



The Municipal Manager
P O Box 19
George
6530

Reference: Erf 2795 George

14 September 2026

Sir

APPLICATION FOR SUBDIVISION AND DEPARTURES (COVERAGE, SITE ACCESS AND EXIT AS WELL AS BUILDING LINE RELAXATION): REMAINDER OF ERF 2795 GEORGE

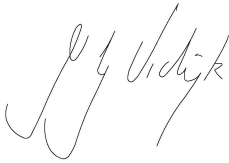
Attached hereto please find an application in terms of:

- Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 for the subdivision of the Remainder of Erf 2795 George into a Portion A ($\pm 396\text{m}^2$) and a Remainder ($\pm 582\text{m}^2$).
- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from the coverage applicable to the proposed Remainder from 50% to 54.57%.
- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from Section 45(4)(b) of the George Integrated Zoning Scheme By-law, 2023 to allow for a second carriageway crossing from Mitchell Street to Portion A on a street frontage of less than 30 metres and closer than 12 metres apart.

- Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the following building lines on the proposed Remainder of Erf 2795 George:
 - the eastern street boundary building line from 4 metres to 1,3 metres to accommodate the existing historic dwelling house.
 - the northern street boundary building line from 4 metres to 2,5 metres to accommodate the existing historic dwelling house and single carport.
 - the western side boundary building line from 2 metres to 1,120 metres to accommodate the existing second dwelling unit.

Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

A handwritten signature in black ink, appearing to read 'Jan Vrolijk', written in a cursive style.

Jan Vrolijk

MOTIVATION REPORT

APPLICATION FOR SUBDIVISION AND DEPARTURES (COVERAGE, SITE ACCESS

AND EXIT AS WELL AS BUILDING LINE RELAXATION)

REMAINDER OF ERF 2795 GEORGE

14 September 2026



Prepared for:

Jodi Mostert
39 Mitchell Street
George
6529

Prepared by:

Jan Vrolijk Town Planner/Stadsbeplanner
Millwood gebou, h/v York – en Victoriastraat
Posbus 710, George, 6530
Suid Afrika
Tel: +27 44 873 3011
Sel: +27 82 464 7871
Faks: +86 510 4383
SACPLAN Registrasie Nr A/1386/20

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MOTIVATION REPORT
APPLICATION FOR SUBDIVISION AND DEPARTURE (COVERAGE, SITE ACCESS
AND EXIT AS WELL AS BUILDING LINE RELAXATION)
REMAINDER OF ERF 2795 GEORGE

1. APPLICATION

- Application is made in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 for the subdivision of the Remainder of Erf 2795 George into a Portion A ($\pm 396\text{m}^2$) and a Remainder ($\pm 582\text{m}^2$).
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from the coverage applicable to the proposed Remainder from 50% to 54.57%.
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from Section 45(4)(b) of the George Integrated Zoning Scheme By-law, 2023 to allow for a second carriageway crossing from Mitchell Street to Portion A on a street frontage of less than 30 metres and closer than 12 metres apart.
- Application is made in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the following building lines on the proposed Remainder of Erf 2795 George:
 - the eastern street boundary building line from 4 metres to 1,3 metres to accommodate the existing historic dwelling house.
 - the northern street boundary building line from 4 metres to 2,5 metres to accommodate the existing historic dwelling house and stoep.
 - the western side boundary building line from 2 metres to 1,120 metres to accommodate the existing second dwelling unit.

The completed application form for the subdivision and permanent departures application is attached hereto as **Annexure “A”**. A copy of the proposed subdivision plan is attached hereto as **Annexure “B”**.

2. DEVELOPMENT PROPOSAL

The Remainder of Erf 2795 George is developed with a dwelling house, second dwelling unit and associated outbuildings. The owner proposes to subdivide the Remainder of Erf 2795 George into a Portion A ($\pm 396\text{m}^2$) and a Remainder ($\pm 582\text{m}^2$) as indicated on the subdivision plan attached hereto as **Annexure “B”**.

It is the owner's intention to subdivide the Remainder of Erf 2795 George into two portions and to construct a dwelling house for her daughter on Portion A. The owner will continue to reside on the Remainder. The proposed site plan and floor plan of the dwelling house to be constructed on Portion A is attached hereto as **Annexure “C”**.

The original Erf 2795 George was subdivided into Erven 6938 and 6939 George, a Remainder Erf 2795 George and a road portion (splay) in 1974. A copy of the Surveyor General Diagrams of Erven 6938 and 6939 George indicating the splay is attached hereto as **Annexure “D”**. At that stage the dwelling house on Erf 2795, which is visible on the 1957 aerial photo below, already existed on the erf and as can be seen from the 1957 aerial photo below already encroached into the road splay. In terms of an endorsement on the back of the Surveyor General Diagram of Erf 6939 George, the Town Clerk of the George Municipality at that stage certified that all requirements relating to the subdivision approval of Erf 2795 George dated 1974 have been complied with.

It is as such clear that no condition was imposed at that stage requiring that the portion of the existing dwelling house encroaching into the splay had to be demolished, otherwise this portion of the dwelling house would have been demolished at that stage. The dwelling house has thus been in this position since before 1957 with the George Municipality clearly accepting this situation in 1974. It is as such argued that this encroachment cannot be enforced at this stage.



It must furthermore be noted that this dwelling house is older than 60 years and that permission will have to be obtained from Heritage Western Cape to demolish this portion of the dwelling house, which might be problematic as the internal finishes of that portion of the dwelling house still reflect features pre-1957.

The Remainder of Erf 2795 George has a size of 982m². In terms of the size the Remainder of Erf 2795 George is subject to a 4-metre street building line and a 2-metre building line along all other boundaries. In terms of the subdivision the Remainder, the portion on which the existing dwelling house is located on, will have an area of approximately 582m² and will thus still be subject to a 4-metre street building line and a 2-metre building line along all other boundaries.

The position of the existing dwelling house and outbuilding on the Remainder is indicated on the approved building plan for the Remainder of Erf 2795 George which is attached hereto as **Annexure “E”**.

Certain additions were, however, added to the building on the remainder and the owner is in the process of submitting building plans for the additions. The second dwelling unit has been developed inside the existing tandem double garage, and the original tandem double garage now only accommodates 2 vehicles. The second dwelling unit consists of a bedroom, bathroom with a shower and a kitchenette. The second dwelling unit encroaches into the western 2-metre side boundary building line, hence the building line relaxation application. The second dwelling is considerably smaller than the 175m² allowed for a second dwelling.

The building lines applicable to the proposed remainder remains unchanged, however the existing historic dwelling house and second dwelling unit do exceed the prescribed building lines. Although the encroachments are historic in nature, the building line relaxations are required due to the subdivision application.

In terms of the applicable zoning parameters, properties larger than 500m² but not exceeding 1000m² may be developed with a dwelling house not exceeding 325m² or a coverage of 50%, whichever is greater. On the “new” Remainder of Erf 2795, the existing dwelling house reflects a coverage of approximately 54.57%, which constitutes a minor departure from the allowable 50% threshold. This departure is considered justifiable due to the structures on the erf having been in their current position for many years and therefore represent the prevailing established built form, rather than introducing new impacts.

It is proposed to develop a new double-storey dwelling house on the proposed Portion A of Erf 2795 George. The proposed dwelling house will have 2 double garages facing Mitchell Street. The 2 double garages will be located on either side of the proposed dwelling house. The owner’s daughter has more than 2 vehicles and as such safe garaging is required. As Portion A will have a street frontage of less than 30 metres a departure for a second access and exit onto a Mitchell Street from Portion A is required.

It should furthermore be indicated that red lines have been painted in Mitchell Street thus restricting parking of vehicles in Mitchell Street, hence necessitating the provision of four parking spaces on Portion A to accommodate the vehicles of the owner’s daughter.

The purpose of the application is to obtain the necessary approvals to allow for the subdivision and departure of the Remainder of Erf 2795 George to allow for the development on the subdivided portion as indicated on the site plan and floorplan attached hereto as **Annexure “C”**.

3. PRE-APPLICATION CONSULTATION

A pre-application consultation was not requested as the application entails the subdivision into two portions and permanent departures in terms of the George Integrated Zoning Scheme By-Law, 2023. This is in line with the e-mailed directive in this regard to various consultants by the Municipal Town Planners, which was issued by e-mail dated September 2024.

4. GENERAL INFORMATION REGARDING THE REMAINDER OF ERF 2795 GEORGE

4.1 Locality

The Remainder of Erf 2795 George is located on the corner of Mitchell Street and Laing Street, in the well-established neighbourhood known as George South.

