



The Municipal Manager
P O Box 19
George
6530

Reference: Erf 227 George

25 March 2024

Sir

APPLICATION FOR SUBDIVISION: REMAINDER OF ERF 227 GEORGE

Attached hereto, please find an application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of the Remainder of Erf 227 George into a Portion 1 ($\pm 1\,901\text{m}^2$), a Portion 2 ($\pm 799\text{m}^2$) and a Portion 3 ($\pm 752\text{m}^2$).

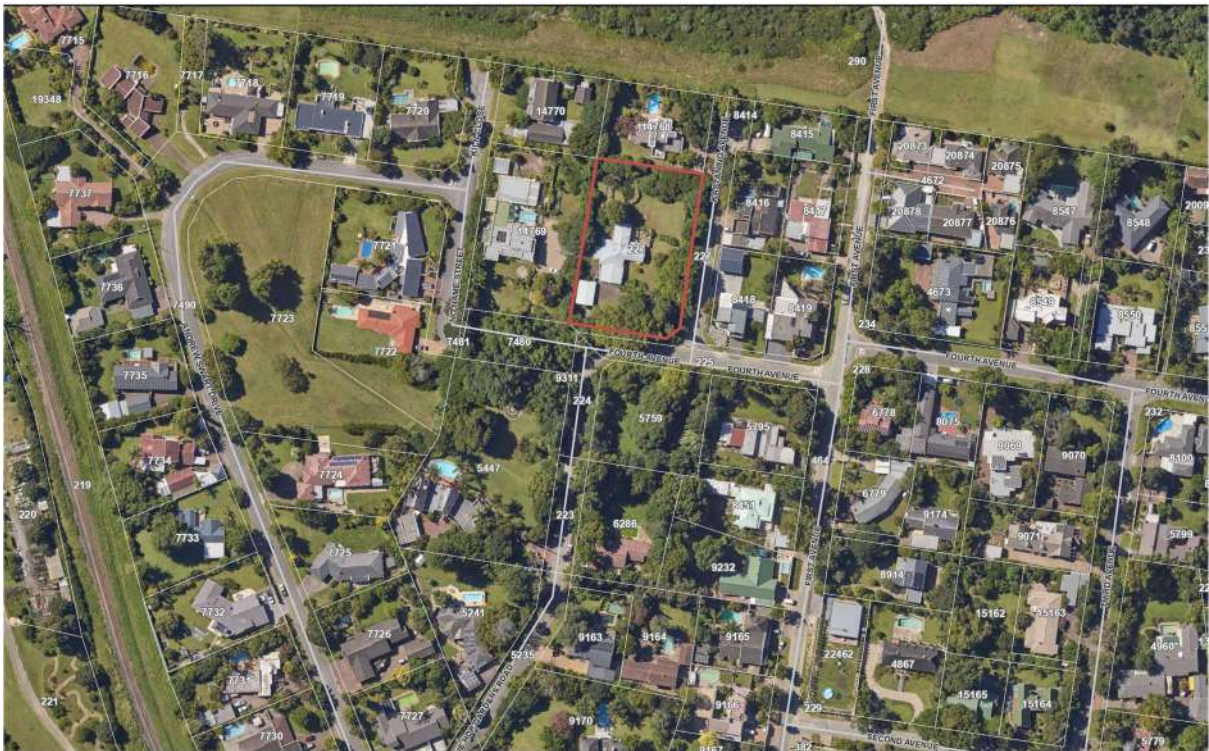
Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

Jan Vrolijk

**MOTIVATION REPORT
APPLICATION FOR SUBDIVISION
REMAINDER OF ERF 227 GEORGE**

25 March 2024



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MOTIVATION REPORT:
APPLICATION FOR SUBDIVISION:
REMAINDER OF ERF 227 GEORGE

1. APPLICATION

Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of the Remainder of Erf 227 George into a Portion 1 ($\pm 1901\text{m}^2$), a Portion 2 ($\pm 799\text{m}^2$) and a Portion 3 ($\pm 752\text{m}^2$) as indicated on the proposed subdivision plan attached hereto as **Annexure "A"**.

It should be noted that original Erf 227 George has previously been subdivided and the road remainder which is indicated as figure a to f on the subdivision plan attached hereto as **Annexure "A"** already vest with the George Municipality as a result of the previous approval. It is thus not possible to once again include the road portion into this application.

The completed municipal application form for the proposed subdivision is attached hereto as **Annexure "B"**.

2. DEVELOPMENT PROPOSAL

The Remainder of Erf 227 George has been developed with a 4-bedroom dwelling house and a triple garage. The dwelling house is situated on the western portion of the erf. The development is rounded off by means of a neatly kept garden, consisting of lawn, shrubs and trees and a swimming pool on the northern side of the dwelling house. A steel palisade street boundary fence with a steel sliding gate provides vehicular access from The Hop Gardens Road, with a diamond mesh fence on the Kastaiing Avenue boundary.

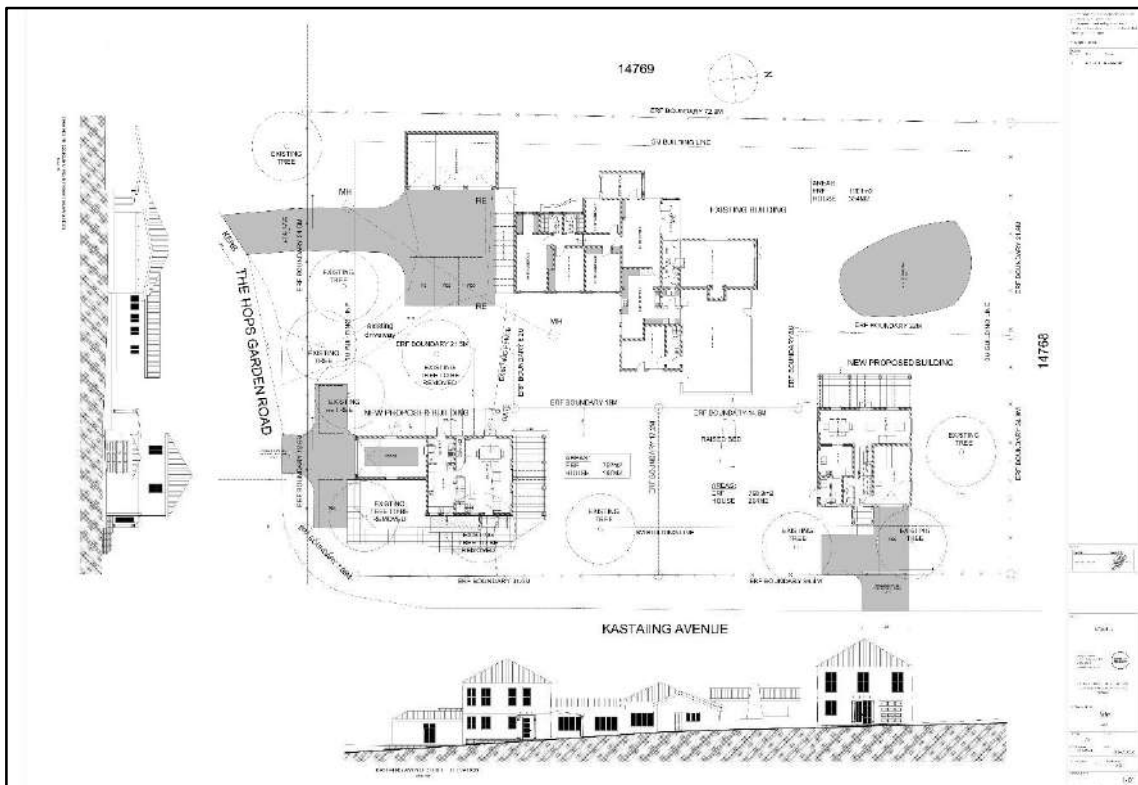
The owner intends subdividing the application erf into 3 Single Residential Zone I erven and to develop the dwelling houses on Portions 2 and 3 as indicated on the proposed site and building plan, attached hereto as **Annexure "C"**. Portions 2 and 3 will be situated on the eastern side of

the erf. Portion 2 will have a size of 799m² and Portion 3 will have a size of 752m². Portion 1 on which the existing dwelling house is located will have a size of 1 901m².

