



Stads- en Streekbeplanners
Town and Regional Planners

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14 November 2025

The Municipal Manager
P.O. Box 19
George
6530

Sir

PROPOSED REMOVAL OF RESTRICTIVE CONDITION, SUBDIVISION
REZONING AND EXEMPTION FROM THE REGISTRATION OF SERVITUDES
FOR REMAINDER ERF 7173, SITUATED IN THE MUNICIPALITY AND
ADMINISTRATIVE DISTRICT OF GEORGE.

Duly authorized by the authorised representative of Remainder Erf 7173, application is being made for the following in terms of the following subsections of Section 15 of the By-Law on Municipal Land Use Planning of George Municipality, 2023:

1. Removal of Restrictive Condition C.3 related to the allowed use of Remainder Erf 7173 and as stipulated in Deed of Transfer No. T58744/2011 in terms of Section 15. (2)(f).
2. Subdivision of Remainder Erf 7173 in terms of Section 15.(2)(d) as follows :
 - 2.1. *Portion 1 = ± 1.2437 ha (consisting of ± 0.7847 ha plus ± 0.4590 ha);
 - 2.2. Portion 2 = ± 0.2807 ha; and
 - 2.3. Remainder Erf 7173 = ± 1.9534 ha.
3. The following Rezoning in terms of Section 15.(2)(a) :
 - 3.1. *Portion 1 with split zonings as follows:
 - 3.2. Community Zone III to General Residential Zone III (± 0.7847 ha);
 - 3.3. Community Zone III to Open Space Zone II (± 0.4590 ha);
 - 3.4. Portion 2: Community Zone III to General Residential Zone III (± 0.2807 ha);and
4. Exemption from the registration of the following servitudes in terms of Section 24.(1)(f) :

In diens van die Suid-Kaap sedert 1985 – Kususela ngo 1985 – Serving the South Cape since 1985
Direkteur/Director: G.A. (Deon) Nel Pr. Pln A/520/1987 BA(Stel), M(S&S)(Stell).

- 4.1. A 6.0m wide services and access right-of-way servitude with centre line a,b,c. on Portion 2 in favour of Portion 1; and
- 4.2. A 1.5m wide services servitude with centre line d,e,f on Portion 1 in favour of Remainder Erf 7173.

In support of the application, the following documentation is attached for your consideration:

- a) Application form fully completed and signed (**Annexure 1**);
- b) Power of Attorney by the Authorised Representative (**Annexure 2**);
- c) Resolution (**Annexure 3**);
- d) Motivation Report (**Annexure 4**);
- e) Copy of the Surveyor General Plan No 2149/1975 (**Annexure 5**);
- f) Plan No G/DG/201-3 (October 2024) (**Annexure 6**);
- g) Site Development Plan by Pieter Bezuidenhout Architect dd. 3 September 2024 (**Annexure 7**);
- h) Proof of Payment will be provided in due course as it is made available to the applicant (**Annexure 8**);
- i) Copy of Title Deed T000058744/2011 (**Annexure 9**);
- j) Conveyancer Certificate by Albri Voges of Millers Attorneys (**Annexure 10**);
- k) Bulk Engineering Services Report by Element Engineers (**Annexure 11**);
- l) Environmental Screening Report by Cape EAPrac (**Annexure 12**);
- m) Traffic Impact Statement by Element Engineers (**Annexure 13**); and
- n) Copy of Pre- Application dd. 23/06/2022 (**Annexure 14**).

Should there be any further information required you are kindly requested to contact us.

Yours Sincerely



Nel & de Kock Town and Regional Planners
Per: Deon Nel A/520/1987



Application Form for Application(s) Submitted in terms of the Land Use Planning By-Law for George Municipality

NOTE: Please complete this form by using: Font: Calibri; Size: 11

PART A: APPLICANT DETAILS

First name(s)	Gideon Andries				
Surname	Nel				
SACPLAN Reg No. (if applicable)	Pr. Pln A/520/1987				
Company name (if applicable)	Nel & de Kock Town and Regional Planners				
Postal Address	P.O. Box 1186,				
	George	Postal Code	6530		
Email	neldek@mweb.co.za				
Tel	044 874 5207	Fax	n/a		Cell 082 569 2438

PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner	MORESON A C V V KINDER & JEUGSORGSENTRUM DIENSTAK				
Address	18 Charlotte St, Denneoord,				
	George	Postal code	6529		
E-mail	moreson.admin@acvv.org.za				
Tel	044 874 4798	Fax	n/a		Cell n/a

PART C: PROPERTY DETAILS (in accordance with Title Deed)

Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	Erf 7173, George					
Physical Address	18 Charlotte St, Denneoord, George					
GPS Coordinates	33°57'11"S and 22°28'19"E			Town/City	Denneoord, George	
Current Zoning	Community Zone III	Extent	35386m ²	Are there existing buildings?	Y	N
Current Land Use	Child Care Centre					
Title Deed number & date	T 58744/2011					
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).	Condition C.3		
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies).	Municipality – see Motivation Report		
Is the property encumbered by a bond?	Y	N	If Yes, list Bondholder(s)?			
Has the Municipality already decided on the application(s)?	Y	N	If yes, list reference number(s)?			
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use?	Y	N	
Are there any pending court case / order relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?	Y	N	
PART D: PRE-APPLICATION CONSULTATION						
Has there been any pre-application consultation?	Y	N	If Yes, please complete the information below and attach the minutes.			
Official's name	Illané Huyser	Reference number	Collab No.: 2313582	Date of consultation	23 June 2022	
PART E: LAND USE APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY & APPLICATION FEES PAYABLE						

***Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.**

BANKING DETAILS

Name: **George Municipality**
 Bank: **First National Bank (FNB)**
 Branch no.: **210554**
 Account no.: **62869623150**
 Type: **Public Sector Cheque Account**
 Swift Code: **FIRNZAJJ**
 VAT Registration Nr: **4630193664**
 E-MAIL: **msbrits@george.gov.za**
 *Payment reference: Erven ____, George/Wilderness/Hoekwil...

PART F: DETAILS OF PROPOSAL

Brief description of proposed development / intent of application:

Application is being made for the following in terms of the following subsections of Section 15 of the By-Law on Municipal Land Use Planning of George Municipality, 2023, for Remainder Erf 7173, George:

1. Removal of Restrictive Condition C.3 related to the allowed use of Remainder Erf 7173 and as stipulated in Deed of Transfer No. T58744/2011 in terms of Section 15. (2)(f).
2. Subdivision of Remainder Erf 7173 in terms of Section 15.(2)(d) as follows :
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 - b. Portion 2 = ± 0.2807ha; and
 - c. Remainder Erf 7173 = ±1.9534ha.
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 - a. *Portion 1 with split zonings as follows:
 - b. Community Zone III to General Residential Zone III (± 0.7847ha);
 - c. Community Zone III to Open Space Zone II (± 0.4590ha);
 - d. Portion 2: Community Zone III to General Residential Zone III (± 0.2807ha); and
4. Exemption from the registration of the following servitudes in terms of Section 24.(1)(f) :
 - a. A 6.0m wide services and access right-of-way servitude with centre line a.b.c. on Portion 2 in favour of Portion 1; and
 - b. A 1.5m wide services servitude with centre line d,e,f on Portion 1 in favour of Remainder Erf 7173.

PART G: ATTACHMENTS & SUPPORTING INFORMATION FOR LAND USE PLANNING APPLICATIONS

Please complete the following checklist and attach all the information relevant to the proposal. Failure to submit all information required will result in the application being deemed incomplete.

Is the following compulsory information attached?

Y	N	Completed application form	Y	N	Pre-application Checklist (where applicable)
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Y	N	Power of Attorney / Owner's consent if applicant is not owner	Y	N	Bondholder's consent
Y	N	Motivation report / letter	Y	N	Proof of payment of fees
Y	N	Full copy of the Title Deed	Y	N	S.G. noting sheet extract / Erf diagram / General Plan
Y	N	Locality Plan	Y	N	Site layout plan

Minimum and additional requirements:

Y	N	N/A	Conveyancer's Certificate	Y	N	N/A	Land Use Plan / Zoning plan
Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)	Y	N	N/A	Phasing Plan
Y	N	N/A	Consolidation Plan	Y	N	N/A	Copy of original approval letter (if applicable)
Y	N	N/A	Site Development Plan	Y	N	N/A	Landscaping / Tree Plan
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Home Owners' Association consent
Y	N	N/A	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	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	Y	N	N/A	Required number of documentation copies 2 copies
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	Other (specify)

PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y	N/A	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008),
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)			
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			

Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y	N/A	Other (specify)
Y	N/A	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.			
Y	N	If required, do you want to follow an integrated application procedure in terms of section 44(1) of the Land-Use Planning By-law for George Municipality?			

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. *That the information contained in this application form and accompanying documentation is complete and correct.*
2. *The Municipality has not already decided on the application.*
3. *I'm aware that it is an offense in terms of section 86(1)(d) to supply particulars, information or answers in an application, knowing it to be false, incorrect or misleading or not believing them to be correct.*
4. *I am properly authorized to make this application on behalf of the owner and (where applicable) copies of such full relevant Powers of Attorney/Consent are attached hereto.*
5. *I have been appointed to submit this application on behalf of the owner and it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to me as the authorised agent and the owner will regularly consult with the agent in this regard (where applicable).*
6. *That this submission includes all necessary land use planning applications required to enable the development proposed herein.*
7. *I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/amendment/suspension forms part of this submission.*
8. *I am aware of the status of the existing bulk services and infrastructure in the subject area and that I am liable for any possible development charges which may be payable as a result of the proposed development.*
9. *I acknowledge that in terms of the Protection of Personal Information Act (POPIA) all correspondence will be communicated directly and only to myself (the applicant). No information will be given to any third party and/or landowner (if the landowner is not the applicant). I herewith take responsibility to convey all correspondence to the relevant parties.*

Applicant's signature:



Date:

14 November 2025

Full name:

Gideon Andries Nel

Professional capacity:

Registered Professional Planner

SACPLAN Reg. Nr:

Pr. Pln A/520/1987

SPECIAL POWER OF ATTORNEY

I/~~We~~, the undersigned,

Susan Probinus

in my capacity as Chairperson of the Board,

duly authorised hereto by virtue of a resolution by

MôRESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK

Registered as a Non-Profit Organisation in term of Section 15(a) of Act 71/1997

Registration Number 011-821 NPO

(hereinafter referred to as "Môreson")

as the registered owner of:

**REMAINDER Erf 7173 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE,
PROVINCE OF THE WESTERN CAPE**

IN EXTENT: 3,5386 (THREE COMMA FIVE THREE EIGHT SIX) HECTARES

BY VIRTUE OF DEED OF TRANSFER NO. T 58744/2011.

do hereby nominate, constitute and appoint

NEL & DE KOCK TOWN AND REGIONAL PLANNERS

with power of substitution, to be our true and lawful Agent in our name, place and stead, to draft all plans and supporting documentation, sign all relevant forms and documents and submit an Application (as may be required in terms of the George Land-Use Planning By-Law, 2023 and/or any other legislation relating to applications of this nature) for

- amendment of Condition 1 in letter of approval for a telecommunication infrastructure, dd. 10 July 2020, changing the validity period from five (5) years to three (3) years in terms of Section 15(2)(h) in respect of an existing approval relating to Remainder Erf 7173 George;
- removal of Restrictive Title Condition related to the allowed use of Remainder Erf 7173 George as reflected as Component I, Condition C3 in Deed of Transfer No. T 58744/2011 in terms of Section 15(2)(f);
- subdivision of Remainder Erf 7173 George, in terms of Section 15(2)(d) as follows:
 - Portion 1 = ±1.2437ha (consisting of ±0.7847ha + ±0.4590ha);
 - Portion 2 = ±0.3415ha; and
 - Remainder Erf 7173 = ±1.9534ha;


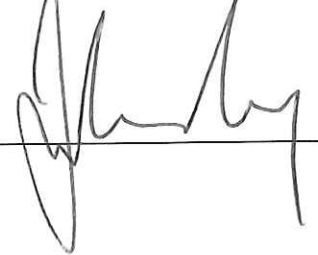
- rezonings in terms of Section 15(2)(a) in respect of:
 - Portion 1 with split zoning as follows:
 - Community Zone III to General Residential Zone II (±0.7847ha); and
 - Community Zone III to Open Space Zone II (±0.4590ha)
 - Portion 2: Community Zone III to General Residential Zone III (±0.3415ha);
- exemption from the registration of the following servitudes in terms of Section 24(1)(f):
 - A 6.0m wide services and access right-of-way servitude with centre line a,b,c on Portion 2 in favour of Portion 1; and
 - A 1.5m wide services servitude with centre line d,e,f on Portion 1 in favour of Remainder Erf 7173.of access right-of-way / services servitudes;


as will more fully appear from Plan No. G/DG/201-3 dated October 2024(and/or any amendment thereof)

and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as Môreson might or could do if personally present and acting therein, hereby ratifying, allowing and confirming all and whatsoever the said **NEL & DE KOCK TOWN AND REGIONAL PLANNERS** shall lawfully do or cause to be done in the premises by these presents.

SIGNED AT Môreson ON 10 October 2024

AS WITNESSES:

1. 
 2. 


 for and on behalf of
 MÔRESON ACVV KINDER- EN
 JEUGSORGSENTNUM DIENSTAK



MÔRESON ACVV

PBO 130001512 • NPO 011-821

Kinder- en Jeugsorgsentrum | Child and Youth Care Centre

RESOLUTION TAKEN AT A MEETING OF MÔRESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK Registered as a Non-Profit Organisation as per Article 15(a) of Act 71/1997 (Registration Number: 011-821 NPO)

Held at Môreson on _____

The following was decided::

1. The organisation will apply for amendment of conditions of an existing approval, sub-division and rezoning of the current premises located at 18 Charlotte Street, Denneoord, George (remainder of Erf 7173).
2. The firm **Nel & De Kock Town and Regional Planners** to be appointed by the organisation as their Agent, to prepare and submit the above application in their name with George Municipality
3. **Susan Pretorius (ID 630924 0079 086)** in her capacity as **Chairperson of the Board** has been duly authorised and appointed by the Board to sign and ratify all documents that may be required to facilitate the above process and application.

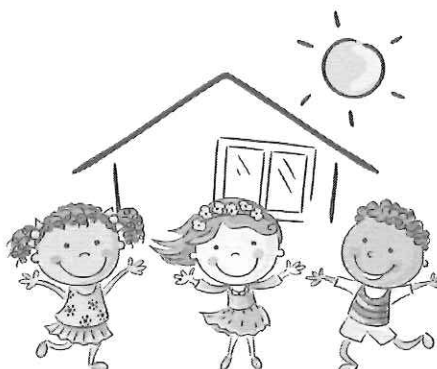
Board Members:

Susan Pretorius ID 630924 0079 086

Nati Stander ID 790328 5152 086

Janus Roux ID 790613 5017 086

Lionel Lakey ID 510508 5128 082

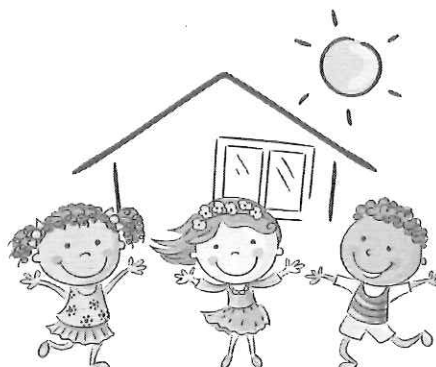
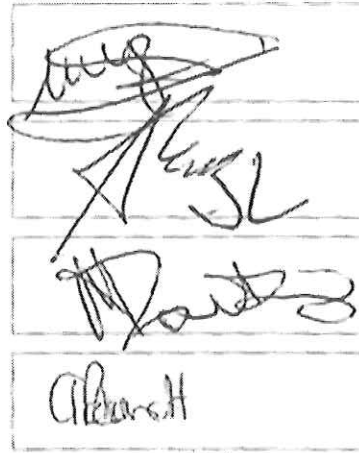


Myrtle Joubert ID 670523 0142 083

Pieter Labuschagne ID 571024 5098 081

Anri Barnard ID 810721 0080 086

Angelique du Randt ID 710106 0085 080



MOTIVATION REPORT

**PROPOSED REMOVAL OF RESTRICTIVE CONDITION,
SUBDIVISION, REZONING AND EXEMPTION FROM THE
REGISTRATION OF SERVITUDES FOR
ERF 7173, GEORGE**



**Stads- en Streekbeplanners
Town and Regional Planners**

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1. APPLICATION

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 - 4.1. A 6.0m wide services and access right-of-way servitude with centre line a.b.c. on Portion 2 in favour of Portion 1; and
 - 4.2. A 1.5m wide services servitude with centre line d,e,f on Portion 1 in favour of Remainder Erf 7173.

2. BACKGROUND

The Moreson ACVV Child Care and Youth Centre is a welfare institution which was established in 1920 for the purpose of accommodating unmarried mothers. In 1975 it relocated from York Street to the present site on Erf 7173 to function as a residential care facility for children protection under the Child Care Act.

In 2010 the Municipality granted approval for the construction of a cellular communication tower on the subject property, with such approval being valid for a period of five (5) years. Due to Moreson's contractual obligations with the cell phone company, the submission of this application could not proceed until the expiry of both the approval and associated contract. As this approval and contract have now lapsed, the current application is accordingly being submitted for consideration.

3. PURPOSE

This application, lodged on behalf of the Môreson ACVV Child and Youth Centre, is intended to initiate a process that will enable the sale of the portions concerned, with the objective of:

- Generating funds to sustainably subsidise the operations of this welfare institution. The proceeds will ensure its continued and long-term ability to serve a vulnerable sector of the George community, namely neglected children and youth;
- Subsidising the replacement of the asbestos roofs of all the buildings at Môreson as no external funding is available for this purpose;
- Get rid of the surplus land which is not required to fulfil its function as a welfare institution and which presently places a heavy financial burden on this institution to maintain it; and
- Reduce the size of the Môreson site for the purpose of being able to improve supervision and control of the children accommodated at this care facility.

4. MOTIVATION

4.1 NEED

This welfare institution which is dependent on financial support by the Department of Social Development becomes increasingly under pressure due to deteriorating economic conditions experienced in the country. This situation has a direct impact on the funding of the institution which threatens the sustainable existence thereof. Therefore, it compelled Môreson management to find also alternative measures to generate an income which will secure the continued long-term provision of their irreplaceable service to the vulnerable section of the George community.

The financial model emanating from this application is aimed at selling off the two portions concerned. At some point in time it was considered to sell-off Portion 1 in order to generate funds to be used for the development of town housing on Portion 2 which would have secured a long-term flow of continuous passive income ensuring the sustainability of this institution on the long run. It was, however, determined that due to legislation a non-profit institution like Môreson is not allowed to act as a developer.

Therefore, it was concluded that the most practical way to unlock the potential value of this unused land portion at Môreson, which is presently a security and financial burden, is to apply for an approval for the development thereof which will facilitate a process of alienation to a private developer. The creation of two separate town house sites, rather than a single large one, will significantly improve the marketability and sale potential of the surplus land at Môreson. If, however, a developer requires a larger development opportunity, both sites may be purchased and developed as a consolidated single comprehensive project.

The financial challenges faced by Môreson to unlock the value of the land concerned have been an issue from the outset, particularly due to the financial constraints associated with appointing the necessary consultants to prepare the application.

However, given Moreson's circumstances, the team of consultants agreed to participate in the process and defer renaturation until such time as the land portions have been sold.

4.2 DESIRABILITY PHYSICAL CONDITIONS 4.2.1 TOPOGRAPHY

The elevated section of the site proposed for development exhibits a partial north-easterly slope towards the Kat River, with gradients varying between 1:7.5 and 1:40. The slope of the smaller eastern portion slopes towards Petunia Street, but it is nowhere steeper than 1:8. Therefore, the critical slope of 1:4 is nowhere exceeded which facilitates meaningful development opportunities restricting unnecessary cut and fill.

4.2.2 BOTTOM CONDITIONS

According to an analysis in Cape Farm Mapper, the soil conditions of Remainder Erf 7173 is classified as a strong texture contrast. The soils have a marked clay accumulation, strongly structured and a non-reddish colour. In addition one or more of vertic, melanic and plinthic soils may be present. The depth of these conditions vary between 450mm and 750mm.

The geology is characterized by mainly gneissic granite and granodiorite, as well as phyllite, schist, grit, hornfels and quartzite of the Kaaimans Group, and quartzitic sandstone of the Table Mountain Group, Cape Supergroup.

The erodibility factor of these soil conditions is 0.74 which is classified as high. These conditions will, however, be taken into consideration during the design and construction process.

These conditions are likely to also be present on the remaining portion of Remainder Erf 7173 where various existing structures were built without any structural defects. The development of the terrain will, however, be preceded by a full geotechnical investigation which will dictate the design standards applied by the architect and structural engineer.

As a standard rule it is accepted that such a study will be imposed as a condition of approval.

4.2.3 VEGETATION

According to a study by Cape EA Prac "the Ecosystem Threat Status for Garden Route Shale Fynbos (indicated as the original vegetation type that would have occurred prior to township development) is Endangered. There is, however, no remnants Shale Fynbos left on the site and as such it can be confirmed that this vegetation type does not occur within the development foot print" – see report by Cape EA Prac attached as Annexure 12

There are a variety of trees on Portion I of which only a few are indigenous. These trees were surveyed and plotted on plan for design purposes.

4.2.4 FLOOD LINES

The 1:50 and 1:100 year flood lines are shown on Plan G/DG/201-3. According to this study it is evident that it will have no impact on the proposed development as there is a height difference of approximately 5 meter between the proposed development and the 1:100 year flood line with a horizontal distance of approximately 35 m.

4.2.5 SENSITIVITIES

The area where development is proposed is contained within the already transformed and modified landscaped (garden) areas of the property in question. The main stream of the Kat River is situated approximately 35m (north) and 48m (East) from the existing fence that surrounds the property. The extent of the associated riparian wetland, as delineation by Confluent Consulting, falls outside the fenced portion of the property within the 15m buffer, extending slightly beyond the fence of the property as reported by Cape EA Prac. This small area extending slightly beyond the fence is excluded from the area where units are proposed according to the S.D.P. attached as Annexure 12.

The CBA falls outside the fenced area of the property as is aligned with the demarcated riparian wetland and its associated buffer area. Although the property boundary extends beyond the fence into the riparian wetland and watercourse, the development footprint is restricted to within the fenced portion of the site that is not deemed to be environmentally sensitive according to Cape EA Prac. The latter also recommends that care must be taken with the sewer connection to the existing municipal bulk sewer line and associated infrastructure that may extend outside the fenced area.

4.2.6 WATER TABLE

The portion of Remainder Erf 7173 which abuts the Kat River and the low lying area on the banks thereof do not form part of the land where the proposed development is envisaged. With a height difference of approximately 5.0m between the river bank and the development site and with a wide strip of flatter land in between, there is no evidence of a high water table which may pose a problem for development purposes.

4.2.7 DRAINAGE PATTERN

As mentioned in the above par. 4.2.1. the terrain drains in a north-easterly and easterly direction towards the Kat River with no prominent drainage course on the proposed development site, although a minor drainage course can be identified along the north-western boundary of the site. The layout of the proposed

development will, however, provide for a stormwater drainage design by an engineer facilitating an efficient stormwater run-off pattern.

4.2.8 FILLINGS AND EXCAVATIONS

As far as could be established there are no areas on the site which have been filled up or where major excavations took place. When the geotechnical analysis is done prior to the approval of building plans filling which might have taken place will, however, be identified and taken care of by the engineer and architect when the infrastructure and buildings are designed.

4.3. EXISTING PLANNING AND LEGISLATION

4.3.1. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013, (S.P.L.U.M.A.)

4.3.1.1. SPATIAL JUSTICE

- **Past spatial and other development imbalances must be redressed through improved access to and use of land.**

This application is not aimed at redressing past spatial and other development imbalances in order to improve access to and use of land, but to rather generate financial support for an institution which serves the welfare needs of the entire spectrum of the community.

- **Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation.**

Due to the considerations discussed in the above, this objective is not achievable with this application, but it should be pointed out that Mòreson is an inclusionary institution serving everyone in the community in need of this welfare facility.

- **Spatial Planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.**

The proposed development is not aimed at redressing access to land by disadvantaged communities, but to provide in the welfare needs of especially the disadvantaged communities.

