



The Municipal Manager
P O Box 19
George
6530

Reference: Erf 25464 George

9 May 2024

Sir

APPLICATION FOR SUBDIVISION AND REGISTRATION OF PRIVATE RIGHT OF WAY SERVITUDES: ERF 25464 GEORGE

Attached hereto 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 Erf 25464 George into a Portion 1 ($\pm 403\text{m}^2$) and a Remainder ($\pm 346\text{m}^2$).
- Section 24(1)(f)(v) of the Land Use Planning By-Law for the George Municipality, 2023 for exemption of the registration of a private right of way servitude marked abefgh over Portion 1 in favour of the Remainder.
- Section 24(1)(f)(v) of the Land Use Planning By-Law for the George Municipality, 2023 for exemption of the registration of a private right of way servitude marked bcde over the Remainder in favour of Portion 1.

Your prompt consideration of the application will be appreciated.

Yours faithfully

Jan Vrolijk

MOTIVEVATIN REPORT
APPLICATION FOR SUBDIVISION AND REGISTRATION OF PRIVATE RIGHT OF
WAY SERVITUDES
ERF 25464 GEORGE

9 May 2023



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MOIVATION REPORT
APPLICATION FOR SUBDIVISION AND REGISTRATION OF PRIVATE RIGHT OF
WAY SERVITUDES
ERF 25464 GEORGE

1. BACKGROUND

A general approval for the subdivision of all erven located within the Blue Mountain Gardens Residential Estate which were zoned "Single Residential Zone I" into two portions in accordance with Plan No G/C/224/1, was approved by the Directorate: Planning and Human Settlements of the George Municipality on 15 September 2013. A copy of the approval is attached hereto as **Annexure "A"**.

Erf 25464 George was also zoned Single Residential Zone I on 15 September 2013. On implementation of the Integrated Zoning Scheme By-law for the George Municipality on 1 September 2017, the zoning of all erven located within the boundaries of Blue Mountain Gardens was amended from Single Residential Zone I to Single Residential Zone II with a dwelling unit as the land use right.

In terms of the approval of 15 September 2013, the following condition regarding building lines was laid down:

"dat die grondgebruikbeperkings sal wees vir die sonerings in (ii) soos bepaal deur die Artikel 8 Soneringskema regulasies (Provinsiale Kennisgewing 353 gedateer 20 Julie 1986 soos gewysig) behalwe ten opsigte van die Residensiële Sone I persele, waar 'n 0 meter boulyn aan weerskante van die voorgestelde nuwe verdelingslyn toelaatbaar sal wees, alleenlik vir die doeleindes van duetbehuising en behalwe ten opsigte van die Residensiële perseel (volgens par.C)"

In terms of this approval of 15 September 2013, the following condition regarding the submission of subdivision applications was laid down:

“dat onderverdelingsplanne vir elke individuele onderverdeelde eiendom ooreenkomstig meegaande onderverdelingsplan van Nel en De Kock, Stads- en Streeksbeplanners, Plan G/C/224/1, gedateer April 2013, aan die Direkteur Menslike Nedersettings, Grondsake en Beplanning voorgelê moet word vir goedkeuring.”

The abovementioned approval however expired on 14 September 2018 which had the result that no further approvals for the subdivision of erven in Blue Mountain Gardens could be submitted and issued in terms of this general approval. This had the effect that complete new application for subdivision of any erf within the boundaries of Blue Mountain Gardens must be submitted in terms of the Land Use Planning By- Law for George Municipality, 2023 to the George Municipality for consideration.

It is assumed that the general approval of 15 September 2013, as far as the nil meter side boundary building line on either side of the proposed new subdivision line is concerned has also lapsed. In terms of the provisions of the Integrated Zoning Scheme By-law for the George Municipality, 2023 a nil meter side boundary building line applies along one of the side boundaries of a Single Residential Zone II zoned erf which has an erf size varying between 250m² and 500m². Since the proposed subdivided portions will fall into this category, a nil meter building line will apply along one of the side boundaries of the proposed subdivided portions. A nil meter side boundary building line can therefore be applied along the proposed subdivision lines, which therefore enables the development of the two subdivided portions with a duet dwelling unit. No building line relaxation application is therefore necessary.

2. DEVELOPMENT PROPOSAL

It is the intention of the owner to subdivide Erf 25464 George into two portions and to develop a duet dwelling unit on each of the subdivided portions. A copy of the proposed subdivision plan is attached hereto as **Annexure “B”**.

As the erf is a panhandle erf it will be necessary to register private right of way servitudes over the two subdivided portions as indicated on the subdivision plan attached hereto as **Annexure “B”** to allow for access to the duet dwelling units to be constructed on the two portions.

3. PRE-APPLICATION CONSULTATION

A pre-application consultation is not required as the proposal entails an application for subdivision of an erf in only two portions (less than 20 erven). 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 10 May 2022.

4. 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 Erf 25464 George into a Portion 1 ($\pm 403\text{m}^2$) and a Remainder ($\pm 346\text{m}^2$).
- Application is made in terms of Section 24(1)(f)(v) of the Land Use Planning By-Law for the George Municipality, 2023 for exemption of the registration of a private right of way servitude marked abefgh over Portion 1 in favour of the Remainder.
- Application is made in terms of Section 24(1)(f)(v) of the Land Use Planning By-Law for the George Municipality, 2023 for exemption of the registration of a private right of way servitude marked bcde over the Remainder in favour of Portion 1.

The completed application form for the subdivision and registration of the proposed private right of way servitudes is attached hereto as **Annexure "C"**.

5. GENERAL INFORMATION REGARDING ERF 25464 GEORGE

5.1 Locality

Erf 25464 George is located in Kanarie Close in the northern extent of Blue Mountain Gardens. The locality of the erven is indicated on the locality plan which is attached hereto as **Annexure "D"**.

5.2 Existing land use

Erf 25464 George are at present vacant.

5.3 Extent

Erf 25464 George has an area of 749m².

5.4 Present zoning

Erf 25464 George is zoned Single Residential Zone II in terms of the George Integrated Zoning Scheme By-Law, 2023 with a dwelling house land use right.

5.5 General Plan

Erf 25464 George forms part of General Plan No 45/2008. A copy of the General Plan is attached hereto as **Annexure “E”** aangeheg. A Beacon Certificate has also been prepared for the erf by GS Savage & Associates Professional Land Surveyor. A copy of the Beacon Certificate is attached hereto as **Annexure “F”**.

5.6 Title Deed

Erf 25464 George is registered in the name of Heidie Jeanette van den Berg. A copy of Title Deed T19520/2024, being the title deed of Erf 25464 George is attached hereto as **Annexure “G”**.

5.7 Power of Attorney

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Heidie Jeanette van den Berg, the registered owner of Erf 25464 George, to prepare and submit the applications referred to in point 4 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “H”**.

5.8 Bondholders' permission

Erf 25464 George is not encumbered by a bond.

5.9 Conveyancer Certificates

A Conveyancer Certificate in respect of Erf 25464 George is attached hereto as **Annexure "I"**. The Conveyancer Certificate confirms that there are no conditions in the Title Deed of Erf 25464 George, which restrict the development of the erf as proposed in this application.

5.10 Consent of the Blue Mountain Gardens Homeowners Association

The consent of the Blue Mountain Homeowners Association to the proposed subdivision is attached hereto as **Annexure "J"**.

6. DESIRABILITY OF THE APPLICATION FOR THE SUBDIVISION OF ERF 25464 GEORGE

6.1 Introduction

The term "desirability" in the land use planning context, is defined as the degree of acceptability of the land uses on the land unit concerned. The desirability of the intended subdivision proposal 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 considered as being desirable as far as the mentioned aspects are concerned.

6.2 Physical characteristics

6.2.1 Topography

A contour survey of the erven was undertaken by GS Savage & Associates Professional Land Surveyor. The contour survey is attached hereto as **Annexure “K”**. As can be concluded from the contour survey, the erf is fairly flat with a slight downward slope to the north-west. The slope is however of such a nature that it will have no impact on the development of the two subdivided portions.

6.2.2 Soil conditions

Little information concerning the soil conditions in the area is available. The soil condition of the erf seems stable. The existing structures in the vicinity of the application erven 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 proposed dwelling units to be constructed on the two subdivided portions.