Vehicular access to proposed Portion 3 will be from The Hop Gardens Road, and access to proposed Portion 2 will be from Kastaiing Avenue. The existing access to the dwelling house on the Portion 1 will be relocated westwards, closer to the garages, to accommodate the proposed access to Portion 3.

Portions 2 and 3 will be transferred to the owners two daughters who will develop the erven with the dwelling units as indicated on the proposed site and building plan attached hereto as **Annexure "C"**. The dwelling units to be developed will be double storey buildings with the dwelling unit on Portion 2 having a proposed size of 204m² and the proposed dwelling unit on Portion 3 having a size of 187m².

The following plan indicates the proposed subdivision lines as well as the locality of the existing and proposed dwelling units on the erf.



A copy of the proposed site and building plan, is attached hereto as **Annexure “C”**. The purpose of this application is to obtain approval for the proposed subdivision to enable the transfer of the proposed Portions 2 and 3 as separate residential erven.

3. PRE-APPLICATION CONSULTATION

The pre-application consultation discussion of the proposed application by the relevant officials of George Municipality took place on 22 February 2024.

The signed pre-application consultation application form contains the following comments that need to be addressed in the application:

“Town Planning:

- *The rationale for group housing is not explained. There are two other options for the owner to consider being 1) third dwelling (consent for 3rd Dwelling on properties larger than 1200m² - note units cannot be alienated and 2) Subdivision into 3 and retain the ‘Single Residential Zone I’ zoning.*
- *Number of units may be restricted to 1 unit per erf.*
- *Application subject to the Municipality’s service department certifying that adequate services network capacity is available to serve the needs for basic minimum services required for the development.*
- *Applicant to ensure that development parameters are complied with such as building lines etc. Departures will be required where applicable.*
- *To provide parking and access as per the requirements set in Section 42 and 45 of the George Integrated Zoning Scheme, 2023.*
- *Applicant to motivate in terms of SPLUMA , MSDF 2023, LSDF’s etc. Subdivision size to be motivated in terms of the general minimum erf sizes found in the area.*
- *To indicate the building lines applicable to the proposed subdivided erven and apply for building line relaxations were applicable.*

CES:

- *Access: restricted to the existing access within Fourth avenue as per the GIZS 2023.*
- *Parking: Must conform with the GIZS 2023. No parking allowed within the road reserve.*
- *Water & Sewer: Available subject to the capacity required.*
- *DC's: DCs will be applicable*
- *Stormwater: Development to adhere to the applicable Stormwater by-law.*

ETS:

- *Development noted. DC's will be applicable."*

No negative issues were mentioned, and permission was granted to proceed with the submission of the application. The issues raised in the Town Planner's comments, are addressed in the respective points in this motivation report.

The signed pre-application consultation form with the municipal comments on the proposal is attached hereto as **Annexure "D"**.

4. GENERAL INFORMATION REGARDING THE REMAINDER OF ERF 227 GEORGE

4.1 Locality

The Remainder of Erf 227 George is situated at 4 The Hop Gardens Road, Fernridge, George. The locality of the application erf is indicated on the locality plan which is attached hereto as **Annexure "E"**.

4.2 Existing land use

The Remainder of Erf 227 George is currently developed with a dwelling house and is used for single residential purposes.

4.3 Extent

In terms of the Title Deed, the Remainder of Erf 227 George is 4 549m² in extent.

4.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023, the zoning of the Remainder of Erf 227 George is Single Residential Zone I.

4.5 Surveyor General Diagram

A copy of the Surveyor General Diagram of the Remainder of Erf 227 George is attached hereto as **Annexure “F”**.

4.6 Title Deed

The Remainder of Erf 227 George is registered in the names of Norah Susanne Taylor, ID Number 440723 0063 08 6. The Title Deed of the application erf is attached hereto as **Annexure “G”**.

4.7 Power of Attorney

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Norah Susanne Taylor, the registered owner of the Remainder of Erf 227 George, to prepare the application referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “H”**.

4.8 Bondholder’s Consent

The Remainder of Erf 227 George is not encumbered by a bond.

4.9 Conveyancer Certificate

A Conveyancer Certificate in respect of the Remainder of Erf 227 George is attached hereto as **Annexure “I”**. The Conveyancer Certificate confirms that there are no conditions in the Title

Deed of the application erf which restrict the development of the erf as proposed in this application.

5. DESIRABILITY OF THE APPLICATION FOR THE SUBDIVISION OF THE REMAINDER OF ERF 227 GEORGE

5.1 Introduction

The term "desirability" in the land use planning context, may be defined as the degree of acceptability of the land uses 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 subdivision of the Remainder of Erf 227 George can be regarded as being desirable as far as the mentioned aspects are concerned.

5.2 Physical characteristics of the property

5.2.1 Topography

The application erf slopes downwards from the north-west to the south-east. The topography of the erf had been considered in the development of the existing dwelling house. The topography

is of such a nature that it will not have a negative impact on 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 soil condition of the application erf seems stable. The existing structures on the application erf and in the vicinity of the erf do not appear to have construction anomalies relating to unstable soil conditions. It can, therefore, be accepted that the soil condition is suitable to accommodate the proposal.

There is as such, no reason why this application cannot be supported.

5.2.3 Vegetation

The vegetation on the application erf consists of a large, neatly kept lawn, with an abundance of shrubs and a few large trees scattered across the erf. Due to the dense vegetation along the erf boundaries, very little is visible of the buildings on the erf, as indicated on following photo, which was taken north-westwards at the junction of Kastaiing Avenue with The Hop Gardens Road.



As indicated on the proposed site plan and building plan, 3 of the exotic trees will have to be removed to accommodate the new dwelling house on the proposed Portion 1. No trees need to be removed to accommodate the new dwelling house on the proposed Portion 2.

Vegetation will therefore have no influence on the proposed development.

5.2.4 Other characteristics

The application erf is not affected by flood lines, fountains, or other unique ecological habitats.

5.2.5 Conclusion

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

5.3 Proposed land use

The application erf is currently developed with a dwelling house. The owner intends subdividing the application erf into 3 Single Residential Zone I erven. The proposed subdivision will not result in a change of the land use. The existing dwelling house will remain intact, with a dwelling house situated on each of the 2 newly created erven.

5.4 Density of the proposed development

Being larger than 1 200m², the application erf is currently large enough to accommodate 3 dwelling units as proposed in the municipality's densification strategy ("*third dwelling units*") as per the George Integrated Zoning Scheme By-law, 2023.

It is proposed to subdivide the erf into 3 portions. Being larger than 1 200m², Portion 1 (±1 901m²) will still be large enough to accommodate 3 dwelling units as per the municipality's densification policy, although it might not be possible to develop the additional dwelling houses on the portion

because of the position and size of the existing dwelling house on Portion 1. Access will also be a problem to any additional dwelling house to be developed on Portion 1.

For argument's sake, for determining the possible density of the proposal, it is taken that it will be possible to develop 3 dwelling units on Portion 1. In the minutes of the pre-application consultation meeting, attached hereto as **Annexure "D"**, the municipal Town Planners indicated that the 2 proposed new portions could be restricted to 1 dwelling each. It seems, therefore, that the subdivision as proposed in this application could result in 5 dwelling units being developed on the application erf. This relates to a gross density of 11 dwelling units per hectare, which, although being substantially less than the norm of 25 dwelling units per hectare, aimed at by the Department of Environmental Affairs and Development Planning, is acceptable as the application erf is situated on the edge of the residential area of George.