The proposed medium density residential development on the vacant portion of the existing child care site is intended to create inclusive housing opportunities, while supporting the sustainability of the community facility. The development will cater for all sectors of the population and will not be limited to any specific social-economic group. In addition to addressing the local

demand for housing, the sale of the residential portions will generate essential funds to ensure the continued financial viability and operation of the child care facility, thereby strengthening the social infrastructure of the area. Therefore, the proposal is consistent with the principles of not only social justice, but also spatial sustainability and efficient land use as promoted in SPLUMA, as well as the objectives of the George Municipal Spatial Development Framework (GMSDF), which encourages the optimal use of existing urban land and the integration of social and residential uses within the established urban fabric.

- **Land use management systems must include all areas of a Municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas.**

A pragmatic approach to the management of land use systems to follow flexible and appropriate processes to facilitate housing for the disadvantaged community is of utmost importance, but the present application is not fit to facilitate this process, but to provide in the social needs of also the disadvantaged segment of the community, including meeting the need for accommodation and care.

- **Land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas.**

The proposed development is not aimed at upgrading degraded areas incrementally as the primary aim thereof is to generate funds which will be used to run a welfare institution on a sustainable basis benefitting an entire community. The proposed residential development will, however, be made available in the open market to each and everyone in the community who are in need of accommodation and who can afford it to buy or rent a unit. Simultaneously, it will transform an unused portion of land into accommodation facilities implying an incremental process of upgrading and densification of the area to be in line with the residential character of the neighbourhood it forms part of.

- **A Municipal Planning Tribunal considering an application before it, may not be implemented or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application.**

In terms of the objectives and guiding principles of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), a Municipal Planning Tribunal (MPT), when considering an application, may not be restricted or influenced in the exercise of its discretion solely on the ground that the value of the land or property concerned may be affected by the outcome of the application.

The present proposal concerns the subdivision and rezoning of a redundant portion of land belonging to a registered child care institution. The intention is

to sell and develop this surplus land in order to generate funds necessary to ensure the continued and sustainable operation of the institution and the vital social service it provides.

Accordingly, the Tribunal is requested to exercise its discretion in the spirit of SPLUMA by giving due weight to social benefit, sustainable land use and spatial justice, rather than to potential impacts on property value. The proposal thus gives tangible effect to SPLUMA's objectives by promoting the productive and equitable use of land, the advancement of social well-being and the site-specific application of planning principles.

This application for subdivision and rezoning therefore aligns fully with SPLUMA's intent by enabling the functional optimisation of underutilised land in a manner that directly supports a community-based social facility, ensuring that planning decisions contribute meaningfully to both social and spatial sustainability.

4.3.1.2. PRINCIPLE OF SPATIAL SUSTAINABILITY

- **Promote land development that is within the fiscal, institutional and administrative means of the Republic.**

The proposed development is related to a welfare institution which is partially funded by the Department of Social Development. This institution with its well qualified board members are solely responsible for the responsible allocation of these funds received from the Department, while the generation of additional funds needed to run it in a sustainable manner is also their own responsibility. Therefore, there are no fiscal, institutional and administrative involvement by any government agencies on how funds generated by this institution is spent.

- **Ensure that special consideration is given to the protection of prime and unique agricultural land.**

The subject of this application is presently zoned Community Zone III and is situated within a fully developed neighbourhood of George which is included by the Urban Edge. Therefore, the protection of prime and unique agricultural land is not relevant to this application.

- **Uphold consistency of land use measures in accordance with the environmental management instruments.**

The proposed development forms part of a property which is partially subject to environmental management measures. The impact thereof is discussed in the above paragraphs 4.2.3. - 4.2.5. and clarified in detail by a sensitivity analysis by Cape EA Prac Environmental Consultants (see Annexure 12). The constraints discussed in the above mentioned environmental analysis are accommodated in the development proposal in order to comply with sound development principles.

In essence, the findings of the environmental study confirm that the environmentally sensitive portion of the property is located outside the area earmarked for residential development and will accordingly be retained and managed solely for open space purposes in support of environmental sustainability.

- **Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.**

Approval of the proposed development will result in the development of a total of 37 town housing units on two land portions of which the densities will not exceed approximately 33 units/ha and 39 units/ha respectively. The developer of these two portions will be responsible for the provision of the infrastructure, while social services provided by this welfare institution will be boosted by the funds when selling it. Therefore, an approval of this application will have cost implications for the owner(s) of the property only.

- **Promote land development in locations that are sustainable and limit urban sprawl.**

The land concerned forms part of a fully developed neighbourhood surrounding the subject of this application. Therefore, it cannot be classified as an urban extension, but rather as a classical example of filling in whereby densification is promoted and urban sprawl is curbed. By developing in a location where existing bulk infrastructure services are already available does not only promote the sustainability thereof, but it will also result in optimum use of such services.

- **Result in communities that are viable.**

Approval of this application will result in the development of two separate general residential clusters offering accommodation for the purpose of rental or ownership. The substantial number of accommodation units which will be made available is likely to create a sense of belonging amongst the residents living there resulting in a viable community on a micro scale.

4.3.1.3. PRINCIPLE OF EFFICIENCY

- **Land development optimises the use of existing resources and infrastructure.**

The proposed development is in line with the principle of efficiency as it promotes the availability of accommodation on a broader scale, viz. private ownership and/or letting, by exploiting the availability of an existing resource, viz. developable vacant land, and bulk infrastructure. Consequently, the municipality receives more rates and taxes in the process and the use of municipal bulk services in the area is optimized.

- **Decision-making procedures are designed to minimise negative financial, social, economic, or environmental impacts.**

Sensible decision making by the Board of Môreson Child and Youth Care Centre with regard to the future of the land concerned is of paramount importance in order to minimize negative financial, social, economic and environmental impacts. Therefore, instructions by the Board to apply for the proposed development was preceded by a thorough consultation process with various role players and experts in their respective fields. Considering the realities related to the dire financial position of this institution and the financial burden placed upon it to maintain this vast piece of vacant land, the decision to apply for the proposed development was inevitable. Therefore, an approval of this application will not have any negative spin offs, but will rather result in a viable opportunity to run this institution on a more sustainable basis.

- **Development applications procedures are efficient and streamlined and timeframes are adhered to by all parties.**

Adherence to prescribed timeframes vests in the municipality and therefore the applicant does not have any control over it.

4.3.1.4. PRINCIPLE OF SPATIAL RESILIENCE

This principle, which is primarily aimed at planning for a sustainable way of life for communities that are most vulnerable to economic and environmental setbacks in order to ensure sustainable livelihoods for communities, is to a large extent relevant considering the financial challenges Môreson faces to operate in a sustainable manner. Although the S.D.F. does not provide for the proposed development specifically it can be accommodated within the spheres of land uses which are allowed to take place in this area thanks to the flexibility of this spatial plan.

4.3.1.5. PRINCIPLE OF GOOD ADMINISTRATION

- **All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act.**

The authorities involved in this application are George Municipality and the Department of Environmental Affairs and Development Planning. As the proposed development will take place outside the sensitive banks of the Kat River, as analysed by Cape EA Prac Environmental Practitioners, a full environmental impact assessment is not required according to the latter. The contents of the environmental impact is attached as Annexure 12. The various departments of the municipality involved function as an integrated team.

- **Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.**

Procedures prescribed for the public participation process will be complied with when the application receives a Section 38 Land use Planning By-Law, 2023, compliance letter.

4.3.2. LAND USE PLANNING ACT, 2014 (L.U.P.A.)

As far as the proposed subdivision and rezoning are concerned, there is a great deal of duplication between the principles of spatial justice, sustainability, good administrative and resilience that are pursued under this legislation, but which have already been discussed in par. 4.3.1. above. Therefore, these principles will not be discussed again.

4.3.3. NATIONAL, PROVINCIAL AND LOCAL GOVERNMENT POLICIES AND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK

National, Provincial and Local Government Policies are aimed at setting set out and putting in place coherent policies and frameworks to support municipalities to fulfil their municipal planning mandate in line with national and provincial agendas. Application is made in terms of Section 15 of the Land Use Planning By-Law of George Municipality, 2023. Therefore, the local policies and frameworks of the municipality took the policies and frameworks of National and Provincial Government into consideration and only the Garden Route District Municipality and George Municipal Spatial Development Frameworks, are discussed for the purpose of this application.

4.3.4 GARDEN ROUTE DISTRICT MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK (GRDM SDF, 2023)

The Garden Route District Municipality Spatial Development Framework provides strategic spatial guidance aimed at achieving balanced, sustainable and inclusive development across the district. The proposed townhouse development supports several of the GRDM SDF's objectives, as outline below:

4.3.4.1 Promoting Consolidation and Densification within urban areas.

- The proposed site is within the George Urban Edge, surrounded by established residential neighbourhoods and community facilities;
- Developing this vacant and serviceable urban land aligns with the GRDM SDF's principle of consolidating urban growth and optimising existing infrastructure; and
- The townhouse typology contributes to the SDF's goal of achieving medium-density, affordable housing opportunities that cater to diverse income groups.

4.3.4.2 Supporting Social and Institutional Sustainability.

The GRDM SDF recognises the importance of sustainable social infrastructure and welfare facilities as part of inclusive human settlement development.

- By generating funds through the selling of the residential development land the ACVV Moreson Child Care Centre will be able to maintain and expand its community support functions; and
- This aligns with the SDF's objectives of strengthening social capital and ensuring that welfare institutions remain financially sustainable within the community they serve.

4.3.4.3 Promoting Economic Resilience and Community Empowerment.

The SDF's economic strategy emphasises local empowerment and resilient economic development through diversified land use and innovative funding models.

- The proposed development introduces a self-functioning mechanism that reduces dependence on external subsidies and ensures long-term institutional stability; and
- Local construction and services related to the townhouse development will also stimulate short-term employment and local economic activity.

4.3.4.4 Environmental and Spatial Sustainability

The GRDM SDF promotes responsible development that respects environmental constraints and integrated open space systems.

- The environmentally sensitive portion of the property will remain undeveloped serving as part of the open space system along the Kat River;
- The proposed site layout not only provides for pedestrian access to the abutting open space system, but also ensures that stormwater management, landscaping and green areas contribute to ecological and visual quality within the urban setting; and
- The development therefore supports the GRDM SDF's environmental management objectives by optimising already transformed land and safeguarding sensitive areas.

4.3.4.5 Align with the George Spatial Development Framework (GMSDF)

At local level, the proposal also supports the George SDF's objectives by:

- Promoting socially mixed, compact urban development;
- Encouraging efficient use of existing municipal infrastructure; and
- Reinforcing institutional and social facilities as integral components of human settlements.

4.3.5 GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF), 2023

Objectives:

4.3.5.1 Align with Spatial Vision

The George MSDF's overarching vision is to develop George as a resilient regional development anchor on excellence for prosperity inclusive and smart growth.

- The proposed medium-high residential development supports this by promoting infill development within an existing services urban area, thereby contributing to a more compact and efficient urban form;
- It represents smart growth through the optimal use of underutilised land within the existing urban edge without imposing additional infrastructure burden on the Municipality;

4.3.5.2 Promoting Inclusive and Balanced Development

One of the core objectives of the MSDF is to address historic spatial imbalances and support social inclusion.

- The Mômeson facility provides essential child and youth care services to a broad spectrum of vulnerable groups, directly contributing to social inclusion;
- The proposed residential development will financially empower the institution to continue delivering this social service ensuring that social infrastructure remains viable and accessible; and
- Furthermore, the townhouse component will diversify the local housing stock, potentially accommodating a wider range of income groups within proximity to social amenities.

4.3.5.3 Efficient Use of Existing Infrastructure

The MSDF encourages development within areas already serviced to reduce infrastructure costs and avoid urban sprawl.

- The Mômeson site is within the established Denneoord urban fabric, already connected to Municipal infrastructure networks (roads, water, sewer and electricity); and
- This makes it a low impact and sustainable development location, consistent with the MSDF's infrastructure –led growth management principles.

4.3.5.4 Support for Social and Institutional Sustainability

The MSDF emphasises the importance of supporting social facilities as part of a resilient and inclusive town.

- By unlocking the financial value of the underutilised portion of land, the development will directly strengthen the sustainability of an existing social care institution, enabling it to remain operational and expand its services capacity; and

- This approach reflects the MSDF's integration of social and spatial objectives, ensuring that social facilities are not isolated, but embedded within the urban development framework.

4.3.5.5 Compact Urban Form and Densification

The MSDF promotes densification and infill as strategies to achieve a compact, efficient and integrated settlement pattern.

- The proposed townhouses represent an appropriate medium-density infill typology within a residentially compatible environment; and
- This optimises land use and contributes to urban consolidation in line with the MSDF's intent to prevent inefficient outward expansion.

4.3.5.6 Economic Resilience and Local Development

The MSDF recognises economic growth and local empowerment as core spatial strategies.

- The project will stimulate local economic activity through construction investment and long-term housing market contribution; and
- Most importantly, the income generated will empower a community-based organisation (ACVV Môtreson), reducing dependence on public funding and ensuring continuity of social care functions – which aligns directly with the MSDF's objective of fostering self-reliant institutions.

4.3.5.7 Environmental and Spatial Responsibility

The MSDF stresses the importance of balancing growth with environmental protection and resilience.

- The developable portion of the proposed development is limited to an already disturbed portion of the property and does not encroach upon sensitive natural areas, thus maintaining the environmental integrity of the site; and
- Landscaping and stormwater management will be designed to enhance on-site permeability and local character, supporting the MSDF's sustainability focus.

4.3.6. By-Law on Municipal Land Use Planning of George Municipality, 2023:

4.3.6.1. According to Section 38(1), the following documents are required in support of the application:

4.3.6.1.1 Annexure 1: Application Form fully completed and signed;

4.3.6.1.2 Annexure 2: Power of Attorney to Nel & de Kock Town and Regional Planners by the authorised representative to prepare and submit this application;

4.3.6.1.3 Annexure 3: Resolution;

- 4.3.6.1.4 Annexure 4: Motivation Report by Nel en de Kock Town and Regional Planners;
- 4.3.6.1.5 Annexure 5: Copy of the Surveyor General Plan No 2149/1975;
- 4.3.6.1.6 Annexure 6: Plan No G/DG/201-3 (October 2024) - is attached to this application;
- 4.3.6.1.7 Annexure 7: Site Development Plan by Pieter Bezuidenhout Architect dd. 3 September 2024;
- 4.3.6.1.8 Annexure 8: Proof of Payment will be provided in due course as it is made available to the applicant;
- 4.3.6.1.9 Annexure 9: Copy of Title Deed T000058744/2011;
- 4.3.6.1.10 Annexure 10: Conveyancer Certificate by Albri Voges of Millers Attorneys;
- 4.3.6.1.11 Annexure 11: Bulk Engineering Services Report by Element Engineers;
- 4.3.6.1.12 Annexure 12: Environmental Screening Report by Cape EAPrac;
- 4.3.6.1.13 Annexure 13: Traffic Impact Statement by Element Engineers; and
- 4.3.6.1.14 Annexure 14: Copy of Pre- Application dd. 23/06/2022.

The Pre-Application provided for the subdivision of Erf 7173 into three portions and a remainder as well as the rezoning of two of these portions from Community Zone III to Residential Zone IV for the purpose of developing a total of 56 flat apartments. The third portion was proposed to be zoned Open Space Zone I. The application further included a request for the removal of a restrictive title condition and exemption from applying for services and access servitude/ rights-of-way. The Municipal response to the Pre-Application was as follows:

- **A cell phone tower was approved on the property in 2020. Please confirm the status thereof and if they intend to continue with this, as the location of the tower is within proposed portion 1.**
 - This approval has since lapsed and is therefore no longer relevant.
- **This area is not earmarked for “Flats” and flats are not reconcilable with the character of the area.**
 - The application was amended to align with this comment.
- **According to the plans and the proposal, a respective density of approximately 44du/ha and 57du/ha is proposed. The latter density is in line with the prescribed density for “Town Housing” viz. 60du/ha in terms of the Zoning Scheme. Reconsider the proposed zoning.**
 - As discussed above, the proposal was amended to rather apply for Town Housing.
- **Height of the structures to be in accordance with the height parameter for ‘dwelling house’.**
 - The revised proposal complies with this requirement.
- **May need to apply for building line relaxation should the parking in the building lines be ‘covered’.**
 - This is not necessary in terms of the present Site Development proposal.

- **Consideration to be given to the Aesthetics of the development and visual impact.**
 - These issues will be dealt with upon submission of building plans once this application is approved.

- **Functional open space/play areas (of appropriate size) to be provided which is accessible to all residence of that development, irrespective of the proposed zone.**
 - This matter is dealt with extensively in this report.

- **A landscaping (landscape plan) will be required.**
 - This requirement will be dealt with when development plans are submitted as at this point in time the development proposal of the prospective buyer(s) of the land parcels concerned is not known.

- **Stormwater management plan to be submitted with the application.**
 - The currently proposed Site Development Plan (SDP) is intended to illustrate the spatial arrangement of the units, ensuring that the permitted density is not exceeded. Therefore, the final layout of the units on the sites, along with the associated stormwater management plans, will only be available once the land has been finally planned by the eventual buyer(s) thereof. It would therefore serve no purpose to present such detail at this stage. The same applies to the landscaping plan and aesthetical presentation.

- **Alternative access to be considered/investigated via Charlotte Steet (TIS/TIA to confirm).**
 - Following an investigation by Element Consulting Engineers and CES, it was concluded that access to both portions should be obtained from Petunia Street as discussed in more detail in this report.

- **Need to confirm the heritage status of this property.**
 - The site comprises a disturbed area predominantly covered with Kikuyu grass and contains only one existing structure, namely a swimming pool, which is to be demolished. Given the absence of any buildings or features of potential heritage value, the likelihood of uncovering elements of heritage significance is considered minimal.
 - In view of the severe financial constrains currently faced by Môreson Child Care Centre, it is respectfully requested that the Municipality take the above site conditions into account and not insist on the commissioning of a Heritage Study. All other specialist studies and preparatory work required for this application have been undertaken by the relevant consultants on the understanding that payment will only be made once the application has been approved and the land been sold. Unfortunately, no heritage consultant could be found who was prepared to proceed on the same basis.
 - It should be noted that according to Section 38(1)(k)(i) of the NHRA, the only activity listed which triggers a H.I.A. is if any development or

other activity will change the character of the site exceeding 5 000m² in extent.

- According to the presently proposed development coverage of the units on Portions 1 and 2 are ±2142.8m² (27.3%) and ±909.4m² (32.4%) respectively which adds up to a total coverage of ±3 052.2m². Therefore, according to our interpretation of Section 38 it is not necessary to conduct a Heritage Impact Assessment for the purpose of the proposed development.
- **All Environmental impact to be investigated/determined, river delineation, floodlines etc. To show all buffer areas.**
 - All these requirements are complied with.
- **Confirm if the proposed public open space will be ‘incorporated’ in the development i.e. is it considered to create a pedestrian link between the development and the proposed public open space next to the river.**
 - The area situated outside the perimeter fence serves as a physical linkage between the Municipal open space located on either side of the property. This area is designated as Private Open Space on the layout plan, as the Parks Department has indicated that it is not willing to assume responsibility for its ongoing maintenance. It is therefore proposed that this portion be incorporated cadastrally into the adjoining town house site, resulting in a split zoning arrangement that will allow for both residential and private open space uses within the same cadastral unit.
- **To address all applicable policies and frameworks.**
 - All of the applicable policies and frameworks are discussed in this report.

Spatial Planning:

- **Stormwater management plan to be submitted (S/w management infrastructure to be provided on site) and requirement for EIA due to proximity to river buffer to be confirmed.**
 - The reason why a Stormwater management plan does not accompany the application is discussed in the above, while an EIA was conducted.
- **Density congruent to adjacent residential neighbourhood to be applied.**
 - Although the applicable policy requires that the density of new development should be congruent with or sensitive to the adjacent residential neighbourhood, it should be noted that this guideline must be interpreted in relation to both the existing and the intended character of the area as reflected in the approved planning frameworks.
 - In this case, the Municipality has already acknowledged that the proposed density corresponds with that generally associated with town house development, which is the appropriate land use category for these sites. The recommendation for town housing therefore reflects a policy intention to promote gradual densification and more efficient land

use within the urban edge, rather than to maintain the lower density typical of the adjoining Single Residential properties.

- Accordingly, the proposed density, although higher than that of the existing adjacent Single Residential neighbourhood, is considered compatible in urban design terms and congruent with the planned future character of the area as the supported by the Municipality.
- **Flats not suitable for this area.**
 - This matter was discussed in the above.

CES:

- **Engineering services report will be required.**
 - Report by Element Consulting Engineers is attached.
- **TIA/TIS will be required to address access to both Petunia and/or Charlotte Street.**
 - Traffic Impact Statement by Element Consulting Engineers is attached.
- **Stormwater management must be considered.**
 - This issue has already been discussed in the above.
- **Other normal development conditions included the payment of DC will be applicable.**
 - Note is taken.

ETS:

- **Electrical services report will be required.**
 - See Bulk Engineering Services Report by Element Consulting Engineers.
- **Other normal development conditions included the payment of DC will be applicable.**
 - Note is taken.

4.3.7.2 Current and Proposed Development Controls (Development Parameters)

4.3.7.2.1. Density

The allowed density for Town Housing is 60 units/ha which implies that a total number of 47 units can potentially be developed on the developable ± 0.7847 ha portion of Portion 1 which is proposed for General Residential Zone III (town housing) purposes – the area of the portion of Portion 1 proposed for private open space purposes as a split zoning, viz. ± 0.4590 ha, is excluded from this calculation. Due to the awkward shape of this land unit only 26 units could be fitted in as shown on the Site Development Plan (attached as Annexure 6) at a density of a mere 33 units/ha instead of the allowed 60 units/ha – a calculation of density based on the total area of Portion 1 whereby the area of the private open area is also included implies a density of only 21 units/ha. As Môtreson intends to sell the subjects of this application to generate funds it is a possibility that the successor in title may want to

amend the design of the town houses which may result in more or even less units in which event application will have to be made for an amended S.D.P. for consideration by the municipality. The low density of the present proposal, however, leaves room for such an amendment as long as it does not deviate substantially from the present proposal.

Portion 2 is also proposed for Town Housing purposes with an allowed density of 60 units per hectare. Therefore, a total number of 30.5 units can potentially be developed on this portion of land which is ± 0.3415 ha in extent. The proposal, as shown on the S.D.P. (Annexure 7), provides for only 11 Town Housing units at a density of 32 units/ha which complies with the density criteria. The developer acquiring this land parcel may choose to reduce unit sizes and adjust their design, leading to a modest increase in density. However, since the proposed density is currently very low, this change would have little to no effect on the area's spatial character.

4.3.4.2.2. Height

The height of dwelling units may not exceed 6.5m to wall plate in all cases and 8.5m to the ridge of the roof of a pitched roof, provided that if the intention is to utilize any area above the roof for recreational or entertainment purposes, the height may not exceed 6.5m.

The proposed development on both Portions 1 and 2 will be double storey units of which the height will not exceed the allowed parameters as provided for in the Integrated Zoning Scheme. The practical implementation thereof will, however, be dealt with when building plans are submitted and cut and fill can be more accurately determined.

It is important to note that the same height restrictions applicable to the surrounding single residential properties apply equally to the proposed town house units. As a result, the development will integrate harmoniously with the existing built environment and will not negatively affect its visual character.

4.3.4.2.3. Open Space

For the purpose of the proposed 26 Town housing units on Portion 1, "Functional open space must be provided at the following ratios:

- (i) a development containing 5 to 20 dwelling units: 24m² per dwelling unit;
- (ii) a development of 21 dwelling units or more : 480m² or 18.0m² per dwelling unit, whichever is greater"

For Portion 1, therefore, the above par(ii) is applicable which implies a required total of 480m² open space or 18,0m² per dwelling unit required. The S.D.P. provides for three internal play areas of which the total area is approximately 396m².

Furthermore, the private garden areas of the proposed 16 units along the southern boundary vary in size between ± 67 m² and ± 209 m², while the two units on the western side have private garden areas of approximately 33m² and 42m² respectively, but both are bordered by a communal play area. The proposed private open spaces of the eight units along the northern boundary vary between ± 24 m² and 94m², but the first mentioned is situated right next to the pedestrian gate giving access to the adjacent ± 0.46 ha external private open space which forms cadastrally

part of Portion 1. All these units are close to the said pedestrian gate giving access to the private open space approximately 0.46ha in extent.

