmarks such as notable buildings and landscaping, well-defined public spaces, as well as navigable street networks. The proposed application is legible as a residential neighbourhood.

The proposed development will add to the housing opportunities within the existing urban fabric of the George City area and thus leading towards a more compact urban form, whilst including managable supportive sport and recreation uses. The subject property is situated within a well located area, close to amenities and along a public transport route.

#### 4.4 George Municipal Spatial Development Framework, 2023 (MSDF)

The property is located in an area that is well developed with in the urban edge. The area that forms the subject of this application is located in partially developed urban fabric with the urban edge, in proximity to the city centre, enclosed with the area referred to in the MSDF as the 'George City Area' and is demarcated for residential purposes in terms of the MSDF.

The MSDF notes the following, in addition to the policies and strategies noted below, which apply specifically to the site:

 The site area is included in an <u>intensification zone</u> along Nelson Mandel Boulevard Road, which relate specifically to <u>residential densification</u>.

#### - Spatial planning considerations

The George Municipal SDF supports infill development and further intensification of residential land uses within well-located areas. The property falls within the urban edge, in an established residential area.

Policy C3 in the MSDF states that settlement patterns need to be restructured through densification of the urban areas in the George city area to reduce land consumption, deliver services and facilities to households more effectively, and establish the thresholds for a viable public transport system. The proposed subdivision/densification is thus in line with the provision as stipulated in the MSDF.

 The same principles relating to residential densification applies to all properties within this zone. - Theme A of the George MSDF states that infrastructure and future investment should be in areas with high growth potential and promote densification, <u>infill</u>, <u>and brownfield development</u>, <u>with accessible basic services</u>. As noted, as the location of the development is within a zone earmarked for land use densification. The development aims to improve the housing provision in George. The area is deemed to be existing urban fabric, provided with good quality urban management to support household and economic asset building.

Therefore, the development is deemed to be in line with the spatial planning objectives of the municipality.

#### 5. NEED AND DESIRABILITY OF THE APPLICATION

The need for the provision of affordable housing in George has been expressed in investigations. Currently, the private sector does not sufficiently address this demand—whether for single plots or higher-density units—creating a gap between government-subsidised housing and market-driven supply. High development and construction costs further complicate the issue. To address this, George Municipality aims to facilitate the development of more affordable housing by securing development rights and releasing land under specific conditions to prevent land speculation.

It is not foreseen that the proposed application will have a negative impact on the surrounding neighbours. In addition, it is not anticipated that the approval of the application will have any negative impact on the aesthetic appearance of the property from the street view, given that the existing dwelling is already constructed and fit with the residential character. The approval of the application will allow for the creation of a new residential property located within the urban edge and within an area that is already serviced by municipal engineering services.

#### **GENERAL LAND USE INTENT:**

- The proposed land use is compatible with the surrounding land uses.
- The subdivision will not result in the alteration of the land use.
- The proposed subdivision will provide opportunity for densification, thus reducing urban sprawl within the urban edge.
- The proposed land use is congruent with development intent envisaged in MSDF, with more, higher density development supported.
- The increase in density supports the viability of the public transport system, as the public transport stop is within a walking distance from property.
- There will be minimum impact posed to the existing character of the area.
- The rights of the resident community will not be adversely affected in terms of property values, privacy, views, sunlight, etc.

#### 6. CONCLUSION

The application is considered desirable as it aims to provide housing opportunities in an area considered for densification, well-integrated into the existing urban fabric and adjacent to public transport routes.

It has been demonstrated that the application is compliant with the adjudication criteria set out in planning law and thus should be recommended for approval.