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" and
- "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 a residential erf situated within the Urban Edge being developed to fuller potential. The proposed development targets the middle-higher income group, and it will also lead to more efficient use of land.
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. The Spatial Development Framework contain development proposals which are aimed at improving the quality of life of all the inhabitants of George, thus creating the opportunity for approval of this application which will result in more efficient use of land.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	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 development of smaller erven, as proposed in this application, aimed at more efficient use of land.
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	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

former homelands areas.		and building lines. These parameters enable the development of smaller erven, as proposed in this application, aimed at more efficient use of land.
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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.
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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).
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Spatial sustainability		
Criteria	Compliance	Planning Implication
Promote land development that is within the fiscal, institutional and administrative means of the Republic.	Complies with.	The application erf is situated within the Urban Edge of George and is indicated for residential development in the George Spatial Development Framework, 2023.
Ensure that special consideration is given to the protection of prime and unique agricultural land.	Not applicable.	The Remainder of Erf 227 George is zoned as indicated in point 4.4 of this Motivation Report. The provisions of the Act on the Subdivision of Agricultural Land, 1970 (Act 70 of 1970) therefore do not apply to the application. The application erf is furthermore situated within the Urban Edge of George.

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 in Fernridge, in an area currently characterized by Single Residential development. In the George Spatial Development Framework, 2023, this area is indicated as an area where the single residential development should be retained. The land use proposed in this application is therefore, in line with the development proposals in the relevant Spatial Development Framework. The proposed development will thus not have a negative impact on surrounding property values and will contribute to the upgrading of the area, which could result in increasing property values in the vicinity.
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 application erf is situated within the Urban Edge of George and in an existing residential area. The proposed development will, therefore, not result in urban sprawl.
Result in communities that are viable.	Complies with.	Due to the high maintenance cost (labour, water and plants), as well as security risk associated with large properties, the development of large residential erven is increasingly considered not viable. This could lead to neglect, which could result in reducing property values in an area. The development of smaller erven, as is proposed in this application, can result in a vibrant and viable neighbourhood, 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.
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Spatial efficiency		
Criteria	Compliance	Planning Implication
Land development optimises the use of existing resources and infrastructure.	Complies with.	The application erf is situated within an existing serviced area. 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. The proposal will in fact have a positive effect on the upliftment of the area, as portions of the application erf will be placed under separate ownership. 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 handled and considered in accordance with the time frames as prescribed.
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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, in an area indicated for residential development in the George Spatial Development Framework, 2023.

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, 2023 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 these specific criteria.

<p>All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>Input was received from all government departments and sectors when the George Spatial Development Framework, 2023, 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 it can be deemed that the development proposal complies with the contents of the George Spatial Development Framework, 2023, it can be stated that the proposal complies with these specific criteria.</p>
<p>The requirements of any law relating to land development and land use are met timeously.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>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.</p>
<p>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.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>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.</p>
<p>Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>The George Municipality: By-law on Land Use Planning, 2023 contains clear procedures set to inform and empower members of the public. This</p>

		application will be subjected to these procedures.
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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 detail 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 provides 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 and 5.5.6 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 Western Cape Provincial Spatial Development Framework (WC PSDF)

5.5.4.1 Introduction

The Western Cape Provincial Spatial Development Framework (WC PSDF) is one of the most important planning guidelines in the province. The framework not only provides for a new spatial development pattern for the province but also clearly indicates where development may take place and where it may not take place. The provisions of the development framework must therefore be considered with any development proposal.

In terms of the framework, a number of principles are mentioned, namely spatial justice, spatial sustainability, spatial resilience, spatial efficiency, accessibility and quality of life and good administration that spatial planning must comply with. The impact of the application on spatial justice, spatial sustainability, spatial resilience, spatial efficiency, has already been fully discussed in Section 5.5.2 above and it has been shown that the proposed development complies with the relevant 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.

5.5.4.2 Protection of agricultural land

In terms of the WC-PSDF it is indicated that agricultural land must be protected. The Remainder of Erf 227 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.

5.5.4.3 Urban Edge

The WC PSDF provides for a guideline which determines that towns should identify an urban edge and that development should be limited to areas inside the urban edge. The George Municipality identified an urban edge, and the application erf 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.

5.5.4.4 Densification

According to the framework, it is recommended that towns should densify to an average density of 25 units per hectare with development densities of 3 to 6 units per hectare on the edge of a town and densities of between 40 to 60 units per hectare in the core of the urban area.

In the framework, it is highlighted that this density was decided upon because of studies which indicated that *"this is the minimum density at which urban settlements begin to significantly improve their urban performance"*.

It is indicated that the mentioned density has the following advantages:

- *The ability to walk to a number of different destinations on foot;*
- *Improve surveillance and security;*
- *Employment and retail opportunities within easy distance;*
- *Vibrant and active streetscape.*

In this regard it is also indicated that *"the figure of an average gross density of 25 du/ha should be seen as a hurdle below which urban settlements will not perform adequately, and above which a number of positive opportunities begin to be achievable."*

Various means to attain densification are mentioned, such as **subdivision**, additional dwelling units and sectional title developments, redeveloping properties, high density residential areas, blocks of flats and infill development in existing areas.

Subdivision of an existing Single Residential Zone I erf, is proposed in this application. The subdivision could result in a density of 11 dwelling units per hectare being attained on the application erf, which is in line with the average density set in the Western Cape Provincial Spatial Development Framework in respect of erven on the edge of towns. The proposal, therefore, meets the broader requirement for densification as set out in this guideline in the WC PSDF.

The framework does not go to the detail level of individual erven and therefore does not contain further information, other than the abovementioned compliance with the urban edge and densification, which could be used to determine whether this application falls within the stipulations of the framework.

5.5.4.5 Summary

From the content of point 5.5.4 it seems clear that the application can indeed be considered compatible with the WC-PSDF.

5.5.5 George Spatial Development Framework, 2023 (GSDF)

The Remainder of Erf 227 George is located within the study area of the George Spatial Development Framework, 2023 (GSDF) and the framework therefore applies to this application. Map 37: “*Composite Spatial Development Framework for the George City Area*” indicates that the area where the application erf is situated is located within the Urban Edge.

The George Spatial Development Framework, 2023 (GSDF) does not go to the detail level of individual erven. Except for the mentioned indication that the application erf falls within the Urban Edge of George and that urban sprawl must be contained (Policy C2.1 in the Growth Management table on page 121), the GSDF 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.

The application erf is not situated within the area of a Local Spatial Development Framework.

5.5.6 George Integrated Zoning Scheme By-Law, 2023

The Remainder of Erf 227 George is zoned Single Residential Zone I in terms of the George Integrated Zoning Scheme By-Law, 2023. In terms of this zoning, the erf currently may be used for the purposes of a dwelling house, a second dwelling of not larger than 175m², and, with the consent of the Municipality, a third dwelling, also of not larger than 175 m². The second and third

dwelling units must remain on the same land unit and shall not be alienated separately. The By-Law does not contain any stipulations with regards to the subdivision of residential erven.

The owner intends subdividing the application erf into 3 Single Residential Zone I erven. The proposed subdivision will not result in a change of the land use. The existing dwelling house will remain intact, with a dwelling house situated on each of the 2 newly created erven. The only change will be in ownership, as the 2 new erven will be transferred to different owners. (Currently the 2 daughters of the owner, who is a widow).

The following aspects must be taken into regard with reference to the proposed subdivision of the application erf:

- The existing dwelling house on the application erf had been erected on the western portion of the erf, creating a large undeveloped portion on the eastern side thereof.
- Due to the extensive north / south dimension of the erf, combined with the existing dwelling house being situated on the western portion thereof, as well as the fact that the erf is a corner erf, the application erf can be subdivided without having to provide panhandle access, which would have reduced the developable area of the proposed subdivided portions.
- The dimensions of the 2 proposed portions are such that a comfortable north-facing dwelling house, fitting in with the character of the surrounding area, could be accommodated on each of the subdivided portions.
- As indicated on the proposed site plan and building plan, attached hereto as **Annexure "C"**, there is sufficient space available on each of the proposed portions for practical outdoor living areas as well as for gardens, vehicular manoeuvring space and on-site parking.