Therefore, apart from the internal open spaces, the application also provides for a private open space, extending approximately 0.46ha, situated between the existing security fence on Portion 1 and the banks of the Kat River which forms the northern boundary of the property as referred to in the above paragraph. This open space forms part of Portion 1 in the form of a split zoning and the disturbed grassed area thereof will be developed as a children's play park within easy walking distance from all the dwelling units on Portion 1. The reason for the split zoning is to make the owners of Portion 1 responsible for the maintenance of this open space as the Municipal Parks Department is not prepared to maintain it as a public open space. Therefore, this area will serve as an additional recreation area for the residents of Portion 1 by installing a pedestrian gate in the existing fence. This fence will remain in its present position due to the aquatic buffer area along the banks of the river as shown on the Subdivisional plan.

As 24m² open space per unit is required for the proposed 11 Town Houses on Portion 2 it implies a total of 264m². The sizes of the private garden areas at each unit on Portion 2 vary between 24m² and 107m², while an additional ± 113m² fenced in play area is provided for at the main entrance to Portion 2. The total area of all the private open areas of the 11 units is ± 506m² plus the 113m² play area which equates to an average of approximately 56m² open space per unit. This is well within the prescribed limits.

4.3.4.2.4 Coverage

The allowed coverage for Town Housing is 60%.

The 60% parameter is applicable to both Portion 1 and Portion 2 where the coverage is respectively 27.32%(excluding the Open Space Zone II portion thereof) and 32.4%. Therefore, the proposed coverage of both portions is well within the allowed requirement.

4.3.4.2.5 Building lines along the perimeter

- Street boundary building line : 3m where site abuts a public street;
- Side and rear boundary building lines : 1.5m along the perimeter of the site; and
- General building line encroachments in the By-Law apply.

4.3.4.2.6 Building lines within the site:

The same building line parameters applicable to the Group Housing are applicable to Town Housing:

“(e) Building lines along the perimeter of a group housing site:

The following building lines apply along the perimeter of a group housing site:

- (i) A street boundary line of 3 metres is applicable where the group housing site abuts an external public street;
- (ii) Side and rear boundary building lines are 1.5 metres along the perimeter of the group housing site; and

(iii) The general building line encroachments in this By-Law apply.

(f) Building lines within a group housing site

The following building lines apply within a group housing site :

- (i) street boundary building lines on internal private roads are 0 metres; provided that any garage door facing the private road, or a private right of way servitude intended to give vehicle access to the property, must be set back at least 5 metres from the kerb of such internal road or private right of way servitude; and
- (ii) side and rear boundary building lines within the group housing site are 0 metres, unless the Municipality requires a building line for fire-fighting purposes, in which case the common boundary lines must be determined by the Municipality”.

Nowhere on either Portion 1 or Portion 2 buildings are proposed closer than 3.0m from Charlotte Street or Petunia Street – see S.D.P. with street building lines shown on plan.

As shown on the S.D.P. the 1.5m side and rear building lines along the proposed new common boundary with Remainder Erf 7173 as well as the abutting single residential erven along the southern boundary adhere to this parameter in all cases.

On both proposed development land portions none of the buildings will exceed the internal street building line restriction as can be seen on the S.D.P, while none of the existing buildings on Remainder Erf 7173 will encroach the proposed newly created boundaries.

4.3.4.2.7 Parking area Access

1.25 parking bays for two habitable rooms plus 0.25 for visitors;
1.75 parking bays for three and more habitable rooms plus 0.25 for visitors.

These parking conditions are applicable to the proposed town housing on both Portion 1 and Portion 2 for which the proposed S.D.P. provides as follows:

- **Portion 1:**
For 26 Town Housing units at 1.75 parking bays per unit a total of 46 residential parking bays are required and 7 bays for visitors calculated at 0.25 per unit. That gives a total of 53, while the actual number of bays provided is 60 and 25 respectively adding up to a total of 85 bays.
- **Portion 2:**
For the 11 Town Housing units a total of 20 residential parking bays and 3 visitors parking bays are required which add up to 23, while the S.D.P. provides for a total of 30, consisting of 26 residential and 4 visitors parking bays.

Access to both Portion 1 and Portion 2 will be obtained from the northern end of Petunia Street. The application provides for a 6.0 m wide services

and access servitude on Portion 2 in favour of Portion 1. Portion 2 will also obtain access via the first section of the above mentioned servitude area from where it turns left towards the gate house. Both portions will be served by security gate houses.

4.3.5 Title Deed

Condition C3 in Deed of Transfer T000058744/2011 stipulates that “ die transportnemer of sy regsopvolger moet die grond wat hierdeur oorgedra word, gebruik vir die oprigting van ‘n gebou/e om uitsluitlik vir kerk-/opvoedkundige doeleindes gebruik te word. Indien sodanige gebou/e nie opgerig word binne ‘n tydperk van twee jaar vanaf oordrag of binne die verdere tydperk wat die raad/bestuur met die toestemming van die Administrateur toelaat nie, of indien die grond te eniger tyd ophou om vir kerk-/opvoedkundige doeleindes deur die transportnemer of sy regsopvolgers gebruik te word, val die grond aan die raad/bestuur terug sonder die betaling van vergoeding van enige aard hoegenaamd, en die transportnemer en sy regsopvolger word verbind met al wat nodig is te doen en om alle stukke te teken ten einde heroordrag aan die raad/bestuur te bewerkstellig; die koste van heroordrag moet deur die transportnemer of sy regsopvolger gedra word”.

In order to remove, amend or suspend restrictive Condition C.3, the Municipality must have regard to the following in terms of Section 33.(4):

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;

- The restrictive condition currently benefits only the Council/ Management (the original transferor), who holds a reversionary right to have the property transferred back if it ceases to be used for church/ educational purposes;
- This right has no direct financial value to the Council, since the property is used for public benefit purposes and the Council has not invested in its development or maintenance;
- The retention of this right, however, prevents Môreson from realising any portion of the property’s value to support its social function which undermines the sustainability of the care facility.
Conclusion: The financial value of the restriction to the beneficiary is negligible, while its retention imposes a severe financial burden on Môreson.

b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;

- The Council’s benefit is indirect and historical – it merely ensures that the land remains used for church/ educational purposes;
- There is no ongoing or personal benefit to the Council especially since Môreson continues to serve a social and educational role in the community; and

- The Council also benefits from Mômeson's continued operation, as it reduces the Municipality's own social welfare obligations.
Conclusion: The Council's benefit is nominal and of a regulatory nature, not personal or financial.

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;

- Removal will allow Mômeson to subdivide, rezone and sell two relatively small portions of the land for town house development;
- The proceeds will provide essential funding to upgrade and maintain the child care facilities, staff and services;
- This will ensure long-term sustainability of the social function, allowing Mômeson to continue serving vulnerable children; and
- No private or commercial entity benefit personally – the benefit accrues to a registered social welfare organisation.
Conclusion: The benefit is entirely institutional and socially orientated aimed at financial self-sufficiency rather than private gain.

d) the social benefit of the restrictive condition remaining in place in its existing form;

- The condition was originally intended to safeguard the social use of the property;
- However, the restriction has become counterproductive, as it now prevents the organisation from adapting to financial realities and continuing its social mission; and
- Keeping the restriction in place may ultimately lead to closure of the facility, which would undermine the very social purpose the restriction sought to protect.
Conclusion: The social benefit of retaining the restriction is minimal and may be socially detrimental.

e) the social benefit of the removal, suspension or amendment of the restrictive condition; and

- The removal would enable Mômeson to leverage two relatively small portions of its land asset to secure the financial means necessary to continue providing essential child care and social support services;
- The Municipality and community both gain from a strengthened social facility that remains operational and sustainable; and
- The town house development will also provide housing opportunities and may generate Municipal revenue through the levying of rates and taxes.
Conclusion: The removal clearly promotes the public interest and the principles of social sustainability envisaged by SPLUMA.

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.

- The removal would only affect the reversionary clause tied to the educational/ church use;
- The Municipality's broader planning control and ability to regulate land use through zoning By-Laws and consent processes will remain intact; and
- Therefore, the removal does not deprive the Council of its regulatory powers, but only eliminates an outdated deed restriction.

Conclusion: Only a specific obsolete right will be removed; the Council retains all other oversight and development control functions.

Therefore, the removal of the restrictive title condition will not undermine the original intent of ensuring a social benefit on the property, but will, in fact, secure its continuation by enabling Môreson to operate on a financially sustainable basis. The proposed removal therefore serves both the public and the long-term viability of this essential community facility.

As previously discussed the land concerned is a financial burden for this institution due to maintenance and security problems experienced with the size thereof, while there is no need for the development of more buildings for church/educational purposes according to the Môreson management. Therefore, the land concerned is regarded as redundant and deemed to be more suitable for a development which can generate funds to run this welfare institution sustainably.

According to the Conveyancer Certificate prepared by Millers Attorneys it is stipulated in Clause 10 that "save for Restrictive Title Deed Condition reflected on page 3 of Deed of Transfer No T58744/2011 as Component / Condition C.3, (of which an application in terms of Section 33(7) of the George Municipality : Land Use Planning By-Law (2023), for the removal thereof will be submitted), no other conditions of title in the said Deed of Transfer No T58744/2011 which prohibits or restricts the proposed application for", a proposal as set out in the above Par 1. of this application provision is made for the removal of this condition.

4.4 Character of the Environment

The subject of this application is situated within a fully developed residential area with Denneoord to the west thereof, while it borders Bergsig neighbourhood on the eastern side. To the south it is partially abutted by the railway line and partially single residential erven. On the eastern side Petunia Street separates Erf 7173 physically from the single residential development on the opposite side thereof. On the western side Charlotte Street forms a physical barrier between Môreson and a church as well as single residential development on the opposite side thereof. On the northern side of Remainder Erf 7173 is the Kat River which forms the boundary with Tweerivieren on the opposite side of the river. The proposed development can therefore be regarded as a textbook example of urban infill to give effect to municipal policy of densification.

There is no medium high density residential development in the immediate proximity of Remainder Erf 7173 and therefore it is justified to increase the number of residential units in this area giving substance to the policy of densification and

optimal use of existing bulk municipal services. Apart from two developed single residential properties along the southern boundary of Portion 2 no other existing single residential erven will abut the proposed development due to existing streets separating it physically. Therefore, hardly any existing low density development will be directly exposed to the proposed higher density development. It should, however, be pointed out that the said two single residential properties will abut a proposed town house development on Portion 2 of which the total coverage of the site is only 32.4%, while the allowed coverage for the single residential erven in the area is 50%. On Portion 1 the actual coverage of the developable portion thereof is only 27.3%. Therefore, it is evident that the low coverage of the proposed developments will have an insignificant influence on the spatial character and visual integrity of the adjacent Single Residential environment and thereby maintaining the established urban form and sense of place. Densification of the development in this area will not only optimize the use of existing bulk services in the area, but will also broaden the municipal tax basis.

4.5 Potential of the property

4.5.1 Agriculture

As the subject of this application is situated within the urban edge and a developed residential neighbourhood and zoned for community purposes a discussion of the potential thereof for agricultural purposes serves no purpose.

4.5.2 Conservation

The portion of Remainder Erf 7173 involved in this development proposal extending approximately 0.7847ha, is a fenced in degraded area covered with kikuyu grass and a couple of trees which were surveyed and of which some are 'indigenous' as shown on plan. The fenced off area adjoining the river, approximately 0.4590ha in extent, is partially degraded, indicating previous disturbance and limited ecological integrity. A portion thereof, situated next to the river bank is, however, environmentally sensitive and needs to be conserved. Therefore, no development is proposed on this split zoning portion of proposed Portion 1 which is earmarked for Open Space Zone II and thereby not encroaching on sensitive areas will maintain appropriate buffers to the river corridor.

4.5.3. Mining

As of date no economic exploitable materials have been found on the property which could lead to any mining taking place here. Even if it had any mining potential it would still have been impractical to exploit it due to the urban character of the area.

4.5.4. Recreation

The land concerned lends itself to recreational purposes for the children of Môreson, but at the same time it creates challenges regarding supervision of the children. The

area which will be left after the area covered by the proposed development has been cut off is still big enough to offer ample recreational space for the children under safer and more efficient supervision.

4.5.5. Community Purposes

Remainder Erf 7173 is well located for the specific communal function it presently fulfils considering the physical 'isolation' thereof thanks to the abutting streets, railway line and river. This institution, however, will despite the deduction of a portion of land still be functioning optimally in terms of its mandate to take care of children and the youth, but with the difference that supervision of children and maintenance of the remaining land will be less challenging.

4.5.6. Residential

Remainder Erf 7173 is for all practical purposes surrounded by residential and related land uses and therefore it necessarily has a high potential for any form of residential development. Considering the relatively low density of the single residential development in the surrounding area it will be appropriate to apply for a medium-high format of development on the land concerned in order to give impetus to the policy of densification in an area where bulk services are already available. As previously stated, the proposed medium-high residential development will not adversely affect the spatial or visual character of the nearby single residence area, owing to its moderate density and limited coverage. Therefore, contrary to the original intention to apply for the development of flat apartments, the proposed medium high density will as a transitional residential development be more compatible with the residential character of the area without impacting negatively upon the character thereof.

4.6 LOCATION AND ACCESSIBILITY

Erf 7173 is situated at 33°57'11"S and 22°28'19"E, between Denneoord and Bergsig neighbourhoods. As the existing access to the property is from Charlotte Street in Denneoord it for all practical purposes forms part of the latter. There are, however, two streets in Bergsig abutting the property, but which are presently not being used for gaining access thereto. Ent street, however, is a dead end against the southern boundary of Remainder Erf 7173, but without a turning circle. Due to existing structures on Remainder Erf 7173 it will not be possible to gain access thereto via this street. Furthermore, it also links up with the portion of Remainder Erf 7173 which will remain part of the Môreson Kinderhuis with an existing access from Charlotte Street.

Petunia Street, on the other hand, abuts the portion of Remainder Erf 7173 which is now the subject of this application. There are only five existing single residential properties being served by this section of Petunia Street, but it is also a cul-de-sac without a turning circle. Access to the proposed development will be at the end of this cul-de-sac.

Petunia street was apparently planned to extend along the eastern and northern boundaries of Erf 7173 to link with Charlotte Street. However, recognising the environmental sensitivity of this area, the linkage was deliberately omitted and the area has now been excluded from the proposed development, but intended as an open space, to ensure environmental protection.

With a reserve width of 15m Petunia Street qualifies as a Residential Access Collector according to the Guidelines for the Provision of Engineering Services in Residential Townships. Therefore, it can potentially serve a maximum total of up to 200 residential units and 600 passenger car units per hour - these criteria are applicable to also a 13.5m road reserve, while a 16m road reserve, classified as a Local Distributor, can serve 400 to 1500 residential units. At an allowed maximum density of 60 units/ha approximately 47 Town Houses can potentially be developed on Portion 1 and 2, but due to physical and cadastral constraints the application provides for a total of only 37 units. Therefore, according to the total number of Town Housing units proposed on Portions 1 and 2, viz. 37, the proposed development provides for much less residential units than what can be served by Petunia Street.

It was originally considered giving access for Portion 1 from Charlotte Street and Portion 2 from Petunia Street, but due to the high volumes of traffic on Wellington Street the CES and the client's traffic consultant, viz. Element Consulting Engineers, concluded that both portions now proposed for development should get access from Petunia Street of which the carrying capacity meets the minimum requirements as stipulated in the above mentioned Traffic Impact Statement – see statement by Element dd. May 2024 as Annexure 13.

4.7 PROVISION OF SERVICES

The services report by Element Consulting Engineers, dated September 2024 is hereby attached as Annexure 11 of which a concise summary is as follows:
“The following conclusions can be reached from the Bulk Engineering Services Report on the proposed development of a portion Erf 7173, George, better known as ACVV Môreson:

1. The proposed project envisages the development of 26 townhouses and 11 group houses.
2. Geotechnical: The materials found on site are adequate for the construction of engineering services and residential development.
3. Water:
 - a. A bulk connection is proposed from Petunia (Plein) Street at the access to the development.
 - c. The Average Annual Daily Demand (AADD) for the proposed land use is calculated at approximately 25.9kl/day.
 - d. This demand is available from the municipal network.
4. Sewer:
 - a. The property is serviced with a municipal sewer connection on the northwestern corner of the site.
 - b. The Average Dry Weather Flow (ADWF) created by the proposed land use

- is calculated at approximately 23.3kl/day.
- c. The design peak flow, inclusive of a peak factor of 3.5 and 15% extraneous flow, is calculated at approximately 1.08l/sec.
 - d. The municipal network has sufficient capacity to accommodate this flow.
5. Streets and access:
- a. Proposed access is obtained from Petunia (Plein) Street on the eastern boundary of the site. This access has been approved by municipal officials.
 - b. Sight distances at the proposed access point are very good in both the vertical and horizontal alignments.
 - c. Internal street design parameters have been discussed. A site layout plan has been provided.
 - d. A separate Traffic Impact Statement (TIS) has been performed by Element Consulting Engineers. Please refer to this report in parallel. The traffic impact of the proposed development will be negligible from a traffic engineering perspective. The traffic impact statement has been approved by the relevant municipal officials.
6. Stormwater:
- a. A formal stormwater reticulation system will be required and will be provided by a combination of surfaced roadways, kerbs, channels, cut-off drains, stormwater pipes and various minor structures. Energy dissipation will be performed as standard practice with gabion mattresses at all outlets. All pipe outlets will be standard concrete headwalls. Litter traps will be provided at all stormwater outlets.
 - b. The site drains towards the north-eastern corner where all internal stormwater will be discharged into a tributary of the Kat River.
7. Solid waste:
- a. A formal solid waste collection area is provided in the site development plan.
 - b. A formal arrangement for the removal of solid waste will be entered into with the municipality.
8. Electricity:
- a. Electrical supply to the proposed development will be from the existing ST Darling East Substation.
 - b. This substation will not have sufficient capacity to supply the expected demand from the new development and the existing 315 kVA transformer will have to be upgraded as part of the development. The costs associated with the upgrading of the substation capacity will be for the Developer but could be off-set from the Development Charges (DCs), based on final negotiations with the George Municipality as part of the Service Level Agreement.
 - c. The diversified load for the development is estimated to be 100 kVA.
 - d. A bulk LV connection (rated at 100 kVA) will be provided to the new development using a new 400V, 120 mm² PILC aluminium cable (rated at 100 kVA). This cable will be terminated at one end in the ST Darling East Substation's LV switchboard (on a 150 A MCCB) and at the other end in the municipal metering kiosk (9-WAY) on a 150 A MCCB, located on the erf boundary of the new development.
 - e. From this municipal metering kiosk, an internal low voltage reticulation network will be provided internal to the development.
 - f. Several energy saving and green building design measures are proposed

to be incorporated into this development. These measures are being investigated and will be finalized during the detail design phase.”

4.7 CONSTRUCTION PHASE

As the present the owner of Erf 7173, viz. Môreson ACVV Kinder- en Jeugsorgsentrum Dienstak, will sell the two portions to bona fida developers it is not readily possible to determine the implementation phasing of the proposed development. Due to the lack of accommodation in George, Môreson is experiencing a big demand by prospective buyers to purchase the land once the proposed development is approved. Therefore, it is foreseen that the implementation of the development will be commenced within the near future.

5. CONCLUSION

Based on the rationalisation presented in this report, it is evident that there are both a need and desirability for the proposed development of Portions 1 and 2 for General Residential Zone III purposes, together with an Open Space Zone II component on Portion 1.

The proposed development is fully aligned with applicable spatial planning principles and policy directives and is considered appropriate within the local context. Approval of this application will enable ACVV Môreson Child Care Centre to unlock the value of the land concerned, thereby generating the necessary funds to ensure the long-term financial sustainability of this community institution.

Nel & de Kock Town and Regional Planners
Per: Deon Nel Pr. Pln A/520/1987

November 2025

Copy of Diagram SG No. 2149/1975

SIDES Cape-Feet		ANGLES OF DIRECTION	CO-ORDINATES System L ⁿ 23			
Meters			Y	X		
		<i>Constants</i>				
AB	62,85	2. 10. 50	A +	48 000,00	+ 3 758 000,00	
BC	50,42	250. 47. 20	B +	753,54	+ 173,82	
CD	52,67	280. 45. 40	C +	755,33	+ 236,62	
DE	188,91	1. 53. 50	D +	708,32	+ 220,09	
EF	166,72	91. 53. 50	E +	656,58	+ 220,87	
FG	27,51	36. 53. 50	F +	662,83	+ 418,68	
GH	75,10	148. 4. 30	G +	829,46	+ 413,16	
HA	237,71	213. 46. 20	H +	845,97	+ 435,16	
Aa	213. 46. 20	Geo 1 Δ		+ 46 649,41	+ 3 755 980,32	
Dd	181. 53. 50	Geo 2 Δ		+ 46 611,73	+ 3 759 656,93	

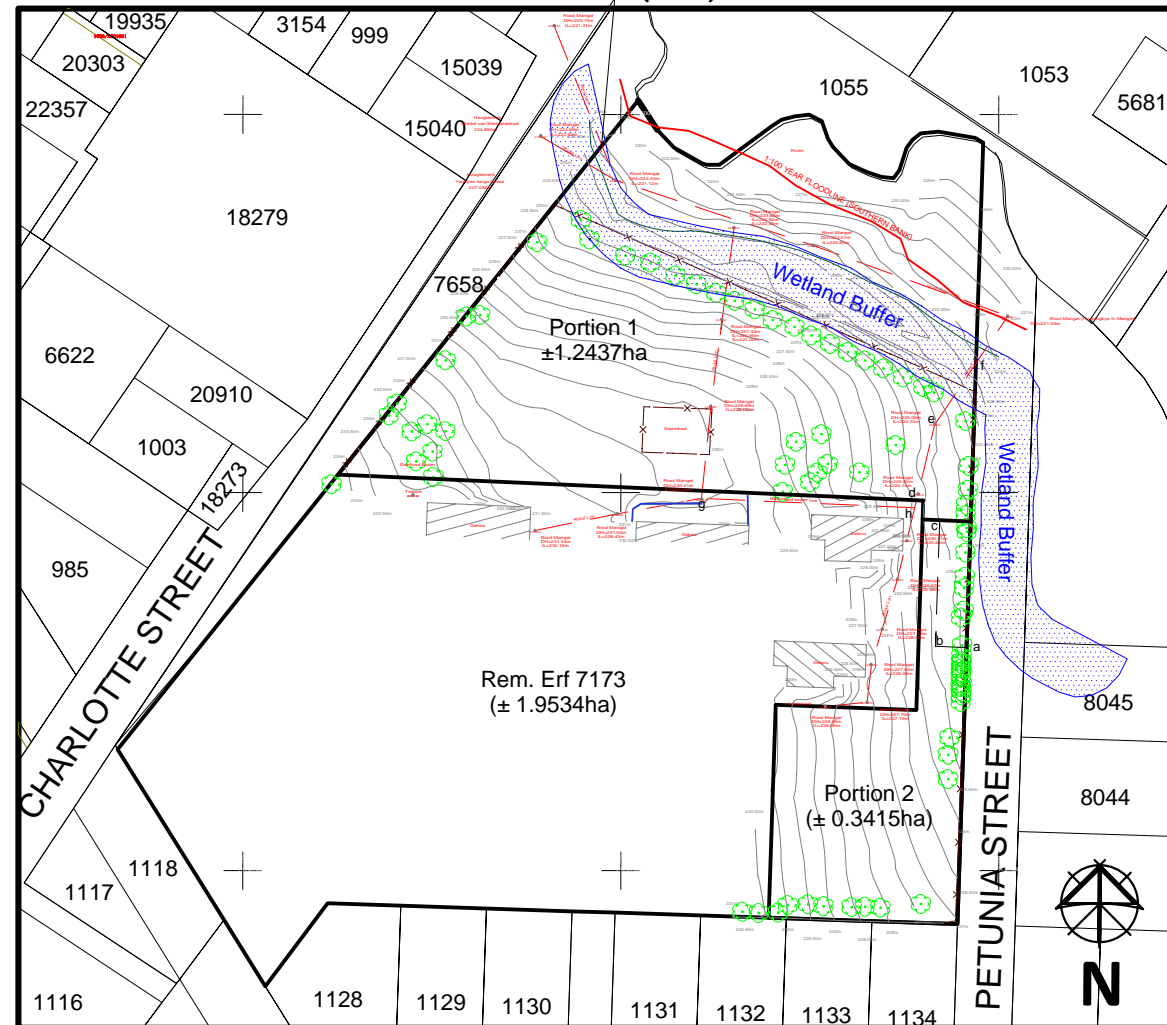
1. Figure a inner bank of Kat River x J H representing Erf 6474 portion of Erf 464 George. Vide Dgm. N^o 4288/73 annexed to D./T. 1975.. 35905
2. Figure x inner bank of Kat River y K J representing Erf 1119 George. Vide Dgm. N^o A 273/1925 annexed to D./T. 1925-123-5747.
3. Figure y' middle of Kat River d E F G K representing Erf 1120 George. Vide Dgm. N^o 4242/1953 annexed to D./T. 1954-205-10223.