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

6.2.3 Vegetation

Erf 25464 George is overgrown with veld grass and weeds which is mowed on a regular basis. Vegetation will therefore have no influence on the proposed subdivision of the erf.

6.2.4 Other

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

6.2.5 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 of Erf 25464 George cannot be supported.

6.3 Proposed land use

The owners intend subdividing Erf 25464 George into 2 Single Residential Zone II erven as indicated on the subdivision plans attached hereto as **Annexure "B"**. It is the intention to develop a duet dwelling unit on the subdivided portions. The dwelling units to be developed on the two subdivided portions will be developed in accordance with the and use parameters applicable to the erven as per the George Integrated Zoning Scheme By-Law, 2023.

Approved architectural guidelines exist for Blue Mountain Gardens. The dwelling units to be erected on the two subdivided portions must comply with these architectural guidelines. Furthermore, there is also a "Design Committee" consisting of a number of architects / draftsmen to whom all building plans for the dwelling units must be submitted for consideration and approval. The objective of the "Design Committee" is to ensure that any dwelling unit to be erected on a subdivided erf complies with the aesthetic values and norms applicable to Blue Mountain Garden as set out in the architectural guidelines. Only once the building plan has been approved by the "Design Committee" may it be submitted to the George Municipality for approval.

Procedures are therefore in place to ensure that the dwelling units to be developed on the two subdivided erven comply with the development standards of Blue Mountain Gardens and the provisions and requirements of the George Municipality.

6.4 Proposed density

In terms of the current zoning of the erf, Single Residential Zone II, a "dwelling house" may be erected on Erf 25464 George. The definition of a "dwelling house" in Schedule 2 of the George Integrated Zoning Scheme By-law, 2023, includes a second dwelling of no larger than 175m² as a primary right. If not subdivided, it will thus be possible to develop a dwelling house and a second dwelling unit on Erf 25464 George.

This application however involves the subdivision of Erf 25464 George into two portions and the construction of one dwelling unit per subdivided portion, thus also resulting in two dwelling units to be developed on the erf as allowed on the original erf before subdivision. The proposed number of dwelling units to be erected on the two portions is therefore still within in keeping with what is permissible on an unsubdivided Single Residential Zone II zoned erf in the area.

In terms of the subdivision proposal, two residential units will be created. The proposal amounts to a density of approximately 28 dwelling units per hectare which is in line with the norms pursued by the Department of Environmental Affairs and Development Planning, and it is therefore argued that the proposed density is indeed within acceptable norms.

No unwanted precedent will therefore be created as far as density is concerned.

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

6.5.1 Introduction

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

6.5.2 "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 an undeveloped residential erf situated within the Urban Edge being developed to its fullest potential. The proposed development targets the middle-income group. 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 Plan 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 housing being made available.
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.
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 development of smaller erven, as proposed 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 application erf is situated within the Urban Edge of George and is earmarked for residential development in terms of the George Spatial Development Framework, 2023.
Ensure that special consideration is given to the protection of prime and unique agricultural land.	Not applicable.	The application erf is situated within the Urban Edge of George. This provision does not apply to this application.
Uphold consistency of land use measures in accordance with environmental management instruments.	Not applicable.	This provision does not apply to this application.
Promote and stimulate the effective and equitable functioning of land markets.	Complies with.	The proposed land use is in line with the current zoning of the erf and the land use character of the area within which the erf is located. The proposal will not negatively affect the property value of the adjoining residential erven, as the subdivided portions will

		be developed with similar dwelling unit as are located on the adjoining erven. The proposed development will in fact contribute to the uplifting of the area which will ultimately contribute to increasing property values in the area.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Complies with.	All costs pertaining to the infrastructure required for the proposed development will be carried by the landowners.
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. The proposed development will, therefore, not result in urban sprawl.
Result in communities that are viable.	Complies with.	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.

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. All costs pertaining to the extension of existing infrastructure required for the proposed development will be carried by the landowner.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Complies with.	The municipality has procedures in place that are designed to minimise negative financial, social, economic or environmental impacts.

<p>Development application procedures are efficient and streamlined and timeframes are adhered to by all parties.</p>	<p>Complies with.</p>	<p>George Municipality has adopted the George Municipality: Land Use Planning Ordinance, 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.</p>
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<p style="text-align: center;">Spatial resilience</p>		
<p>Criteria</p>	<p>Compliance</p>	<p>Planning Implication</p>
<p>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.</p>	<p>Complies with.</p>	<p>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.</p>

<p style="text-align: center;">Good administration</p>		
<p>Criteria</p>	<p>Compliance</p>	<p>Planning Implication</p>
<p>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</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>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</p>

embodied in this Act.		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 both the George Spatial Development Framework, 2023 it can be stated that the proposal complies with this specific criterion.
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 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 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	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

that afford all parties the opportunity to provide inputs on matters affecting them.		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.

6.5.3 “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 6.5.4 to 6.5.6 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 6.5.2 above. The comments in paragraph 6.5.2 are thus also relevant as far as Section 59 of LUPA is concerned.

6.5.4 Western Cape Provincial Spatial Development Framework (WC PSDF)

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 taken in consideration 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 6.5.2 above and it has been shown that the proposed development complies with the relevant mentioned principles.

The framework furthermore sets certain guidelines which are relevant to this application. The guidelines which are relevant to this proposal will subsequently be referred to in order to indicate that the proposal does indeed comply with the guidelines of the WC-PSDF.

- 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.
- The WC PSDF also contains a recommendation that residential densities in towns must be increased to 25 dwelling units per hectare. This density was decided upon as a result 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 II erf, which is currently undeveloped, is proposed in this application. The subdivision could result in a density of approximately 28 dwelling units per hectare being attained on the application erf, which is slightly higher than the norm set in the Western Cape Provincial Spatial Development Framework.

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.

6.5.5 George Spatial Development Framework, 2023 (GSDF)

Erf 25464 George is located within the study area of the George Spatial Development Framework, 2023 (GSDF). The framework therefore applies to this application.

In terms of the George Spatial Development Framework, 2023 (GSDF) several business nodes have been identified. Erf 25464 George, which forms part of the Blue Mountain residential

development node, is located directly adjacent to the area that is covered by the Eastern Commercial Node.

In terms of the GSDF the Eastern Commercial Node is described as follows:

“Sub-regional mixed-use node, focused presently on the commercial potential of the N2, but also containing a mix of residential and work opportunities, comprising the Garden Route Mall, the Eden Meander, surrounding zoned business and commercial zoned land adjacent to the N2. In time this node will include the future development of the ‘Kraaibosch South Extension’ site. (South and west of the N2).”

In terms of paragraph “4.4 Spatial Elements – Strategy 1b” the following extract provides more details as to the extent of the “*mix of residential*” promoted in the Eastern Commercial Node:

- *“Commercial precincts act as areas of mixed use commercial and retail nodes. These sites include business opportunities, shopping centres and **residential densification**.*
- *These zones are located along mobility routes with public transport transfer location to promote access to facilities and services. Transport Orientated Development (TOD) envisioned for commercial precincts.*
- **Residential densification promoted in areas surrounding commercial precincts.**
- *Offices not to be included in these areas, should only be located in the CBD.*
- *Commercial precincts may include tourism related activities or facilities to increase viability.*
- **Residential Densification – measured as walking distance from public transport route, directly adjacent to the node boundary (80u/ha (or more to be motivated) for 150m, 60u/ha in 151-350m and 45u/ha for 351-500m. Residential in node only above ground floor.”**

Erf 25464 George is located in Blue Mountain Gardens, a residential area located directly to the south and adjacent to the Eastern Commercial Node. Blue Mountain Gardens has been identified as an area for residential densification and has since 2013 been developed at a density of approximately 28 dwelling units per hectare. The subdivision as proposed in this application is thus in keeping with the proposals that densification adjacent to this commercial node should be encouraged.

In terms of paragraph “4.5.3 Theme C: Growth Management – Strategy C2.3” graded densification is supported in the Eastern Commercial Node with densities ranging from 45 units per hectare to 80 units per hectare depending on the distance from the node. The proposed retirement units will be located directly adjacent to the node and the proposal to develop Erf 25464 George at a density of approximately 28 units per hectare is thus in keeping with this principle.

It is thus argued that the proposal to subdivide Erf 25464 George into two portions can be regarded as being compatible and in keeping with the densification requirements as proposed and contained in the GSDF.