The application erf is also ideally situated to be subdivided, for the following reasons:

- The application erf is situated in close proximity to the well-developed public open space on Erf 7723 George, to the west, in Andrew Swart Drive, as well as being close to the group housing development at the northern end of First Avenue.

- Due to the extent of the dwelling house on the adjacent Erf 14769 George, there are no other developed residential erven in the vicinity of the application erf where the existing development is suitably located on the erf to be subdivided in a similar manner than the application erf. The subdivision as proposed in this application can, therefore, not set an unacceptable precedent.

In terms of Schedule 2 of the mentioned By-Law, the following development parameters will be applicable in respect of proposed Portions 1 and 2, as both subdivided portions will be greater than 500m², but not exceeding 1 000m²:

Development Parameter	GIZS	Proposed Portion 2 (799m ²)	Proposed Portion 3 (752m ²)	Compliance
Coverage	500m ² to 1000m ²	< 50%	< 50%	Complies with
Street building line	5.0m	5.0m	5.0m	Complies with
Side & rear building lines	2.0m	> 2.0m	> 2.0m	Complies with
Parking	2 bays	1 covered and 1 open parking bay	1 covered and 1 open parking bay	Complies with
Height	6.5m wall plate 8.5m ridge of roof	6.5m wall plate 8.5m ridge of roof	6.5m wall plate 8.5m ridge of roof	Complies with

In terms of Schedule 2 of the mentioned By-Law, the following development parameters will be applicable on the Remainder as the proposed Remainder will be greater than 1 000m² (3 940m²):

Development Parameter	GIZS	Proposed Portion1	Compliance
Coverage	> 1 000m ²	19 %	Complies with
Street building line	5.0m	>5.0m	Complies with
Side & rear building lines	3.0m	>3.0m	Complies with
Parking	2 bays	3 covered	Complies with
Height	6.5m wall plate 8.5m ridge of roof	N/a (existing)	Complies with

5.5.7 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 of the Remainder of Erf 227 George was scrutinised, and it was found that it contains no conditions prohibiting the subdivisions as proposed.

5.5.8 Existing Council Policy

There are existing Council Policies which are indicative of minimum erf sizes in respect of the various suburbs in George. The application erf is situated in Fernridge, which has not been included in the Council Policy regarding minimum erf sizes in George.

In terms of George Integrated Zoning Scheme By-law, 2023 three dwelling units are allowed, with the consent of the George Municipality, on an erf with a size larger than 1 200m². The Remainder of Erf 227 George has a size of 4 549m². In terms of the by-law, it would thus be possible to develop three dwelling units with the consent of the municipality on this erf. The proposal thus complies with the general principles of this by-law and as such with Council's policy with regards densification (*"third dwelling units"*) in residential areas.

In the minutes of the pre-application consultation meeting, attached hereto as **Annexure "D"**, the municipal Town Planners indicated that the 2 proposed Portions could be restricted to 1 dwelling each. There is no objection to such a condition being imposed. The owner of the erf has in fact no objection is laid down that the number of dwelling houses on the remainder be restricted to one as the owner has no intention to develop a further dwelling unit on the erf.

It should be taken into consideration that the proposed subdivision will not result in a change of the land use. The existing dwelling house will remain intact, with a dwelling house situated on each of the 2 newly created erven.

5.5.9 Conclusion

From the above information it is clear that the application for subdivision complies with the mentioned Planning Policies and Planning Guidelines and can be considered desirable.

5.6 Compatibility of the proposal with the character of the area

The application erf is situated in Fernridge, in an area characterized by well-maintained single residential development of varying sizes. It is proposed to subdivide the application erf into 3 Single Residential erven of 1 901m², 799m², and 752m² each, which could be alienated separately. The proposed subdivision will thus create further diversification as far as erf sizes in the area are concerned.

The extent of the double story dwelling houses to be erected on the proposed Portions 2 and 2 will be 204m² and 187m² respectively. The outside finishes will be of good quality and the elevations will fit in with that of dwelling houses on the surrounding properties. The proposal will add value to the utilization of the erf and represents a substantial capital investment by the owner of the erf. The proposal will, therefore, not have a negative impact on any of the surrounding properties.

It is a well-known fact that, due to the high maintenance cost (labour, water, and plants), as well as security risk associated with large properties, the development of large residential erven is increasingly considered not viable. This could lead to neglect, which could result in reducing property values in an area. The proposed subdivision will result in separate ownership for each subdivided portion, with a smaller garden area, which will be more affordable to develop and maintain, which could result in a vibrant and viable neighbourhood, thus being beneficial to the area concerned.

It is, therefore, evident that the subdivision as proposed in this application will be compatible with the existing, as well as the future character of the surrounding area.

5.7 Compatibility of the proposal with the natural environment of the erf

The application erf is situated within the Urban Edge of George. The vegetation on the application erf consists of a large, neatly kept lawn, with an abundance of shrubs and a few large trees

scattered across the erf. As indicated on the proposed site plan and building plan, 3 of the trees will have to be removed to accommodate the new dwelling house on the proposed Portion 3. The following photo, which was taken west to east across the proposed Portion 3, shows the 3 exotic trees to be removed, situated to the left of the large tree next to the existing entrance gate.



The following photo, which was taken from west to east across proposed Portion 2, shows that no trees need to be removed to accommodate the new dwelling house on the Portion 2.



Some of the dense exotic shrubs on the erf boundary will also have to be removed to accommodate the 2 new vehicular access points.

The proposed subdivision will thus not have a negative impact on the natural environment, as no indigenous vegetation will have to be removed to accommodate the proposal.

5.8 Potential of the erf

The application erf, which has already been developed with a dwelling house, is zoned Single Residential Zone I in terms of the George Integrated Zoning Scheme By-Law, 2023. In terms of this zoning, the erf may be used for the purposes of a dwelling house, a second dwelling, and, with the consent of the Municipality, also a third dwelling unit. All these mentioned dwelling units must remain on the same land unit.

The proposed subdivision will result in the application erf being subdivided into 3 separate title single residential erven, thus creating 2 new separate residential erven. The proposal, therefore, has the potential of developing 2 new dwelling houses, in addition to the existing dwelling house.

The subdivision, as proposed in this application, will therefore result in increasing the development potential of the application erf, without having a negative impact on the surrounding development.

5.9 Access to the erf

The application erf is situated on the north-western corner of The Hop Gardens Road and Kastaiing Avenue, in Fernridge. The erf is easily accessible from the George CBD via Caledon Street and The Hop Gardens Road.

As indicated on the proposed site plan and building plan, attached hereto as **Annexure "C"**, the vehicular access to the proposed Portion 3 will be situated in The Hop Gardens Road, to the west of the junction of Kastaiing Avenue with The Hop Gardens Road.

To accommodate this new access, the existing vehicular access point to Portion 1 from The Hop Gardens Road will be moved westwards, to an original access point which has become redundant. The following photo, which was taken northwards in The Hop Gardens Road, shows the existing gate, as well as the lowered kerb in the foreground, in the position of the proposed relocated access point.



The vehicular access to the proposed Portion 2 will be situated on the northern side of the application erf, in Kastaiing Avenue. The following photo indicates the Kastaiing Avenue, street elevation in the approximate position of the proposed access point. Vegetation will have to be removed to allow for an access to Portion 2.



The proposed width of the 3 motor vehicle carriageway crossings is within the maximum limit of 8.0 metres and conforms with the requirements in the George Integrated Zoning Scheme By-Law, 2023, in this regard.

There is good visibility in both directions into both The Hop Gardens Road and Kastaiing Avenue, from the proposed access points.

Access to the proposed erven will therefore not be negatively impacted upon by the subdivision as proposed in this application.

5.10 Provision of parking

The parking requirements applicable to different land uses, are set out in table format in Section 42 of the George Integrated Zoning Scheme, 2023. In respect of dwelling houses on erven larger than 350m², provision must be made for a minimum of 2 on-site parking bays per dwelling house.