The figure *a inner bank of Kat River y y' middle of Kat River d E F G H* represents 3,8233 Hectares of land, being Erf 7173 George. and comprises the properties specified above situate in the Municipality and _____ Administrative District of George, _____ Province of Cape of Good Hope. Surveyed in March 1953 by me, & May 1973 *T.J. Pascual*

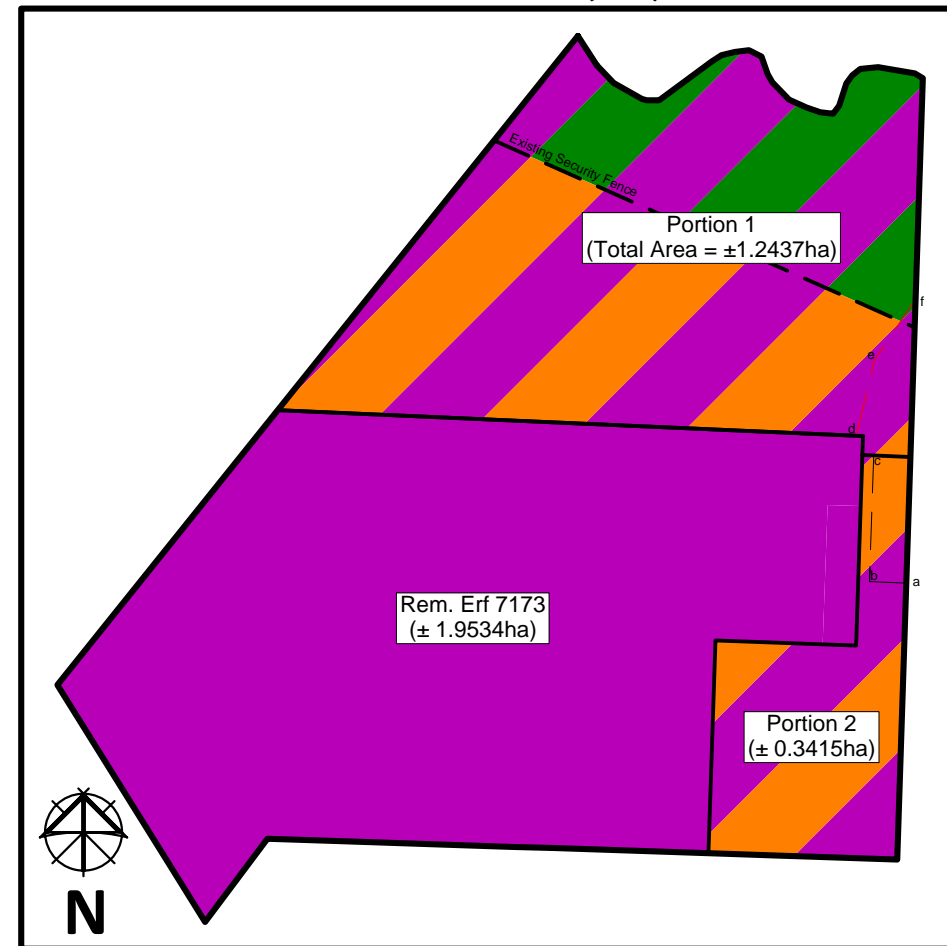
This diagram is annexed to <i>C.C.T.</i> No. <u>35906/75</u> dated i.f.o.	The original diagrams <i>are</i> <i>as quoted above</i>	File No. S. <u>8775/86</u>
	No. _____ annexed to Transfer/Grant No.	S.R. No. <u>E 1010/1953</u> <u>E 1167/1973</u> Comp. <u>BL-700 (1743)</u> <u>W42</u>
Registrar of Deeds	FOR ENDORSEMENTS SEE BACK OF DIAGRAM	

C

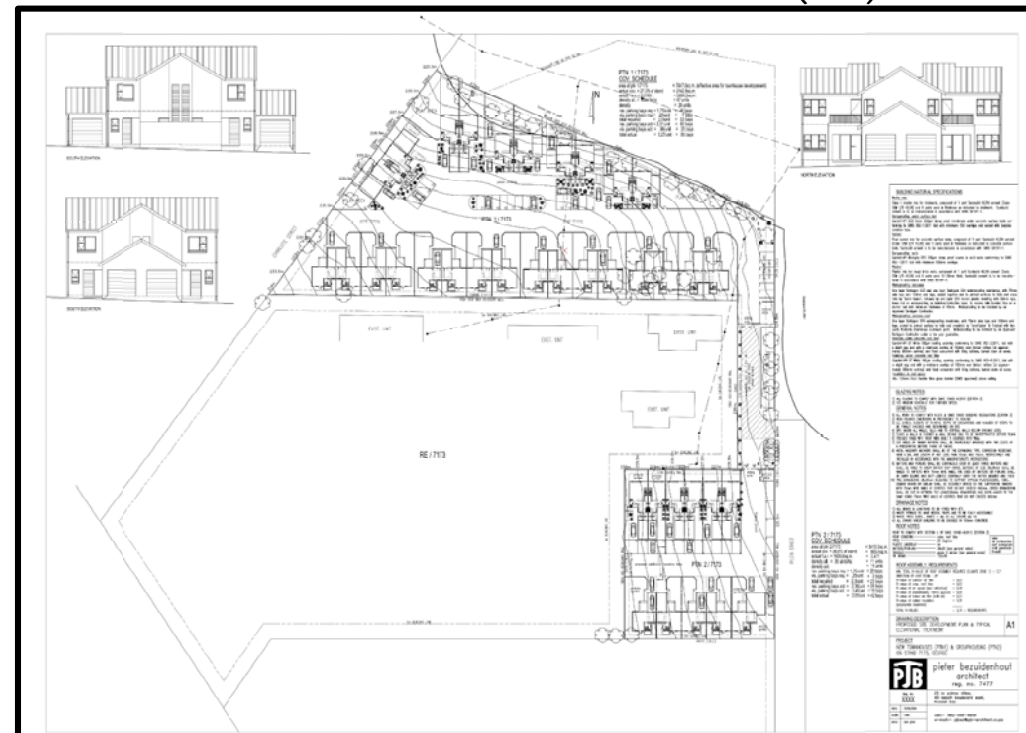
SUBDIVISION PLAN: 1:2000 (A3):



REZONING PLAN: 1:2000 (A3):



SITE DEVELOPMENT PLAN 1:2 500 (A3):



LOACLITY MAP (True to scale):



PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL RELATED TO REMAINDER ERF 7173, REMOVAL OF RESTRICTIVE TITLE CONDITION, SUBDIVISION, REZONING AND REGISTRATION OF ACCESS RIGHT-OF-WAY/SERVITUDES IN TERMS OF THE RELEVANT SECTIONS OF THE BY-LAW ON MUNICIPAL LAND USE PLANNING OF GEORGE MUNICIPALITY, 2023

Application is being made for:

- An amendment of Condition 1 in letter of approval for a telecommunication infrastructure, dd. 10 July 2020, changing the validity period from five (5) years to three (3) years in terms of Section 15.(2)(h);
- Removal of Restrictive Condition C.3 related to the allowed use of Remainder Erf 7173 and as stipulated of Deed of Transfer No. T58744/2011 in terms of Section 15.(2)(f).
- Subdivision of Remainder Erf 7173, in terms of Section 15.(2)(d) as follows:
 - *Portion 1 = ±1.2437ha (consisting of ±0.7847ha + ±0.4590ha);
 - Portion 2 = ±0.3415ha; and
 - Remainder Erf 7173 = ±1.9534ha.
- The following Rezoning in terms of Section 15.(2)(a):
 - Portion 1 with split zoning as follows:
 - Community Zone III to General Residential Zone II (±0.7847ha)
 - Community Zone III to Open Space Zone II (±0.4590ha)
 - Portion 2: Community Zone III to General Residential Zone III (±0.3415ha)
- Exemption from the registration of the following servitudes in terms of Section 24.(1)(f):
 - A 6.0m wide services and access right-of-way servitude with centre line a,b,c on Portion 2 in favour of Portion 1; and
 - A 1.5m wide services servitude with centre line d,e,f on Portion 1 in favour of Remainder Erf 7173.

Remarks:

- The existing swimming pool on proposed Portion 1 and sewer line to be demolished, while the latter will be replaced by a new sewer line marked g,h along the new northern boundary of Rem. Erf 7173 to link up with an existing sewer line.
- *Portion 1 will have a split zoning allowing for GRZIII (±0.7847ha) and OSZII (±0.4590ha).
- Access from Portion 1 to the private open space forming part thereof will be by means of a pedestrian gate.
- Wetland Buffer determined by Dr. Dabrowski.
- 1:100 year Flood line determined by Gorra Water.

SITUATED IN THE MUNICIPALITY AND ADMINISTRATIVE DISTRICT OF GEORGE

Notes:

- Cadastral and survey information obtained from Jacobs Opmentings.
- Contour intervals: 1,0m.

**REMAINDER ERF 7173
PETUNIA STREET
GEORGE**

nel & dekok Stads - en Streekbeplanners
Town and Regional Planners
Yorkstraat 56 York Street Tel: (044) 874 5207
Posbus 1186 / P.O. Box 1186 Fax: (044) 873 6354
George 6530 E-pos / E-mail:neldek@mweb.co.za

SKAAL	1:2000 (A3)	SCALE
BEPLAN PLANNED	D.N.	PLAN NO G/DG/201-3
GETEKEN DRAWN	A.H.	
DATUM DATE	OCTOBER 2024	

KOPIEREG VOORBEHOU / COPYRIGHT RESERVED

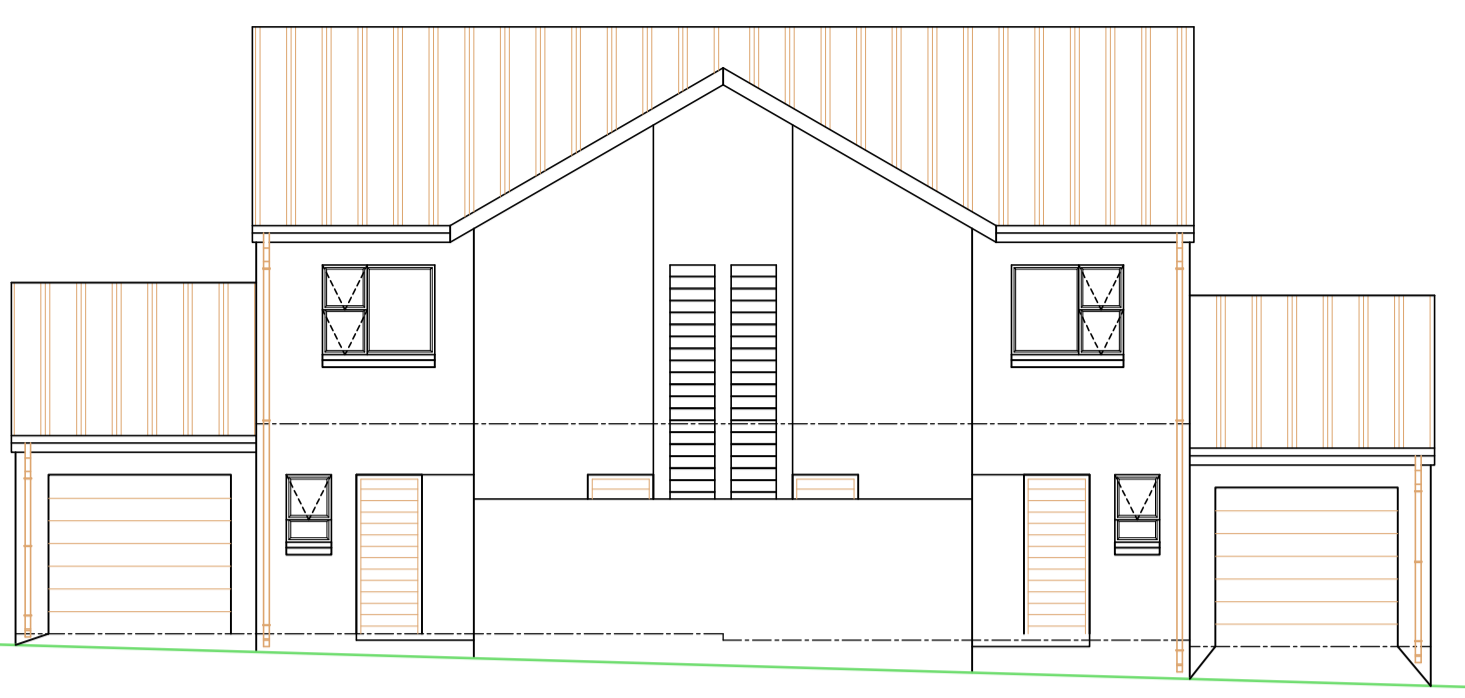
Annexure 7



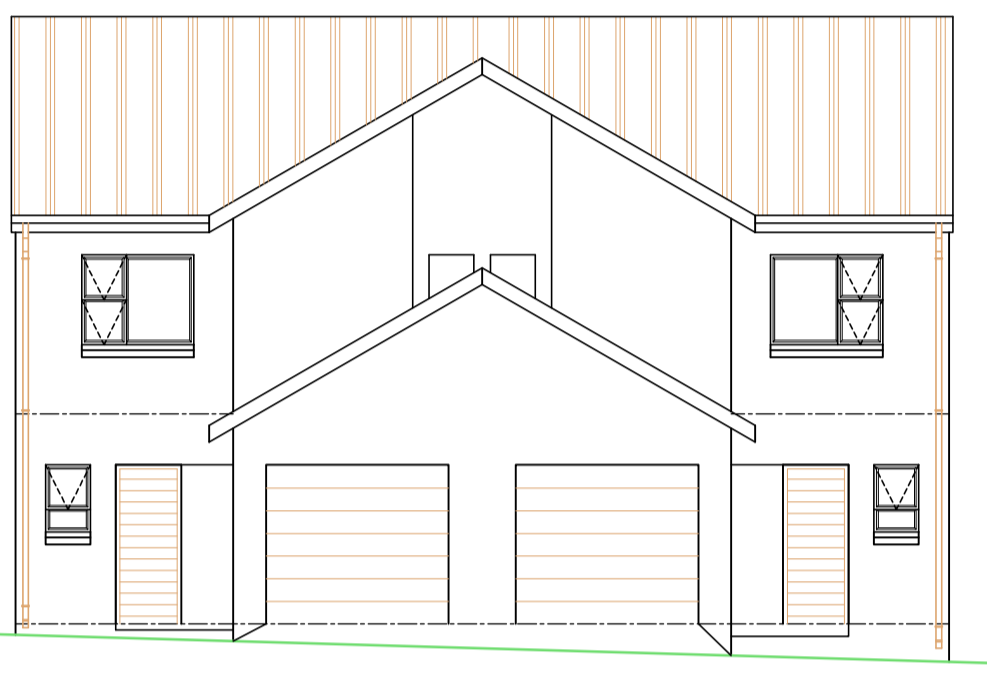
**PTN 1/7173
COV. SCHEDULE**
 area of pin 1/7173 = 7847.0sq.m. (effective area for townhouse development)
 actual cov. = 27.3% of stand = 2142.8sq.m.
 actual f.a.r. = 0.3165 = 2484.2sq.m.
 density all. = 0.00units/ha = 47 units
 density = 26 units
 res. parking bays req. = 1.75/unit = 46 bays
 vis. parking bays req. = .25/unit = 7 bays
 total required = 2.0/unit = 53 bays
 res. parking bays act. = 2.31/unit = 60 bays
 vis. parking bays act. = .96/unit = 25 bays
 total actual = 3.27/unit = 85 bays



NORTH ELEVATION



SOUTH ELEVATION



SOUTH ELEVATION

BUILDING MATERIAL SPECIFICATIONS

Mortar mix:
 Class II mortar mix for brickwork, composed of 1 part Surebuild 42.5N cement (Code: CEM I/B 42.5N) and 6 parts sand in thickness as indicated to brickwork. Surebuild cement is to be manufactured in accordance with SANS 50197-1.

Dampproofing: under surface bed
 Gurdies API USB Green 250um damp proof membrane under concrete surface beds conforming to SANS 952-1:2011 laid with minimum 150 overlaps and sealed with Gurdies sensitive tape.

Screened:
 Floor screed mix for concrete surface beds, composed of 1 part Surebuild 42.5N cement (Code: CEM I/B 42.5N) and 3 parts sand in thickness as indicated to concrete surface beds. Surebuild cement is to be manufactured in accordance with SANS 50197-1.

Dampproofing: walls
 Gurdies API Brickdigs DPC 250um damp proof course in solid walls conforming to SANS 952-1:2011 laid with minimum 150mm overlaps.

Plaster:
 Plaster mix for rough brick walls, composed of 1 part Surebuild 42.5N cement (Code: CEM I/B 42.5N) and 6 parts sand 10-20mm thick. Surebuild cement is to be manufactured in accordance with SANS 50197-1.

Waterproofing: balconies
 One layer Derbigum CG3 and one layer Derbigum CG4 waterproofing membrane, with 75mm side laps and 100mm end laps, sealed together and to primed surfaces to falls and cross falls by 'torch-fusion', followed by one layer 250 micron plastic sheeting with 50mm laps, loose laid on waterproofing as isolation/protection layer, to receive fully bonded tiles on a mortar bed with minimum thickness of 45mm. Waterproofing to be installed by an Approved Derbigum Contractor.

Waterproofing: concrete roof
 One layer Derbigum SP4 waterproofing membrane, with 75mm side laps and 100mm end laps, sealed to primed surface to falls and crossfalls by 'torch-fusion' & finished with two coats Roodete bituminous aluminum paint. Waterproofing to be installed by an Approved Derbigum Contractor under a ten year guarantee.

Underlay: under concrete roof tiles
 Gurdies API UT White 180um roofing underlay conforming to SANS 952-2:2011, laid with a slight sag and with a minimum overlap of 100mm over timber rafters (at approx. -mately 65mm centres) and fixed concurrent with tiling battens, turned down at eaves.

Underlay: under concrete roof tiles
 Gurdies API UT White 180um roofing underlay conforming to SANS 952-2:2011, laid with a slight sag and with a minimum overlap of 100mm over timber rafters (at approx. -mately 65mm centres) and fixed concurrent with tiling battens, turned down at eaves.

Insulation: in roof space
 Min. 135mm thick flexible fibre glass blanket (SANS approved) above ceiling.

GLAZING NOTES

- ALL GLAZING TO COMPLY WITH SANS 10400-N:2010 (EDITION 3)
- SEE WINDOW SCHEDULE FOR FURTHER SPECS.

GENERAL NOTES

- ALL WORK TO COMPLY WITH N.B.R. & SANS 10400 BUILDING REGULATIONS (EDITION 3)
- READ FIGURED DIMENSIONS IN PREFERENCE TO SCALING
- ALL LEVELS, HEIGHTS OF PLUMBS, DEPTH OF EXCAVATIONS AND NUMBER OF STEPS TO BE FINALLY CHECKED AND DETERMINED ON SITE
- DPC UNDER ALL WALLS, SILLS AND TO VERTICAL WALLS BELOW GROUND LEVEL
- FLOOR & WALLS IN SHOWER & WALL BEHIND SINK TO BE WATERPROOFED BEFORE TILING
- TRUSSES FIXED WITH ROOF WIRE BUILT 5 COURSES INTO WALL
- CUT AREAS OF TIMBER RAFTERS SHALL BE THOROUGHLY BRUSHED WITH TWO COATS OF A PRESERVATIVE BEFORE FINING OF FACIAS
- METAL MASONRY ANCHORS SHALL BE OF THE EXPANDING TYPE, CORROSION RESISTANT, HAVE A DIA. AND LENGTH OF NOT LESS THAN 10mm AND 75mm, RESPECTIVELY AND INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS
- BATTENS AND PURLINS SHALL BE CONTINUOUS OVER AT LEAST THREE RAFTERS AND SHALL BE FIXED TO EVERY RAFTER THEY CROSS. BATTENS OF SIZE 38x38mm SHALL BE NAILED TO RAFTERS WITH 75mm WIRE NAILS. THE ENDS OF BATTENS OR PURLINS SHALL BE SWAN SQUARE AND BUTT-JOINED CENTRALLY OVER THE RAFTER MEMBER AND FIXED
- PINE BRANDING 38x38mm REQUIRED TO SUPPORT GYPSUM PLASTERBOARD, FIBRE-CEMENT BOARD OR SIMILAR SHALL BE SECURELY SPIKED TO THE SUPPORTING TIMBERS WITH 75mm WIRE NAILS AT CENTRES THAT DO NOT EXCEED 450mm. CROSS BRANDING SHALL BE CUT IN BETWEEN THE LONGITUDINAL BRANDING AND SKEW-NAILED TO THE SAME USING 75mm WIRE NAILS AT CENTRES THAT DO NOT EXCEED 900mm

DRAINAGE NOTES

- ALL BENDS & JUNCTIONS TO BE FITTED WITH IE'S
- WASTE FITTINGS TO HAVE RESEAL TRAPS AND TO BE FULLY ACCESSIBLE
- WASTE PIPES SIZES: WIRS = dia 12 ALL OTHERS dia 40
- ALL DRAINS UNDER BUILDING TO BE ENCASED IN 100mm CONCRETE

ROOF NOTES

ROOF TO COMPLY WITH SECTION L OF SANS 10400-N:2010 (EDITION 3)

ROOF COVERING	conc. roof tiles	note: no combustible roof component shall penetrate firewall
PITCH	26 degrees	
PLASTIC UNDERLAY	no	
BATTENS/PURLINS	38x38 (see general notes)	
TRUSSES	grade 5 timber (see general notes)	
TIE BEAMS	150x38	

**PTN 2/7173
COV. SCHEDULE**
 area of pin 2/7173 = 3415.0sq.m.
 actual cov. = 26.6% of stand = 909.4sq.m.
 actual f.a.r. = 1.008.8sq.m.
 density all. = 35 units/ha = 11 units
 density act. = 11 units
 res. parking bays req. = 1.75/unit = 20 bays
 vis. parking bays req. = .25/unit = 3 bays
 total required = 2.0/unit = 23 bays
 res. parking bays act. = 2.36/unit = 26 bays
 vis. parking bays act. = 1.45/unit = 16 bays
 total actual = 3.81/unit = 42 bays

ROOF ASSEMBLY REQUIREMENTS

MIN. TOTAL R-VALUE OF ROOF ASSEMBLY REQUIRED (CLIMATE ZONE 1) = 3.7

DIRECTION OF HEAT FLOW : UP

R-value of outdoor air film	= 0.03
R-value of conc. roof tiles	= 0.02
R-value of air space (non-reflective)	= 0.18
R-value of plasterboard, 10mm gypsum	= 0.06
R-value of indoor air film (still air)	= 0.11
R-value of sealed insulation (polyethylene expanded)	= 3.30
TOTAL R-VALUES	= 3.70 = REQUIREMENTS

DRAWING DESCRIPTION
 PROPOSED SITE DEVELOPMENT PLAN & TYPICAL ELEVATIONAL TREATMENT

A1

PROJECT
 NEW TOWNHOUSES (PTN1) & GROUHOUSING (PTN2)
 ON STAND 7173, GEORGE

PJB pieter bezuidenhout architect
 reg. no. 7477

dwg. no. XXXX
 date: 03/09/2024
 scale: 1:400
 area: see plan
 cell:- 082-458-4839
 e-mail:- pjb@pjb-architect.co.za



Notice of Payment

18 May 2026

Dear MORESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK

Subject: Notice Of Payment: GEORGE MU

Please be advised that you made a payment to GEORGE MU as indicated below.

