

*Bepanning en Ontwikkeling*  
*Planning and Development*

**Collaborator No.:** 3598284  
**Reference / Verwysing:** Erf 321, Pacaltdorp  
**Date / Datum:** 29 May 2026  
**Enquiries / Navrae:** Petro Botha

Bailey & le Roux  
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George  
6530

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**APPLICATION FOR CLOSURE OF THE PUBLIC PLACE, SUBDIVISION, CONSOLIDATION AND DEPARTURE – ERF 321 AND REMAINDER ERF 246, PACALTDORP**

Your application in the above refers.

The South Cape Joint Municipal Planning Tribunal – George Municipality, meeting held on 26 May 2026 resolved:

- A.** That the following applications applicable to the Erf 321 and Remainder Erf 246, Pacaltdorp:
1. Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 of Erf 321, Pacaltdorp into a Portion A and a Remainder portion;
  2. Consolidation in terms of Section 15(2)(e) of the Land Use Planning By-law for George Municipality, 2023 of the Remainder Portion of Erf 321, Pacaltdorp with Portion B of Remainder Erf 246, Pacaltdorp;
  3. Closure in terms of Section 15(2)(n) of the Land Use Planning By-law for George Municipality, 2023 of a public place being the abovementioned subdivided Portion B of Remainder Erf 246, Pacaltdorp;
  4. Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 to relax the street boundary building lines along the boundaries AF and FG from 4.0m to 2.0m to accommodate the existing house on the proposed consolidated property (i.e. Remainder portion of Erf 321 and Portion B of Remainder Erf 246, Pacaltdorp);

5. Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 to relax the side boundary building line, boundary ED, from 2.0m to 0.0m to accommodate existing dwelling house on proposed Portion A of Erf 321, Pacaltsdorp;

**BE APPROVED** in terms of Section 60 of said By-law for the following reasons:

**REASONS FOR DECISION**

- i) Pertaining to Remainder Erf 246, Pacaltsdorp is in line with the Council Resolution dated 5 December 2025.
- ii) The application is consistent with the goals and objectives set out in the George MSDP as well as the roads and block plan in terms of the Pacaltsdorp LSDP.
- iii) The proposal will not have an adverse impact on the surrounding area or its character.
- iv) The proposal will not have a negative impact on the adjacent neighbouring properties' amenity and rights to privacy, sunlight and views.

Subject to the following conditions imposed in terms of Section 66 of the said Planning By-Law:

**CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT**

**General conditions**

1. That in terms of the Land Use Planning By-law for the George Municipality, 2023, the approval shall lapse if not implemented within a period of five (5) years from the date it comes into operation.
2. This approval shall be taken to cover only the subdivision, closure, consolidation and departures on Erf 321 and Remainder Erf 246, Pacaltsdorp as applied for and as indicated on the subdivision and consolidation plans, Plan No. 4469SA3B dated 26 September 2025 drawn by Baily and Le Roux Professional Land Surveyors attached hereto as "**Annexure A**" which bear Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision.
3. Portions B of Remainder Erf 246, Pacaltsdorp must be consolidated with the Remainder portion of Erf 321, Pacaltsdorp.

**Implementation conditions**

4. The subdivision, closure of public place and consolidation will only be regarded as implemented on approval by the Surveyor General as well as the registration of the consolidated erf in terms of the Deeds Registries Act.

Notes

- i. *Building plans must be submitted for approval in accordance with the National Building Regulations (NBR).*
- ii. *Stormwater must be dispersed responsibly, and the stormwater management, retention and erosion measures must be addressed on the building plans.*
- iii. *An approved Surveyor General diagram be submitted to the Directorate: Planning and Development for record purposes that also reflects the closure of the public place.*
- iv. *In terms of Section 14 of the George Integrated Zoning Scheme By-Law, 2023, the zoning of the closed public place (Portions B) will adopt the same zoning as the Remainder portion of Erf 321, Pacaltsdorp viz. Single Residential Zone I.*
- v. *Proof of the registration of the consolidation of Portion B with the Remainder portion of Erf 321, Pacaltsdorp at the Chief Survey General and Deeds Office should be submitted with the building plans.*

**CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES**

5. The conditions imposed by the Directorate Civil Engineering Services are attached as 'Annexure B' dated 4/06/2025, must be adhered to.
6. As stipulated in the attached conditions imposed by the Directorate Civil Engineering Services, the amount of Development Charges (DC's) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law, 2023 and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:  
The amounts of the development contributions are reflected on the attached calculation sheet dated 4/06/2025 and are as follows:  
  
Roads: R0.00  
Sewer: R0.00  
Water: R0.00  
**Total: R0.00**
7. The total amount of the development charges of R0.00 (excluding VAT) shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
8. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 6 above, which might lead to an increase in the proportional contribution to municipal public expenditure, will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

## **CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL ENGINEERING SERVICES**

9. The conditions imposed by the Directorate Electrotechnical Services are attached as 'Annexure B' dated 19/05/2025, must be adhered to.
10. As stipulated in the attached conditions imposed by the Directorate Electrotechnical Services, the amount of Development Charges (DC's) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:

The amounts of the development contributions are reflected on the attached calculation sheet dated 19/05/2025 and are as follows:

Electricity: R 5 761.17

11. The total amount of the development charges of **R 5 761.17** (excluding VAT) shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
12. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 10 above, which might lead to an increase in the proportional contribution to municipal public expenditure, will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

*Note: The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to submission of transfer requests and building plans to obtain a final calculation.*

- B. The Senior Manager: Town Planning in terms of Delegation number 4.1.17.3.12 of 24 April 2025 hereby APPROVES the request for an exempted subdivision in terms of Section 24(1) of the Land Use Planning By-law for George Municipality, 2023 of Remainder Erf 246, Pacaltsdorp into a Portion B and Remainder in accordance with Section 24(2) of said By-law as indicated on the subdivision plan, Plan No. 4469SA3B dated 26 September 2025 drawn by Baily and Le Roux Professional Land Surveyors attached hereto as "**Annexure A**" which bear Council's stamp.

### Reason:

Subdivision as per approved Prescriptive Claim as resolved by Council on 5 December 2024.

You have the right to appeal to the Appeal Authority against the decision of the Eden Joint Municipal Planning Tribunal – George Municipality, in terms of Section 79(2) of the Land Use Planning By-Law for George Municipality, 2023.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George **on or before 19 JUNE 2026**, and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

An appeal that is not lodged within the applicable period mentioned above or that does not comply with Section 79 of the Land Use Planning By-Law for George Municipality, 2023, will be deemed invalid in terms of Section 80 of said By-Law.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully



**C PETERSEN**

**SENIOR MANAGER: TOWNPLANNING**

[https://georgemun-my.sharepoint.com/personal/pbotha\\_george\\_gov\\_za/Documents/TRIBUNALS/MEETINGS/2026/MAY/DECISION LETTER/Erf 321 Pacaltsdorp - Bailey Le Roux.docx](https://georgemun-my.sharepoint.com/personal/pbotha_george_gov_za/Documents/TRIBUNALS/MEETINGS/2026/MAY/DECISION%20LETTER/Erf%20321%20Pacaltsdorp%20-%20Bailey%20Le%20Roux.docx)