The locality of the erf is indicated on the locality plan which is attached hereto as **Annexure “F”**.

4.2 Existing land use

The Remainder of Erf 2795 George is currently developed with a dwelling house, double tandem garage and associated outbuildings. No changes to the existing buildings are proposed by virtue of this application. The existing situation on the Remainder will thus not be affected by the proposed subdivision.

4.3 Extent

The Remainder of Erf 2795 George is 978m² in extent.

4.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023 the zoning of the Remainder of Erf 2795 George is Single Residential Zone I.

4.5 Surveyor General Plan

The Surveyor General Diagrams for the Remainder of Erf 2795 George is attached hereto as **Annexure “G”**.

4.6 Title Deed

The Remainder of Erf 2795 George is registered in the name of Jodi Mostert. A copy of the registered Title Deed T36422/2026 is attached hereto as **Annexure “H”**.

4.7 Power of Attorneys

A Power of Attorney whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Jodi Mostert, the registered owner of the Remainder of Erf 2795 George, to prepare the applications referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “I”**.

4.8 Bondholder’s Consent

The Remainder of Erf 2795 George is not encumbered by a bond.

4.9 Conveyancer Certificate

A Conveyancer Certificate in respect of the Remainder of Erf 2795 George is attached hereto as **Annexure “J”**. The Conveyancer Certificate confirms that there are no restrictive title conditions in the Title Deed T36422/2026 of the Remainder of Erf 2795 George that is restricting the subdivision and departure as proposed in this application.

5. DESIRABILITY OF THE APPLICATION FOR THE SUBDIVISION OF THE REMAINDER OF ERF 2795 GEORGE

5.1 Introduction

The Remainder of Erf 2795 George is currently zoned Single Residential Zone I. In terms of this zoning, The Remainder of Erf 2795 George may be utilized for the purposes of a dwelling house and second dwelling unit. The owner, however, intends to subdivide The Remainder of Erf 2795 George into 2 portions to construct a new dwelling house on the proposed Portion A, as discussed in point 2 of this motivation report.

The term "desirability" in the land use planning context, may be defined as the degree of acceptability of the land use on the land unit concerned. The desirability of the intended subdivision shall be discussed with reference to the aspects listed below.

- Physical characteristics of the site.
- The proposed land uses.
- The compatibility of the proposal with existing planning documentation, spatial frameworks, legislation and policies.
- The compatibility of the proposal with the character of the surrounding area.
- Potential of the site.
- Accessibility of site.
- Availability of parking.
- Provision of services.

It will be indicated in the following paragraphs that the proposal can be regarded as being desirable as far as the mentioned aspects are concerned.

5.2 Physical characteristics of the erf

5.2.1 Topography

The application erf is relatively flat with a gentle slope from the north-east to the south-west. The topography is of such nature that it will not have a negative impact on the proposed development and therefore does not restrict the proposed subdivision as applied for in this application.

5.2.2 Surface conditions

Little information concerning the soil conditions in the area is available. The existing structures and the structures in the immediate vicinity do not appear to have construction anomalies relating to the soil conditions. There is as such no reason from this point of view why this application cannot be supported.

5.2.3 Vegetation

The Remainder of Erf 2795 George is currently covered with grass with no mature trees on the erf. Vegetation will thus not place any restriction on the development proposal.

5.2.4 Other characteristics

The application erf is not affected by any known flood lines, fountains or other unique ecological habitats, which could restrict the subdivisions proposed in this application.

5.2.5 Conclusion

From the contents of the above-mentioned paragraphs, there is no reason from a physical characteristics point of view why the application for subdivision cannot be supported.

5.3 Proposed land uses

The owner intends to densify the property by retaining the existing dwelling house and second dwelling unit and developing a new dwelling house on the proposed Portion A as indicated on the subdivision plan as well as site plan and floor plan attached hereto as **Annexure “B”** and **Annexure “C”** as discussed in detail in point 2 above.

5.4 Coverage of the proposed development

Portion A will have a size of approximately 396m². The new dwelling house proposed for Portion A has a ground floor area of approximately 247m² which relates to a coverage of approximately 62.43%, thus within the allowed 65% coverage applicable to erven smaller than 500m² as per the George Integrated Zoning Scheme By-law, 2023.

The proposed Remainder will have a size of approximately 582m². The existing dwelling house, second dwelling unit and stoep have a ground floor area of approximately 311m² which relates to a coverage of 54.57% thus just above the allowable 50% coverage applicable to erven bigger than 500m² but not exceeding 1000m² as per the George Integrated Zoning Scheme By-law, 2023. The minor deviation of the allowed density is justifiable due to the established built form and can be motivated as follows:

- The structures have existed in their current position for many years, meaning the departure reflects the status quo rather than a new intensification.
- The increase is marginal and does not materially affect the character of the area or introduce new visual impacts.
- The proposal remains consistent with the municipality's broader objectives of efficient land use and densification, while ensuring neighbourhood compatibility.

5.5 Compatibility of the development proposal with existing planning documentation and policies

5.5.1 Introduction

Different planning documents apply to the application and the desirability and compatibility of the application regarding each of these documents will subsequently be discussed.

5.5.2 "Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)"

Section 7 of the "Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)" lists 5 development principles which must be applied when any development application is to be evaluated. The principles referred to are as follows:

- “Spatial justice”
- “Spatial sustainability”
- “Spatial efficiency”
- “Spatial resilience”
- “Good administration”

Different development principles are identified under each of the 5 abovementioned principles which must be applied when a land use application is to be evaluated. The proposed application for subdivision will subsequently be evaluated on each of the principles.

Spatial justice		
Criteria	Compliance	Planning Implication
Past spatial and other development imbalances must be redressed through improved access to and use of land.	Complies with.	This application will result in optimizing the property by keeping the existing dwelling house and developing a new dwelling house on the subdivided portion in accordance with the development proposals for this area as per the George Spatial Development Framework 2023. It will lead to more efficient use of land and align with the overall density of 25du/ha for George.
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.	Complies with.	George Municipality approved a Spatial Development Framework for George, 2023 which contains development proposals which are aimed at improving the quality of life of all the inhabitants of George. The approval of this application will result in 1 new residential erf in close proximity to the George CBD.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all erven in respect

persons.		of type of structure allowed, land uses and building lines. These parameters enable the proposed subdivision.
Land use management systems must include all areas of a municipality and especially include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homelands areas.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all erven in respect of type of structure allowed, land uses and building lines. These parameters enable the proposed subdivision in this application.
Land development procedures must include provisions that accommodate access to secure tenure and incremental upgrading of informal areas.	Not applicable.	This provision does not apply to this application, as no informal residential development is involved.
A Municipal Planning Tribunal, considering an application before it, may not be impeded 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 this application.	Not applicable.	As far as is known, the Eden Joint Planning Tribunal - George Municipality's discretion when considering applications is not affected by the value of land or property. Decision making is, as far as is known, based on the principles, as stated in Section 7 of the Spatial Planning and Land Use Act, 2013 (Act 16 of 2013).

Spatial sustainability		
Criteria	Compliance	Planning Implication
Promote land development that is within the fiscal, institutional and administrative means of the Republic.	Complies with.	The proposed development will have no impact on the fiscal, institutional or administrative capabilities of George Municipality. The George Municipality's income base will in fact be broadened through this development proposal.
Ensure that special consideration is given to the	Not applicable.	The provisions of the Act on the Subdivision of Agricultural Land, 1970

protection of prime and unique agricultural land.		(Act 70 of 1970) do not apply to the application.
Uphold consistency of land use measures in accordance with environmental management instruments.	Not applicable.	The proposed development does not trigger any listed activities in terms of environmental legislation.
Promote and stimulate the effective and equitable functioning of land markets.	Complies with.	The application erf is situated inside the densification area as determined in the George Spatial Development Framework, 2023. The proposed development will not have a negative impact on surrounding property values and will contribute to the upgrading of the area, which could result in increased property values in the vicinity. The subdivision will assist with the broader goal for George to reach the ultimate density of 25du/ha.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Complies with.	All infrastructure required for the development will be provided by the developer at his cost in accordance with municipal requirements.
Promote land development in locations that are sustainable and limit urban sprawl.	Complies with.	The property is in terms of the George Spatial Development Framework, 2023 located within the urban edge of the George Municipal area and is in terms of the framework targeted for urban development. The proposal will thus not result in urban sprawl.
Result in communities that are viable.	Complies with.	The development of the Remainder of Erf 2795 George with a new dwelling house, as proposed in this application, will create much needed residential opportunities in the old residential neighbourhood of George South, which will have a positive effect on property values and the economy of George. This will result in additional income for the Municipality, which could be used for the improvement of quality of services to all the citizens of George.