Transaction number:	80C8AC0DC8-1
Payment date:	2026-05-18
Payment made from:	Current
Payment made to:	GEORGE MU
Beneficiary bank name:	GEORGE MU
Beneficiary account number:	LUA845
Bank branch code:	0142821
For the amount of:	27 765.60
Immediate payment:	N
Reference on beneficiary statement:	Moreson ACVV

Please remember that the following applies to online banking payments to non-ABSA and Absa Vehicle and Asset Finance bank accounts.

- Payments made on weekdays before 15:30 will be credited to the receiving bank account by midnight of the same day.
- Payments made on weekdays after 15:30 will be credited by midnight of the following day.
- Payments made on a Saturday, Sunday or Public holiday will be credited to the account by midnight of the 1st following weekday.
- Payments may take up to 30 minutes to reflect in the beneficiary's Vehicle Finance Account.

If you need more information or assistance, please call us on 0860008600 or +2711 501 5110 (International calls).

If you have made an incorrect internet banking payment, please send an email to digital@absa.co.za

Yours sincerely

General Manager: Digital Channels

This document is intended for use by the addressee and is privileged and confidential. If the transmission has been misdirected to you, please contact us immediately. Thank you.

Copy of Deed of Transfer No. T 58744/2011

293

MILLERS ING
BEACONHUIS
MEADESTRAAT 123
GEORGE
6530

Opgestel deur my

FEE
R 1250.00


TRANSPORTBESORGER
Van Wyk S

000058744/2011

AKTE VAN TRANSPORT

HIERMEE WORD BEKEND GEMAAK:

DAT **CHARLES ROBERT KANNENBERG**

voor my, REGISTRATEUR VAN AKTES te Kaapstad, verskyn het, waartoe hy, die genoemde komparant, behoorlik gemagtig is kragtens 'n Volmag aan hom verleen deur:

DIE AFRIKAANSE CHRISTELIKE VROUE-VERENIGING
Gegistreer as 'n Nie-Winsgewende Organisasie kragtens Artikel 15(a) van Wet 71/1997
Registrasie Nommer: 002-834 NPO

Gedateer te MOSSELBAAL op 22 Julie 2011

DATA / CAPTURE
2011 -11- 14
FANTI WENDY

DATA
17 NOV 2011
VAN WYK JENNY

Copy of Deed of Transfer No. T 58744/2011

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EN die genoemde Komparant het verklaar dat sy Prinsipaal waarlik en wettiglik, die hiernavermelde eiendomme op 22 Junie 2011, geskenk het as 'n *donatio inter vivos*, en dat hy die genoemde Komparant, in sy voormelde hoedanigheid, by hierdie Akte sedeer en transporteer aan en ten gunste van:

M6RESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK
Geregistreer as 'n Nie-Winsgewende Organisasie kragtens Artikel 15(a)
van Wet 71/1997
Registrasie Nommer: 011-821 NPO

diese Opvolgers in titel of Regverkrygendes, in volkome en vrye eiendom

1. RESTANT ERF 7173 GEORGE IN DIE MUNISIPALITEIT EN AFDELING VAN GEORGE, PROVINSIE WES-KAAP

GROOT 3,5386 (DRIE KOMMA VYF DRIE AGT SES) Hektaar

AANVANKLIK geregistreer en steeds gehou kragtens Sertifikaat van Verenigde Titel Nr. T35906/1975 met Kaart 2149/75 wat daarop betrekking het.

ONDERHEWIG

- (I) Wat betref die figuur a binnebank van Katrivier xJH op Kaart nr. 2149/75:

- A. ONDERHEWIG aan die volgende voorwaardes vervat in Grondbrief gedateer 22 Junie 1922 (George Erfpagte Volume 15 No. 15):

- "(2) That all existing roads and thoroughfares shall remain free and uninterrupted, and that the Government or other competent authority shall have the right when necessary at any time to make further roads over the land in question.
- (3) Not subject to condition (3) on page 3 of Certificate of Consolidated Title No. T35906/1975 by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.
- (5)The Government shall further have the right, free of compensation, to make such roads on the commonage as may be reasonably necessary for the working of any Crown Forests or Railway Plantation as adjoin the Commonage, provided that the location of such roads shall be determined by full agreement between both parties and failing such agreement by arbitration in manner as provided for in Clause 1 of the Conditions annexed to this Deed of Grant. All such Roads to be maintained by the Government and the public of George to have the right to the reasonable use of such roads."

Copy of Deed of Transfer No. T 58744/2011

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- B. GEREKTIG tot die voordele onder die serwituut waarna verwys word in die endossement gedateer 29 Desember 1938 op gemelde Grondbrief (George Erfpagte Volume 15 nr 15), naamlik:

"By Deed of Transfer No. 13615 dated 29th December 1938 the owner and his successors in title of the property thereby conveyed is prohibited from carrying on any trade or business other than that of saw mill, grist mill and certain manufactures connected with a timber factory, as will more fully appear on reference to the said Deed of Transfer."

- C. ONDERHEWIG aan die volgende voorwaardes opgelê deur die Munisipaliteit van George by goedkeuring van hierdie onderverdeling soos opgelê in Transportakte Nr. T35906/75 hede gedateer en dit lees as volg:

1. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding, toe te laat dat elektrisiteitskabels of –drade en hoof- en/of ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die plaaslike owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.
2. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die material te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeg van en binne 'n tydperk wat die plaaslike owerheid bepaal.
3. Die transportnemer of sy regsopvolger moet die grond wat hierdeur oorgedra word, gebruik vir die oprigting van 'n gebou(e) om uitsluitlik vir kerk-/opvoedkundige doeleindes gebruik te word. Indien sodanige gebou(e) nie opgerig word binne 'n tydperk van twee jaar vanaf oordrag of binne die verdere tydperk wat die raad/bestuur met die toestemming van die Administrateur toelaat nie, of indien die grond te eniger tyd ophou om vir kerk-/opvoedkundige doeleindes deur die transportnemer of sy regsopvolgers gebruik te word, val die grond aan die raad/bestuur terug sonder die betaling van vergoeding van enige aard hoegenaamd, en die transportnemer en sy resopvolger word verbind met al wat nodig is te doen en om alle stukke te teken ten einde heroordrag aan die raad/bestuur te bewerkstellig; die koste van heroordrag moet deur die transportnemer of sy regsopvolger gedra word.

Copy of Deed of Transfer No. T 58744/2011

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- (II) Wat betref die figuur x binnebank van Katrivier yKJ op Kaart Nr. 2149/75:
- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte gedateer 13 Junie 1925 nr. 5747.
 - B. VERDER ONDERHEWIG aan die volgende voorwaardes vervat in Grondbrief gedateer 15 Junie 1922 (George Erfpagte Volume 15 nr. 15) wat meer volledig uiteengesit is in paragraaf (I) A. 3 hierbo.
- (III) Wat betref die figuur y middel van Katrivier dEFGK op Kaart no. 2149/75:
- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte gedateer 19 Mei 1893 nr. 2639.
2. ERF 1129 GEORGE IN DIE MUNISIPALITEIT EN AFDELING VAN GEORGE, PROVINSIE WES-KAAP
- GROOT 1028 (EEN DUISEND AGT EN TWINTIG) Vierkante Meter
- AANVANKLIK geregistreer kragtens Sertifikaat van Geregistreeerde Titel Nr. 21607 gedateer 24 Desember 1963, met Kaart Nr. 365/51 daaraan geheg en gehou kragtens Akte van Transport Nr. T1721/1981
- ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. 2639 gedateer 19 Mei 1893.

Copy of Deed of Transfer No. T 58744/2011

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WESHALWE die Komparant afstand doen van al die reg en titel wat

DIE AFRIKAANSE CHRISTELIKE VROUE-VERENIGING

voorheen op genoemde eiendom gehad het en gevolglik ook erken dat diese gemelde Prinsipaal geheel en al uit die besit daarvan onthef is en nie meer daartoe geregtig is nie, en dat, kragtens hierdie akte, die gesegde –

MôRESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK

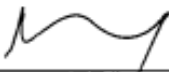
diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die Regte van die Staat, en ten slotte erken dit dat die waarde van die eiendom die bedrag van **R6 610 000,00 (SES MILJOEN SES HONDERD EN TIEN DUISEND RAND)** beloop.

TEN BEWYSE WAARVAN EK, die genoemde REGISTRATEUR VAN AKTES tesame met die Komparant, hierdie Akte onderteken en met my Ampseël bekragtig het.

ALDUS GEDOEN EN GETEKEN op die kantoor van die REGISTRATEUR VAN AKTES te Kaapstad op

21 OCT 2011

~~2011~~



q.q.

In my teenwoordigheid



REGISTRATEUR VAN AKTES



SECTION 38(1)(n) OF THE GEORGE MUNICIPALITY:
LAND USE PLANNING BY-LAW (2023)

IN RESPECT OF:

REMAINDER ERF 7173 GEORGE,
IN THE MUNICIPALITY AND DIVISION OF GEORGE,
PROVINCE OF THE WESTERN CAPE
Held by Deed of Transfer No. T 58744/2011

APPLICATION DETAILS:	<ol style="list-style-type: none"> 1. Proposed amendment of Condition 1 in letter of approval for a telecommunication infrastructure, dd. 10 July 2020, changing the validity period from five (5) years to three (3) years in terms of Section 15(2)(h) in respect of an existing approval relating to Remainder Erf 7173 George; 2. Proposed removal of Restrictive Title Condition related to the allowed use of Remainder Erf 7173 George as reflected as Component I, Condition C3 in Deed of Transfer No. T 58744/2011 in terms of Section 15(2)(f); 3. Proposed subdivision of Remainder Erf 7173 George, in terms of Section 15(2)(d) as follows: <ol style="list-style-type: none"> 3.1. Portion 1 = ±1.2437ha (consisting of ±0.7847ha + ±0.4590ha); 3.2. Portion 2 = ±0.3415ha; and 3.3. Remainder Erf 7173 = ±1.9534ha; 4. Proposed rezonings in terms of Section 15(2)(a) in respect of: <ol style="list-style-type: none"> 4.1. Portion 1 with split zoning as follows: <ol style="list-style-type: none"> 4.1.1. Community Zone III to General Residential Zone II (±0.7847ha); and 4.1.2. Community Zone III to Open Space Zone II (±0.4590ha) 4.2. Portion 2: Community Zone III to General Residential Zone III (±0.3415ha); 5. Proposed registration of the following servitudes in terms of Section 15(2)(d): <ol style="list-style-type: none"> 5.1. A 6.0m wide services and access right-of-way servitude with centre line a,b,c on Portion 2 in favour of Portion 1; and 5.2. A 1.5m wide services servitude with centre line d,e,f on Portion 1 in favour of Remainder Erf 7173. of access right-of-way / services servitudes; <p>in terms of the relevant Sections of the By-law on Municipal Land Use Planning of George Municipality, 2023 as will more fully appear from <u>Plan No. G/DG/201-3</u> dated September 2024</p>
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Directors: M Goldie, BA LLB | S van Wyk, BA LLB; Cert Const Lit | * DR Henney, B Proc; Dip Const Lit; Dip Project Man | LS Joubert, B Iuris LLB; Dip. Med. Law | T Tannous, LLB; FISA | A Voges, LLB; Nat Dip: Reg of Deeds

Associates: A Petersen LLB | K Erasmus, B Com LLB

Senior Associate: R Pitts B Com, LLB, LLM Labour Law

Consultants: FJ Botes, B Proc LLB; Adv Dip Lab Law | WM van der Westhuizen, B Iuris LLB; Cert Tax Law
 C A Nunns, B Com LLB, LLM (Estate Law)

* non-executive director

Level Three verified BEE contributor and a Value Adding Supplier



Millers Incorporated
 Reg No 1993/002024/21
 Beacon House
 123 Meade Street George 6529
 PO Box 35 George 6530 RSA
 Docex 10 George

Telephone: (044) 874 1140
E-mail Albri@millers.co.za
Website: <http://www.millers.co.za>
VAT Nr: 4530138249

APPLICABLE SECTIONS:	<p>1) Section 15(2)(h) (amendment of conditions in respect of an existing approval);</p> <p>2) Section 15(2)(f) (removal of restrictive title condition);</p> <p>3) Section 15(2)(d) (subdivision and registration of servitude);</p> <p>4) Section 15(2)(a) (rezoning); and</p> <p>5) Section 15(2)(d) (registration of servitude)</p> <p>of the George Municipality: Land Use Planning By-Law (2023)</p>
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I, the undersigned,

ALBRI VOGES
(LPC No. 15763)

CONVEYANCER, practicing at Millers Attorneys, George do hereby:

Registered Owner

1. Confirm that I have searched the records of the Deeds Registry in Cape Town and based on the information obtained, **do hereby certify that :**

MÔRESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK
Registered as a Non-Profit Organisation in term of Section 15(a) of Act 71/1997
Registration Number 011-821 NPO

is the registered owner of :

REMAINDER Erf 7173 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE,
PROVINCE OF THE WESTERN CAPE
IN EXTENT: 3,5386 (THREE COMMA FIVE THREE EIGHT SIX) HECTARES

As shown on Diagram SG No. 2149/1975

(See Annexures "B1; B2; C1 & C2")

BY VIRTUE OF DEED OF TRANSFER NO. T 58744/2011.

(See Annexures "D1 – D5")

Registered Conditions and Servitudes

2. Confirm that I have perused a copy **Deed of Transfer No T 58744/2011** (See Annexures "D1 – D5") and based on the information obtained, **do hereby certify that:**

According to Deed of Transfer No T 58744/2011, Remainder Erf 7173 George, is: Subject and/or Entitled to the following Conditions / Servitudes namely:

I. **INSOFAR** as the figure a inner bank of Katrivier xJH on Diagram SG No. 2149/1975 is concerned:-

A. SUBJECT to the following conditions contained in Deed of Grant dated 22 June 1922 (George Quitrents Volume 15 No 15)

"(2) That all existing roads and thoroughfares shall remain free and uninterrupted, and that the Government or other competent authority shall have the right when necessary at any time to make further roads over the land in question.

(3)

(5) The Government shall further have the right, free of compensation, to make such roads on the commonage as may be reasonably necessary for the working of any Crown Forests or Railway Plantation as adjoin the Commonage, provided that the location of such roads shall be determined by full agreement between both parties and failing such agreement by arbitration in manner as provided for in Clause 1 of the Conditions annexed to this Deed of Grant. All such Roads to be maintained by Government and the public of George to have the right to the reasonable use of such roads."

B. ENTITLED to the benefits under the servitude referred to in the endorsement dated 29 December 1938 on said Deed of Grant (George Quitrents Volume 15 No 15) namely:

"By Deed of Transfer No 13615 dated 29th December 1938 the owner and his successors in title of the property thereby conveyed is prohibited from carrying on any trade or business other than that of saw mill, grist mill and certain manufactures connected with a timber factory, as will more fully appear on reference to the said Deed of Transfer."

C. SUBJECT FURTHER to the following conditions imposed by the Municipality of George upon approval of this subdivision as imposed in Deed of Transfer No T35906/1975, namely:

"1. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat elektrisiteitskabels of -drade en hoof- en/of ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die plaaslike owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer".

2. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die material te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal

veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf ternsy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die plaaslike owerheid bepaal.

3. Die transportnemer of sy regsopvolger moet die grond wat hierdeur oorgedra word, gebruik vir die oprigting van 'n gebou(e) om uitsluitlik vir kerk-/opvoedkundige doeleindes gebruik te word. Indien sodanige gebou(e) nie opegrig word binne 'n tydperk van twee jaar vanaf oordrag of binne die verdere tydperk wat die raad/bestuur met die toestemming van die Administrateur toelaat nie, of indien die grond te eniger tyd ophou om vir kerk-/opvoedkundige doeleindes deur die transportnemer of sy regsopvolgers gebruik te word, val die grond aan die raad/bestuur terug sonder die betaling van vergoeding van enige aard hoegenaamd, en die transportnemer en sy regsopvolger word verbind met al wat nodig is te doen en om alle stukke te teken ten eindse heroordrag aan die raad/bestuur te bewerkstellig; die koste van heroordrag moet deur die transportnemer of sy regsopvolger gedra word."

II. INSOFAR as the figure x inner bank of Katrivier yKJ on Diagram SG No. 2149/1975 is concerned:-

- A. SUBJECT** to the conditions referred to in Deed of Transfer dated 13 June 1925 No 5747.
- B. SUBJECT FURTHER** to the following conditions contained in Deed of Grant dated 15 June 1922 (George Quitrents Volume 15 No 15) as more fully set out in paragraph (l) A. 3 above.

III. INSOFAR as the figure y middle of Katrivier dEFGK on Diagram SG No. 2149/1975 is concerned:-

- A. SUBJECT** to the conditions referred to in Deed of Transfer dated 19 May 1893 No 2639.

Previous Title Deeds

3. Confirm that Certificate of Consolidated Title No T 35906/1975 (being the "Previous Title Deed" of Remainder Erf 7173 George) contains similar conditions as reflected in Deed of Transfer No T 58744/2011.
4. Confirm that I was unable to obtain copies of Deed of Transfer No. T 5747/1925 (being the pivot deed as reflected in Component II Condition A page 4 of Deed of Transfer No T 58744/2011) and Deed of Transfer No. T 2639/1893 (being the pivot deed as reflected in Component III Condition A page 4 of Deed of Transfer No T 58744/2011) and was therefore unable to peruse any possible conditions hidden behind the said pivot deeds.

Registered Conditions and Servitudes applicable to Proposed "Portion 1"

5. Confirm that Proposed Portion 1 is due to situation subject to:
- a. Component I Condition A, B and C, page 2 & 3 of Deed of Transfer No T 58744/2011;
 - b. Component II Condition A and B, page 4 of Deed of Transfer No T 58744/2011; and
 - c. Component III Condition A, page 4 of Deed of Transfer No T 58744/2011.
- (See Annexure "E")*

Registered Conditions and Servitudes applicable to Proposed "Portion 2"

6. Confirm that Proposed Portion 2 is due to situation only subject to:
- a. Component III Condition A, page 4 of Deed of Transfer No T 58744/2011.
- (See Annexure "E")*

Removal of Restrictive Title Condition

7. Confirm that Remainder Erf 7173 George is subject to the following Restrictive Title Deed Condition, reflected on page 3 of Deed of Transfer No T 58744/2011 as Component I Condition C.3 namely:

3. Die transportnemer of sy regsopvolger moet die grond wat hierdeur oorgedra word, gebruik vir die oprigting van 'n gebou(e) om uitsluitlik vir kerk-/opvoedkundige doeleindes gebruik te word. Indien sodanige gebou(e) nie opegrig word binne 'n tydperk van twee jaar vanaf oordrag of binne die verdere tydperk wat die raad/bestuur met die toestemming van die Administrateur toelaat nie, of indien die grond te eniger tyd ophou om vir kerk-/opvoedkundige doeleindes deur die transportnemer of sy regsopvolgers gebruik te word, val die grond aan die raad/bestuur terug sonder die betaling van vergoeding van enige aard hoegenaamd, en die transportnemer en sy regsopvolger word verbind met al wat nodig is te doen en om alle stukke te teken ten eindse heroordrag aan die raad/bestuur te bewerkstellig; die koste van heroordrag moet deur die transportnemer of sy regsopvolger gedra word

(See Annexure "D3")

8. Confirm that application will be made in terms of **Section 33(7) of the George Municipality: Land Use Planning By-Law (2023)**, for the removal of Restrictive Title Deed Condition reflected on page 3 of Deed of Transfer No T 58744/2011 as Component I Condition C.3.

General Public Servitudes

9. Confirm that there are NO servitudes registered in favour of the General Public over Remainder Erf 7173 George.

No Restrictions re Proposed Application

10. **Certify that** to the best of my knowledge, based on the information as set out above, there are :

- a. save for Restrictive Title Deed Condition reflected on page 3 of Deed of Transfer No T 58744/2011 as Component I Condition C.3, (of which an application in terms of Section 33(7) of the George Municipality: Land Use Planning By-Law (2023), for the removal thereof will be submitted), **no other conditions of title in the said Deed of Transfer No T 58744/2011 which prohibits or restricts the proposed application for -**
- i. An **amendment of Condition 1** in letter of approval for a telecommunication infrastructure, dated 10 July 2020, changing the validity period from five (5) years to three (3) years in terms of **Section 15(2)(h)**;
 - ii. **Subdivision** of Remainder Erf 7173 George, in terms of **Section 15(2)(d)** creating
 - Portion 1 = ± 1.2437 ha;
 - Portion 2 = ± 0.3415 ha; and
 - Remainder Erf 7173 George = ± 1.9534 ha
as will more fully appear from Plan No. G/DG/201-3 (See Annexure "A")
 - iii. **Rezoning** in terms of **Section 15(2)(a)** of: -
 - Portion 1 with split zoning as follows: Community Zone III to General Residential Zone II (± 0.7847 ha) Community Zone III to Open Space Zone II (± 0.4590 ha); and
 - Portion 2: Community Zone III to General Residential Zone III (± 0.3415 ha)
as will more fully appear from Plan No. G/DG/201-3 (See Annexure "A")
 - iv. **Registration** of the following **servitudes** in terms of **Section 15(2)(d)**: -
 - A 6.0m wide services and access right-of-way servitude with centre line a,b,c on Portion 2 in favour of Portion 1; and
 - A 1.5m wide services servitude with centre line d,e,f on Portion 1 in favour of Remainder Erf 7173
as will more fully appear from Plan No. G/DG/201-3 (See Annexure "A")

SIGNED AND DATED AT GEORGE on 03 October 2024



 ALBRI VOGES
 CONVEYANCER

<p>MORESON A C V V KINDER & JEUGSORGSENTRUM DIENSTAK Reg No. 011-821 NPO Remainder Erf 7173 George : Overview</p>	<p>Annexure "B1"</p>
<p>This document is a compilation of information available from an online mapping tool known as George Municipality Public GIS Viewer curated by the IT/GIS Department of George Municipality & CapeFarmMapper which is a product of the Western Cape Department of Agriculture & Extract of General Plans / Diagrams</p>	
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="background-color: #333; color: white; padding: 5px; border-radius: 5px;"> CapeFarmMapper ver 2.6.15 </div> <div style="text-align: right;"> <p>Bing Streets <input checked="" type="checkbox"/></p> </div> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px; width: 25%;"> <p>Remainder Erf 7173 George 3.5386 ha</p> <p>Owner: MORESON A C V V KINDER & JEUGSORGSENTRUM DIENSTAK Reg No. 011-821 NPO T58744/2011</p> </div> <p style="text-align: center; margin-top: 20px;">RE/7173</p>	
<p>Disclaimer: The data presented on this document is not to scale, must be used for information purposes and should be verified by a Land Surveyor or other professional</p>	

MORESON A C V V KINDER & JEUGSORGSENTRUM DIENSTAK

Annexure

Reg No. 011-821 NPO

"B2"

Remainder Erf 7173 George : Overview

This document is a compilation of information available from an online mapping tool known as George Municipality Public GIS Viewer curated by the IT/GIS Department of George Municipality & CapeFarmMapper which is a product of the Western Cape Department of Agriculture & Extract of General Plans / Diagrams



Disclaimer: The data presented on this document is not to scale, must be used for information purposes and should be verified by a Land Surveyor or other professional

Annexure "C1"

Copy of Diagram SG No. 2149/1975

SIDES Cape-Feet		ANGLES OF DIRECTION	CO-ORDINATES System L ⁿ 23		
Meters			Y	X	
AB	62,85	Constants	+	18 000,00	+ 3 758 000,00
BC	50,42	2 · 10 · 50	A	+	763,54
CD	52,67	250 · 47 · 20	B	+	765,93
DE	188,91	280 · 45 · 40	C	+	708,32
EF	166,72	1 · 53 · 50	D	+	656,58
FG	27,51	91 · 53 · 50	E	+	662,83
GH	75,10	36 · 53 · 50	F	+	829,46
HA	237,71	148 · 4 · 30	G	+	845,97
Ad	213 · 46 · 20	213 · 46 · 20	H	+	885,68
Dd	B1 · 53 · 50	B1 · 53 · 50	Geo 1	+	46 649,41
			Geo 2	+	46 611,73
					+ 3 785 980,32
					+ 3 759 656,93

1. Figure a inner bank of Kat River x JH representing E of 8474 portion of Erf 464 George. Vide Dgm. N^o 4288/73 annexed to D./T. 1975.. 35905
2. Figure x inner bank of Kat River y K J representing Erf 1119 George. Vide Dgm. N^o A 273/1925 annexed to D./T. 1925. 128.5747.
3. Figure y' middle of Kat River d EFGK representing Erf 1120 George. Vide Dgm. N^o 4242/1953 annexed to D./T. 1954. 205.10223.