SEARCH INFORMATION			
Summary			
Search Type	DEEDS OFFICE PROPERTY ERF		
Search Description	ERF 13171, GEORGE, P:0 (CAPE TOWN)		
Reference	LYTESSA		
Date	04/06/2024		

ERF INFORMATION	
Summary	
Deeds Office	CAPE TOWN
Property Type	ERF
Township	GEORGE
Erf Number	13171
Portion Number	0
Remainder	NO
Previous Description	PTN OF 13494-GP12093
Registration Division	GEORGE RD
Municipality	GEORGE MUN
Province	WESTERN CAPE
Diagram Deed	DU 1000/800
Size	516.0000 SQM
LPI Code	C02700020001317100000
Street Address	2 BELLAIRS STREET, GEORGE

OWNER SUMMARY			
Owner Name	ID / Reg. Number	Purchase Price	Purchase Date
MUN GEORGE	-	T/T	-

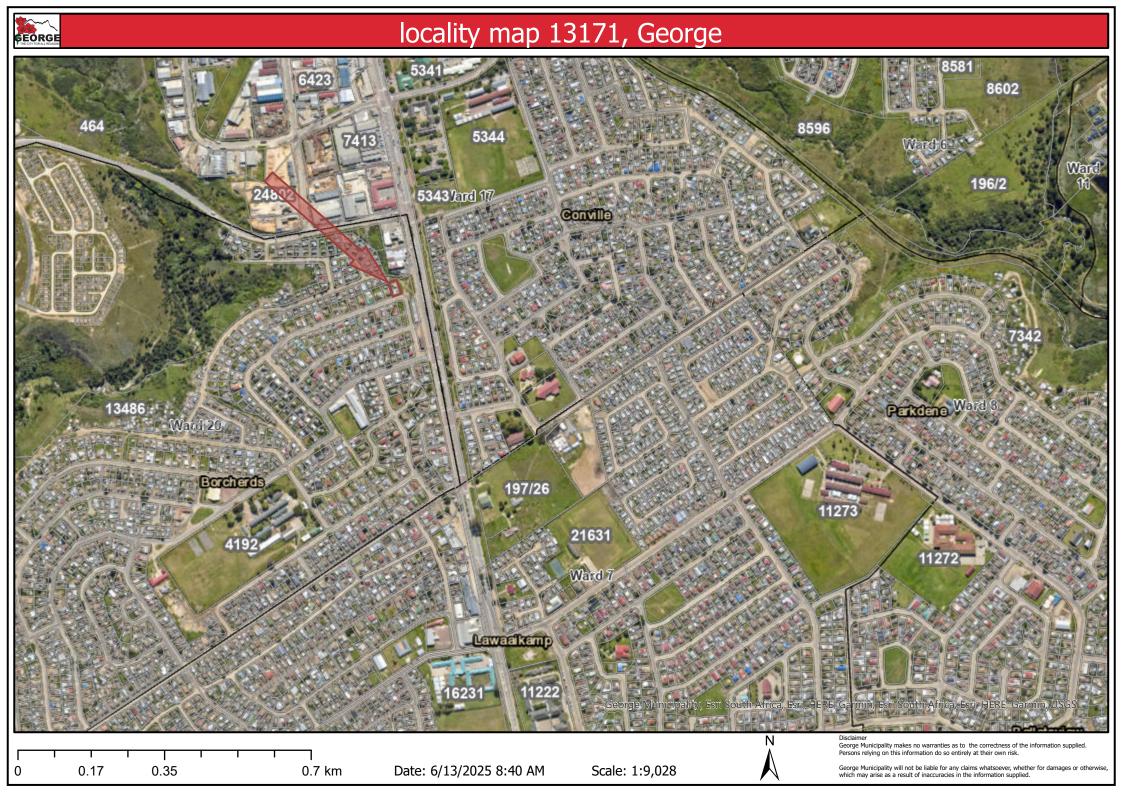
OWNER INFORMATION	
Owner 1 of 1	
Owner Name	MUN GEORGE
ID / Reg. Number	-
Owner Type	UNKNOWN
Title Deed	T62625/1989
Purchase Date	-
Registration Date	01/11/1989
Purchase Price	T/T
Multiple Owners	NO
Multiple Properties	-
Share	-
Microfilm Reference No.	20090217 07:34:06