Spatial efficiency		
Criteria	Compliance	Planning Implication
Land development optimises the use of existing resources and infrastructure.	Complies with.	The required infrastructure for the proposed development will be provided by the developer at his costs. The proposal will thus not result in infrastructure costs to any external parties. The proposal will thus not place any burden on municipal budget for the provision services infrastructure.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Complies with.	In terms of the contents of this Motivation Report the proposed development will have no negative financial, social, economic or environmental impacts. It will thus be possible to comply with any procedures which the George Municipality has designed to minimise negative financial, social, economic or environmental impacts.
Development application procedures are efficient and streamlined and timeframes are adhered to by all parties.	Complies with.	George Municipality has adopted the George Municipality: Land Use Planning By-law, 2023 which prescribes procedures and time frames developers must comply with when submitting land use applications, and which officials must consider when considering applications. This application has been prepared in accordance with the stipulations of the George Municipality: Land Use Planning By-law, 2023 and the application will therefore be managed and considered in accordance with the time frames as prescribed.

Spatial resilience

Criteria	Compliance	Planning Implication
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.	Complies with.	The application erf is situated within the urban edge of George, according to the George Spatial Development Framework, 2023. The CBD Local Spatial Development Framework, 2012 only refers to George South as a whole and supports subdivision and densification. Thus, the proposal is in line with the MSDF, 2023 and CBD LSDF, 2012.

Good administration		
Criteria	Compliance	Planning Implication
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.	This is general principle that municipalities need to comply with.	Input was received from all spheres of government when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus followed in the preparation of the George Spatial Development Framework. As the development proposal can be deemed to comply with the contents of the George Spatial Development Framework, 2023 it can be stated that the proposal complies with the specific criteria.
All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.	This is general principle that municipalities need to comply with.	Input was received from all government departments and sectors when the George Spatial Development Framework and the CBD Local Spatial Development Framework, 2012 was drafted. An integrated approach, guided by the spatial planning and land

		use management systems as embodied in this Act, was thus followed in the preparation of the two Frameworks. As it can be deemed that the development proposal complies with the contents of the Frameworks, it can be stated that the proposal complies with this specific criterion.
The requirements of any law relating to land development and land use are met timeously.	This is general principle that municipalities need to comply with.	The George Municipality has adopted the George Municipality: By-law on Land Use Planning, 2023 which prescribes procedures and timeframes which developers must adhere to when submitting land use applications and which officials needs to take into consideration when considering applications. This application has been prepared in keeping with the requirements as per the George Municipality: By-law on Land Use Planning, 2023 and the application will from date of submission be dealt with and be considered within the timeframes prescribed in the by-law.
The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.	This is general principle that municipalities need to comply with.	This application will be advertised in accordance with the stipulations as contained in the George Municipality: By-law on Land Use Planning, 2023. All parties will be given the opportunity to participate in the public participation process and will be afforded the opportunity to provide input on the application.
Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.	This is general principle that municipalities need to comply with.	The George Municipality: By-law on Land Use Planning, 2023 contains clear procedures set to inform and empower members of the public. This application will be subjected to these procedures.

As can be seen from the table above, it can be argued that the proposal can be regarded as being compatible with the 5 development principles of SPLUMA.

5.5.3 “Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)”

In terms of the above Act, it is expected of a municipality to consider the compatibility of any development proposal with existing provincial and municipal spatial development frameworks and as well as more detailed local spatial frameworks.

Section 19(1) and 19(2) of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) which is relevant to this application reads as follows:

- 19(1) If a spatial development framework or structure plan specifically provides for the utilization or development of land as proposed in a land use application or a land development application, the proposed utilization or development is regarded as **complying** with that spatial development framework or structure plan.*
- 19(2) If a spatial development framework or structure plan does not specifically provide for the utilization or development of land as proposed in a land use application or a land development application, but the proposed utilization does not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilization or development is regarded as being **consistent** with that spatial development framework or structure plan.”*

The compatibility of the development proposal with existing spatial development frameworks is addressed in points 5.5.5 to 5.5.7 of this report.

The development principles referred to in Section 59 of LUPA, which should also be considered when motivating an application, are directly in line with the principles of SPLUMA which have been discussed in detail in section 5.5.2 above. The comments in paragraph 5.5.2 are thus also relevant as far as Section 59 of LUPA is concerned.

5.5.4 National Heritage Resources Act, 1999 (Act 25 of 1999)

Although the existing structures on the Remainder of Erf 2795 George are indicated on the 1957 aerial photographs, the existing structures will remain unchanged and therefore a Heritage Western Cape Permit application is not required.

The application will however be referred to Heritage Western Cape for comments when the application is advertised for public comment.

5.5.5 Western Cape Provincial Spatial Development Framework (WC-PSDF)

5.5.5.1 Introduction

The Western Cape Provincial Spatial Development Framework (WC-PSDF) not only provides for a new spatial development pattern for the province but also clearly points out where development may and may not take place. The provisions of the development framework must therefore be considered with any development proposal.

In terms of the framework, mention is made of several principles namely spatial justice, spatial sustainability, spatial resilience, spatial efficiency, accessibility and quality of life and good administration to which spatial planning must comply. The impact of the application on spatial justice, spatial sustainability, spatial resilience, spatial efficiency, has already been fully discussed in point 5.5.2 above and it has been shown that the proposed development complies with the mentioned principles.

Several policy statements are also highlighted in terms of the WC-PSDF which must specifically correlate with the mentioned principles. Some of the policy statements that are relevant to this town planning application will be addressed in the following points.

5.5.5.2 Protection of agricultural land

In terms of the WC-PSDF it is indicated that agricultural land must be protected. The Remainder of Erf 2795 George is zoned Single Residential Zone I and is not used for agricultural purposes. This objective of the WC-PSDF is therefore not relevant to this application.

5.5.5.3 Urban edge

The WC-PSDF provides for a guideline which determines that towns should identify an urban edge, and that development should be restricted to areas inside the urban edge. The George

Municipality identified an urban edge, and the Remainder of Erf 2795 George falls within the identified urban edge. As such, the proposed development will not result in "urban sprawl". The proposal therefore meets the requirement of this guideline set out in the WC-PSDF.

5.5.5.4 Densification

In terms of the WC-PSDF, higher densities and more compact cities must be created. The proposed development is for subdivision to create a new residential erf, Portion A will be developed with a new dwelling house, and the Remainder will be for the existing dwelling house and existing second dwelling unit. The increased density of the Remainder of Erf 2795 George will contribute to the overall density requirement of 25du/ha. The proposal therefore complies with this objective of the WC-PSDF.

5.5.5.5 Self-sustainability of development

A further guideline which is laid down is that any development should be self-sufficient. It states that *"the development needs of the present generations should be met without the ability of future generations to meet their own needs, being compromised."* The development as proposed by this application will be self-sufficient and will not place any burden on the future residents of George. The development will in fact make a positive contribution to the improvement of the residents of George's quality of life since it will contribute to the property rates structure of the George Municipality.

The proposed new dwelling house on Portion A of the Remainder of Erf 2795 George, is a big financial investment. As such, the proposed dwelling house will have a positive effect on the economy of George and contribute to the fact that not only the George Municipality, but also various suppliers of materials and services, can generate additional income from the development, income that can be used towards the improvement of the quality of life of the respective service providers as well as the resident of George in general.

The WC-PSDF furthermore states that settlement areas that have sufficient natural resources and an economic development potential to accommodate self-sustaining long-term population growth must be identified and that development outside the areas must be prevented and

developments must be channelled to the settlement areas. George is the main town of the Southern Cape and has already proven that it is a town that has the development potential to be self-sustainable. The proposal will make a positive contribution to the further strengthening of George as a self-sustainable town. The proposal to establish the development within George is therefore in line with the specific guideline of the WC-PSDF.

5.5.5.6 Public Transport

The WC-PSDF states that "non-motorised" and public transport should be promoted. The Remainder of Erf 2795 George is located along the Go-George bus route. The property is thus located within a public transport service PT 1 area as per the George Integrated Zoning Scheme By-law, 2023 in terms of which certain incentives regarding the provision of parking spaces are available to a development. The development proposal will however comply with the normal parking requirements.