The figure a inner bank of Kat River y y' middle of Kat River d EFGH represents 3,8233 Hectares of land, being Erf 7173 George, and comprises the properties specified above, situate in the Municipality and _____ Administrative District of George, _____ Province of Cape of Good Hope. Surveyed in March 1953 by me. & May 1973

T. J. Pascual

This diagram is annexed to C.C.T. No. 35906/75 dated i.f.o. Registrar of Deeds

The original diagrams are as quoted above No. _____ annexed to Transfer/Grant No. _____

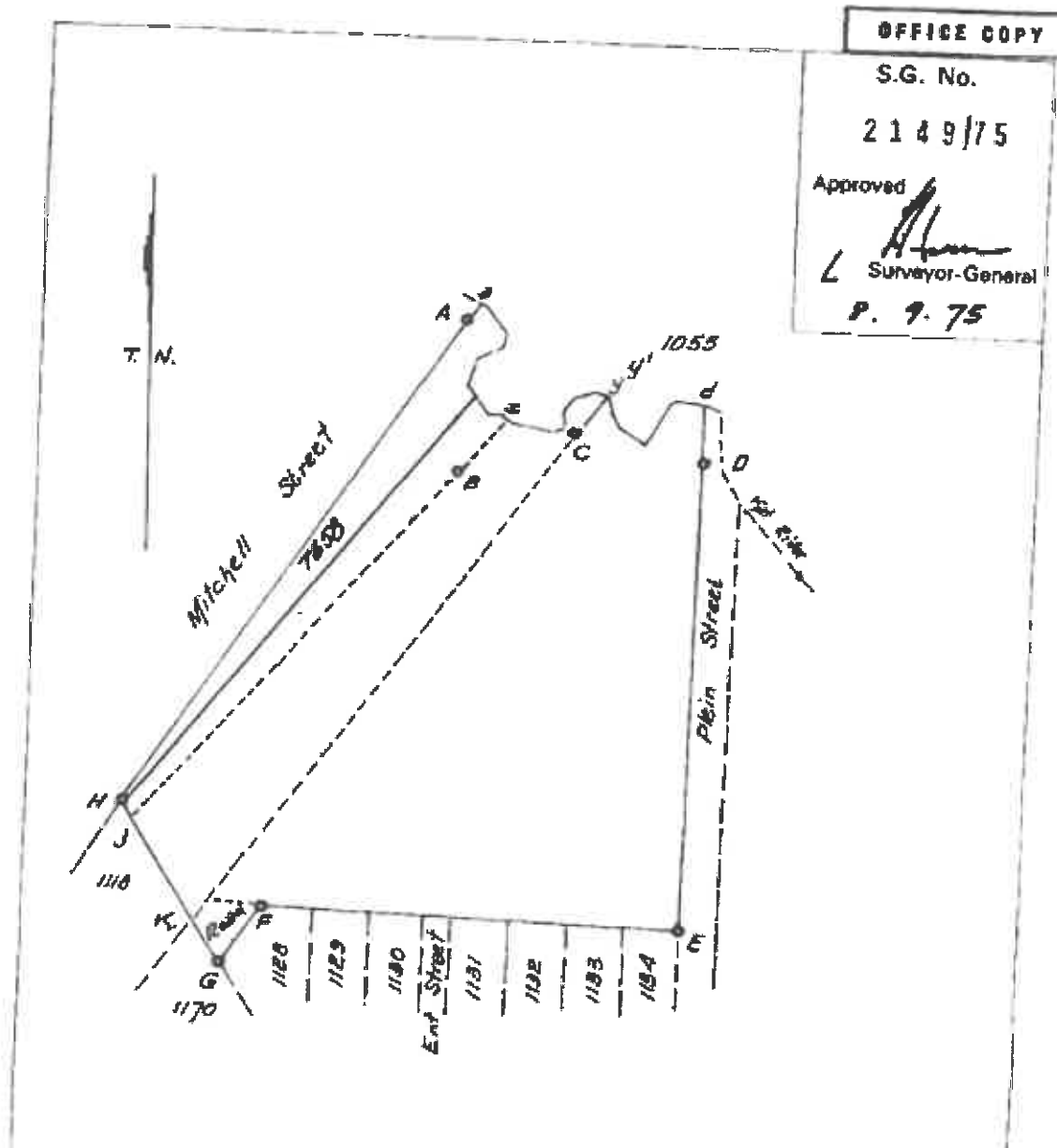
Land Surveyor File No. S . 8775/86 S.R. No. E 1010/1953 E 1167/1973 Comp. 9L-700 (1743) W/42

FOR ENCUMBRANCES SEE BACK OF DIAGRAM

C

Annexure "C2"

Copy of Diagram SG No. 2149/1975



OFFICE COPY

S.G. No.

2149/75

Approved

[Signature]
Surveyor-General

P. 9. 75

Beacons :-

- A, iron peg 300 m. long & 16 m.m. diam. ^{r.p.}
- B, not beacons.
- C, concrete block 150 x 150 proj. 225 ^{r.p.}
- D, iron peg 900 m. long & 25 m.m. dia. proj 150 m.m.
- E, F, G, " 450 m long & 12 m.m. dia.
- H, rail section.

[Handwritten mark]

Annexure "D1"

Copy of Deed of Transfer No. T 58744/2011

293

MILLERS ING
BEACONHUIS
MEADESTRAAT 123
GEORGE
6530

Opgestel deur my


TRANSPORTBESORGER
Van Wyk S

FEE
R.1250.00

000058744/2011

AKTE VAN TRANSPORT

HIERMEE WORD BEKEND GEMAAK:

DAT **CHARLES ROBERT KANNENBERG**

voor my, REGISTRATEUR VAN AKTES te Kaapstad, verskyn het, waartoe hy, die genoemde komparant, behoorlik gemagtig is kragtens 'n Volmag aan hom verleen deur:

DIE AFRIKAANSE CHRISTELIKE VROUE-VERENIGING
Gegistreer as 'n Nie-Winsgewende Organisasie kragtens Artikel 15(a) van Wet 71/1997
Registrasie Nommer: 002-834 NPO

Gedateer te MOSSELBAAL op 22 Julie 2011

DATA / CAPTURE
2011-11-14
FANTL WENDY

DATA
17 NOV 2011
VAN WYK JENNY



Annexure "D2"

Copy of Deed of Transfer No. T 58744/2011

- 2 -

EN die genoemde Komparant het verklaar dat sy Prinsipaal waarlik en wettiglik, die hiernavermelde eiendomme op 22 Junie 2011, geskenk het as 'n *donatio inter vivos*, en dat hy die genoemde Komparant, in sy voormelde hoedanigheid, by hierdie Akte sedeer en transporteer aan en ten gunste van:

M&RESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK
Geregistreer as 'n Nie-Winsgewende Organisasie kragtens Artikel 15(a)
van Wet 71/1997
Registrasie Nommer: 011-821 NPO

diese Opvolgers in titel of Regverkrygendes, in volkome en vrye eiendom

1. RESTANT ERF 7173 GEORGE IN DIE MUNISIPALITEIT EN AFDELING VAN GEORGE, PROVINSIE WES-KAAP

GROOT 3,5386 (DRIE KOMMA VYF DRIE AGT SES) Hektaar

AANVANKLIK geregistreer en steeds gehou kragtens Sertifikaat van Verenigde Titel Nr. T35906/1975 met Kaart 2149/75 wat daarop betrekking het.

ONDERHEWIG

- (1) Wat betref die figuur a binnebank van Katrivier xJH op Kaart nr. 2149/75:
 - A. ONDERHEWIG aan die volgende voorwaardes vervat in Grondbrief gedateer 22 Junie 1922 (George Erfpagte Volume 15 No. 15):

- (2) That all existing roads and thoroughfares shall remain free and uninterrupted, and that the Government or other competent authority shall have the right when necessary at any time to make further roads over the land in question.
- (3) Not subject to condition (3) on page 3 of Certificate of Consolidated Title No. T35906/1975 by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.
- (5)The Government shall further have the right, free of compensation, to make such roads on the commonage as may be reasonably necessary for the working of any Crown Forests or Railway Plantation as adjoin the Commonage, provided that the location of such roads shall be determined by full agreement between both parties and failing such agreement by arbitration in manner as provided for in Clause 1 of the Conditions annexed to this Deed of Grant. All such Roads to be maintained by the Government and the public of George to have the right to the reasonable use of such roads."

Annexure "D3"

Copy of Deed of Transfer No. T 58744/2011

- 3 -

- B. GEREKTIG tot die voordele onder die serwituut waarna verwys word in die endossement gedateer 29 Desember 1938 op gemelde Grondbrief (George Erfpakte Volume 15 nr 15), naamlik:

"By Deed of Transfer No. 13615 dated 29th December 1938 the owner and his successors in title of the property thereby conveyed is prohibited from carrying on any trade or business other than that of saw mill, grist mill and certain manufactures connected with a timber factory, as will more fully appear on reference to the said Deed of Transfer."

- C. ONDERHEWIG aan die volgende voorwaardes opgelê deur die Munisipaliteit van George by goedkeuring van hierdie onderverdeling soos opgelê in Transportakte Nr. T35906/75 hede gedateer en dit lees as volg:

1. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding, toe te laat dat elektrisiteitskabels of -drade en hoof-en/of ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die plaaslike owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.
2. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die material te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoë van en binne 'n tydperk wat die plaaslike owerheid bepaal.
3. Die transportnemer of sy regsopvolger moet die grond wat hierdeur oorgedra word, gebruik vir die oprigting van 'n gebou(e) om uitsluitlik vir kerk-/opvoedkundige doeleindes gebruik te word. Indien sodanige gebou(e) nie opgerig word binne 'n tydperk van twee jaar vanaf oordrag of binne die verdere tydperk wat die raad/bestuur met die toestemming van die Administrateur toelaat nie, of indien die grond te eniger tyd ophou om vir kerk-/opvoedkundige doeleindes deur die transportnemer of sy regsopvolgers gebruik te word, val die grond aan die raad/bestuur terug sonder die betaling van vergoeding van enige aard hoegenaamd, en die transportnemer en sy regsopvolger word verbind met al wat nodig is te doen en om alle stukke te teken ten einde heroordrag aan die raad/bestuur te bewerkstellig; die koste van heroordrag moet deur die transportnemer of sy regsopvolger gedra word.

Annexure "D4"

Copy of Deed of Transfer No. T 58744/2011

- 4 -

- (II) Wat betref die figuur x binnebank van Katrivier yKJ op Kaart Nr. 2149/75:
- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte gedateer 13 Junie 1925 nr. 5747.
 - B. VERDER ONDERHEWIG aan die volgende voorwaardes vervat in Grondbrief gedateer 15 Junie 1922 (George Erfpagte Volume 15 nr. 15) wat meer volledig uiteengesit is in paragraaf (I) A. 3 hierbo.
- (III) Wat betref die figuur y middel van Katrivier dEFGK op Kaart no. 2149/75:
- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte gedateer 19 Mei 1893 nr. 2639.
2. ERF 1129 GEORGE IN DIE MUNISIPALITEIT EN AFDELING VAN GEORGE, PROVINSIE WES-KAAP
- GROOT 1028 (EEN DUISEND AGT EN TWINTIG) Vierkante Meter
- AANVANKLIK geregistreer kragtens Sertifikaat van Geregistreeerde Titel Nr. 21607 gedateer 24 Desember 1963, met Kaart Nr. 365/51 daaraan geheg en gehou kragtens Akte van Transport Nr. T1721/1981
- ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. 2639 gedateer 19 Mei 1893.

Annexure "D5"

Copy of Deed of Transfer No. T 58744/2011

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WESHALWE die Komparant afstand doen van al die reg en titel wat

DIE AFRIKAANSE CHRISTELIKE VROUE-VERENIGING

voorheen op genoemde eiendom gehad het en gevolglik ook erken dat diese gemelde Prinsipaal geheel en al uit die besit daarvan onthef is en nie meer daartoe geregtig is nie, en dat, kragtens hierdie akte, die gesegde –

M&RESON ACVV KINDER- EN JEUGSORGSENTRUM DIENSTAK

diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die Regte van die Staat, en ten slotte erken dit dat die waarde van die eiendom die bedrag van R6 610 000,00 (SES MILJOEN SES HONDERD EN TIEN DUISEND RAND) beloop.

TEN BEWYSE WAARVAN EK, die genoemde REGISTRATEUR VAN AKTES tesame met die Komparant, hierdie Akte onderteken en met my Ampseël bekragtig het.

ALDUS GEDOEN EN GETEKEN op die kantoor van die REGISTRATEUR VAN AKTES te Kaapstad op

21 OCT 2011

2011



 q.q.

In my teenwoordigheid



 REGISTRATEUR VAN AKTES



Portion 1 & Portion 2 : Overview

Annexure "E"

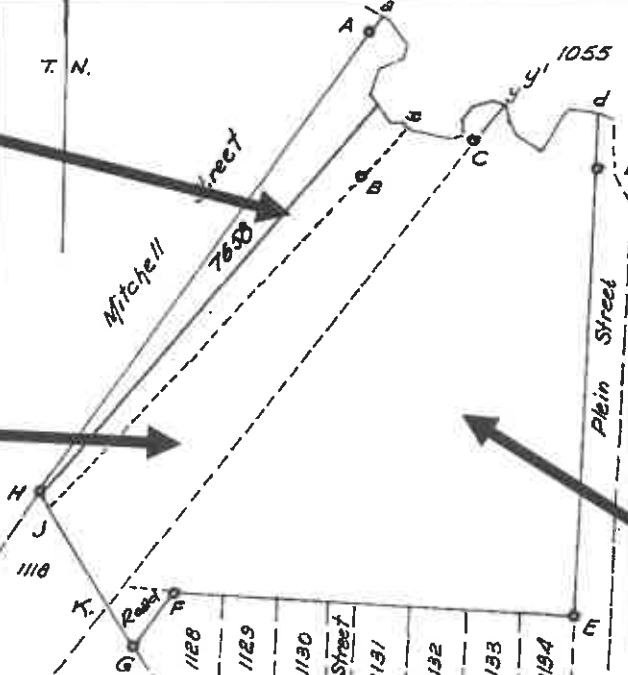
This document is a compilation of information available from Extracts of Plan No. G/DG/201-3 & SG Diagram

SUBDIVISION PLAN: 1:2000 (A3):



The figure a inner bank of Katrivier xJH on Diagram SG No. 2149/1975 = **Component I** Condition A, B and C, page 2 & 3 of Deed of Transfer No T 58744/2011

The figure x inner bank of Katrivier yKJ on Diagram SG No. 2149/1975 = **Component II** Condition A and B, page 4 of Deed of Transfer No T 58744/2011



The figure y middle of Katrivier dEFGK on Diagram SG No. 2149/1975 = **Component III** Condition A, page 4 of Deed of Transfer No T 58744/2011

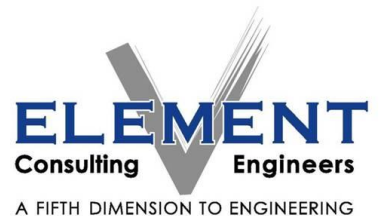
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**Proposed development of
a portion of Erf 7173, George
(ACVV Moreson)**

Bulk Engineering Services Report

(Revision 0)

September 2024



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**Proposed development of
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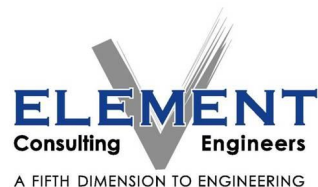
September 2024

PREPARED FOR:

PREPARED BY:

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DOCUMENT CONTROL SHEET

Compiled By: Hannes Lourens PrEng Date
Reviewed By: Jako Fourie PrEng Date

Revision	Description	Date Issued	Revision By:
00	First Draft for Comment	September 2024	HL & JF

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**Proposed development of
a portion of Erf 7173, George
(ACVV Moreson)**

Bulk Engineering Services Report

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7.1 Addendum 1 – Bulk services layout plan

24

1 INTRODUCTION AND BACKGROUND

Element Consulting Engineers has been appointed for the rendering of the multi-disciplinary package of consulting engineering services for the proposed development of a portion erf 7173, George, better known as ACVV Moreson.

The proposed project envisages the development of 37 townhouses.

This report will discuss the bulk engineering services of the proposed development and will serve as input into the development application process.

2 LOCALITY

Erf 7173, George, better known as ACVV Moreson, is situated in Bodorp, George. The site is bound on the north by a tributary of the Kat River, east by Petunia (Plein) Street, west by Charlotte Street and south by the ACVV Moreson facility. The locality is indicated in the following figure:

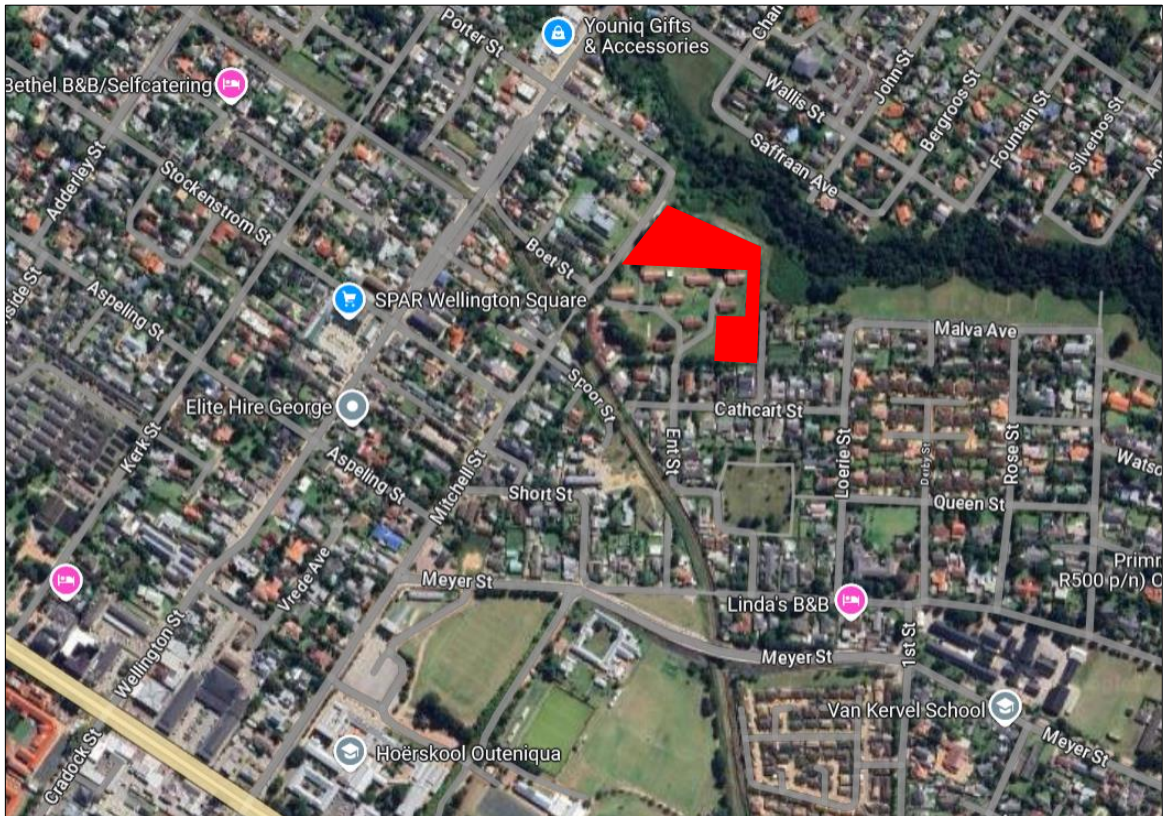


Figure 1: Locality and access

3 GEOTECHNICAL INVESTIGATION

A formal geotechnical investigation has not been performed. A visual inspection of the site was conducted in order to assess conditions on site. Holistically, the conclusion is reached that the materials found on site are adequate for the construction of engineering services and multi-level residential development.

General Soil Profile

Visual inspection of the site indicated relatively consistent soil horizons throughout with a light brown to grayish clayey sand. The materials appear moderately moist and are fairly dense. No rock is observed. No perched water table is evident and a moderate water retention rate is expected. Shallow to moderate gradients are evident on the erf.

Ground water and stormwater

No ground water and/or perched water are evident. A moderate water retention rate is expected. Due to the shallow to moderate gradients on the site, lateral movement of stormwater will be moderate but manageable.

Engineering Services

The following aspects are relevant for engineering services:

- Surface stormwater management needs to be implemented for drainage in the area. This will require a formal stormwater reticulation system comprising of a combination of paved roads, kerbing, lined channels, catchpits and stormwater pipes.
- A TLB will suffice for excavations in the materials.

Foundations for residential development

The materials are adequate to support residential development. Fill areas to be adequately compacted. Foundations to be reinforced throughout.

Slope Stability

Due to the shallow to moderate gradients on the site, no natural slope instability is present. Care should however be taken for erosion at cut and fill faces and a formal stormwater system should be provided.

Construction materials

A number of commercial operators are located in close proximity to the site for the provision of imported building aggregates and construction materials.

4 CIVIL ENGINEERING SERVICES

4.1 Water

Bulk Availability and connection point

The property is serviced by bulk municipal water lines along Petunia (Plein) Street to the east of the property, as well as Charlotte Street to the west of the property. A bulk connection is proposed from Petunia (Plein) Street as this will also be the access to the development. Discussions with municipal officials indicated that this line would have sufficient capacity to accommodate this proposed development. An alternate connection is available from Charlotte Street.

The connection point is indicated in the following diagram:

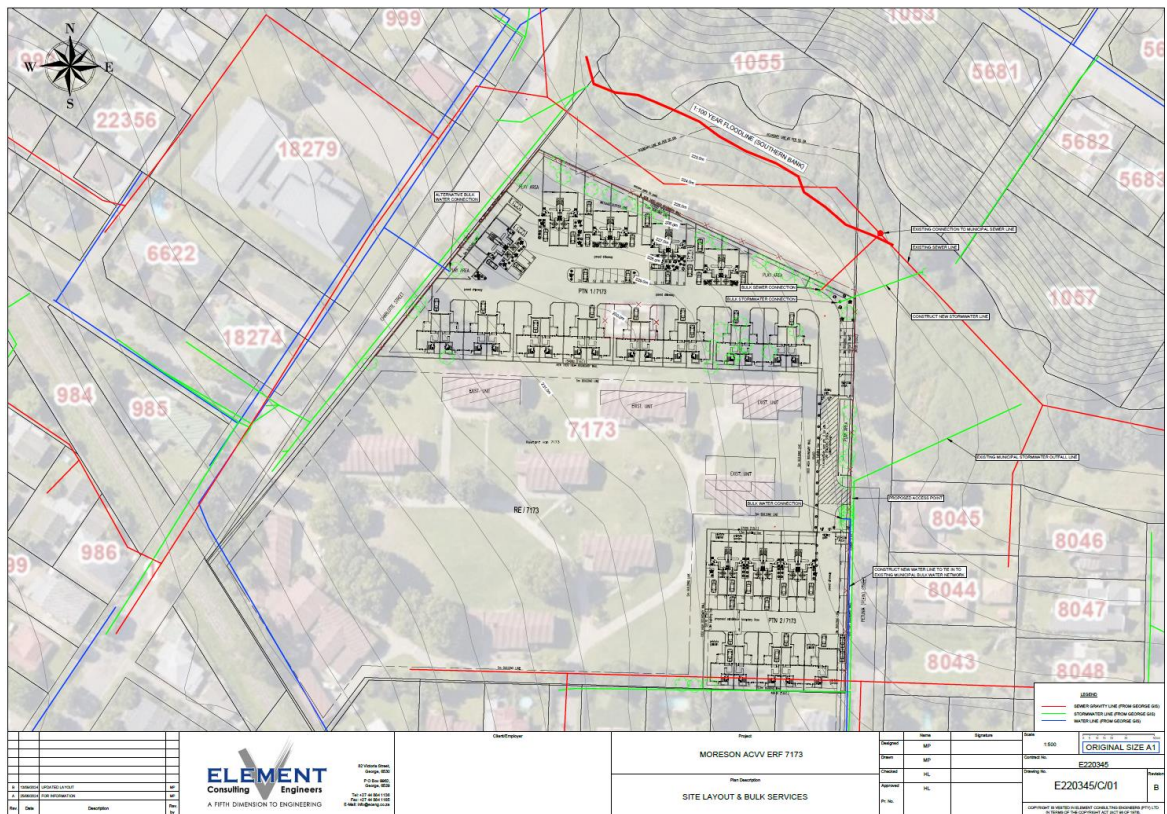


Figure 2: Proposed bulk water connection from Petunia (Plein) Street.