As indicated on the proposed site plan and building plan, attached hereto as **Annexure "C"**, there will be an existing single garage, as well as a second open parking bay on each of the 2 proposed Portions. There are 3 existing garages on Portion 1. The provision of on-site parking will therefore not be negatively impacted upon by the subdivision as proposed in this application.

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. The proposal will thus not place any burden on 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. CONCLUSION

Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of the Remainder of Erf 227 George into three portions.

As indicated in this report the proposed application for subdivision is compatible with all existing planning documents, spatial plans, legislation and policy documents applicable to the application.

The proposal will not have a negative impact on the environment, development, public facilities, traffic circulation or Municipal services in the surrounding area. The application can therefore be considered desirable and is submitted for consideration in terms of the relevant stipulations of the Land Use Planning By-Law for the George Municipality, 2023.

ANNEXURE "A" - PROPOSED SUBDIVISION PLAN



APPLICATION FOR SUBDIVISION OF THE REMAINDER OF ERF 227 GEORGE

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 227 George into as Portion 1 ($\pm 1\,901\text{m}^2$), Portion 2 ($\pm 799\text{m}^2$) and a Portion 3 ($\pm 752\text{m}^2$) as indicated on the subdivision plan.

Proposed Zoning
 Portions 1 to 3 – Single Residential Zone I

Note
 The portion marked a to f represents a road remainder which vests with the municipality as a result of a previous subdivision application that was approved for the original Erf 227 George.

DESCRIPTION: Subdivision
 Remainder of Erf 227 George

TITLE: Subdivision plan



SCALE: NTS

PLANNED BY	PLAN NO.	227/1
DRAWN BY	REV NO.	Erf 227 George
DATE	NAME	Subdivision plan
DATUM	DATUM	March 2024

KOPIEREG VOORBEHU / COPY RIGHT RESERVED

ANNEXURE "B" - 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	Norah Susanna Taylor		
Address	4 The Hops Garden Road		
	George	Postal code	6529
E-mail	htaylorwelgemoed@gmail.com		
Tel	N/a	Fax	N/a
		Cell	068 181 9076

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

Property Description [Erf / Erven / Portion(s) and	Remainder of Erf 227 George
---	-----------------------------

Farm number(s), allotment area.]												
Physical Address		4 The Hop Gardens Road, Fernridge, George										
GPS Coordinates					Town/City		George					
Current Zoning		Single Residential Zone I		Extent		4 549m²		Are there existing buildings?		Y	N	
Current Land Use		Residential purposes – dwelling house and outbuildings										
Title Deed number & date		T50172/2019										
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		Robert Janse van Rensburg & Ilané Huyser			Reference number		3043277		Date of consultation		22 February 2024	

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 made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of the Remainder of Erf 227 George into a Portion 1 ($\pm 1\ 901m^2$), a Portion 2 ($\pm 799m^2$) and a Portion 3 ($\pm 752m^2$).

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)	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. N/A				
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:

25 March 2024

Full name:

Johannes George Vrolijk

Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

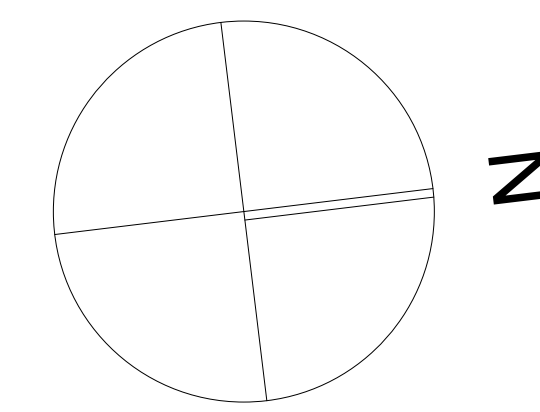
A/1386/2010

ANNEXURE "C" - PROPOSED SITE AND BUILDING PLAN

All dimensions and levels to be checked on site before any work is put in hand. All discrepancies and ambiguities are to be reported to the architect in writing to be clarified. Do not scale dimensions.

Revision	Date	Description
1	2023-10-18	REZONING APP.