5.5.5.7 Summary

From the content of point 5.5.5 it seems clear that the application can indeed be considered compatible with the WC-PSDF.

5.5.6 George Spatial Development Framework, 2023 (GSDF)

The Remainder of Erf 2795 George is located within the study area of the George Spatial Development Framework, 2023 (GSDF) and the framework therefore applies to this application. The property is situated in the "Residential Densification Zone" proposed for the George CBD on Map 23: "George CBD and York Street Southern Precinct" in the George Spatial Development Framework, 2023 (GSDF).

In table 13: "Spatial Elements", "*Residential Densification*" is explained as follows:

- "*Densification zones are areas within existing settlements where residential densification should be accommodated and promoted through appropriate mechanisms such as*

redevelopment, infill, subdivision, second dwellings, sectional title, greenfield or brownfield development.

- *Densification is promoted in all urban areas with specific focus on areas surrounding primary transport corridors and identified nodes. Density – measured as walking distance from public transport route (80u/ha (or more to be motivated) for 150m, 60u/ha in 151-350m and 45u/ha for 351-500m.”*

The subject property is situated in the “*residential densification zone*” and along a public transport route. The proposed subdivision of the Remainder of Erf 2795 George into 2 portions is an acceptable form of densification. The proposed subdivision is therefore consistent with the objectives of the Spatial Development Framework, 2023.

Except for the indication that the application property falls within the Urban Edge of George, as well as within the area identified for “*residential densification zone*” and thus complies with the broader principles for the area, the George Spatial Development Framework, 2023, contains no specific future development proposals for this area which could be used to evaluate the compatibility of a land use application with the Spatial Development Framework.

5.5.7 George CBD Local Spatial Development Framework, 2012

The following extract from the George Central Business District Spatial Development Framework, 2012, gives an indication of the town planning vision / objective for George South:

“Densify the area by subdivisions and second dwelling units in order to still retain the single residential function of the area.”

The proposal is clearly in keeping with the town planning vision / objective for George South as per the George Central Business District Spatial Development Plan, 2012 and there is as such no reason why the application cannot be supported from this point of view.

5.5.8 George Integrated Zoning Scheme By-Law, 2023

The Remainder of Erf 2795 George, which is currently zoned Single Residential Zone I in terms of the George Integrated Zoning Scheme By-Law, 2023, will be subdivided into a Portion A and a Remainder. The George South area encourages higher density residential developments, while retaining its residential character.

The following table indicates the development parameters applicable to Single Residential Zone I in terms of Schedule II of the By-Law mentioned as well as the compliance of the proposal with the different parameters:

Single Residential Zone I (Portion A)		
Development parameter	Description	Adherence
Height	8.5 metres ridge of roof 6.5 wall plate	Complies
Coverage	65%	62.43% - complies
Street building line	3 metres.	Complies
Side building lines	0 metre on one side 1.5 metres on all other sides	Complies
Rear	1.5 metres	Complies
Parking	Normal areas – 2 bays	Complies (2 x double garages)

Single Residential Zone I (Remainder)		
Development parameter	Description	Adherence
Height	8.5 metres ridge of roof 6.5 wall plate	Complies
Coverage	50%	54.57% - Depart
Street building line	4 metres.	Historic dwelling house

Side and rear building lines	2 metres	Complies
Parking	Normal areas – 2 bays	Complies (double tandem garage)

The proposed new dwelling house on the proposed Portion A will comply with all the development parameters applicable to a dwelling house. The existing dwelling house on the proposed “new” Remainder complies, with the exception of coverage and building lines, with all other development parameters. The departure from the coverage and building lines is motivated in point 5.4 and point 6 of this report.

5.5.9 Title Deed

Although the title deed of a property is not a planning document, it sometimes still contains conditions which may have an essential impact on the development potential of a property. The title deed does not contain any restrictive conditions as confirmed in the conveyancer certificate attached hereto as **Annexure “I”**.

5.6 Compatibility of the proposal with the character of the area

The Remainder of Erf 2795 George is located on the corner of Mitchell Street and Laing Street in George South. George South has a residential land use character including subdivisions, second dwellings and group housing developments. The proposed development will be in keeping with this character and can be seen as complementary and supportive of it. No unwanted precedent will therefore be created.

5.7 Compatibility of the proposal with the natural environment

The Remainder of Erf 2795 George is situated within the Urban Edge of George and various subdivisions, and second dwelling units are present in the immediate area. There is little “*natural*” environment in this area, as most properties have been developed to its maximum potential. Most dwelling houses have household gardens and lawns, and a few mature trees are present in the area. The proposed Portion A has no mature trees that restrict the proposed development.

The proposed new dwelling house will thus not have a negative impact on the natural environment and can be considered compatible with the existing natural environment.

5.8 Potential of the erf

The Remainder of Erf 2795 George is located within the study area of the George Spatial Development Framework, 2023 (GSDF) and the framework therefore applies to this application. The erf is situated in the “*Residential Densification Zone*” proposed for George CBD on Map 23: “*George CBD and York Street Southern Precinct*” in the George Spatial Development Framework, 2023 (GSDF).

The subject erf is situated adjacent to the George CBD, in the neighbourhood George South which is earmarked for residential densification. The proposed subdivision into 2 portions is in line with the spatial objectives for the immediate area surrounding the CBD and will fit the environment as various properties in the immediate area are being developed to their maximum potential through subdivisions.

5.9 Access to the erf

Erf 2795 George is located on the corner of Mitchell Street and Laing Street. The existing dwelling house on the proposed Remainder has a double garage and gains access off Laing Street. A portion of the access from Laing Street will be closed. The remaining access from Laing Street will have a width of 6.5 metres. The proposed Portion A will gain access via two access points from Mitchell Street as proposed on the site plan and floor plan attached hereto as **Annexure “C”**. The departure from the access requirements as per the George Integrated Zoning Scheme By-law, 2023 is motivated in point 6 of this report.

Access is thus not a concern for the proposed subdivision of the Remainder of Erf 2795 George.

5.10 Provision of parking

In terms of the development proposal for the Remainder of Erf 2795 George it is proposed to subdivide the erf into a Portion A and a Remainder.

The parking requirements applicable to different land uses are set out in a table in Section 42 of the George Integrated Zoning Scheme By-Law, 2023. The following table indicates the provision of parking in terms of a “*Normal Area*” and the compliance for each proposed portion.

Provision of parking		
Zoning	Description	Adherence
Single Residential Zone I (Portion A)	2 bays	Complies – 2 x double garages.
Single Residential Zone I (Remainder)	2 bays	Complies –double garage and two parking bays in front of double garage.

The provision of parking therefore complies with the parameters of the George Integrated Zoning Scheme By-law, 2023.

5.11 Provision of services

Existing municipal services are available to the application erf. Should any upgrade or extension of services be required because of this application, this will be at cost of the developer and to the satisfaction of the municipality. The proposal will thus not result in infrastructure costs to any external parties and will thus not place any burden on the municipal budget for the provision services infrastructure.

The proposed subdivision of the application erf will, therefore, not have a negative impact on the provision of services to the surrounding area. The proposal will result in more effective utilisation of existing municipal services, which is one of the objectives of the Western Cape Provincial Spatial Development Framework.

6. DESIRABILITY OF THE APPLICATION FOR PERMANENT DEPARTURES (COVERAGE AND SITE ACCESS AND EXITS) IN RESPECT OF THE PROPOSED PORTION A, AS WELL AS BUILDING LINE RELAXATION IN RESPECT OF THE PROPOSED REMAINDER

6.1 Introduction

The George Integrated Zoning Scheme By-law, 2023 provides the development parameters applicable to the respective zonings. In terms of the development parameter (b) applicable to a “dwelling house” as per the George Integrated Zoning Scheme By-Law, 2023 the coverage for an erf with a size of greater than 500m² but not exceeding 1000m² is 325m² or 50% whichever is greater.

In terms of the proposal, the Remainder with the existing dwelling house and second dwelling unit requires a departure to allow a coverage of 54.57% in lieu of the prescribed 50%.

Furthermore, Section 45 of the George Integrated Zoning Scheme By-law, 2023 state the following:

“45(4) Vehicle entrances and exit ways to and from a property must conform to the following requirements:

(b) despite paragraph (a), where a total length of any street boundary of a site is 30 metres in length or more, one additional carriageway crossing may be permitted, provided that no two carriageway crossings are closer than 12 metres to each other”

In terms of the development proposal for Portion A, departure is required from Section 45(4)(b) to allow for a second carriageway crossing from Mitchell Street to Portion A as Portion A will have a street frontage of less than 30 metres and the 2-carriageway crossing will be closer than 12 metres apart.