4.2 Sewer

Bulk sewer and connection point

The property is serviced with a municipal sewer connection on the north-western corner of the site. Discussions with municipal officials indicated that this line would have sufficient capacity to accommodate this proposed development.

The connection point is indicated in the following diagram:

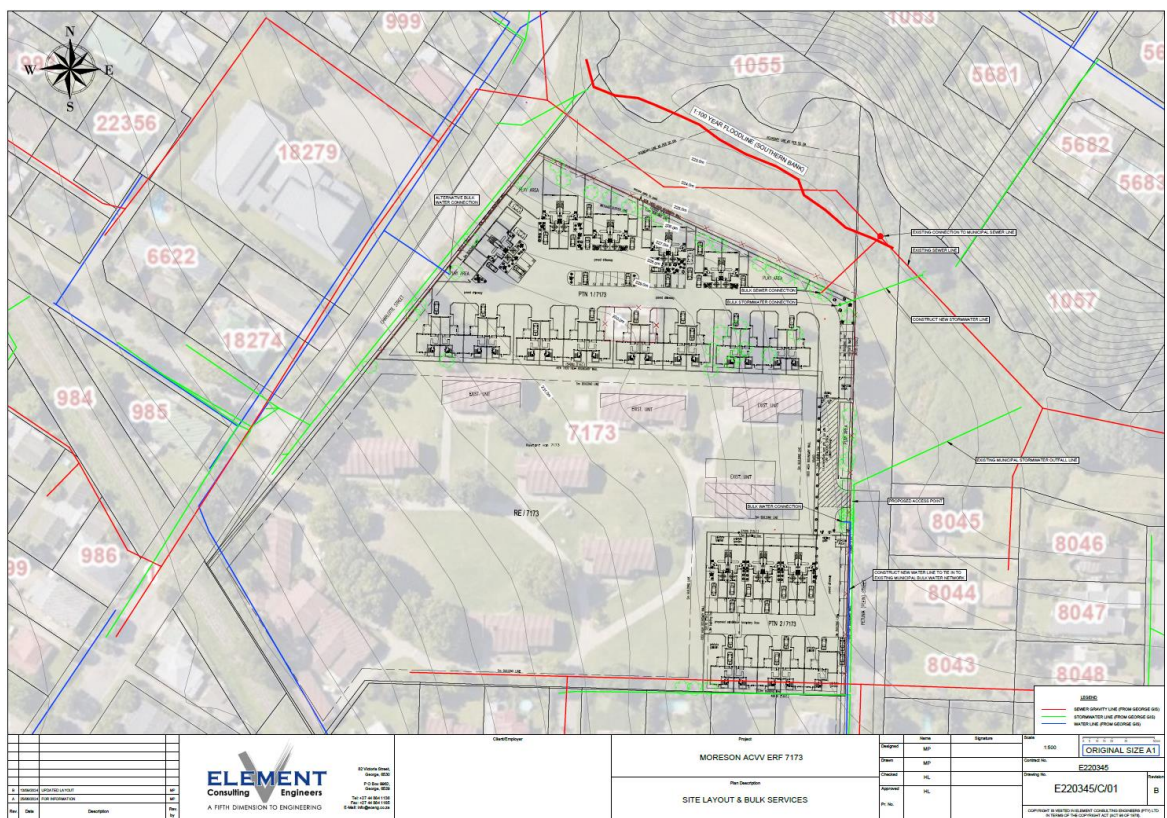


Figure 4: Bulk sewer connection on north-eastern corner of the site.

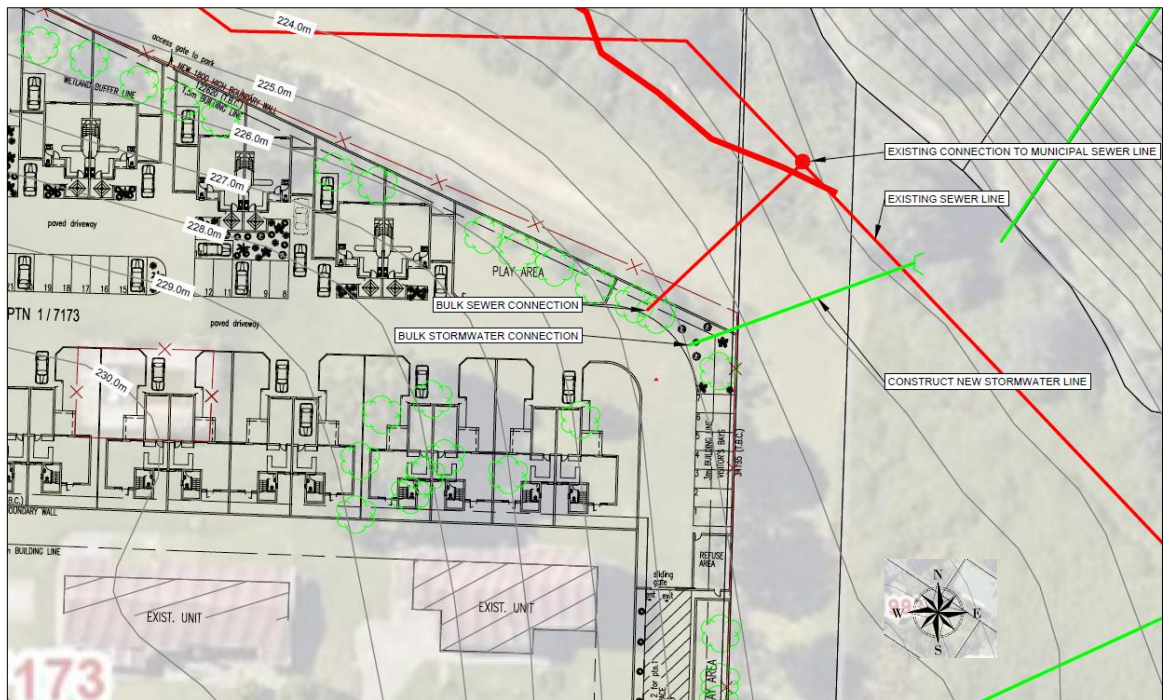


Figure 5: Bulk sewer connection on north-eastern corner of the site.

Site layout considerations

The site drains towards the north-eastern corner where all internal sewer will connect to the municipal system.

Internal Design Criteria and Standards

The following internal design criteria and

- A conventional waterborne sewerage system will be provided.
- Pipe diameters of generally 110mm for all house connections and 160mm and above for main lines, as required per the detailed designs.
- Precast concrete rings manholes with concrete floor and premanufactured polymer concrete lid.
- The following design flows will be utilized:
 - Group housing (townhouses) – 540 l/day/unit
- Specified peak factor of 3.5
- Allowance for 15% extraneous flow
- Minimum flow velocities designed for as 0.7m/s.
- Minimum cover to all pipes to be 800mm.
- Minimum design gradients to be as follows:

Dwelling Units	Grade
1 (House connection)	1:60
1-5	1:80
6-10	1:100
11-80	1:120

81-110	1:150
>110	1:180

- House connection depth to be minimum 1.0m and at least be able to drain 80% of the erf.
- Manholes to be central over main pipe on downstream side.
- Manhole spacing to be maximum 80m
- All concrete, mortar or screed used with manholes to be from dolomite aggregate and low alkali sulphate resistant cement to SABS 471.
- Pipelines to be uPVC class 34 and to be laid on Class C bedding.

Design Flow

The Average Dry Weather Flow (ADWF) created by the proposed land use, in line with the abovementioned criteria and standards, exclusive of allowance for extraneous flow, is calculated at approximately 23.3kl/day. The design peak flow, inclusive of a peak factor of 3.5 and 15% extraneous flow, is calculated at approximately 1.08l/sec.

4.3 Streets and access

Access

Proposed access is obtained from Petunia (Plein) Street on the eastern boundary of the site. This access has been approved by municipal officials.

Access is depicted in the following diagram:

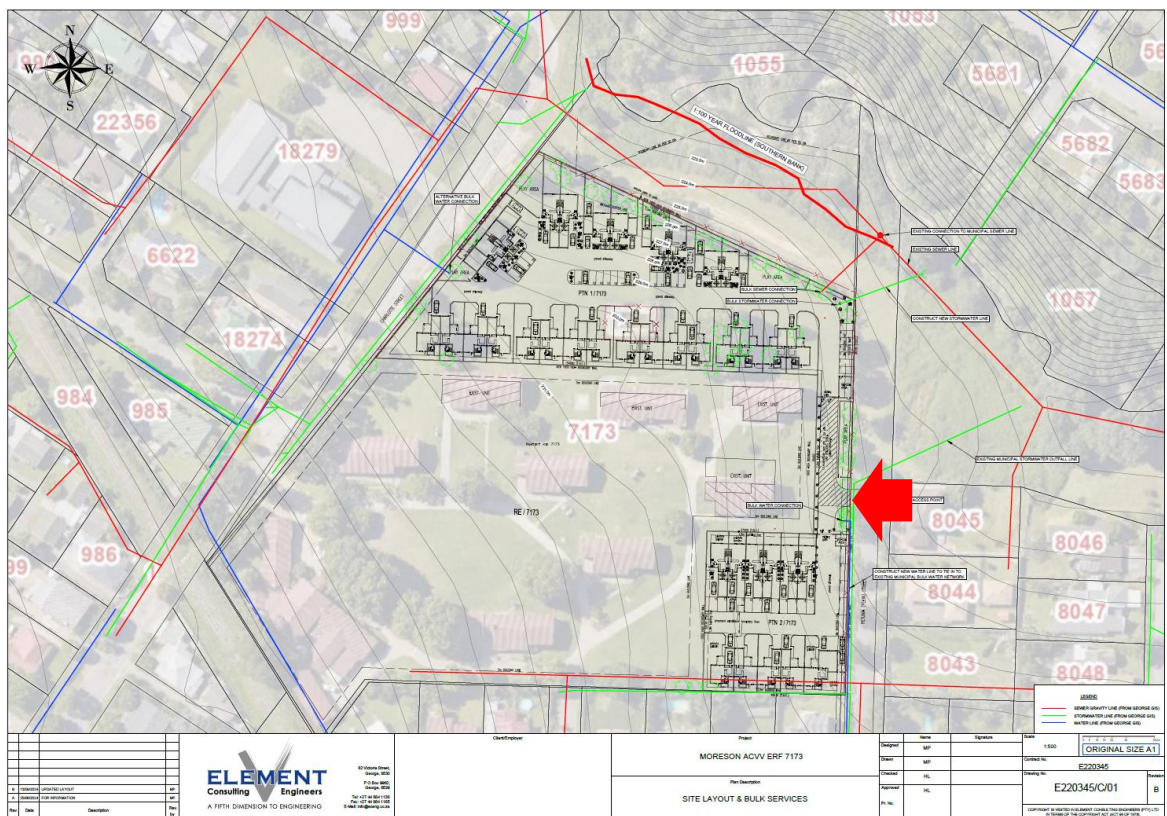


Figure 6: Proposed and approved access from Petunia (Plein) Street on the eastern boundary of the site.

Sight distance at existing access

Sight distances at the proposed access point are very good in both the vertical and horizontal alignments.

Internal Standards and Design Criteria

Internal standards and design criteria are specified as follows:

- Road width to be 5.2 to 6.0m throughout, depending on the road class
- 80mm interlocking paving throughout.

- Pavement structural materials to be imported from commercial sources.
- All minimum radii at bell mouths to be 8m.
- Road design life of 20 years.
- Subgrade material CBR of 15-20.
- Subbase material CBR of minimum 45 – obtained from commercial sources.
- Minimum road grade of 1% and cross fall of 2%.
- Design speed of 20km/h on all internal roads.

Traffic Impact Statement

A separate Traffic Impact Statement (TIS) has been performed by Element Consulting Engineers. Please refer to this report in parallel. The traffic impact of the proposed development will be negligible from a traffic engineering perspective. The traffic impact statement has been approved by the relevant municipal officials.

4.4 Stormwater

Design background, standards and criteria

A formal stormwater reticulation system will be required and will be provided by a combination of surfaced roadways, kerbs, channels, cut-off drains, stormwater pipes and various minor structures. Energy dissipation will be performed as standard practice with gabion mattresses at all outlets. All pipe outlets will be standard concrete headwalls. Litter traps will be provided at all stormwater outlets.

The following standards and design criteria are envisaged:

- Minor system designed for 2-year return period and conveyed in a combination of maximum 200m aboveground in the road prism and underground piped system.
- Major system designed for 50-year return period. Difference between the 50 year and 2-year flood to be conveyed in the road prism with depths not exceeding 150mm and into designated public open spaces, using attenuation techniques.
- Minimum gradients for pipelines to allow minimum flow speeds of 0.7m/s at full flow.
- Maximum pipeline flow velocities to be 3.5m/s.
- Stormwater pipes to be 100D as required by specific loadings or installation conditions.
- Bedding to be Class C.
- Minimum cover on pipes to be 800mm.
- Minimum pipe diameter to be 450mm.
- Gabion mattresses to be provided at all outlets for energy dissipation.
- Litter traps to be provided at all outlets.
- Outlets to be standard concrete headwalls

Site layout considerations

The site drains towards the north-eastern corner where all internal stormwater will be discharged into a tributary of the Kat River. The discharge point is indicated in the following diagram:

4.5 Solid Waste

A formal solid waste collection area is provided in the site development plan. A formal arrangement for the removal of solid waste will be entered into with the municipality.

5 ELECTRICAL ENGINEERING SERVICES

5.1 Existing Bulk Municipal Infrastructure

To investigate the availability of bulk electrical infrastructure to the proposed development on Erf 7173 (George), the existing GIS information (*Figure*) as well as the latest Single Line Diagram (*Figure*) from the George Municipality was consulted.

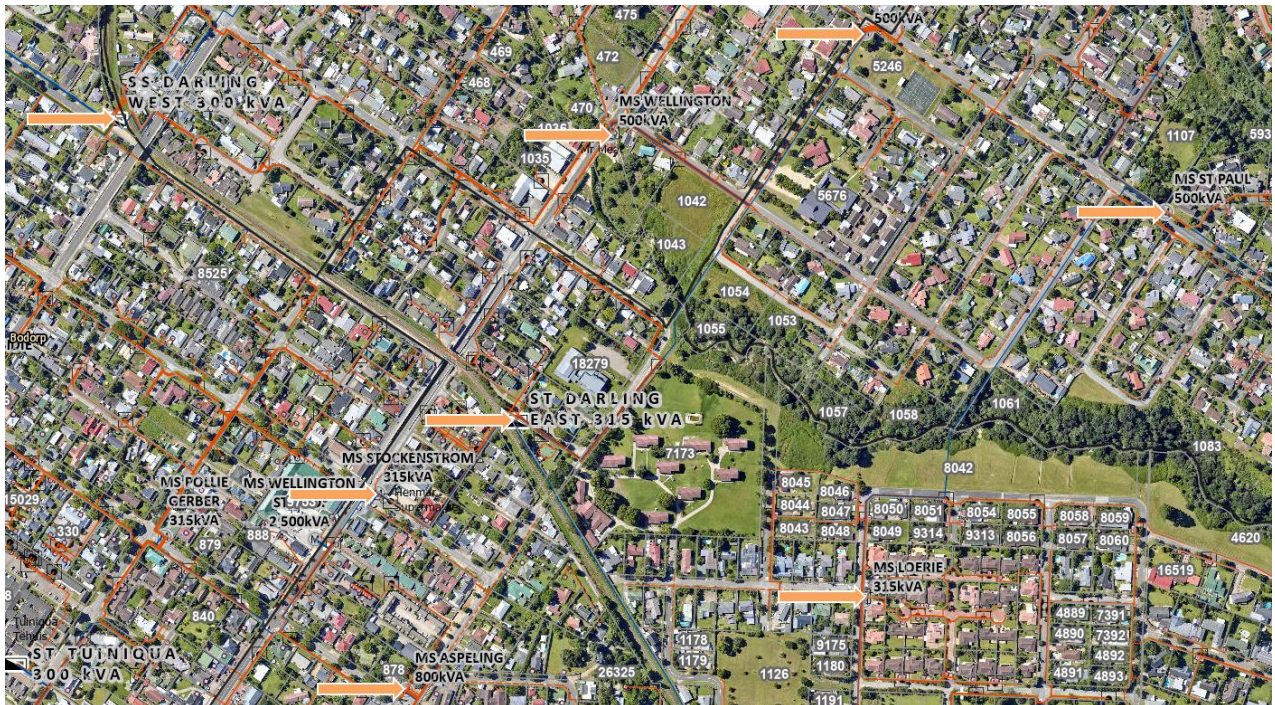


Figure9: George Municipality GIS Data (showing detail of Erf 7173)

Based on the information obtained from these drawings, as well as subsequent discussions with representatives from the George Municipality's Electrical Department, it was decided to supply the new development from the existing ST Darling East Substation. From the information presented in the drawings, this substation has a limited capacity of 315 kVA and the exact amount of spare capacity available from this substation could not be confirmed at the time of the compilation of this report and will have to be further investigated with the municipality by means of actual load profile recordings during the detail design stage of the project.

All indications are that this substation will not have sufficient capacity to supply the expected demand from the new development and that the existing 315 kVA transformer will have to be upgraded as part of the development. The costs associated with the upgrading of the substation

5.2 Load Forecast

The proposed development envisages the development of 37 duplex apartments. The following design criteria were used for calculation of ADMD for the development:

- Load criteria: 4.0 kVA / apartment
- Diversity factor – 0.7

Based on these criteria, the diversified load for the development is estimated to be 100 kVA.

5.3 Energy Efficient Designs

Several energy saving and green building design measures are proposed to be incorporated into this development. These measures are being investigated and will be finalized during the detail design phase and will be communicated to the Client and the George Municipality for final approval.

5.4 Low Voltage Electrical Reticulation

A bulk LV connection (rated at 100 kVA) will be provided to the new development using a new 400V, 120 mm² PILC aluminum cable (rated at 100 kVA). This cable will be terminated at one end in the ST Darling East Substation's LV switchboard (on a 150 A MCCB) and at the other end in the municipal metering kiosk (9-WAY) on a 150 A MCCB, located on the erf boundary of the new development, where the municipality will have access. The proposed position of the new LV supply cable (from ST Darling East Substation) as well as the new metering kiosk is indicated in the figure below.

From this municipal metering kiosk, an internal low voltage reticulation network will be provided to standard street-front kiosks (6/9-way) for individual units and all cabling will be installed underground.

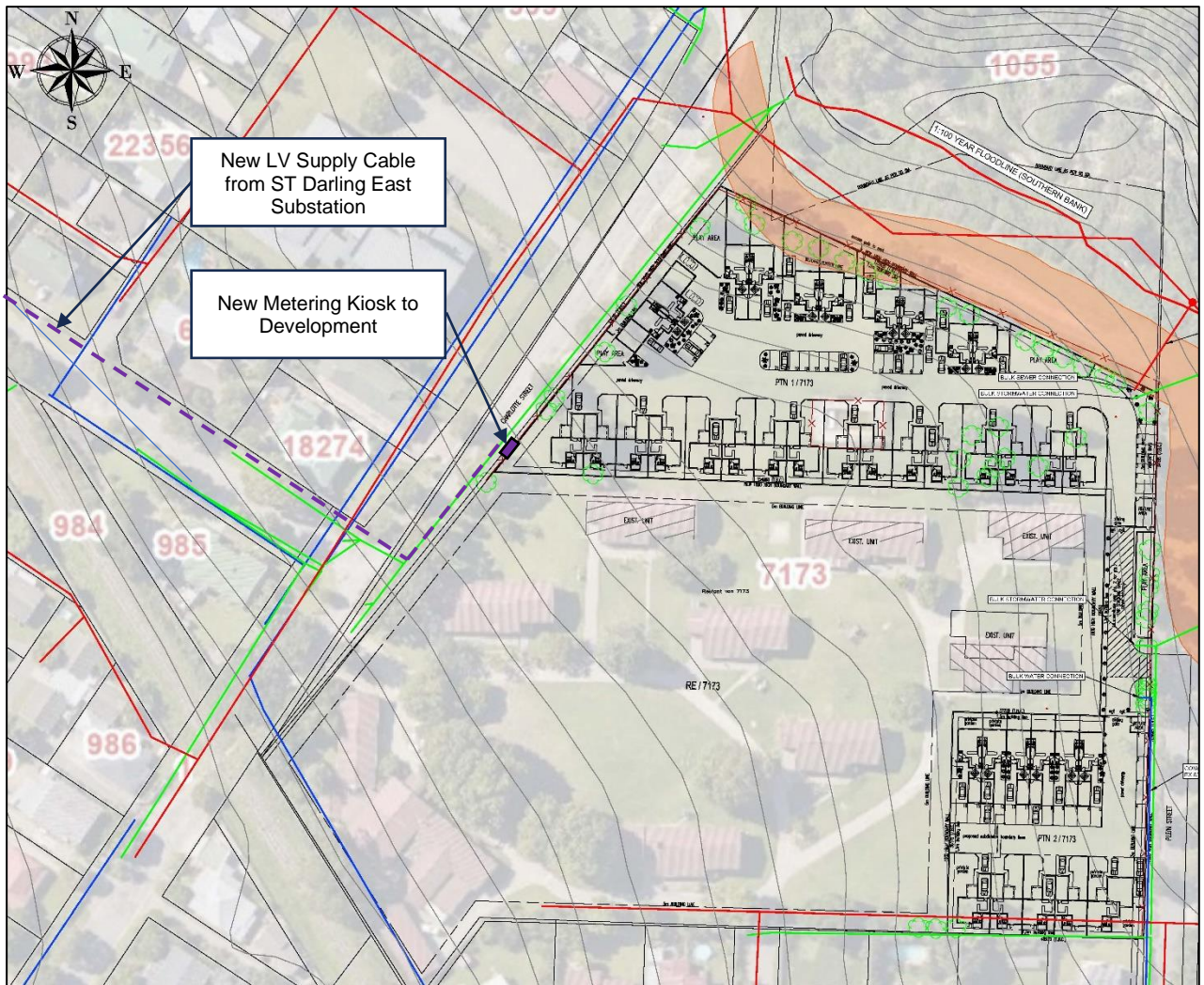


Figure 11: Proposed Electrical Connection Point

All design parameters for internal reticulation will be in accordance with the standard specifications of the George Municipality.

5.5 Revenue Metering

Bulk LV revenue metering will be conducted inside the metering kiosk, allowing the municipality to monitor electricity usage on a monthly basis. The body corporate will then be responsible for the sub-metering and billing of each individual unit.

Alternatively, each apartment will be equipped with its own revenue sub-meter, enabling tenants to purchase prepaid electricity directly from the municipality. This means that no bulk revenue meter will be required in the municipal metering kiosk.

5.6 Infrastructure Responsibility

The George Municipality's area of responsibility will end at the bulk LV connection inside the supply (primary) side of the metering kiosk. The secondary LV network from that point to each of the individual units will be the responsibility of the developer / body corporate.

6 CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

The following conclusions can be reached from the Bulk Engineering Services Report on the proposed development of a portion erf 7173, George, better known as ACVV Moreson:

1. The proposed project envisages the development of 37 townhouses.
2. Geotechnical: The materials found on site are adequate for the construction of engineering services and residential development.
3. Water:
 - a. A bulk connection is proposed from Petunia (Plein) Street at the access to the development.
 - c. The Average Annual Daily Demand (AADD) for the proposed land use is calculated at approximately 25.9kl/day.
 - d. This demand is available from the municipal network.
4. Sewer:
 - a. The property is serviced with a municipal sewer connection on the north-western corner of the site.
 - b. The Average Dry Weather Flow (ADWF) created by the proposed land use is calculated at approximately 23.3kl/day.
 - c. The design peak flow, inclusive of a peak factor of 3.5 and 15% extraneous flow, is calculated at approximately 1.08l/sec.
 - d. The municipal network has sufficient capacity to accommodate this flow.
5. Streets and access:
 - a. Proposed access is obtained from Petunia (Plein) Street on the eastern boundary of the site. This access has been approved by municipal officials.
 - b. Sight distances at the proposed access point are very good in both the vertical and horizontal alignments.
 - c. Internal street design parameters have been discussed. A site layout plan has been provided.
 - d. A separate Traffic Impact Statement (TIS) has been performed by Element Consulting Engineers. Please refer to this report in parallel. The traffic impact of the proposed development will be negligible from a traffic engineering perspective. The traffic impact statement has been approved by the relevant municipal officials.
6. Stormwater:
 - a. A formal stormwater reticulation system will be required and will be provided by a combination of surfaced roadways, kerbs, channels, cut-off drains, stormwater pipes and various minor structures. Energy dissipation will be performed as standard practice with gabion mattresses at all outlets. All

pipe outlets will be standard concrete headwalls. Litter traps will be provided at all stormwater outlets.