14769



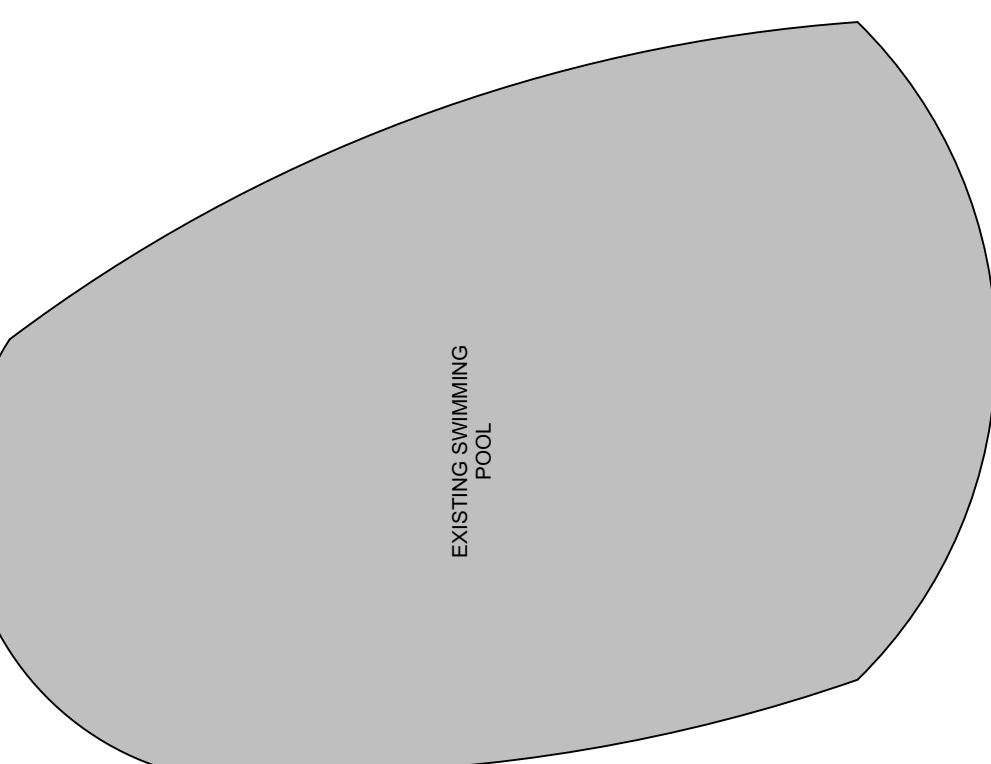
ERF BOUNDARY 72.9M

3M BUILDING LINE

AREAS:	
ERF	1901m2
HOUSE	354M2

EXISTING BUILDING

ERF BOUNDARY 21.9M



ERF BOUNDARY 22M

NEW PROPOSED BUILDING

14768

ERF BOUNDARY 24.8M

EXISTING TREE

AREAS:	
ERF	752m2
HOUSE	187M2

RAISED BED

AREAS:	
ERF	798.9m2
HOUSE	204M2

EXISTING TREE

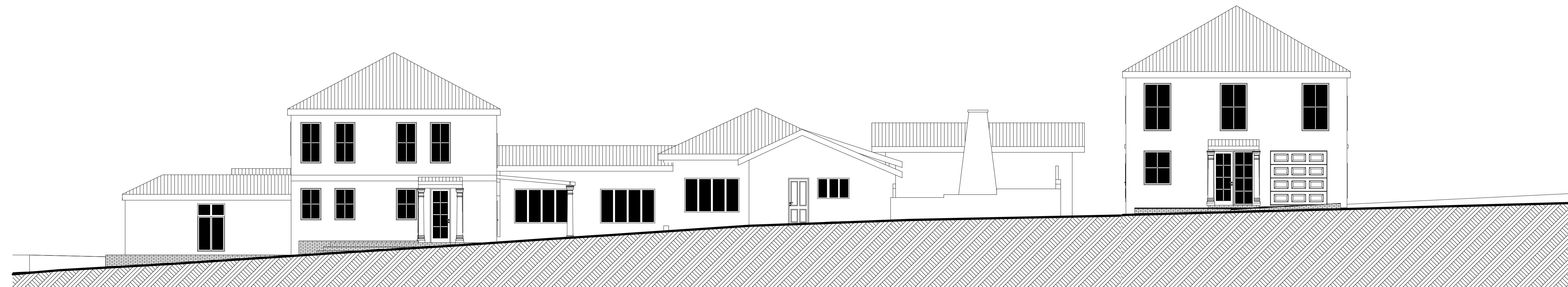
EXISTING TREE

5M BUILDING LINE

ERF BOUNDARY 36.4M

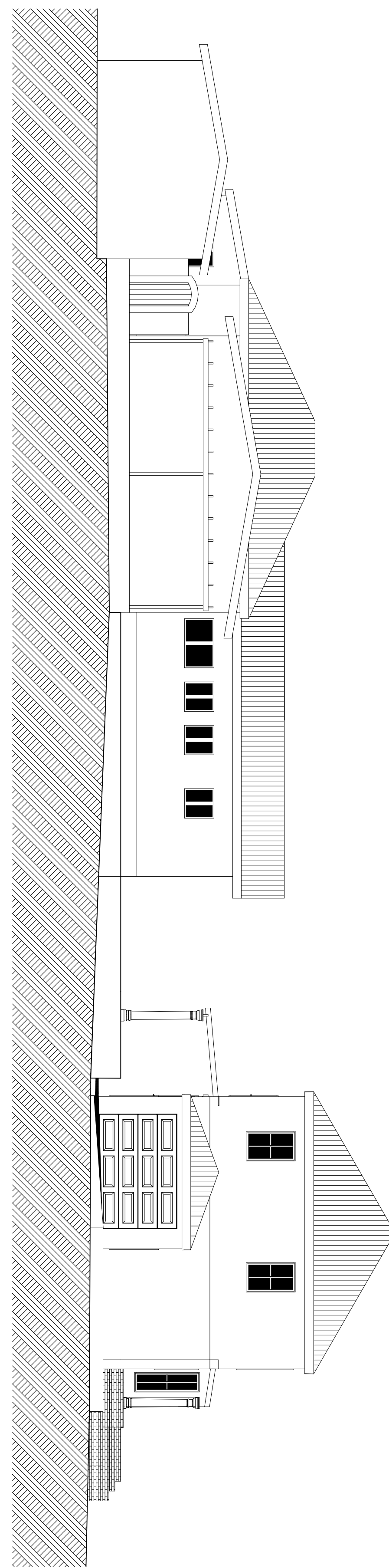
ERF BOUNDARY 31.5M

KASTAIING AVENUE



KASTAIING AVENUE STREET ELEVATION
Scale: 1:100

THE HOPS GARDEN RD STREET ELEVATION
Scale: 1:100



Client: _____
Owner: _____
Architect: _____

CLIENT: TAYLOR, S	
Jacques Malan SACAP Project 72380 060 559 8314 jm@dlacofc.co.za	
SITE DEVELOPMENT PLAN FOR PROPOSED REZONING APPLICATION OF ERF 227, GEORGE	
DRAWING DESCRIPTION: Site SDP	
DRAWN BY: JM	CHECKED: _____
DRAWING SCALE: AS SHOWN	DATE: 2024/03/22
REVISION NUMBER: 1	PROJECT NUMBER: 2307
DRAWING NUMBER: 1-01	
ORIGINAL DRAWING SIZE: A1	

ANNEXURE "D" - PRE-APPLICATION CONSULTATION FORM

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. 3043277**

Purpose of consultation: **‘n Aansoek om hersonering en onderverdeling van Erf 227 George.**

Brief proposal: **Die doel van die aansoek is om Erf 227 George na Algemene Residensiële Sone II te hersoneer en die erf in drie groepbehuising erwe te onderverdeel.**

Property(ies) description: **Erf 227 George.**

Date: **9 Februarie 2024**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Ilané Huyser	George Municipality	044 801 9477	ihuyser@george.gov.za
Official	Robert Janse van Rensburg	George Municipality	044 801 9555	rhjansevanrensburg@george.gov.za
Pre-applicant	Jan Vrolijk	Jan Vrolijk Town Planner / Stadsbeplanner	044 873 3011 082 464 7871	janvrolijk@jvtownplanner.co.za

Documentation provided for discussion:

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

Lugfoto liggingsplan

Voorgestelde ontwikkelingsplan

L G Diagram

Titelakte

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)

YES	NO
-----	----

ONTWIKKELINGSVOORSTEL

Dit is die voorneme van die eienares van Erf 227 George om die erf na Algemene Residensiele Sone II te hersoneer en die erf daarna in drie Algemene Residensiële Sone II erwe te onderverdeel. Die bestaande woonhuis wat op die erf voorkom sal op een van die drie groepserwe geleë wees. Die oorblywende twee vakante groepserwe sal met groepshuise ooreenkomstig die aangehegde ontwikkelingsplan ontwikkel word.

VOORGESTELDE AANSOEK

- 'n Aansoek sal in terme van Artikel 15(2)(a) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die hersonering van Erf 227 George vanaf Enkel Residensiële Sone I na Algemene residensiële Sone II.
- 'n Aansoek sal in terme van Artikel 15(2)(d) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die onderverdeling van die die gehersoneerde Erf 227 George in drie Algemene Residensiele Sone II erwe.

PART C: QUESTIONNAI

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
x	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 determined

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	Sal bepaal word
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]			X	Conveyancer certificate to confirm
Any other Municipal by-law that may be relevant to application? (If yes, specify)			X	
Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? Die George Geintegreerde Soneringskema Verordening, 2017 What is the current zoning of the property? Enkel Residensiële Sone I What is the proposed zoning of the property? Algemene Residensiële Sone II Does the proposal fall within the provisions/parameters of the zoning scheme? TBD Are additional applications required to deviate from the zoning scheme? (if yes, specify) TBD				

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

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?		X		Western Cape Provincial Department of Agriculture
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		X		National Department of Agriculture
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		X		Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (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

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
				Department of Transport and Public Works (DTPW)
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

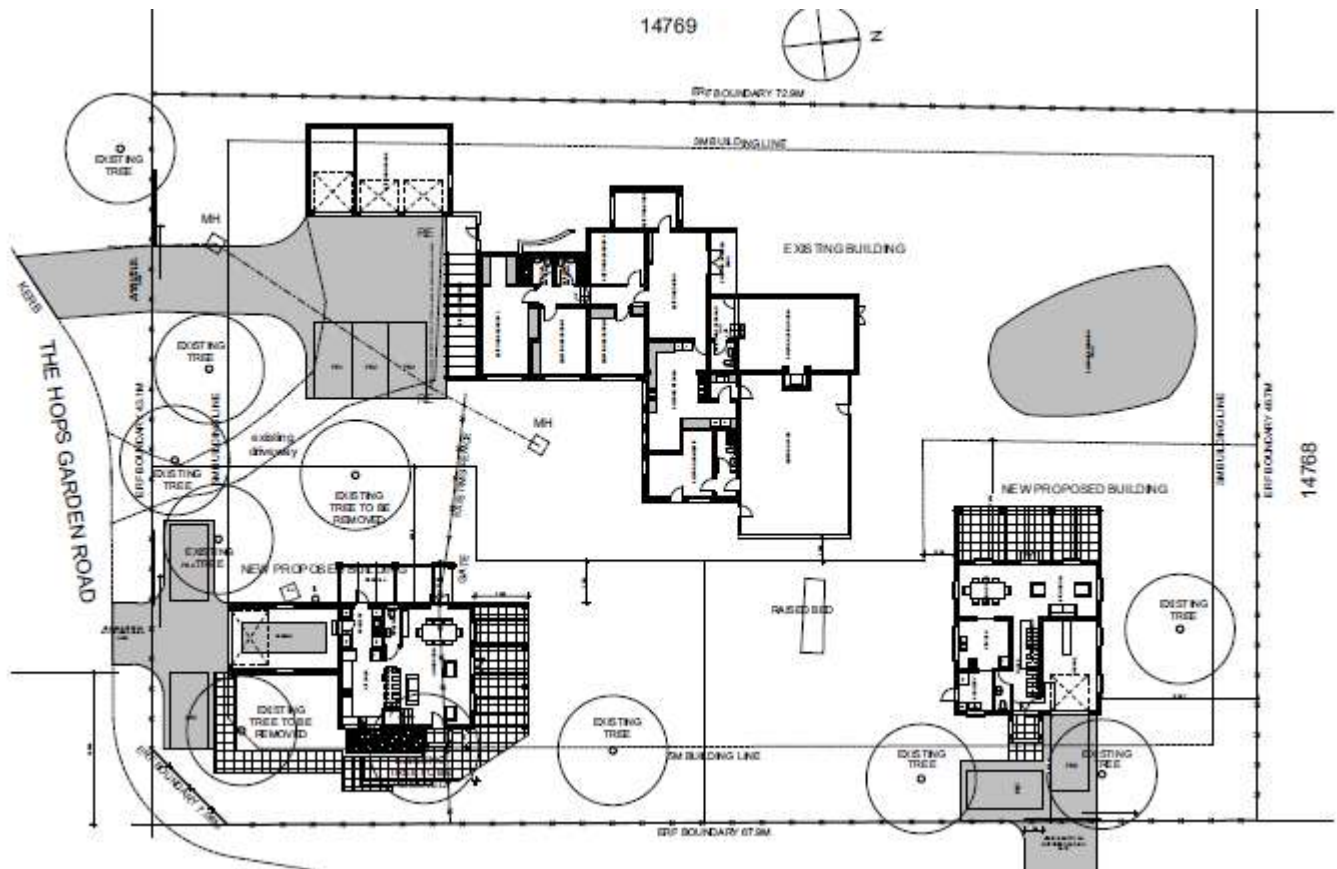
Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