In terms of paragraph “4.5.3 Theme C: Growth Management – Strategy C2.1” the GSDF furthermore provides for the following principle with regards urban sprawl:

“Urban sprawl relates mostly to residential - and associated urban (socioeconomic) uses and the management of urban sprawl must firstly aim to prevent development beyond the outer limits of urban expansion through giving strategic direction.”

The George Municipality identified an urban edge, and Erf 25464 George falls within the identified urban edge. As such, the proposed subdivision will not result in "urban sprawl". The proposal therefore meets the requirement of this principle set out in the GSDF.

It is thus argued that the proposal can be considered to be compatible with the principles of the GSDF.

6.5.6 George Integrated Zoning Scheme By-law, 2017

In terms of the George Integrated Zoning Scheme By-law, 2023 Erf 25464 George is zoned Single Residential Zone II.

In terms of the George Integrated Zoning Scheme By-law, 2023 the following development parameters will be applicable to the two subdivided portions (250m² to 500m² category):

- Coverage the greater of 200m² or 65%
- Building lines street boundary - 3 metres
side boundaries - 0 metres on 1 side boundary, 1.5 metres on other side boundary
rear boundary - 1.5 metres; garage perpendicular to street boundary: 5.5 metres from kerb
- Parking 1 to 2 parking bays per dwelling house
- Width of street access (entrance and exit) minimum: 5 metres, maximum: 8 metres
- Height wall plate height: 6.58 metres; ridge height: 8.5 metres.

The proposed development will comply with all the mentioned parameters. The 0-meter side building line that is allowed in respect of each subdivided erf has the effect that the two adjacent dwelling units can be linked together. This results in a more economical use of space on the subdivided portions.

6.5.7 Title Deed

Although the title deed of an erf is not a planning document, it sometimes still contains conditions, which may have an impact on the development potential of an erf.

The title deed of Erf 25464 George was scrutinised, and it was established that the title deed contains no conditions prohibiting the subdivision as proposed.

6.5.8 Existing Council Policies

There are existing Council policies that provide guidance on minimum erf sizes for different areas within the George Municipal Area. Erf 25464 George forms part of the erven for which a general subdivision approval was issued by the Directorate: Planning and Human Settlements of the George Municipality on 15 September 2013. The desirability of the subdivision of all erven

located in Blue Mountain Gardens was therefore considered at that stage and the fact that a general approval was issued indicates that the George Municipality consider the subdivision of erven in Blue Mountain Gardens, to build duet dwelling units on the erven, desirable. Although the approval expired on 14 September 2018, the proposed subdivision pattern has already been established in Blue Mountain Gardens and will not be affected or changed by this application. Erf 25464 George will continue to be subdivided into two portions with a duet dwelling unit to be developed on each of the subdivided portions.

6.5.9 Conclusion

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

6.6 Compatibility of proposal with character of environment

Since the general approval dated 15 September 2013, dozens of erven have been developed in accordance with the general approval and Blue Mountain Gardens can be considered an area where densification has been successfully implemented. This application for subdivision will give further impetus to this densification.

The existing duet housing in Blue Mountain Gardens gives the area a special character. This application for subdivision will be further strengthened this character.

Duet housing already exists on most of the erven in the immediate vicinity of Erf 25464 George. The proposed development will therefore not detract from the character of the surrounding area. From this point of view, there is therefore no reason why the application cannot be supported.

6.7 Potential of erf

Erf 25464 George is zoned Single Residential Zone II and may only be used for the construction of a dwelling house. In terms of the Integrated Zoning Scheme By-law for George Municipality, 2023 it is possible, with the permission of the municipality, to also erect a second residential unit

of up to 175m² on the erf. It is therefore theoretically possible to develop two residential units on the erf.

The proposed subdivision is therefore in line with the potential that erf currently has. Approval for more residential units is not sought with this application. The development proposal will therefore contribute to the erf being developed to its highest potential.

6.8 Access

Erf 25464 George is located within Blue Mountain Gardens, which is a security complex with access control. Access to the erf is therefore via the entrance gate of the complex.

Erf 25464 George is a panhandle erf with both subdivided portions having to obtain access via the panhandle. To protect the right of access over the panhandle for both portions it is proposed to register the private right of way servitudes over Portion 1 and the Remainder as described in point 4 of this motivation report and indicated on the subdivision plan attached hereto as **Annexure “B”**.

The width of the erf accesses over the pavement will furthermore be in line with the requirement as per the Integrated Zoning Scheme By-law for the George Municipality, 2023.

6.9 Provision of parking spaces

In terms of the Land Use Planning By-law for George Municipality, 2017, the parking requirements that apply to different land uses are detailed in table format in section 42 of the relevant by-law. For dwelling units on erven smaller than 350m² one parking bays must be provided per dwelling unit and for erven bigger than 350m² two parking bays must be provided per dwelling unit. However, it is expected that the dwelling units will each be provided with 2 parking bays in accordance with the general development trend within Blue Mountain Gardens.

The number of parking bays provided will thus meet the applicable parking requirement.

6.10 Provision of Services

One of the objectives of the Western Cape Provincial Spatial Development Framework is the more effective utilization of existing services. Existing municipal services occur in the area. The proposed subdivided portions will be linked to the existing services, subject to the conditions of the municipality.

The existing civil and electrical services in Blue Mountain Gardens have furthermore sufficient capacity to accommodate the proposed development that will result from the subdivision of the erf. The aspect therefore places no limitation on the application.

The proposed development will furthermore achieve better utilization of existing services, which is in line with the provisions of the Provincial Spatial Development Framework.

7. CONCLUSION

Application is also made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 25464 George in accordance with the subdivision plans attached to this motivation report.

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 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 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": GENERAL MUNICIPAL APPROVAL DATED 15 SEPTEMBER 2013

Afskrif: Direkteur: Siviele Ingenieursdienste
 Direkteur: Elektrotegniese Dienste
 Direkteur: Menslike Nedersettings, Grondsake & Beplanning
 Direkteur: Finansiële Dienste (Anita Scheepers)
 Direkteur: Boubeheer (Hein Grobbelaar)

E-mail: marina@george.org.za
Kraaibosch 195/22, George

Me M Welman

044 – 801 9171

15 September 2013

GEREGISTREERDE POS

Nel & De Kock
Posbus 1186
GEORGE
6530

**ONDERVERDELING, HERSONERING, KONSOLIDASIE, REGISTRASIE EN
WYSIGING:: RESTANT KRAAIBOSCH 195/22, AFDELING GEORGE**

Bogenoemde aansoek het betrekking.

Die Direkoraat: Beplanning en Menslike Nedersettings het, onder gedelegeerde bevoegdheid W.1.56, 64 en W.1. 74 onderskeidelik van 25 Januarie 2012, besluit dat die volgende aansoeke:

1. Onderverdeling van Restant Gedeelte 22 van die plaas Kraaibosch No.195 in terme van Artikel 24(2) van Ordonnansie 15 van 1985 in 'n Gedeelte A ($\pm 395m^2$) en Restant;
2. Hersonering van Gedeelte A in terme van Artikel 17(2)a van Ordonnansie 15 van 1985 vanaf Residensiële Sone II na Residensiële Sone I ;
3. Konsolidasie van Gedeelte A met Erf 25487, George;
4. Hersonering van Erf 25369, George in terme van Artikel 17(2)a van Ordonnansie 15 van 1985 vanaf Residensiële Sone I na Oopruimte Sone II ;
5. Onderverdeling in terme van Artikel 24(2) van Ordonnansie 15 van 1985 soos aangetoon op Plan No. G/C/224-1;
6. Registrasie van toegang- en diensserwituutareas soos aangetoon op Plan No. G/C/224-1 ;
7. Die voorwaarde soos vervat in par. (iii) van die goedkeuringskrywe gedateer 26 November 2007 ingevoege Artikel 42(3) van Ordonnansie 15 van 1985 soos volg gewysig word:

“dat die grondgebruikbeperkings sal wees vir die sonerings in (ii) soos bepaal deur die Artikel 8 Soneringskema regulasies (Provinsiale Kennisgewing 353 gedateer 20 Julie 1986 soos gewysig) behalwe ten opsigte van die Residensiële Sone I persele, waar 'n 0m boulyn aan weerskante van die voorgestelde nuwe verdelingslyn toelaatbaar sal wees, alleenlik vir die doeleindes van duetbehuising en behalwe ten opsigte van die Residensiële perseel (volgens par. C)”