The George Integrated Zoning Scheme By-law, 2023 provides the development parameters applicable to the respective zonings. In terms of the development parameter (b) applicable to a

“dwelling house” as per the George Integrated Zoning Scheme By-law, 2023 the building lines for the existing dwelling house and second dwelling unit on the proposed Remainder of Erf 2795 George are as follows:

(d) “Building lines

- (i) The street building line is at least 4 metres.*
- (ii) Side and rear building line are at least 2 metres.”*

To legalize the historic dwelling house and second dwelling unit on the proposed Remainder the following building line relaxations are required:

- the eastern street boundary building line from 4 metres to 1,3 metres to accommodate the existing historic dwelling house.
- the northern street boundary building line from 4 metres to 2,5 metres to accommodate the existing historic dwelling house and stoep.
- the western side boundary building line from 2 metres to 1,120 metres to accommodate the existing second dwelling unit.

The building lines that are applied for is indicated on the site plan and building plans which are attached hereto as **Annexure “C”**.

Specific issues which must be addressed in the motivation of applications are highlighted in the George Municipality Land Use Planning By-Law, 2023. These issues are, however, aimed at more complex applications and are not applicable to lesser applications, such as permanent departures in respect of coverage and site access and exits.

This application will therefore be motivated with reference to the following aspects:

- *Compatibility of the proposal with the existing planning and land uses of the surrounding area.*
- *The impact that the proposal will have on the environment.*
- *The impact that the proposal will have on traffic and parking in the surrounding area.*

- *The impact that the proposal will have on surrounding facilities such as schools, open spaces and other community facilities, should the application result in an increase in the population of the area concerned.*
- *The impact that the proposal will have on the existing character of the surrounding area and the right of the inhabitants of the area in respect of property values, privacy, view, sunlight, et cetera.*
- *Provision of essential services.*

6.2 Existing planning in the area

Erf 2795 George is located in the neighbourhood known as George South, adjacent to George CBD. This neighbourhood is primarily characterized by single residential erven. However, due to the location in relation to the CBD, the properties started to be developed to their maximum potential, including subdivisions. Due to smaller sized properties, where the total length of the street boundary is less than 30 metres, a departure is required for a second carriageway crossing to a public road. Additional carriageway crossings are fairly common due to smaller erf sizes.

The building line relaxation for the historic dwelling house and second dwelling unit is justifiable, as the structure has been in its current position for many years and forms part of the established built environment.

The second carriageway crossing as proposed in this application will thus not create an undesirable precedent and can as far as the applicant is concerned be accommodated within the existing planning of the area.

Similarly, the minor coverage departure to allow for a coverage of 54.57% is justifiable as it reflects the established built form and does not introduce new impacts.

6.3 Impact on schools, open spaces and other community facilities

The subdivision and second carriageway crossing as proposed will not have a detrimental impact on schools, open spaces or community facilities. Various primary schools are present in the

immediate surrounding area as well as the York High School. From the latter it is clear that this application will not have a negative impact on these facilities.

The second carriageway crossing as proposed in this application will thus not create an undesirable precedent and can as far as the applicant is concerned be accommodated within the existing planning of the area.

The minor coverage departure of 54.57% cannot have any impact on schools, open spaces, or community facilities, as it relates solely to the established built form on the erf.

Furthermore, the building line relaxation cannot have any impact on schools, open spaces or community facilities, as it relates solely to the longstanding position of the existing dwelling house and second dwelling unit.

6.4 Impact on sunlight, view and privacy

The impact on sunlight, view and privacy is not applicable to a second carriageway crossing as proposed for Portion A. The proposed dwelling house on Portion A will comply with all the development parameters such as height, coverage and building lines. The additional carriageway crossing cannot have any impact on the sunlight, view and privacy of the surrounding neighbours.

Similarly, the minor coverage departure of 54.57% does not affect sunlight, view or privacy, as it relates only to the established built form and remains within acceptable planning parameters.

The building line relaxation on the proposed remainder does not negatively affect sunlight, view or privacy, since the dwelling house and second dwelling unit have been in its current position for years and no new impacts are introduced.

The coverage, second carriageway crossing and building line relaxations as proposed in this application will thus not create an undesirable precedent and can as far as the applicant is concerned be accommodated within the existing planning of the area.

6.5 Impact on streetscape

The second carriageway crossing off Mitchell Street cannot have any negative impact on the streetscape. The prospective homeowner of the new dwelling house on the proposed Portion A, needs to safely store her vehicles on the property, hence the need for 2 double garages as proposed. The proposed garages will provide thus parking for 4 (four) motor vehicles in line with the development parameter g(i) garaging under “dwelling house”.

One of the proposed double garages is located within the common boundary building line, however, complies with the provision applicable to garages, carports and outbuildings. The 2 double garages are not adjacent to each other and are located on either side of the proposed dwelling house. Therefore, the garage that is located in the common boundary building line only has a double garage façade facing the public street.

The second carriageway crossing as proposed in this application will thus not create an undesirable precedent and can as far as the applicant is concerned be accommodated within the existing planning of the area.

Likewise, the minor coverage departure of 54.57% will not negatively affect the streetscape, as it reflects the established built form and maintains its compatibility with the surrounding residential character.

Furthermore, the building line relaxation will not detract from the streetscape, as the historic dwelling house with the small second dwelling unit has long formed part of the area’s established character.

6.6 Impact on property values

As indicated in the previous paragraphs, the proposed subdivision will not have a negative impact on any of the surrounding properties. The development of the proposed new dwelling house on Portion A with 2 double garages will create another housing opportunity. The finishes will be of good quality and a big financial investment for the area. The proposed development will add

value to the underutilized residential erf. The value of surrounding properties cannot be negatively impacted upon by the second carriageway crossing as proposed in this application.

Equally, the minor coverage departure of 54.57% cannot negatively affect property values, as it reflects the established built form and contributes positively to the overall investment and quality of the area.

The building line relaxation cannot negatively affect property values, as the dwelling house and second dwelling unit have been in its current position for years and contribute positively to the neighborhood's established fabric.

6.7 Impact on the provision of parking

The proposed second carriageway crossing will have no impact on the provision of parking, it will in fact create the desired amount of parking for the owner, while complying with the maximum allowed garages on an Erf with the size of less than 1000m². Both the existing dwelling house with a small second dwelling unit and proposed new dwelling house will comply with the parking requirements applicable.

The second carriageway crossing as proposed in this application will thus not create an undesirable precedent and can as far as the applicant is concerned be accommodated within the existing planning of the area.

Moreover, the minor coverage departure of 54.57% has no adverse effect on parking provision, as more than the required bays are provided through the double tandem garages.

The building line relaxation has no adverse effect on parking provision, as the existing dwelling house and second dwelling unit have long been accommodated on the site and makes provision for 4 parking bays, by means of a double garage and two parking spaces in front of the double garage.

6.8 Impact on traffic circulation

The proposed second carriageway crossing for the proposed Portion A will not have any negative impact on traffic circulation. Although mature trees are present on the sidewalk, the trees will remain and access as proposed will not have any negative impact on the existing mature trees. The second carriageway crossing is very common in a densification area.



The properties located opposite the Remainder of Erf 2795 George in Mitchell Street have 2 carriageway crossings adjacent to each other, although they are for separate erven, the carriageway crossing in close proximity to each other does not pose any negative impact. Indicated in the image above, the proposed carriageway crossings for Portion A are indicated with red lines. These proposed carriageway crossings are not located directly opposite any existing carriageway crossings and cannot therefore have any negative impact on the traffic circulation in Mitchell Street.

The second carriageway crossing as proposed in this application will thus not create an undesirable precedent and can as far as the applicant is concerned be accommodated within the existing planning of the area.

Similarly, the minor coverage departure of 54.57% has no bearing on traffic circulation, as it relates only to the established built form and does not influence access or movement patterns.

The existing historic dwelling house and second dwelling unit on the Remainder have a single access on the northern street boundary, Laing Street, a portion of which will be closed with the remaining access which will comply with the maximum allowable width of an access and measures 6.5 metres wide. This access has been in continuous use for many years without any adverse impact on traffic circulation.

6.9 Provision of services

The provision of services to the proposed new dwelling house on Portion A and the existing dwelling house with a small second dwelling unit on the proposed Remainder will not be negatively impacted by the departure applications.