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 (Conveyancer certificate 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) (strikethrough irrelevant)	Y	N	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	Other (specify)	Y	N	Required number of documentation copies

PART E: DISCUSSION

Pre-application as discussed on 14 February 2024 refers. The plan below was presented at the meeting:



Town Planning:

- The rationale for group housing is not explained. There are two other options for the owner to consider being 1) third dwelling (consent for 3rd Dwelling on properties larger than 1200m² - note units cannot be alienated and 2) Subdivision into 3 and retain the 'Single Residential Zone I' zoning.
- Number of units may be restricted to 1 unit per erf.
- Application subject to the Municipality's municipal services department certifying that adequate services network capacity is available to serve the needs of basic minimum services required for the development.
- Applicant to ensure that development parameters are complied with such as building lines etc. Departures will be required where applicable.
- To provide parking and access as per the requirements set in Section 42 and 45 of the George Integrated Zoning Scheme, 2023.
- Applicant to motivate in terms of SPLUMA, MSDF 2023, LSDF's etc. Subdivision size to be motivated in terms of the general minimum erf sizes found in the area.
- To indicate the building lines applicable to the proposed subdivided erven and apply for building line relaxations were applicable.

CES:

- Access: restricted to the existing access within Fourth avenue as per the GIZS 2023.
- Parking: Must conform to the GIZS 2023. No parking allowed within the road reserve.
- Water & Sewer: Available subject to the capacity required.
- DC's: DCs will be applicable

- Stormwater: Development to adhere to the applicable Stormwater by-law.

ETS:

- Development noted. DC's will be applicable.

PART F: SUMMARY / WAY FORWARD

See Comments in Section E.

OFFICIAL: **Robert Janse van Rensburg**

Town Planner



SIGNED: _____

DATE: _____ 21/02/2024 _____

PRE-APPLICANT: **Johannes George Vrolijk**

(FULL NAME)



SIGNED: _____

DATE: **9 Februarie 2024**

OFFICIAL: **Ilané Huyser**

(Senior Town Planner)



SIGNED: _____

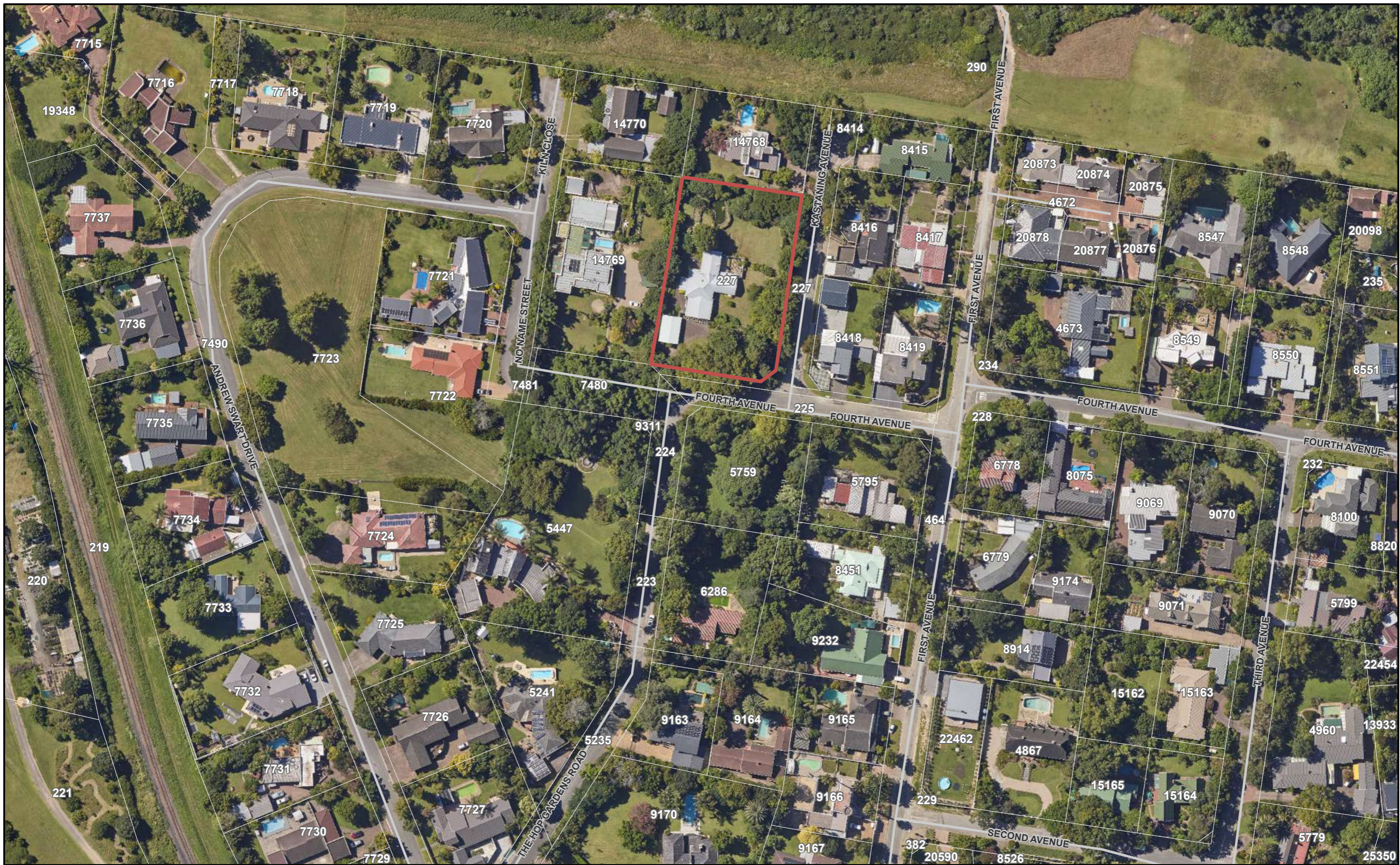
DATE: ___ 2024.02.22 _____

**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.*

ANNEXURE "E" - LOCALITY PLAN



Erf 227 George - Locality plan



Date: 2/4/2024 7:47 AM

Scale: 1:1,579



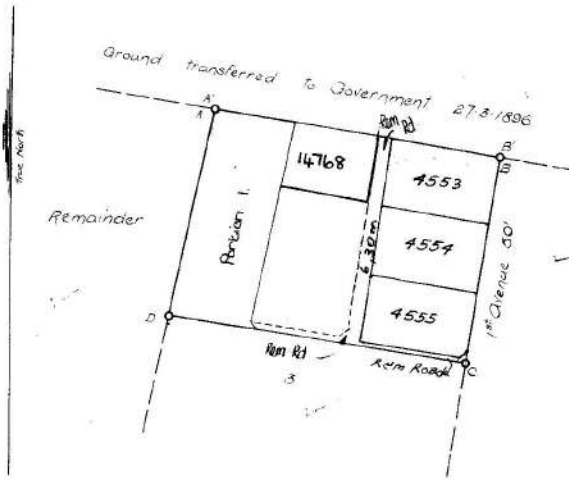
Disclaimer
 George Municipality makes no warranties as to the correctness of the information supplied.
 Persons relying on this information do so entirely at their own risk.