GOEDGEKEUR WORD onderworpe aan die volgende voorwaardes opgelê ingevolge Artikel 42 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), naamlik:

(a) Stadsbeplanningsvoorwaardes:

1. Die goedkeuring van hierdie aansoek sal verval in ooreenstemming met die Ordonnansie op Grondgebruiksbeplanning, 1985 (Ordonnansie 15 van 1985) indien die goedkeuring nie uitgeoefen word binne vyf (5) jaar vanaf die datum van hierdie goedkeuring nie;
2. Dat onderverdelingsplanne vir elke individuele onderverdeelde eiendom ooreenkomstig meegaande onderverdelingsplan van Nel en De Kock, Stads- en Streeksbeplanners, Plan G/C/224/1, gedateer April 2013, aan die Direkteur: Menslike Nedersettings, Grondsake en Beplanning voorgelê word vir goedkeuring;
3. Die bestaande Konstitusie van die Blue Mountain Huiseienaarsvereniging moet uitgebrei word om die eienaars van die eiendomme soos op Plan G/C/224/1, gedateer April 2013 aangetoon, in te sluit;
4. Die bestaande Argitektoniese riglyne van die Blue Mountain Ontwikkeling moet aangepas word om vir duetbehuising voorsiening te maak. Alle bouplanne moet aan hierdie riglyne voldoen en deur die huiseienaarsvereniging goedgekeur word voordat bouplanne by die munisipaliteit ingedien word;
5. Die estetiese voorkoms van die geboue en die terrein soos sigbaar van die N2 moet voldoen aan die Raad se “Urban Design and Architectural Guidelines” met betrekking tot die aansig vanaf die N2 as ingangspoort tot die dorp;
6. Die ontwikkelaar moet probeer dat ten minste 25% van alle boumateriaal bestaan uit herwinbare materiaal tot bevrediging van die Direkoraat: Menslike Nedersettings, Grondsake en Beplanning;
7. Die gebruik van reënwater opvangstelsels sowel as sonpanele verhitingsstelsels, lae vloei spoeltoilette en stortkoppe word aangemoedig en moet in die argitektoniese riglyne ingelyf word;
8. 'n Bouplan ten opsigte van elke wooneenheid moet ingedien word vir goedkeuring ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977, (Wet 103 van 1977), voordat nuwe geboue opgerig word;
9. Alle relevante stadsbeplanningsvoorwaardes vervat in die Raadsgoedkeuring van 26 November 2007 is steeds van toepassing.

(b). Voorwaardes van die Direkoraat: Siviele Ingenieursdienste (Oorspronklike in Engels):

1. Capital contributions are payable by the developer for each new equivalent erf (ee) created, as per standard tariffs for George, applicable on transfer of a portion or the approval of building plans, or as stipulated in a Services Agreement between the George Municipality and the Developer. The total amount payable will be determined by the Dept: CES, and will be subject to annual adjustment. Contributions payable may be adjusted should the actual water usage exceed the accepted normal daily usage based on the Guidelines for Human Settlement Planning and Design.
2. Any, and all, costs directly related to the development remain the developers' responsibility.
3. All civil services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with The Guidelines for Human Settlement and Design and Council specifications. All drawings and plans are to be submitted to the Dept: CES, or any other relevant authority,(hard copy and electronically) for approval prior to any construction work taking place. All work is to be carried out under the supervision of the consulting engineer who is to provide the relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the civil services have been satisfactorily installed.
4. Transfers may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the satisfaction of the Dept: CES.
5. Only municipal water for residential use is provided.
6. Each new portion created must have separate water and sewer connections.
7. The developer / erf owner is to apply to the George Municipality for the installation of an individual erf meter prior to any building work commencing on an erf.
8. Storm water runoff from individual erven and proposed roads need to be addressed by developer. (Condition 3 applies). All costs related are for the developer.
9. No private parking is allowed in the road reserve.
10. Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of another development are to be determined and agreed to by the developer/owner of the other erf. Storm water discharge points are included in the aforementioned. All the aforementioned remain the developers responsibility
11. Any existing municipal, provincial, national or private services damaged during the development will be repaired at the developers cost and to the satisfaction of the relevant party / authority.
12. Servitudes must be registered for any pipelines not positioned within the normal building lines.
13. Developer responsible to obtained the neasary approval / way leaves form third parties which included, but not limited to the following: Telkom & Fiber optical cable
14. The applicant is to comply with the National Forests Act No 84 of 1998.

15. The developer is to adhere to the requirements of the ROD. The onus is on the developer to provide the Dept: CES with the necessary proof of compliance with the ROD.
16. The developer is to adhere to the OHS Act and all other legislative requirements, at all times, as well as all conditions stipulated by any other authority whose approval was required and obtained for this development;
17. The following erven cannot be included in the 0,0m side building line relaxation: 25367, 25467, 25464, 25435 & 25438;

(c). Voorwaardes van die Direkoraat: Elektrotegniese Dienste (Oorspronklike in Engels):

- 1 Capital contributions are payable by the applicant for electricity for each equivalent portion created as per standard tariffs for George applicable at the time of transfer of a portion or approval of building plans, whichever occurs first. These capital contributions and payment thereof to George Municipality will be fully addressed in a service agreement between the Developer and George Municipality;
- 2 Any, and all, costs directly related to the supply of electricity to this erf remain the owner's responsibility;
- 3 All electrical link and internal services as well as the relocation of/or upgrades to the existing network, are to be designed by a registered consulting engineer in accordance with Council specifications. All drawings and plans are to be submitted to the Directorate Electrotechnical Services (hard copy and electronically) for approval prior to any construction work taking place. All work is to be carried out under the supervision of the consulting engineer who is to provide the Directorate Electrotechnical Engineering with a certificate on completion, and as-build plans in electronic format. All costs will be for the developer.

Nieteenstaande hierdie besluit het u wel 'n reg tot appèl teen die Raad se besluit in terme van Artikel 44 van Ordonnansie 15/1985, **welke reg binne 21 dae vanaf datum van registrasie (poskantoor datum stempel op koevert)** van hierdie brief uitgeoefen moet word. Die appèl moet **binne die voormelde tyd** aan die **Hoof Direkoraat: Beplanning, Privaatsak X6509, George, 6530** versend word, met 'n afskrif aan die George Munisipaliteit geëndosseer.

Let asseblief daarop dat u beswaar slegs gebaseer kan word op die oorwegings uiteengesit in Artikel 7.5(a) van Provinsiale Omsendskrywe 8/2013 hierby aangeheg (Oorspronklike in Engels) as Aanhangsel "B".