- b. The site drains towards the north-eastern corner where all internal stormwater will be discharged into a tributary of the Kat River.

7. Solid waste:

- a. A formal solid waste collection area is provided in the site development plan.
- b. A formal arrangement for the removal of solid waste will be entered into with the municipality.

8. Electricity:

- a. Electrical supply to the proposed development will be from the existing ST Darling East Substation.
- b. This substation will not have sufficient capacity to supply the expected demand from the new development and the existing 315 kVA transformer will have to be upgraded as part of the development. The costs associated with the upgrading of the substation capacity will be for the Developer but could be off-set from the Development Charges (DCs), based on final negotiations with the George Municipality as part of the Service Level Agreement.
- c. The diversified load for the development is estimated to be 100 kVA.
- d. A bulk LV connection (rated at 100 kVA) will be provided to the new development using a new 400V, 120 mm² PILC aluminum cable (rated at 100 kVA). This cable will be terminated at one end in the ST Darling East Substation's LV switchboard (on a 150 A MCCB) and at the other end in the municipal metering kiosk (9-WAY) on a 150 A MCCB, located on the erf boundary of the new development.
- e. From this municipal metering kiosk, an internal low voltage reticulation network will be provided internal to the development.
- f. Several energy saving and green building design measures are proposed to be incorporated into this development. These measures are being investigated and will be finalized during the detail design phase.

6.2 Recommendations

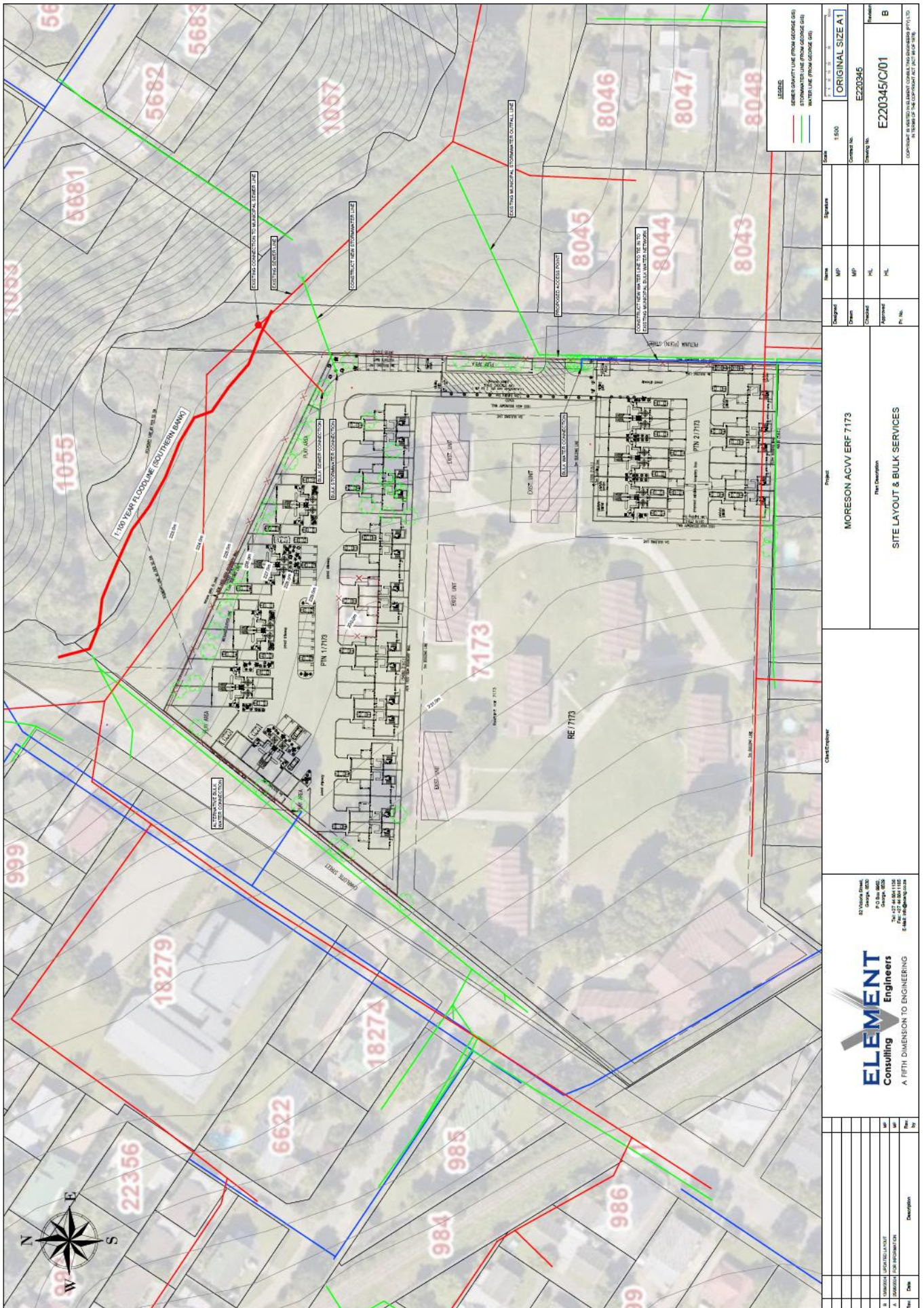
With reference to the conclusions above, the following are recommended:

1. It is the holistic recommendation that the proposed development be approved from an engineering design perspective.
2. That all conceptual and preliminary design specifications and standards be accepted and approved.
3. That all detail designs be performed by a registered professional engineer to the satisfaction of the local municipality, in line with the proposals contained in the report.
4. That a services agreement be drafted and signed between the parties containing all of the matters discussed in this report, as well as matters forthcoming from the town planning process.

7 ANNEXURES

7.1 Addendum 1 – Bulk services layout plan

ADDENDUM 1
BULK SERVICES LAYOUT PLAN



LEGEND

- SEWER GRAVITY LINE (FROM RECORDS AND STATEMENTS AND FROM CALCULATED)
- STORMWATER LINE (FROM RECORDS AND STATEMENTS AND FROM CALCULATED)
- WATER LINE (FROM RECORDS AND STATEMENTS AND FROM CALCULATED)

Scale: 1:500
 Original Size: A1
 Drawing No.: E220345
 Project No.: E220345/C/01
 Revision: B

Name	Signature
MP	
HL	
HL	
HL	

Project: MORESON ACW Erf 7173

Site Description: SITE LAYOUT & BULK SERVICES

Client/Engineer:

ELEMENT
 Consulting Engineers
 A FIFTH DIMENSION TO ENGINEERING

82 Maitland Street,
 George, 6230
 Phone: 0823 223 1100
 Fax: 0823 223 1101
 Email: info@element.co.za

Rev	Date	Description



Cape EA Prac

Cape Environmental Assessment Practitioners (Pty) Ltd

Reg. No. 2008/004627/07
VAT No 4720248386



Telephone: (044) 874 0365
Web: www.cape-eaprac.co.za

17 Progress Street, George
PO Box 2070, George 6530

03 July 2024

Our Ref: GEO_ACVV Moreson

Attention: Deon Nel
Nel & De Kock Town Planners

VIA EMAIL

RE: ENVIRONMENTAL SCREENING REPORT ON THE ACVV MORESON CHILDREN'S HOME PROPERTY (Remainder 7173), GEORGE MUNICIPAL DISTRICT

The site was inspected on 24 November 2023 at which time attention was paid to the vegetation cover and tree species found on the property. External services have not been considered.

The site sensitivity screening has taken into account the CapeFarmMapper datasets for watercourses (river/wetland), critical biodiversity area (CBA) designation, as well as the Gazetted ecosystem threat status (2021).

Furthermore, specialist input was obtained from an aquatic specialist (Dr James Dabrowski from Confluent Consulting) to verify the extent of the wetland habitat.

It is our understanding that the combined development area on the property is approximately 1.25ha in size and is restricted to the undeveloped portions of the site within the fenced boundaries.

The following is submitted in summary format:

- The area where development is proposed is contained within the already transformed and modified landscaped (garden) areas of the property in question;
- The Ecosystem Threat Status for Garden Route Shale Fynbos (indicated as the original vegetation type that would have occurred prior to township development) is Endangered. There is however no remnant Shale Fynbos left on the site and as such it can be confirmed that this vegetation type does not occur within the development footprint;
- The main stream is situated approximately 35m (North) and 48m (East) from the existing fence that surrounds the property;
- The extent of the associated riparian wetland, as delineation by Confluent Consulting, falls outside the fenced portion of the property with the 15m buffer extending slightly beyond the fence of the property;
- The CBA falls outside the fenced area of the property and is aligned with the demarcated riparian wetland and its associated buffer area;

- Although the property boundary extends beyond the fence into the riparian wetland and watercourse, the development footprint is restricted to within the fenced portion of the site that is not deemed to be environmental sensitive;
- Care must be taken with the sewer connection and associated infrastructure that may extend outside of the fenced area.
- A number of large number of mature trees are found on the site along the fence line as has been depicted on the site plan.
 - The listed protected trees may not be removed/trimmed without the necessary Forestry Permit (note that such a permit application can take up to five months to obtain once building plans have been approved).



Figure 1: Image of the row of established trees along the fence line closes to the watercourse.



Figure 2: Cluster of trees inclusive of protected yellowwood.

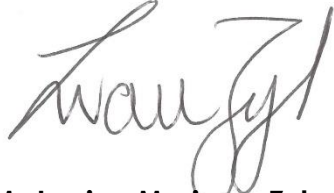
The following 'listed activities' have been considered and found not applicable in terms of the Environmental Regulations¹:

<p>Listing Notice 1, Activity 12</p>	<p>The development of (ii) infrastructure or structures with a physical footprint of 100m² or more, where such development occurs (c) within 32m from a watercourse, excluding (dd) where such development occurs within an urban area.</p>	<p>The site in question falls within the designed urban area of George. This listed activity is therefore deemed to be not applicable.</p>
<p>Listing Notice 1, Activity 27</p>	<p>The clearance of an area of 1ha or more, but less than 20ha of indigenous vegetation.</p>	<p>The development areas is transformed and consists of formal landscaped lawns. The development area is not representative of indigenous vegetation. This listed activity is therefore deemed to be not applicable.</p>
<p>Listing Notice 3, Activity 4</p>	<p>The development of a road wider than 4m with a reserve less than 13.5m (i) in areas zoned for use as public open space or equivalent or (aa) areas zoned for conservation use.</p>	<p>The development areas are not zoned open space or conservation use. This listed activity is therefore deemed to be not applicable.</p>
<p>Listing Notice 3, Activity 12</p>	<p>The clearance of an area of 300m² or more of indigenous vegetation (i) within any critically endangered or endangered ecosystem, (ii) within CBA.</p>	<p>The development areas are excluded from CBA and according to the Gazetted 2021 Ecosystem Threat Status there is no indication of endangered/critically endangered ecosystems. Noted that the development areas are transformed. This listed activity is therefore deemed to be not applicable.</p>

¹ The applicability of the Environmental Regulations (2014 as amended) has not been verified by the Competent Authority. It is the *opinion* of the EAP that these listed activities do not apply.

Refer to the attached Figure 1 that indicates the wetland (with 15m buffer), as well as the designated CBA layers in proximity to the fenced area of the property (outside the development footprint).

Kind regards,

A handwritten signature in black ink, appearing to read 'Louise-Mari van Zyl'. The signature is fluid and cursive, with the first name 'Louise' and the last name 'Zyl' being the most prominent parts.

Ms Louise-Mari van Zyl

Director

071 603 4132

Enquiries: HC Lourens
Reference: E220345
Date: 28 May 2024

The Municipal Manager
George Municipality
PO Box 19
GEORGE
6530

Att: Mr. Zuko Vanqa

Dear Sir,

PROPOSED DEVELOPMENT OF PORTION OF ERF 7173, GEORGE (MORESON ACVV CHILD AND YOUTH CARE CENTRE): TRAFFIC IMPACT STATEMENT

The abovementioned proposed development, our various meetings over the past months and in particular our meeting in your office on 28 May 2024, refer. Thank you for your time and consideration, it is appreciated, in particular as this is for a good cause, i.e. fundraising for the Moreson Child and youth care centre. As discussed, and agreed, the proposed development will have a negligent impact on the adjacent road network as it is a very minor development with no critical issues identified. Our Traffic Impact Statement will hence be informal and performed in a written letter format. This is in line with the prescriptions contained in the DOT Manual for Traffic Impact Studies. The following was discussed and agreed upon during our meeting on 28 May 2024:

SITE DEVELOPMENT PLAN (SDP) AND DEVELOPMENT QUANTUM

The SDP proposes the development of 45 high-density residential townhouses (land use code 231). The SDP is attached to this correspondence.

LOCALITY AND ACCESS

The site is located west of Petunia Street and east of Charlotte Street. Vehicular access will be from the dead-end of Petunia Street. Sight distance at this access point is excellent in both the horizontal and vertical alignments. Pedestrian access will be provided west to Charlotte Street as this area provides a number of shopping and other commercial opportunities for residents. No vehicular access will be allowed to the west, as Wellington Street is severely over-saturated in the morning peak hour.

TRIP GENERATION

Trip generation for the proposed development, in accordance with the "South African Trip Data Manual" Version 1.01 September 2013 (TMH 17) will be 38 trips for both the weekday morning and afternoon peak hours. The split of these 38 trips for the morning peak hour will be 10 trips inbound and 28 trips outbound. The split for the afternoon peak hour will be 27 trips inbound and 11 trips outbound. This trip generation is negligible.

TRIP ASSIGNMENT AND CAPACITY

All trips will be distributed and dispersed to the southeast of Petunia Street via the collectors of Meyer Street, Stander Street, and First Street. None of these streets are currently critical in either the morning or afternoon peak hours and sufficient capacity exists for the insignificant number of trips generated by this proposed development. No mitigation measures are required to be implemented.

OTHER FUTURE DEVELOPMENT

The immediate area east and south-east of this proposed development has very little empty land development opportunities remaining, and hence little future traffic will be generated via new developments in the study area.

ACCESS GATE CONFIGURATION

Access control will be via a remote-controlled access gate. The design of the main access gate shall provide a minimum stacking distance of one vehicle or 5m. Only one entry lane and one exit lane will be required for the limited traffic generated. Access (height and width) shall be allowed for emergency vehicles in the design of the access gate.

PUBLIC TRANSPORT ROUTE

Stander Street to the southeast of the proposed development is a GIPTN public transport route and it is expected that residents of the proposed development will make use of the Go-George bus stops on Stander Street, walking distance from the development.

NON-MOTORIZED TRANSPORT FACILITIES

As mentioned above, pedestrian access will be provided west to Charlotte Street as this area provides a number of shopping and other commercial opportunities for residents.

PARKING

Parking is indicated on the SDP. The number of parking spaces indicated on the SDP (114) is more than required in terms of the guidelines.

REFUSE REMOVAL

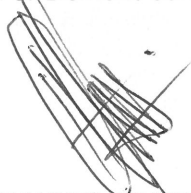
Refuse removal shall be performed by the George Municipality in accordance with a signed services agreement. Access for municipal refuse removal vehicles shall be ensured in the access gate design. The provision of a solid waste collection area shall be incorporated into the access gate design or be situated in close vicinity to the access gate.

CONCLUSION AND RECOMMENDATION

It is concluded and recommended that the proposed development be approved from a Traffic Engineering perspective in line with the discussion presented. A services agreement shall be signed with the George Municipality in which all the above aspects shall be incorporated.

We trust the above to be to your requirements and look forward to receiving your written approval of this Traffic Impact Statement for the proposed development. Please contact us if any additional information or clarity is required.

Yours Sincerely
For Element Consulting Engineers



HANNES LOURENS PrEng MEng PrCPM
Director



Planning and Development
 E-mail: town.planning.application@george.gov.za
 Tel: +27 (0)44 801 9477

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 no. 2313582

Purpose of consultation: Pre-Application

Brief proposal: Proposed subdivision, rezoning, registration of access right-of-way and services servitude and removal of restrictive condition.

Property(ies) description: Erf 7173, George

Date: 02/06/2022

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Ilane Huyser	George Municipality	044 801 9120	ihuyser@george.gov.za
Pre-applicant	Deon Nel	Nel & de Kock	082 569 2438	neldek@mweb.co.za

Documentation provided for discussion:

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

Title Deed (T58744/2011), SDP dd. 05/05/2022, SG Diagram (S.g. No. 2149/75) and Rezoning and Locality Map (Plan No. G/DG/201-1).

	NO
--	----

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

(If so, please provide a copy of the minutes)

Comprehensive overview of proposal:

Application is being made for the subdivision of Erf 7173 into four Portions ie. Portion 1, Portion 2, Portion 3 and Rem. Erf 7173;

Rezoning of above mentioned Portions 1 and 2 from Community Zone III to General Residential Zone IV for the purpose of constructing a total of 56 flat units (12 + 44);

Rezoning of Portion 3 from Community Zone III to Open Space Zone I;

The registration of access right-of-way and services servitudes on Portion 2 in favour of Portion 1; and

Removal of restrictive condition C.3. as contained in Deed of Transfer No. T58744/2011.

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
✓	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):			To be confirmed

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

SECTION B:

PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?	X			
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]	X			Condition C.3. Condition is not in favour of a third party.
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>The property is an orphanage, therefore the development parameters of Institution apply to the erf.</u> What is the current zoning of the property? <u>Community Zone III</u> What is the proposed zoning of the property? <u>General Residential Zone IV and Open Space Zone I.</u> Does the proposal fall within the provisions/parameters of the zoning scheme? <u>Yes</u> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <u>No</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	
Are any regional/district spatial plans relevant? If yes,		X		

is the proposal in line with the document/plans?				
--	--	--	--	--

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 Provincial Department of Transport and Public Works (DTPW)

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		X		National Department of Labour (DL)
Will the proposal affect any Eskom owned land and/or servitudes?		X		Eskom
Will the proposal affect any Telkom owned land and/or servitudes?		X		Telkom
Will the proposal affect any Transnet owned land and/or servitudes?		X		Transnet
Is the property subject to a land / restitution claims?		X		National Department of Rural Development & Land Reform
Will the proposal require comments from SANParks and/or CapeNature?		X		SANParks / CapeNature
Will the proposal require comments from DEFF?		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

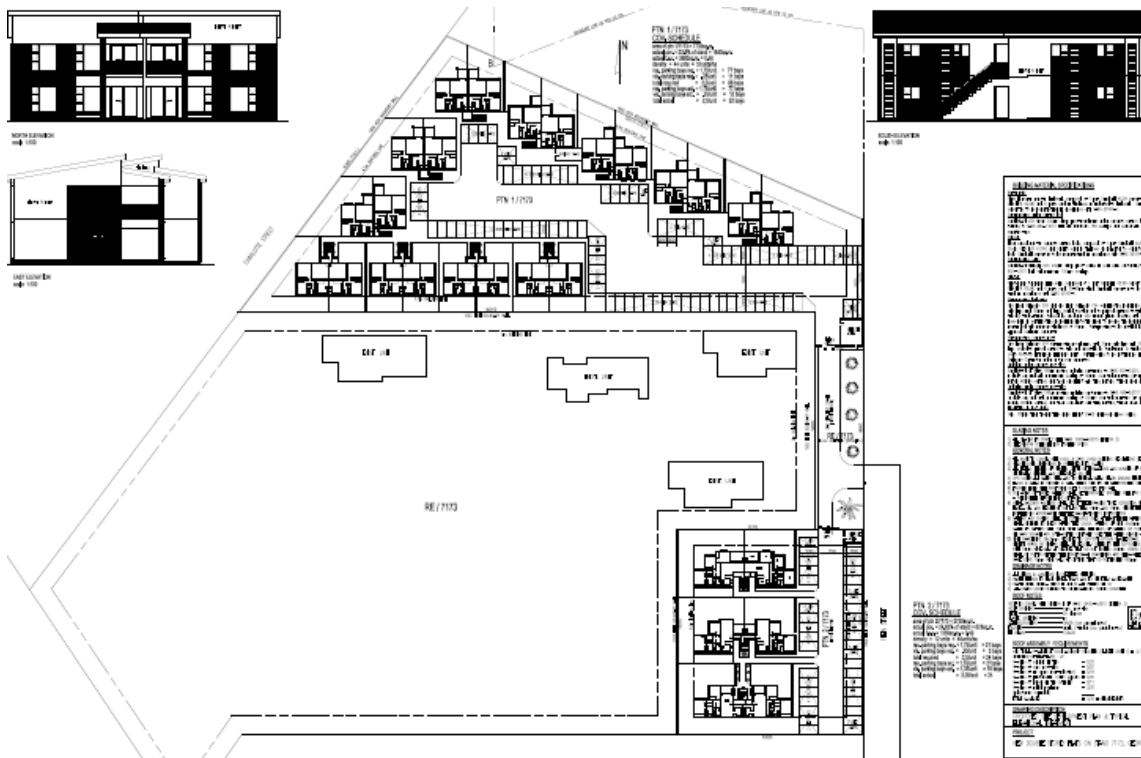
Road network:			X	Directorate: Civil Engineering Services
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

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 (Conveyance Attorney to confirm)
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) (See below)		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 meeting dated 23 June 2022 refers. The applicant informed us that “MÔreson intend so sell proposed portion 1 to developers, and develop proposed portion 2 themselves to generate a income. Proposed layout that accompanied the Pre-Application is as follows:



Town Planning:

- A cell phone tower was approved on the property in 2020. Please confirm the status thereof and if they intend to continue with this, as the location of the tower is within proposed portion 1.
- This area is not earmarked for “Flats” and flats are not reconcilable with the character of the area.
- According to the plans and the proposal, a respective density of approximately 44du/ha and 57du/ha is proposed. The latter density is in line with the prescribed density for “Town Housing” viz. 60du/ha in terms of the Zoning Scheme. Reconsider the proposed zoning.
- Height of the structures to be in accordance with the height parameter for ‘dwelling house’.
- May need to apply for building line relaxation should the parking in the building lines be ‘covered’.
- Consideration to be given to the Aesthetics of the development and visual impact.
- Functional open space/play areas (of appropriate size) to be provided which is accessible to all residence of that development, irrespective of the proposed zone.
- A landscaping (landscape plan) will be required.
- Stormwater management plan to be submitted with the application.
- Alternative access to be considered/investigated via Charlotte Steet (TIS/TIA to confirm).
- Need to confirm the heritage status of this property.
- All Environmental impact to be investigated/determined, river delineation, floodlines etc. To show all buffer areas.

- Confirm if the proposed public open space will be 'incorporated' in the development i.e. is it considered to create a pedestrian link between the development and the proposed public open space next to the river.
- To address all applicable policies and frameworks.

Spatial Planning:

- Stormwater management plan to be submitted (S/w management infrastructure to be provided on site) and requirement for EIA due to proximity to river buffer to be confirmed.
- Density congruent to adjacent residential neighbourhood to be applied.
- Flats not suitable for this area.

CES:

- Engineering services report will be required.
- TIA/TIS will be required to address access to both Petunia and/or Charlotte Street.
- Stormwater management must be considered.
- Other normal development conditions included the payment of DC will be applicable.


ETS:

- Electrical services report will be required.
- Other normal development conditions included the payment of DC will be applicable

PART F: SUMMARY / WAY FORWARD

Please refer to the comments above.

OFFICIAL: Ilane Huyser PRE-APPLICANT: Gideon Andries Nel
 (FULL NAME)

 ME)



SIGNED: _____

SIGNED: _____

DATE: 2022.06.24

DATE: 02/06/2022

**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.*