Equally, the minor coverage departure of 54.57% and building line relaxations have no impact on service provision, as it relates only to the established built form and does not affect infrastructure capacity.

6.10 Firefighting

The firefighting requirements stipulated in the fire-regulations will be complied with for the proposed development. Firefighting requirements will be addressed during the building plan phase and therefore the existing dwelling house with a second dwelling unit and proposed new dwelling house will be fully compliant with the firefighting regulations.

The minor density coverage departure of 54.57% and building line relaxations have no impact on firefighting compliance, as all requirements will be met during the building plan approval process.

7. CONCLUSION

The motivation above indicates that the proposed development is compatible with all existing planning documents, spatial plans, legislation and policy documents applicable to the applications.

The proposal will not have a negative impact on the environment, development, public facilities, traffic circulation or Municipal services in the surrounding area.

The applications can therefore be considered desirable and are submitted for consideration in terms of the relevant stipulations of the Land Use Planning By-Law for the George Municipality, 2023.

ANNEXURE "A": APPLICATION FORM



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)	Johannes George		
Surname	Vrolijk		
SACPLAN Reg No. (if applicable)	A/1386/2010		
Company name (if applicable)	Jan Vrolijk Town Planner / Stadsbeplanner		
Postal Address	P O Box 710		
	George	Postal Code	6530
Email	janvrolijk@jvtownplanner.co.za		
Tel	044 873 3011	Fax	086 510 4383
		Cell	082 464 7871

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

Registered owner	Jodi Mostert		
Address	39 Mitchell Street		
	George	Postal code	6529
E-mail	tiekiemostert@telkomsa.net		
Tel	N/a	Fax	N/a
		Cell	0824170032

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

Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	Erf 2795 George
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Physical Address	39 Mitchell Street										
GPS Coordinates					Town/City		George				
Current Zoning	Single Residential Zone I			Extent	978m²			Are there existing buildings?	Y	N	
Current Land Use	Dwelling house and associated outbuildings										
Title Deed number & date	T36422/2026										
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).								
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies).								
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	N/a		Reference number	N/a		Date of consultation	N/a				
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 2270 and 20240, George

PART F: DETAILS OF PROPOSAL

Brief description of proposed development / intent of application:

- Application is made in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 for the subdivision of the Remainder of Erf 2795 George into a Portion A ($\pm 396\text{m}^2$) and a Remainder ($\pm 582\text{m}^2$).
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from the coverage applicable to the proposed Remainder from 50% to 54.57%.
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from Section 45(4)(b) of the George Integrated Zoning Scheme By-law, 2023 to allow for a second carriageway crossing from Mitchell Street to Portion A on a street frontage of less than 30 metres and closer than 12 metres apart.
- Application is made in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the following building lines on the proposed Remainder of Erf 2795 George:
 - the eastern street boundary building line from 4 metres to 1,3 metres to accommodate the existing historic dwelling house.
 - the northern street boundary building line from 4 metres to 2,5 metres to accommodate the existing historic dwelling house and single carport.
 - the western side boundary building line from 2 metres to 1,120 metres to accommodate the existing second dwelling unit.

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)
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) (~~strikethrough irrelevant~~)	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
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) – In the process	Y	N/A	Specific Environmental Management Act(s) (SEMA)
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)			(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental -- Management: Air Quality Act, 2004 (Act 39 of 2004),
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008),
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			National Environmental Management: Waste Act, 2008 (Act 59 of 2008),
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			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	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.			

Y	N	<i>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?</i>
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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 September 2026

Full name:

Johannes George Vrolijk

Professional capacity:

Professionele Stadsbeplanner

SACPLAN Reg. Nr:

A/1386/2010

ANNEXURE "B": SUBDIVISION PLAN



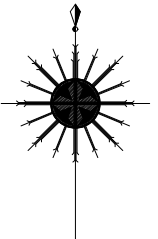
APPLICATION FOR SUBDIVISION OF ERF 2795 GEORGE

1. Application

Application is made in terms of Section 15(2)(D) of the George Municipality: By-Law on Municipal Land Use Planning, 2023 for the subdivision of Erf 2795 George into a Portion A (±396m²) and a Remainder (±582m²).

2. Zoning

Portion A: Single Residential Zone I
Remainder: Single Residential Zone I



REVISION	DATE	DESCRIPTION	BY
1	2026-09-01	Subdivision	JV

Subdivision

Erf 2795 George

 **JAN VROLIJK JV TOWN PLANNER • STADSREPLANNER**

SCALE **NTS** **SKAAL**

PLANNED	PLAN NO.
SEP-26	2795/1

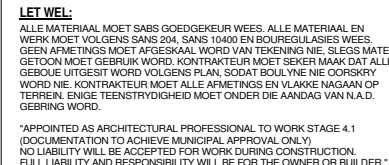
DRAWN	REV NO.
GETTSEN	1

DATE	NAME
September 2026	Subdivision plan

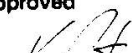
**ALL MEASUREMENTS APPROXIMATE
ALLE AFMETINGS BY BENADERING**

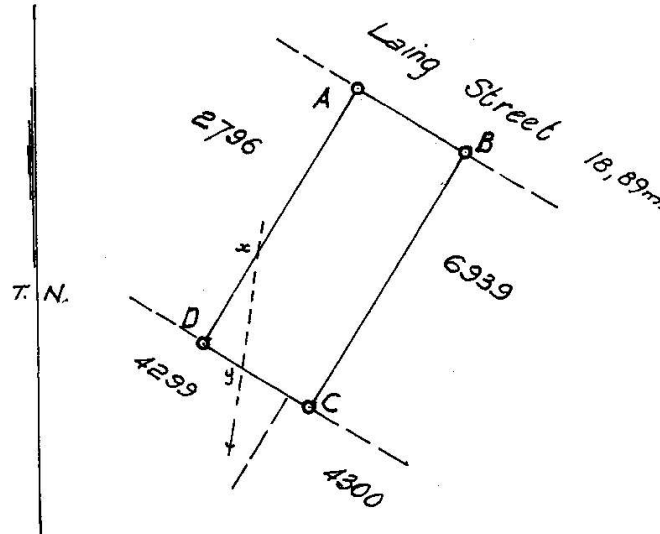
KOPIEREG VOORBEHOU / COPY RIGHT RESERVED

**ANNEXURE "C": PROPOSED SITE PLAN AND FLOOR PLAN FOR DWELLING HOUSE
ON PORTION A**



**ANNEXURE "D": SURVEYOR GENERAL DIAGRAMS OF ERVEN 6938 AND 6939
GEORGE**

SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES System			X	S.G. No.
AB	18,89	A	90					7774/74
BC	45,72	B	90					Approved
CD	18,89	C	90					
DA	45,72	D	90					Surveyor-General 3-2-1975

Beacons:-

A, B & C, iron peg 12 m.m. dia.
D, " 16 m.m. dia.

The broken line x-y represents a concrete storm water drain underground.

Scale: 1/1000

The figure ABCD _____
represents 864 Sq. metres. _____ of land, being
— Erf 6938 portion of Erf 2795 George —
situate in the Municipality of George, _____
Administrative District of George, _____ Province of Cape of Good Hope.
Surveyed in Oct. 1974
by me, _____ Land Surveyor

This diagram is annexed to	The original diagram is	File No. S/8775/130
No. <i>25520/75</i>	No. <i>A1440/1927</i> annexed to	S.R. No. E. 2157/74
dated	Transfer/ ~~Grant~~	Comp. <i>BL-700</i>
i.f.o.	No. <i>1927-102-4494</i>	<i>X418 X43</i> (1751) (1753)
Registrar of Deeds		<i>B</i>

APPROVED IN TERMS OF SECT. 9 ORD. 33/1934 SECT. 196 ORD. 15/1952	CONDITIONS	
	WITH	WITHOUT
	✓	
REF..... <u>RF. 20.13/A7A</u>		
DATED..... <u>26.7.1974</u>		
 SURVEYOR-GENERAL		

Municipality of George

I certify that the lawful requirements
of my Council, arising out of this
subdivision, have been complied with.