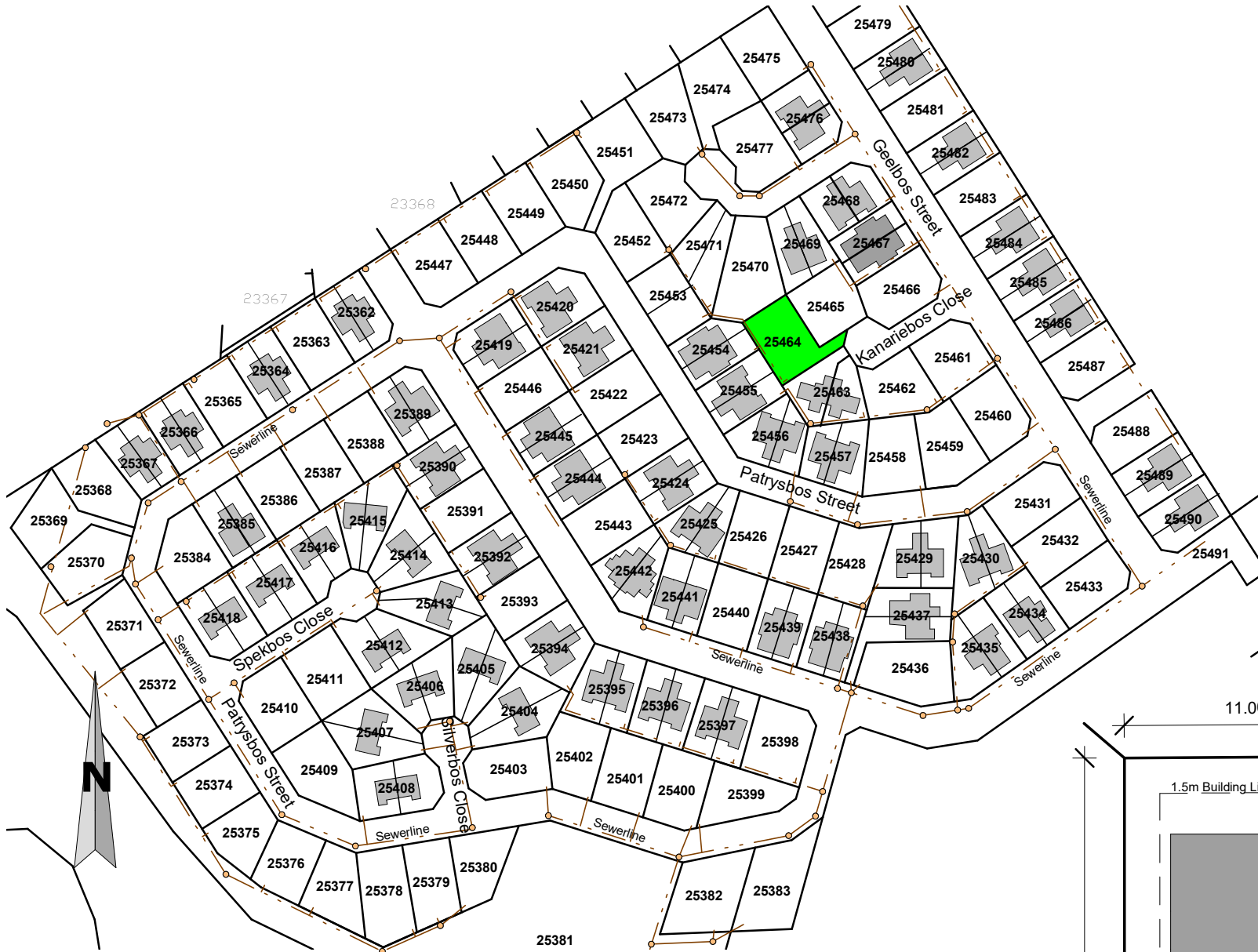
Die uwe

T BOTHA
MUNISIPALE BESTUURDER

G:\Michelle\Michelle\Briewe\kraaibosch 195-22(OnderverdelingHersoneringGoedkeuring)Nel & De Kock.doc

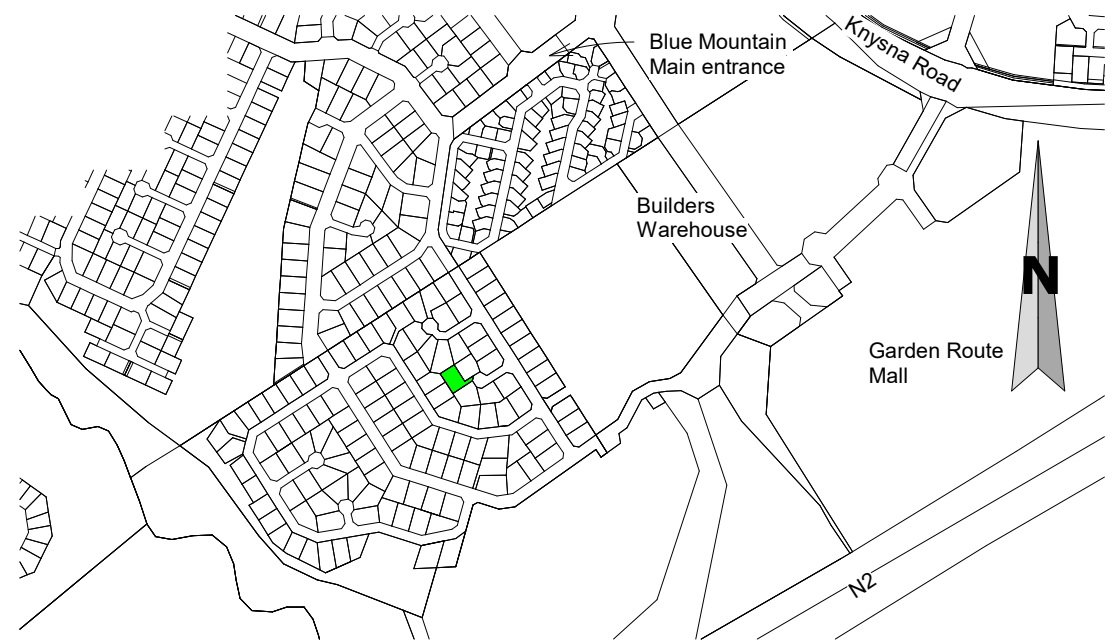
ANNEXURE "B": PROPOSED SUBDIVISION PLAN





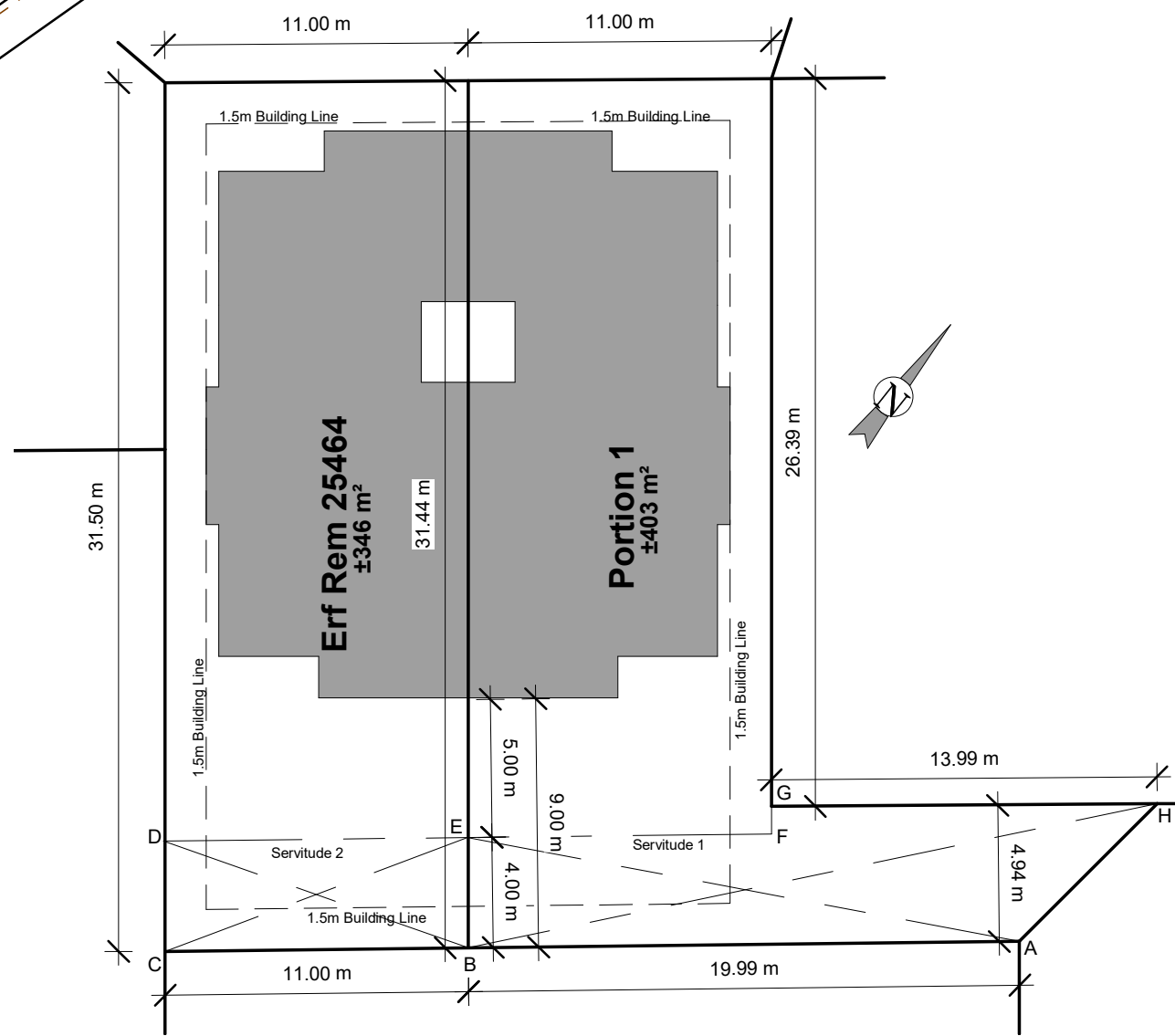
3 Site Development Plan

1 : 2500



5 Locality Plan

1 : 10000



4 Subdivision

1 : 250

Owner signature

Aansoek

Aansoek word in terme van Artikel 15(2)(d) van die Verordeninge op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen vir die onderverdeling van Erf 25464 George in 'n Gedeelte 1 (groot ongeveer 403m²) en 'n Restant (groot ongeveer 346m²)