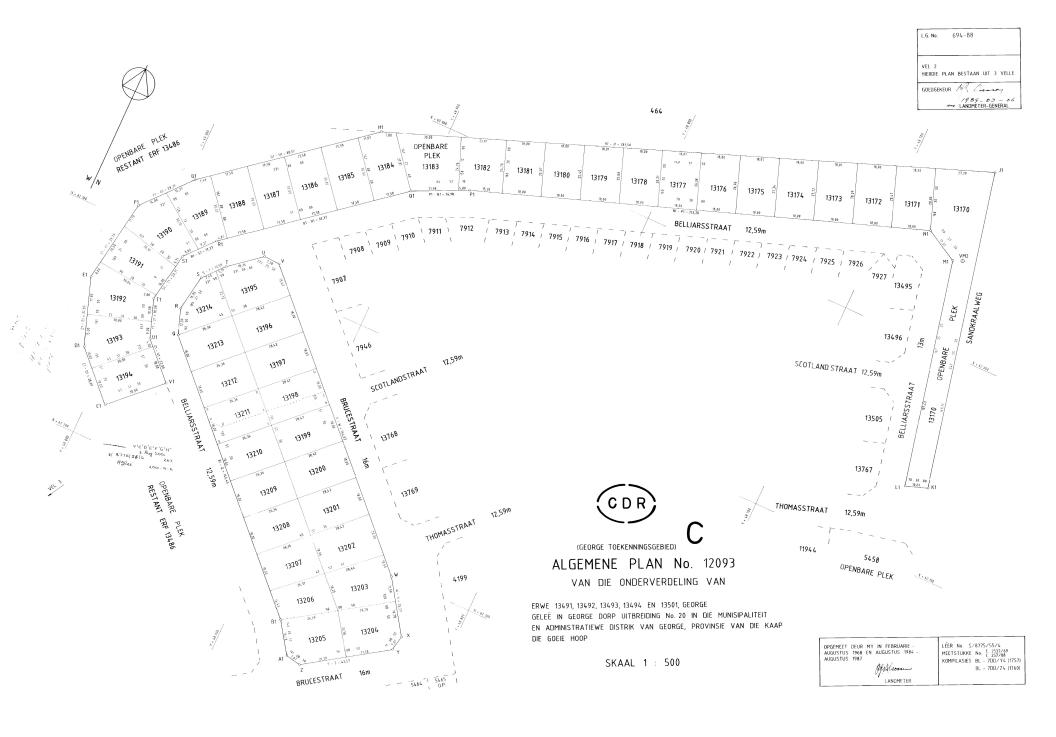
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No information available.				

HISTORY INFORMATION	HISTORY INFORMATION			
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No information available.				