 Town Clerk
 26/12/74

OFFICE COPY

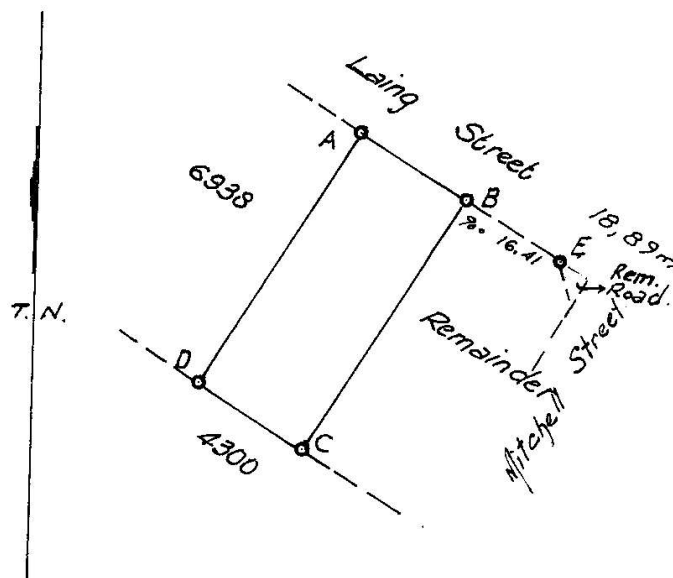
SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES	
		Y System	X
AB 18,89	A 90°		
BC 45,72	B 90		
CD 18,89	C 90		
DA 45,72	D 90		

S.G. No.

7775/74

Approved

L. J. G. G.
 ✓ Surveyor-General
 3-2-1975

Beacons:-

E. A.B.C & D, iron peg 12 m.m. dia.

Scale: 1/1000

The figure ABCD represents 864 Sq. metres of land, being

Erf 6939 portion of Erf 2795 George situate in in the Municipality and

Administrative District of George,

Province of Cape of Good Hope.

Surveyed in Oct. 1974

by me,

T. J. G. G.

Land Surveyor

This diagram is annexed to

The original diagram is

File No. S/8775/130

No. 25520/75
 dated
 i.f.o.

No. 1440/1927 annexed to
 Transfer/Grant

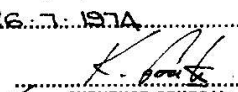
S.R. No. E. 2157/74

Comp. BL-700
X 418 X 43
(1751) (1753)

No. 1927-102-4494

Registrar of Deeds

DUKESPRINT

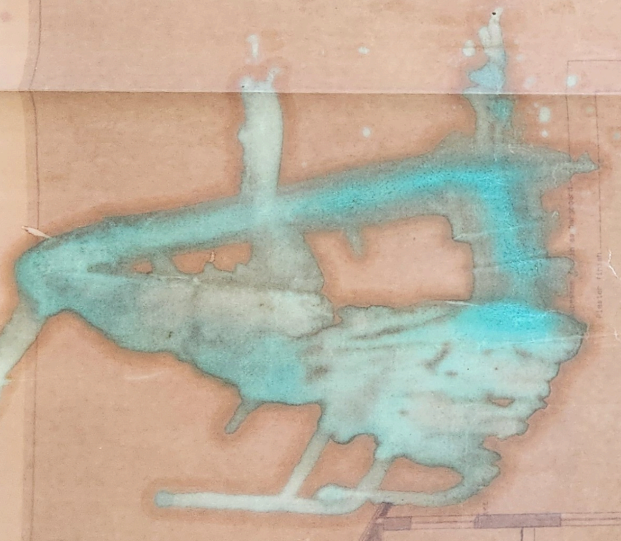
APPROVED IN TERMS OF SECT. 9 ORD. 33/1934 SECT. 196 ORD. 15/1952	CONDITIONS	
	WITH	WITHOUT
	✓	
REF..... <u>RE 20/3/47A</u>		
DATED..... <u>26.7.1974</u>		
 SURVEYOR-GENERAL		

Municipality of George

I certify that the lawful requirements
of my Council, arising out of this
subdivision, have been complied with,

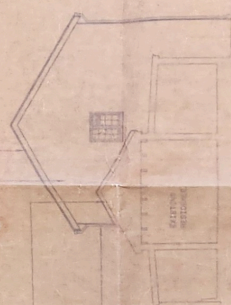

 Town Clerk
 26/10/74

**ANNEXURE "E": APPROVED BUILDING PLAN DATED 5 DECEMBER 1990 FOR THE
EXISTING DWELLING HOUSE ON THE REMAINDER**

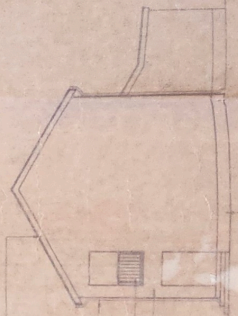


SITE PLAN:
SCALE: 1:200

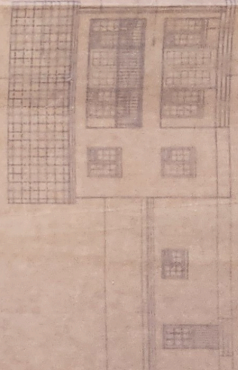
DATE	1/10/10
BY	GOEDGE
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	
CHECKED	
DATE	



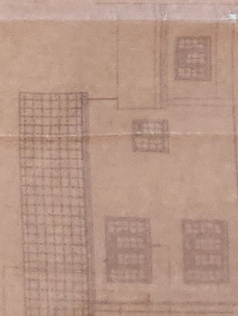
SECTIONAL NORTH ELEVATION:



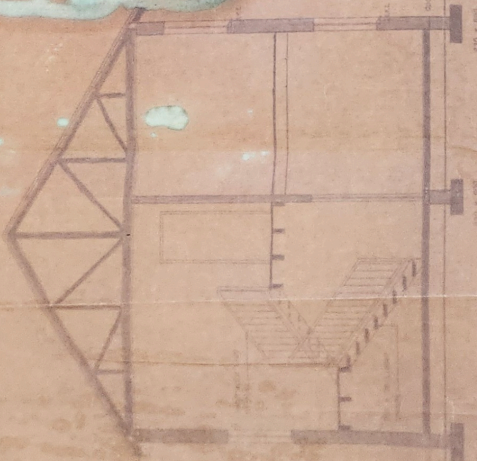
SOUTH ELEVATION:



WEST ELEVATION:



EAST ELEVATION:



SECTION: B-B
SCALE: 1:50

DATE	1/10/10
BY	GOEDGE
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	
CHECKED	
DATE	

237
DESIGNS
ARCHITECTURE
100 RIVER ST. SUITE 100
MELBOURNE VIC 3000
TEL: 03 9412 7300

DRAWING NO.
2834-A

NOTES:

1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 1992 AND THE VICTORIAN BUILDING REGULATIONS 1993.

2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

3. THE CLIENT IS RESPONSIBLE FOR PROVIDING ALL NECESSARY INFORMATION AND DOCUMENTATION TO THE ARCHITECT.

4. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY DELAYS OR COST OVERRUNS CAUSED BY THE CLIENT'S FAILURE TO COMPLY WITH THE ABOVE CONDITIONS.

REVISIONS:

NO.	1	DATE	1/10/10
BY	GOEDGE	SCALE	1:50
CHECKED		DATE	
DATE		BY	

PROJECT: 2834-A

CLIENT: [Name Redacted]

LOCATION: [Address Redacted]

DATE: 1/10/10

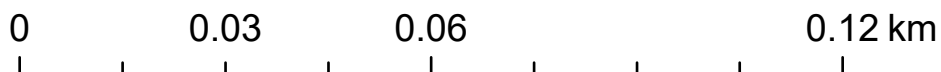
SCALE: 1:50

BY: GOEDGE

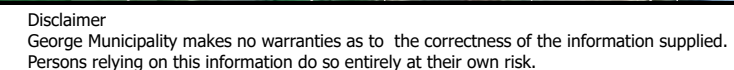
CHECKED:

DATE:

ANNEXURE "F": LOCALITY PLAN



Scale: 1:1,102



George Municipality will not be liable for any claims whatsoever, whether for damages or otherwise, which may arise as a result of inaccuracies in the information supplied.

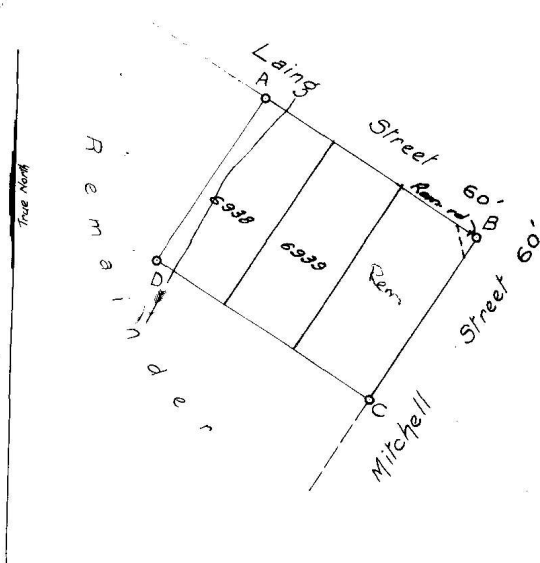
**ANNEXURE "G": SURVEYOR GENERAL DIAGRAM OF THE REMAINDER OF ERF 2795
GEORGE**

No.