Sonering

Gedeelte 1: Enkel Residensiële sone II
Restant: Enkel Residensiële sone II

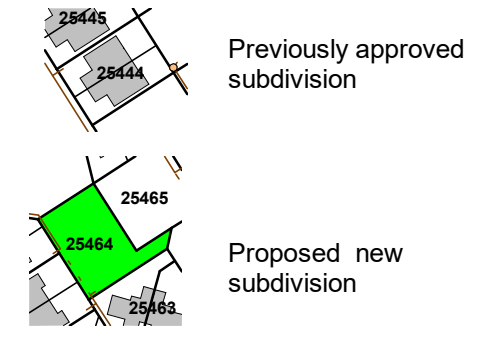
Nota

'n Nul meter sygrensboulyn sal langs die onderverdelingslyn van toepassing wees.

Serwitute

- 1) Reg van weg serwituut gemerk ABEFGH oor gedeelte 1 ten gunste van restant
- 2) Reg avn weg serwituut gemerk BCDE oor restant ten gunste van Gedeelte 1

LEGEND



Remarks

This drawing is copyrighted and belongs to JDS. No parts hereof may be copied, or used for purposes other than indicated on this drawing without written approval of JDS

Revision		
No.	Description	Date

ERF 25464

Proposed new subdivision on erf 25464, Blue Mountain, George



johan@jdsdesign.co.za Cell: 084 400 5666
www.jdsdesign.co.za Fax: 086 5135719

Project number	593
Date	02/07/2019
Drawn: JJP Jacobs	SACAP REG NO D 0560

Subdivision

1157-SD-01

Scale	As indicated
-------	--------------

ANNEXURE "C": MUNICIPAL 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

PARTA: 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	Heidie Jeanette van den Berg		
Address	4 Valley Road		
	Camfersdrift, George	Postal code	6529
E-mail	heidie.stander@gmail.com		
Tel	N/a	Fax	044 873 0169
		Cell	082 0487833

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

Property Description [Erf / Erven / Portion(s) and	Erf 25464 George
---	------------------

Farm number(s), allotment area.]											
Physical Address		Kanarie Close, Blue Mountain Gardens									
GPS Coordinates					Town/City		George				
Current Zoning		Single Residential Zone II (Duet dwelling units)		Extent		749m²		Are there existing buildings?		Y	N
Current Land Use		Vacant									
Title Deed number & date		T19520/2024									
Any restrictive conditions prohibiting application?		Y	N	If Yes, list condition number(s).			N/a				
Are the restrictive conditions in favour of a third party(ies)?		Y	N	If Yes, list the party(ies).			N/a				
Is the property encumbered by a bond?		Y	N	If Yes, list Bondholder(s)?			N/a				
Has the Municipality already decided on the application(s)?		Y	N	If yes, list reference number(s)?			N/a				
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 ____, George/Wilderness/Hoekwil...

PART F: DETAILS OF PROPOSAL

- **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 Erf 25464 George into a Portion 1 (±403m²) and a Remainder (±346m²).**
- **An application in terms of Section 24(1)(f)(v) of the Land Use Planning By-Law for the George Municipality, 2023 for exemption of the registration of a private right of way servitude marked abefgh over Portion 1 in favour of the Remainder.**
- **An application in terms of Section 24(1)(f)(v) of the Land Use Planning By-Law for the George Municipality, 2023 for exemption of the registration of a private right of way servitude marked bcde over the Remainder in favour of Portion 1.**

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 2 copies
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	Other (specify)

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

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y	N/A	Specific Environmental Management Act(s) (SEMA)
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)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			(strikethrough irrelevant)
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/A	Other (specify)
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:

9 May 2024

Full name:

Johannes George Vrolijk

Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

A/1386/2010

ANNEXURE "D": LOCALITY PLAN

Erf 25464 George - Locality plan



0 0.04 0.09 0.18 km

Date: 4/9/2024 5:56 AM

Scale: 1:1,616



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 "E": GENERAL PLAN

CDR

GEORGE ALLOTMENT AREA

GENERAL PLAN No. 45/2008
of

THE SUBDIVISIONS OF ERF 25360, GEORGE
Veld Diagram No. 42/2008
Deed of Transfer No.

Comprising 130 even numbered 25362 to 25491
Situate
in the Municipality and
Administrative District of George
Province Western Cape

CO-ORDINATES					
System 42.23					
Constants X = 0.00 Y = 3 700 000.00					
MAIN FIGURE		BLOCK CORNERS			
Y	X	Y	X		
A	47 090.53	62 481.62	A1	46 646.67	62 252.53
B	46 803.21	62 226.11	A2	46 811.46	62 306.54
C	46 495.93	62 403.67	A3	46 646.43	62 331.01
D	46 513.96	62 418.11	A4	46 805.09	62 336.63
E	46 526.85	62 417.60	A5	46 508.58	62 327.48
F	46 508.51	62 437.00	A6	46 508.43	62 320.11
G	46 508.99	62 430.09	A7	46 565.18	62 313.24
H	46 493.93	62 414.64	A8	46 472.27	62 312.99
J	46 434.35	62 401.17	A9	46 472.69	62 319.61
K	46 442.67	62 407.04	A10	46 585.02	62 326.65
L	46 448.11	62 406.90	A11	46 473.27	62 334.02
M	46 558.38	62 562.63	A12	46 566.37	62 334.50
N	46 577.63	62 565.93	A13	46 563.51	62 345.90
P	46 605.93	62 556.98	A14	46 645.58	62 341.67
Q	46 512.24	62 560.29	A15	46 584.83	62 335.46
R	46 534.86	62 540.32	A16	46 568.33	62 332.77
S	46 558.48	62 543.18	A17	46 583.69	62 389.02
T	46 576.55	62 536.28	A18	46 562.94	62 383.71
U	46 704.40	62 689.58	A19	46 611.38	62 389.87
V	46 751.90	62 685.94	A20	46 632.92	62 395.97
W	46 818.69	62 693.54	A21	46 607.56	62 404.41
X	46 862.93	62 638.33	A22	46 582.65	62 409.95
Y	46 895.94	62 602.98	A23	46 562.05	62 385.63
Z	46 962.11	62 553.30	A24	46 531.26	62 431.05
			A25	46 565.64	62 454.90
			A26	46 605.13	62 458.68
			A27	46 657.60	62 443.10
			A28	46 717.78	62 348.35
			A29	46 736.18	62 345.63
			A30	46 787.15	62 362.35
			A31	46 804.24	62 320.36
			A32	46 817.79	62 364.93
			A33	46 806.60	62 356.02
			A34	46 808.41	62 484.99
			A35	46 801.47	62 492.78
			A36	46 801.71	62 506.23
			A37	46 808.71	62 515.05
			A38	46 736.80	62 506.35
			A39	46 680.87	62 514.04
			A40	46 634.91	62 604.62
			A41	46 621.70	62 508.02
			A42	46 793.81	62 482.15
			A43	46 751.94	62 529.50
			A44	46 626.10	62 565.95
			A45	46 633.81	62 582.16
			A46	46 646.27	62 592.64
			A47	46 586.17	62 608.62
			A48	46 735.86	62 583.91
			A49	46 709.98	62 588.74
			A50	46 773.53	62 572.98
			A51	46 769.71	62 568.38
			A52	46 771.43	62 596.53
			A53	46 777.23	62 592.43
			A54	46 787.09	62 594.09
			A55	46 791.05	62 598.94
			A56	46 789.67	62 588.96
			A57	46 783.69	62 573.83
			A58	46 786.35	62 586.49
			A59	46 817.15	62 586.65
			A60	46 842.96	62 589.90
			A61	46 871.54	62 548.95
			A62	46 825.34	62 511.07
			A63	46 818.56	62 532.35
			A64	46 810.15	62 508.93
			A65	46 808.58	62 499.97
			A66	46 813.99	62 491.56
			A67	46 820.88	62 492.05
			A68	46 820.31	62 499.49
			A69	46 836.91	62 502.17
			A70	46 871.17	62 531.99
			A71	46 863.48	62 496.57
			A72	46 897.99	62 489.26
			A73	46 780.36	62 393.44
			A74	46 736.57	62 396.77
			A75	46 696.04	62 454.95
			A76	46 696.38	62 472.93
			A77	46 622.27	62 462.93
			A78	46 561.34	62 478.08
			A79	46 499.04	62 495.50
			A80	46 559.24	62 545.00
			A81	46 580.24	62 548.32
			A82	46 707.56	62 508.95
			A83	46 488.65	62 488.22
			A84	46 475.93	62 486.24
			A85	46 449.39	62 487.51
			A86	46 636.37	62 243.96