REPORT INFORMATION		
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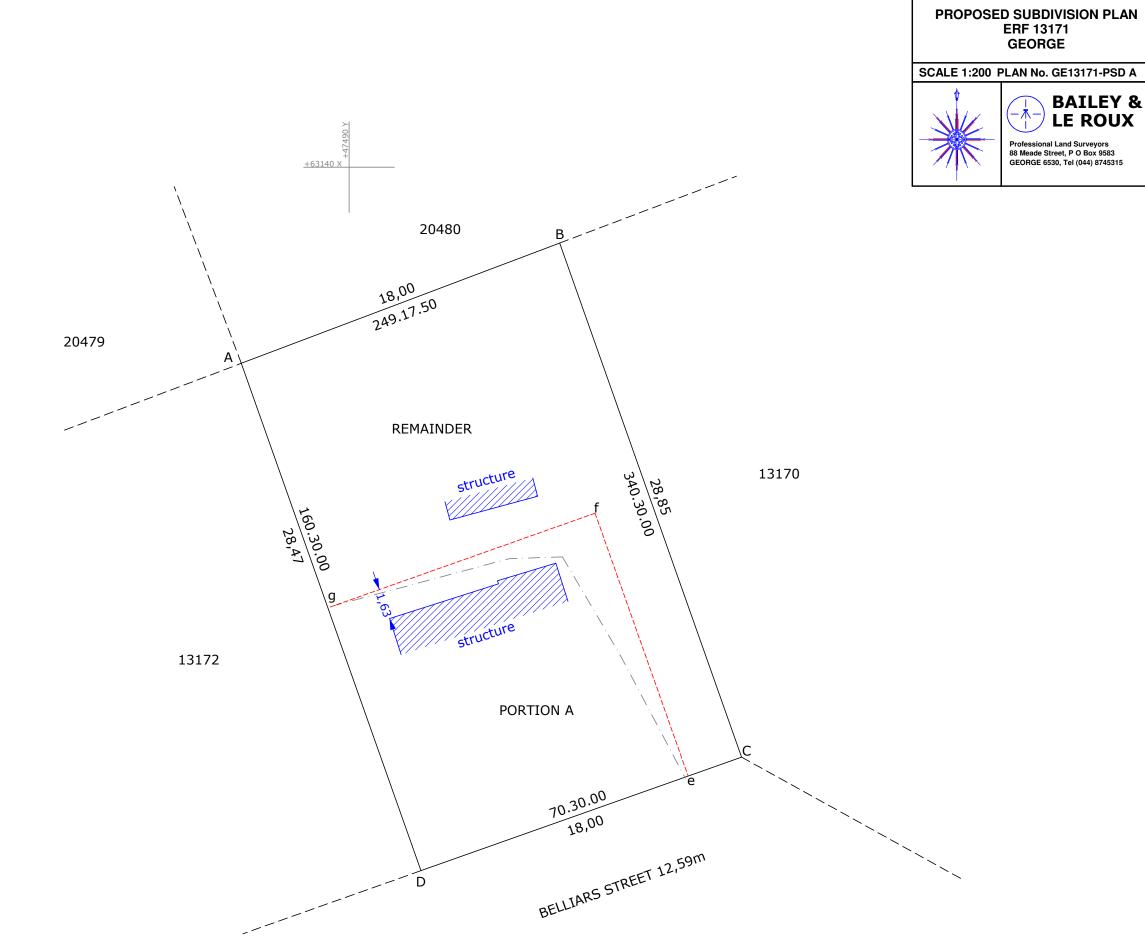




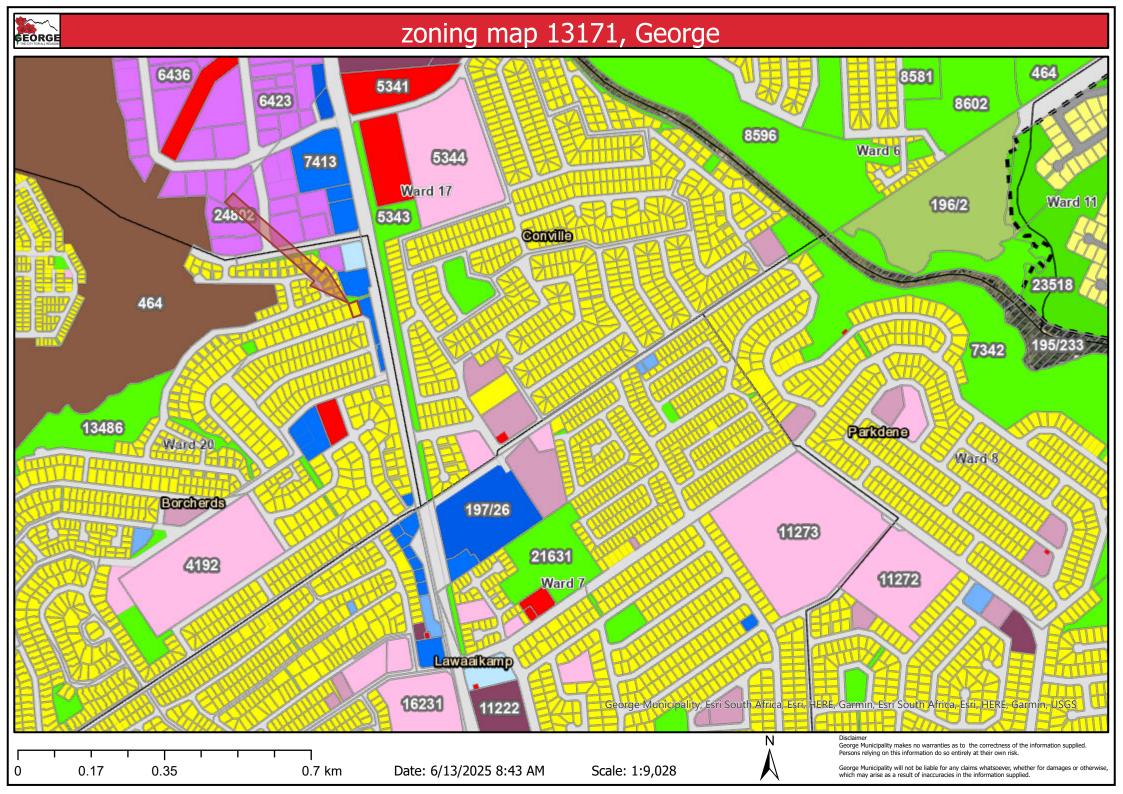
AREA SCHEDULE: (square metres)	
Ptn. No.	Area
Ptn. A (g f e D) Remainder (A B C e f g)	221 295