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 "F" – SURVEYOR GENERAL DIAGRAM

No. 8
General Plan No.

Surveyor General
7. 7. 1925



Beacon Data

ANGLES		SIDES	
A	92° 54' 0"	AB	481.78
B	90° 0' 0"	BC	351.00
C	90° 16' 20"	CD	499.64
D	86° 49' 40"	DA	355.53

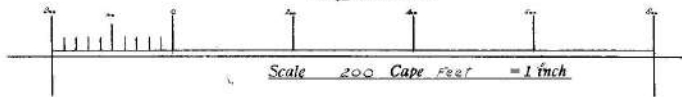
Area
2 Morgen 0 Sq. Roods 1.59 Acre

CO-ORDINATES			
A +	2963.47	X	815.01
B +	2487.62	Y	742.97
C +	2542.30	X	396.26
D +	3036.20	Y	471.73

Transfer Data

Angles		Sides	
A'	92° 49' 30"	AB	481.65
B'	90° 4' 30"	BC	351.02
C'	90° 16' 20"	CD	499.64
D'	86° 49' 40"	DA	355.39

Lot No. 227
GEORGE



The above figure A'B'C'D represents 2 Morgen, 4 Square Roods, 20 Square Feet of land, situated in the George Division, being ~~Lot N° 400 & 401~~ ^X Lots N° 1 & 2 Fernridge a part of Lots N° 400 & 401, marked A & B, a freehold grant to the Commissioners of the Municipality of George on the 1st Feb 1887.

Bounded as indicated above

Surveyed and beacons by me according to regulations

W. J. ...
Government Land Surveyor.
July 1925

This Diagram belongs to the transfer deed ^{made} issued this day, in favour of *F. Maigner*

7.8.25.7539.

Registrar of Deeds.

ANNEXURE "G" - TITLE DEED

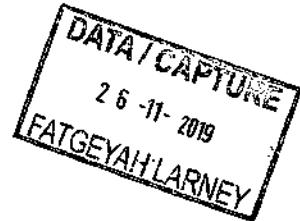
BRAAM SWART & PARTNERS
36 CATHEDRAL STREET
GEORGE
6530

Prepared by me,


CONVEYANCER
LINDA CAROL JORDAAN

63

Purchase price/Value	
R	650 000,00
R	1146,00
Mortgage capital Amount	
Description	



T 000050172 / 2019

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT **LULAMA LOBOLA**

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

**EXECUTOR IN THE ESTATE OF THE LATE
RICHARD WALTER TAYLOR
Estate Number 008901/2018**

dated **25 JULY 2019**

and signed at **GEORGE**

BRAAM SWART & PARTNERS



AND the said Appearer declared that:

WHEREAS the Late RICHARD WALTER TAYLOR who was married out of community of property to NORAH SUSANNE TAYLOR, died on the 13th MAY 2018;

AND WHEREAS NORAH SUSANNE TAYLOR is entitled to the hereinaftermentioned property in terms of Clause 5.1 of the Last Will and Testament of the deceased, which was signed at George on the 8th day of MAY 2018, subject to the provisions of clause 12 of the aforementioned Will, set out in full below.

AND the said Appearer in his capacity hereby cede and transfer to and on behalf of:

NORAH SUSANNE TAYLOR
Identity Number 440723 0063 08
Widow

her heirs, executors, administrators or assigns in full and free property:

REMAINDER ERF 227 GEORGE, IN THE MUNICIPALITY AND
DIVISION OF GEORGE, PROVINCE, WESTERN CAPE

IN EXTENT: 4579 (FOUR THOUSAND FIVE HUNDRED AND FORTY NINE)
SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NO. T7539/1925 WITH
DIAGRAM RELATING THERETO AND HELD BY DEED OF TRANSFER
T22346/1990

SUBJECT to the conditions referred to in amended Deed of Grant dated 1st
February 1887 (George Quitrents Volume 17 Number 92) and to the special
condition contained therein which reads as follows:

"Subject however, to all such duties and regulations as are either already or
shall in future be established with regard to such lands."



- B. SUBJECT FURTHER to the following special condition contained in said Deed of Transfer No. T7539/1925 which reads as follows:

"The said Council and its Successors in Office reserve the right to construct, use and maintain across the above property, any pipeline for water leading, sewerage, drainage and any poles and structures for the conducting of any electric or any other light or power."

- C. SUBJECT FURTHER to the following condition contained in clause 12 of the Last Will and Testament of the Late RICHARD WALTER TAYLOR dated 8 May 2018, which reads as follows:

"All benefits accruing to any of my heirs out of the trust will not fall into nor form part of the joint estate of that heir and will remain free from the interference, control or debts of any spouse."



WHEREFORE the Appearer, renouncing all the right, title and interest which the said

LATE RICHARD WALTER TAYLOR

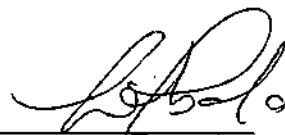
heretofore had to the premises, did, in consequence also acknowledge him, to be entirely dispossessed of, and disentitled to, the same and that, by virtue of these presents, the said

NORAH SUSANNE TAYLOR

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 value of the property hereby transferred to be the sum of **R1 650 000.00 (ONE MILLION SIX HUNDRED AND FIFTY THOUSAND RAND).**

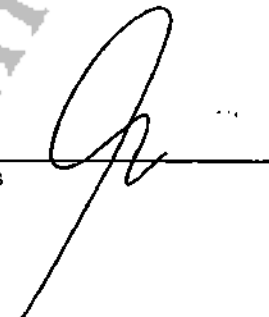
IN WITNESS WHEREOF I, the said Registrar of Deeds together with the Appearer, have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 25 November 2017



q.q. Signature of Appearer

In my presence:



Registrar of Deeds



ANNEXURE "H" - POWER OF ATTORNEY

POWER OF ATTORNEY

I, the undersigned

Norah Susanne Taylor

in my capacity as the registered owner of

Erf 227 George

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

An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of the Remainder of Erf 227 George into a Portion 1 ($\pm 1901m^2$), a Portion 2 ($\pm 799m^2$) and a Remainder ($\pm 752m^2$).

Signed at George on 22 March 2024



Norah Susanne Taylor

ANNEXURE "I" - 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 227 GEORGE

APPLICATION DETAILS

An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of THE Remainder of Erf 227 George into a Portion 1 ($\pm 1\ 901\text{m}^2$), a Portion 2 ($\pm 799\text{m}^2$) and a Remainder ($\pm 752\text{m}^2$).

APPLICATION DATE

March 2024

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:

T50172/2019 (current Title Deed)

in respect of:

**REMAINDER OF ERF 227 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT: 4 549 (FOUR FIVE FOUR NINE) SQUARE METRE

HELD BY DEED OF TRANSFER NUMBER T50172/2019

REGISTERED in the name of

NORAH SUSANNE TAYLOR

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 a bond registered over the property.

SIGNED at GEORGE on 22 March 2024

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

CONVEYANCER