REFERENCE MARKS

Q101	46 681.04	62 717.05
Q102	46 563.13	62 384.36
Q103	46 706.29	62 379.95

TRIGONOMETRICAL BEACONS

Δ 1037 KODOMBE	50 374.50	50 315.71
Δ 1038 SILVER RIVER	42 348.33	51 341.48

AREAS			
Er	Square metres	Er	Square metres
25362	693	25407	704
25363	709	25408	706
25364	704	25409	672
25365	704	25410	620
25366	704	25411	703
25367	698	25412	705
25368	705	25413	732
25369	703	25414	704
25370	701	25415	695
25371	672	25416	645
25372	638	25417	605
25373	605	25418	611
25374	676	25419	704
25375	615	25420	704
25376	657	25421	704
25377	690	25422	741
25378	614	25423	735
25379	690	25424	704
25380	644	25425	704
25381	663	25426	704
25382	660	25427	749
25383	686	25428	704
25384	776	25429	704
25385	704	25430	762
25386	704	25431	883
25387	704	25432	762
25388	704	25433	704
25389	706	25434	860
25390	704	25435	704
25391	704	25436	716
25392	704	25437	735
25393	704	25438	740
25394	621	25439	708
25395	645	25440	700
25396	863	25441	717
25397	709	25442	697
25398	628	25443	774
25399	708	25444	749
25400	735	25445	693
25401	736	25446	743
25402	708	25447	704
25403	705	25448	718
25404	880	25449	696
25405	616	25450	936
25406	772	25451	690
25407	873	25452	754
25408	666	25453	710
25409	825	25454	842
25410	762	25455	709
25411	800	25456	715
25412	862	25457	692
25413	763	25458	704
25414	833	25459	704
25415	706	25460	704
25416	703	25461	704
25417	800	25462	704
25418	706	25463	704
25419	735	25464	704
25420	736	25465	704
25421	704	25466	704
25422	704	25467	712
25423	704	25468	650
25424	733	25469	704
25425	610	25470	692
25426	704	25471	692
		25472	2 3771 hectares

S.S. No. 45/2008
APPROVED
SUBDIVISION-DIAGRAM
DATED - 2008-04-13
SHEET 1 of 2 SHEETS
Approved in terms of Section 21(1) of the Survey Act of 1981
Er: 1 November 2007
Date: 26 November 2007

ACT 70/1970
NOT APPLICABLE

ENDORSEMENTS				
NO	AMENDMENT	ADDITIONAL AUTHORITY	INTD.	DATE

- S G OFFICE NOTES
- Er 25426 Framed - Vide Dgn. No. 3094/2013
 - Er 25427 Framed - Vide Dgn. No. 3094/2013
 - Er 25428 Framed - Vide Dgn. No. 3046/2013
 - Er 25429 Framed - Vide Dgn. No. 3046/2013
 - Er 25437 Framed - Vide Dgn. No. 3043/2013
 - Er 25362 & 25363 consolidated - Vide Dgn. No. 194-195/07 2007
 - Er 25362 Framed - Vide Dgn. No. 194/195
 - Er 25363 Framed - Vide Dgn. No. 194/195
 - Er 25364 Framed - Vide Dgn. No. 194/195
 - Er 25365 Framed - Vide Dgn. No. 194/195
 - Er 25366 Framed - Vide Dgn. No. 194/195
 - Er 25367 Framed - Vide Dgn. No. 194/195
 - Er 25368 Framed - Vide Dgn. No. 194/195
 - Er 25369 Framed - Vide Dgn. No. 194/195
 - Er 25370 Framed - Vide Dgn. No. 194/195
 - Er 25371 Framed - Vide Dgn. No. 194/195
 - Er 25372 Framed - Vide Dgn. No. 194/195
 - Er 25373 Framed - Vide Dgn. No. 194/195
 - Er 25374 Framed - Vide Dgn. No. 194/195
 - Er 25375 Framed - Vide Dgn. No. 194/195
 - Er 25376 Framed - Vide Dgn. No. 194/195
 - Er 25377 Framed - Vide Dgn. No. 194/195
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 - Er 25458 Framed - Vide Dgn. No. 194/195
 - Er 25459 Framed - Vide Dgn. No. 194/195
 - Er

CDR

GEORGE ALLOTMENT AREA
GENERAL PLAN No. 45/2008

of
THE SUBDIVISIONS OF ERF 25360, GEORGE
Situate
in the Municipality and
Administrative District of George
Province Western Cape

SCALE 1: 600

S.S. No. 45/2008
APPROVED

SURVEYOR-GENERAL
DATED: 2008.02.19
SHEET 2 of 2 SHEETS



REFERENCE MARKS
RM 1, RM 2, RM 4 12m iron peg in concrete

BOUNDARY DESCRIPTIONS
25360 not depicted
0 fence boundaries
K.K.Y.Z 1/43 section
All other sections are 12m iron peg

DETAILED MARKS
25360, 25361 12m iron peg

NOTES
All walls are 5,00 metres unless otherwise shown.

Surveyed by me in June 1987 - October 2007

A. LOUW (PLS0290)
Professional Land Surveyor
LP# 00270002
P.L.S. No. Geor. 195
S.A. No. E. 25/05/08
DWP. No. 102/15/1798
No. 102/15/1792

ANNEXURE "F": BEACON CERTIFICATE



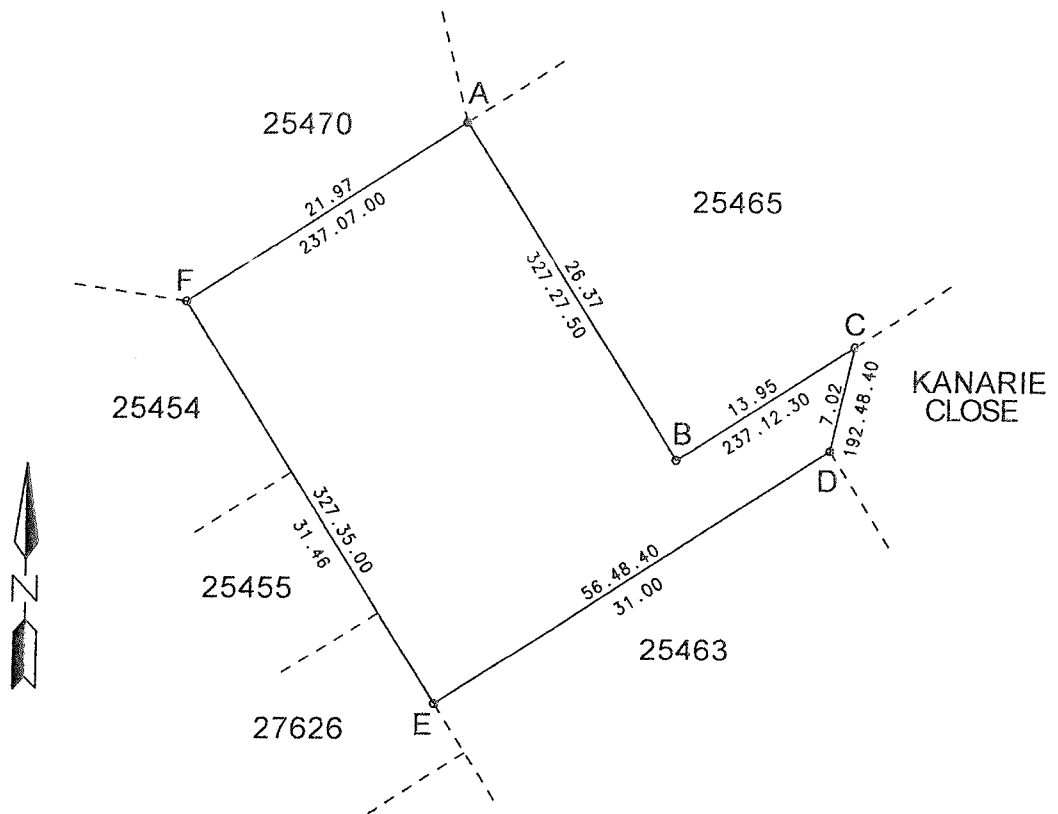
LAND SURVEYOR'S CERTIFICATE

The Chief Town Planner, Municipality of GEORGE
I hereby certify that I have inspected the property known as
ERF 25464 GEORGE at Blue Mountain Estate