- - - - = outer edge of hedge

----- = proposed subdivision lines



BAILEY & LE ROUX



Erf 13171, Borcharde

EMAIL/EPOS:

wendy-ann@george.org.za

ENQUIRIES/NAVRAE: Wendy Mentor

TEL:

044 802 2025

FAX:

086 529 9925

DATUM/DATE:

26 November 2013

MENSLIKE NEDERSETTINGS, GRONDSAKE EN BEPLANNING HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

Elsie Booysen Erf 13171 Bellair streat Borchards GEORGE 6529

Geagte Mevrou / Mejuffrou

# ERF 13171, BELLIAR STRAAT, BORCHARDS: VOORSIENING VAN TOILET

'n Tydelike tollet is aan u voorsien op 26 November 2013.

U aandag word daarop gevestig dat die toilet die eiendom van die George Munisipaliteit is en dat u verantwoordelik is vir die onderhoud daarvan.

Indien die eienaar 'n huis met 'n permanente tollet op die eiendom oprig, sal die Munisipaliteit die tydelike tollet verwyder en elders aanwend.

Sou u die eiendom om een of ander rede verlaat word u versoek om hierdie kantoor onmiddellik in kennis te stel sodat die struktuur verwyder kan word.

Die uwe

T BOTHA

MUNISIPALE BESTUURDER

EISIE BOOYSEN

529951 SPECCE

Willene Daries

To:

Clinton Peterson

Date:

2/23/2016 12:35 PM

Subject:

Re: Fwd: Raadsbesluit - Erf 13171 Borchards

Good Day Clinton

Your previous emails with Mr Cyprian Duthie with regard to the above mentioned erf refers.

Could you please provide us with a proposed subdivision plan in order for us to appoint a surveyor?

Willene Daries

Administrative Officer: Housing Administration

George Municipality Tel: 044 801 9023 Fax: 086 521 5580

CC:

Betsle Badenhorst

Willene Daries
Edwin herandien

To: Date:

9/4/2015 3:29 PM

Subject:

Ra: Fwd: Raadsbesluit - Erf 13171 Borchards

# Goele Dag Meneer

# Die Raad het op 29 Julie 2015 as volg besluit

"(a) dat die besluit geneem deur die Read op 23 September 2008 onder item 8.9.1(b) soos hieronder aangehaal herroep word: "dat erf 13171 Borcherds te koop aangebied word volgens die openbare tenderproses teen "n insetprys van R15,000.00 plus BTW."

- (b) dat, indien Erf 13171, George suksesvol onderverdeel kan word, die een erf aan Leon Kotze (Identiteitsnommer 510126 5105 081) en die ander erf aan Keith Charles Booysen (Identiteitsnommer 700407 5207 089) en Elsie Booysen (Identiteitsnommer 711104 0281 089) toegeken word, op voorwaarde dat die deelnemers vir "n subsidie kwalifiseer;
- (c) dat Erf 13171, George deel vorm van die Invulerwe-projek;
- (d) dat kennis geneem word dat daar geen agterstallige diensterekening ten opsigte van Erf 13171, George is nie."

Sien asseblief aangeheg epos vanaf Clinton wat aandui dat die erf onderverdeel mag word.