General Plan No.

Approved

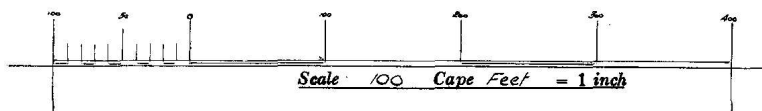
Z. R. B. Smith
for Surveyor General



ANGLES		SIDES	
A	90°	AB	188
B	90°	BC	145.20
C	90°	CD	188
D	90°	DA	145.20

CO-ORDINATES	
A	
B	
C	

X Now Lot 2795
GEORGE



The above figure ABCD represents Morgen,
189 Square Roods, 81.60 Square Feet of land, situated in the Town of George,
Division of George, being *X* Part N°1 of Lot ZC transferred to
Johannes Mattheus Hegns on the 16th May 1882.

Bounded as indicated above

Surveyed and beaconed by me according to regulations

J. R. B. Smith

This Diagram belongs to the transfer deed issued this day,
in favour of *G. M. S. Smith, agent*

12/5/1927 4494

Government Land Surveyor.
Dec. 1926.

Registrar of Deeds.

FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

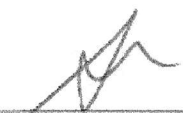
NTU. BL-7DP
X 43

C

ANNEXURE "H": TITLE DEED

MILLERS INC
BEACON HOUSE
123 MEADE STREET
GEORGE
6530

Prepared by me


CONVEYANCER
SALOMÉ VAN WYK (80703)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 1333 000-00	R. 1738-00
Reason for exemption	Category Exemption.....	Exemption i to. Sec/Reg..... Act/Proc.....

T 000036422 / 2026

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

Kelsey Alexa Fortuin
LPCM Number 119780

appeared before me, REGISTRAR OF DEEDS: WESTERN CAPE at CAPE TOWN,
the said appearer being duly authorised thereto by a Power of Attorney granted to
him/her by

THE Estate Late
LEONIE MAY BOARD
Number 001689/2024

which said Power of Attorney was signed at GEORGE on 9 APRIL
2026

And the appearer declared that his/her said principal had, on 11 March 2026, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

JODI MOSTERT
Identity Number 080112 0159 08 3
Unmarried

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

REMAINDER ERF 2795 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE, PROVINCE OF THE
WESTERN CAPE

IN EXTENT 978 (NINE HUNDRED AND SEVENTY EIGHT) Square metres

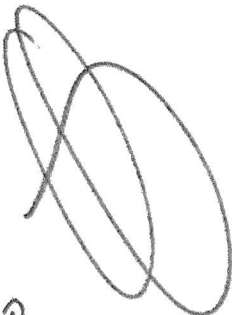
FIRST TRANSFERRED by Deed of Transfer No. T4494/1927 with Diagram No. A1440/1927 relating thereto and held by Deed of Transfer No. T77597/2004.

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T4196/1912.
- B. **SUBJECT FURTHER** to the terms of the endorsement dated 27th August 1975 on Deed of Transfer No. T32481/1969, which endorsement reads as follows:

RESTANT

Kragtens Akte van Transport 31812/1978 is die Restant ONDERHEWIG aan die volgende voorwaardes opgelê deur die Administrateur van die Kaapprovinsie ingevolge Artikel 9 van Ordonnasie 33 van 1934 tydens sy goedkeuring van die Onderverdeling van Erf 2795, George, welke voorwaardes ook opgelê word ten opsigte van die Restant van Erf 2795 George, naamlik:-

- "(a) The owner of this erf shall without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right to access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
- (b) The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on this erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build a retaining wall to the satisfaction of and within a period to be determined by the local authority."



Lexis® Convey 19.0.5.1

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

Estate Late LEONIE MAY BOARD

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

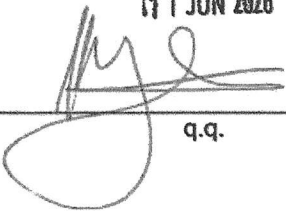
JODI MOSTERT , Unmarried

her Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 333 000,00 (ONE MILLION THREE HUNDRED AND THIRTY THREE THOUSAND RAND) .

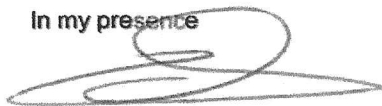
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

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

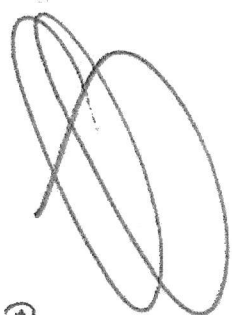
11 JUN 2026


q.q.

In my presence



REGISTRAR OF DEEDS





ANNEXURE "I": POWER OF ATTORNEY

POWER OF ATTORNEY

I, the undersigned

Jodi Mostert

the registered owner of

Remainder of Erf 2795 George

do hereby appoint Jan Vrolijk Town Planner/Stadsbeplanner to prepare, sign and submit the following applications to the George Municipality:

- An application in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 for the subdivision of the Remainder of Erf 2795 George into a Portion A ($\pm 396\text{m}^2$) and a Remainder ($\pm 582\text{m}^2$).
- An application in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for a permanent departure from the coverage applicable to the proposed Remainder from 50% to 54.57%.
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from Section 45(4)(b) of the George Integrated Zoning Scheme By-law, 2023 to allow for a second carriageway crossing from Mitchell Street to Portion A on a street frontage of less than 30 metres and closer than 12 metres apart.
- An application in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the following building lines on the proposed Remainder of Erf 2795 George:
 - the eastern street boundary building line from 4 metres to 1,3 metres to accommodate the existing historic dwelling house.
 - the northern street boundary building line from 4 metres to 2,5 metres to accommodate the existing historic dwelling house and single carport.
 - the western side boundary building line from 2 metres to 1,120 metres to accommodate the existing second dwelling unit.

Signed at George on 14 September 2026


Jodi Mostert

ANNEXURE "J": CONVEYANCER CERTIFICATE

CONVEYANCER'S CERTIFICATE

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

REMAINDER OF ERF 2795 GEORGE

APPLICATION DETAILS

- An application in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 for the subdivision of the Remainder of Erf 2795 George into a Portion A ($\pm 396\text{m}^2$) and a Remainder ($\pm 582\text{m}^2$).
- An application in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 for a permanent departure from the coverage applicable to the proposed Remainder from 50% to 54.57%.
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from Section 45(4)(b) of the George Integrated Zoning Scheme By-law, 2023 to allow for a second carriageway crossing from Mitchell Street to Portion A on a street frontage of less than 30 metres and closer than 12 metres apart.
- An application in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the following building lines on the proposed Remainder of Erf 2795 George:
 - the eastern street boundary building line from 4 metres to 1,3 metres to accommodate the existing historic dwelling house.
 - the northern street boundary building line from 4 metres to 2,5 metres to accommodate the existing historic dwelling house and single carport.
 - the western side boundary building line from 2 metres to 1,120 metres to accommodate the existing second dwelling unit.

APPLICATION DATE

August 2026

I, the undersigned

ANDALEEN CHIMES a duly qualified and admitted Conveyancer, practicing at A Chimes & Van Wyk Attorneys, Cathedral Street, George do hereby certify as follows:

1. I have perused the following title Deed/s and conducted a search behind the pivot of the said title deed/s at the Deeds Office, Cape Town:

T36422/2026 (current Title Deed)

in respect of:

**REMAINDER OF ERF 2795 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT: 978 (NINE SEVEN EIGHT) SQUARE METRES

HELD BY DEED OF TRANSFER NUMBER T36422/2026

REGISTERED in the name of

JODI MOSTERT

2. I have appraised myself with the details of the abovementioned Land Development Application.
3. The abovementioned Title Deed contains no conditions restricting the contemplated Land Use in terms of the abovementioned Land Development Application.
4. There is no bond registered over the property.

SIGNED at GEORGE on 10 September 2026

A handwritten signature in black ink, appearing to read 'J. Mostert', written in a cursive style.

CONVEYANCER