Kan u asseblief aandui of ons kwotasies mag aanvra om 'n landmeter aan te stel om die onderverdeling te doen?

Willene Daries
Administrative Officer: Housing Administration
George Municipality

Tel: 044 801 9023 Fax: 086 521 5580

CC:

Dorian Louw

Cyprian Duthia Willene Daries

To: Date:

9/4/2015 3:02 PM

Subject:

Re: Fwd: Raadsbesluit - Erf 13171 Borchards

#### Middag Willene

Clinton bevestig dat die eiendom onderverdeel kan word. Die erf is nie een waarmee ek voorheen gewerk het nie. Jy sal toesterming by Mnr Herandien moet kry om kwotasies aan te via om onder te verdeel. CC Dorian in want fondse is nou betrokke.

Wanneer jy toestemming het sal ek help met die landmeters.

#### Groete

Cyprian Duthie
Principal Administration Officer
Human Settlements, Land Affairs & Planning
George Municipality
Tel. Nr. (044) 802 2027
Fax Nr. 086 5299 925>>> Clinton Peterson 2015/09/04 02:31 nm >>>
Hi Duthie

Yes it is possible - into 2 portions. You will have to appoint a land surveyor to do this.

#### Regards

Clinton

Clinton Petersen Senior Manager: Planning ph: 044 801 9477

fax: 0860 529 9923>>> Cyprian Duthie 04/09/2015 11:24 >>>

Good morning Clinton

See attached minutes of a Human Settlements Committee meeting dated 23 April 2015.

Please advise whether the property can be subdivided or not.

# Kind regards

Cyprian Duthie
Principal Administration Officer
Human Settlements, Land Affairs & Planning
George Municipality
Tel. Nr. (044) 802 2027
Fax Nr. 086 5299 925>>> Willene Daries 2015/08/07 10:31 >>>
Goeie Dag Duthie

Sien asb raadsbelsuit aangeheg.

Jammer vir die ongerief.

Willene Daries Administrative Officer: Housing Administration George Municipality Tel: 044 801 9023 Fax: 086 521 5580

Cyprian Duthie

To: Date: Clinton Peterson 9/4/2015 11:24 AM

Subject:

Fwd: Raadsbesluit - Erf 13171 Borchards

Good morning Clinton

See attached minutes of a Human Settlements Committee meeting dated 23 April 2015.

Please advise whether the property can be subdivided or not.

Kind regards

Cyprian Duthie
Principal Administration Officer
Human Settlements, Land Affairs & Planning
George Municipality
Tel. Nr. (044) 802 2027
Fax Nr. 088 5299 925>>> Willene Daries 2015/08/07 10:31 >>>
Goeie Dag Duthie

Sien asb raadsbelsuit aangeheg.

Jammer vir die ongerief.

Willene Daries
Administrative Officer: Housing Administration
George Municipality
Tel: 044 801 9023
Fax: 086 521 5580

CC:

Willene Daries

Willene Daries

To: Date: Cyprian Duthle 9/3/2015 11:59 AM

Subject:

Fwd: Erf 13171 Borchards

Goele Dag Duthle

Sien asb my vorige epos aan u.

Volgens die Raadsbesluit moet die erf onderverdeel word en die moontlikheid moet ondersoek word of die persone deur die Infill Projek gehelp kan word.

Is dit iets wat u afdeling hanteer?

Willene Daries

Administrative Officer: Housing Administration

George Municipality Tel: 044 801 9023 Fax: 066 521 5580

Willene Daries

To:

Cyprian Duthie

Date: Subject: 8/6/2015 12:15 PM Erf 13171 Borchards

Goeie Dag Duthie

Sien asseblief aangeheg die Raadsbesluit ten opsigte van bogenoemde eiendom.

Die Raad het besluit die erf onderverdeel word in twee gedeeltes en dat dit deel van die nuwe Infill erwe projek vorm.

Is dit iets wat u afdeling hanteer?

Willene Daries Administrative Officer: Housing Administration

George Municipality Tel: 044 801 9023 Fax: 086 521 5580

CC:

Betsie Badenhorst; Petro Botha