Situate in the Municipality of GEORGE
Administrative District of George
Province of the Western Cape

on behalf of Mr K van den Berg
General Plan No 45/2008 and that

- I have either located or, where necessary, replaced every survey beacon defining the boundaries of this property, and
- there exists no encroachments upon this property, and
- no building, structure or other thing on or connected with this property encroaches on any public street, public place or private property abutting this property



Scale 1:500

Beacon Descriptions

A,B,D,E,F: wall corners
C: steel nail in paving

in March 2024

G. S. SAVAGE & Associates

PROFESSIONAL LAND SURVEYOR

46 ALBERT STREET, P O BOX 752, GEORGE 6530

TEL: (044) 874 2414 Cell: 083 454 1350

CF: 1759/BMKB 4

Ref: 25464BM.mal

ANNEXURE "G": TITLE DEED

Prepared by me

CONVEYANCER
REINETTE LAMPRECHT (84717)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 600 000-00	R. 126-00 1196-00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA / VERIFY
11 APR 2024
Anitha Manyisana

DATA / CAPTURE
10 APR 2024
C. M. M. M.

T000019520 / 2024

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

dup

~~CHRISTO PHILIP NÖTHNAGEL (85286)~~ CATHERINE SARAH DU PLESSIS LPCM 98597

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her at George on 22 February 2024 by PETER SOLLY SIBINDI, in my capacity as Sheriff of the High Court of South Africa (Eastern Circuit Local Division, Themba lethu) acting in terms of a court order issued by the High Court of South Africa (Eastern Circuit Local Division, Themba lethu) under case number 18052/2023 on 11 December 2023 on behalf of

The trustees of the T L MOEPI TESTAMENTARY TRUST
Registration Number MC 18571/2013 (T)

And the appearer declared that whereas application has been made in the High Court of South Africa (Eastern Circuit Local Division, Thembalethu) under case number 18052/2023

wherein the Applicant was

HEIDIE JEANETTE VAN DEN BERG
Identity Number 780910 0038 089
Married out of community of property

wherein the First Respondent was

SELLO HERMANS MOEPI N.O. in his capacity as trustee of the T L MOEPI TESTAMENTARY TRUST, Registration Number MC 18571/2013 (T)

wherein the Second Respondent was

CHARLES VORSTER BASSIE SEHLOGO N.O. in his capacity as trustee of the T L MOEPI TESTAMENTARY TRUST, Registration Number MC 18571/2013 (T)

wherein the Third Respondent was

THE REGISTRAR OF DEEDS, CAPE TOWN

And whereas the abovementioned court issued a court order on 11 December 2023 whereby the undermentioned property registered in the name of T L Moepi Testamentary Trust, Registration Number MC 18571/2013 (T) must be transferred to the Applicant and whereby the Sheriff of the High Court of South Africa is authorised and ordered to sign the transfer documents should the First Respondent fail and/or refuse to sign the transfer documents.

And the appearer declared that his/her said principal had on 25 August 2022, 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:

HEIDIE JEANETTE VAN DEN BERG
Identity Number 780910 0038 089
Married out of community of property

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

ERF 25464 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE

IN EXTENT 749 (SEVEN HUNDRED AND FORTY NINE) Square metres

FIRST TRANSFERRED and still held by Deed of Transfer No. T72667/2008 with General Plan No. 45/2008 relating thereto.

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T10121/1919.
- B. **SUBJECT FURTHER** to the special condition contained in Amended Grant dated 23rd April 1913 (George Quitrents Vol. 15 No. 11), which condition reads as follows:

"That the said land (Kraai Bosch) shall be subject to all such duties and regulations as either are already, or shall in future be established respecting lands held on similar tenure."

- C. **SUBJECT FURTHER** to the terms of the servitude referred to in the endorsement dated 16th November 1944 on Deed of Transfer No. 6136/1941 which endorsement reads as follows:

"By Notarial Deed No. 348 dated 30/10/1944, the owner and his successors in title of the land held paras. 3 to 6 hereof has given and signified his consent to the construction of certain waterworks over the said ppty. By the Mun. of George affecting the riparian rights of the land held under the said paras. of this deed. Subject to conditions as will more fully appear on reference to the said Notarial Deed vide copy annexed hereto."

- D. **SUBJECT FURTHER** to the following endorsement dated 26/5/1976 on Deed of Transfer No. T6853/1948:

"Endossement kragtens Artikel 31 (6) van Wet Nr 47 van 1937 (soos gewysig):

'n Gedeelte van die eiendom hierin vermeld groot 15.02 hektaar is onteien deur die Departement van Vervoer kragtens Artikel 8 (1) (d) van Wet 54 van 1971 vide onteieningskennisgewing Nr 10/3/1/038/8 dd 17/5/1976 geliaseer as onteienings caveat Ex 873/1976 planne in twee geliaseer hiermee."

- E. **BY** Servitude No. K493/77S the within described land is **SUBJECT** to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No ...) dated 3/6/1977 as will more fully appear on reference to the copy of the said Order annexed to Servitude No. K493/1977S.
- F. **SUBJECT FURTHER** to the following endorsement dated 18/6/1985 on Deed of Transfer No. T6853/1948:

ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT 47 OF 1937 (AS AMENDED)

Two portions of the herein mentioned property in Para 5 together meas ± 776 square metres has been expropriated by Republic of South Africa in terms of Section 8(1)(a) of the National Roads Act 54 of 1971 vide Notice of Expropriation No. N10/3/1/038/8 dated 3/6/1985 filed as exprop. Caveat EX 504/1985 plans in duplicate filed EX504/1985.

- G. **BY** servitude No. 15/1972 the within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District Cape) dated 26/5/1971 as will more fully appear on reference to the copy of said Order annexed to Servitude No. 15/1972.
- H. **BY** virtue of Certificate of Registered Title No. T5509/2007 the within mentioned property is **SUBJECT FURTHER** to the following conditions laid down by the Controlling Authority upon approval granted on 3 July 2003 in terms of Section 11(6) of the Roads and Ribbon Development Act, No. 21/1940, namely:

- “2.1 Die aanbevelings ingevolge Arcus Gibb se “Traffic Impact Assessment” finale verslag Mei 2003 geïmplementeer word. ‘n Afskrif van die aanbevelings en ‘n afskrif van hierdie kantoor se brief gedateer 29 Mei 2003 vergesel hierdie brief.
- 2.2 Geen advertensies vertoon word waar hulle sigbaar is vanuit Grootpad 2/10 nie.”

I. **BY** virtue of Certificate of Registered Title No. T5509/2007 the within mentioned property is SUBJECT FURTHER to the following conditions laid down by the Controlling Authority of the South African National Roads Agency upon approval granted on 30th July 2004 in terms of Section 49 of the National Roads Act 1998, No. 7 of 1998, namely:

- “1. Die voorgestelde weegbrugterrein op die Restant Gedeelte 22 van die plaas Kraaibosch 195, George nie deel uitmaak van die onderverdeling van die moeder eiendom nie, maar gereserveer bly vir ‘n toekomstige weegbrugterrein verleen, nie gekanselleer word nie.
3. Met die uitsondering van bestaande bouwerke, mag geen bouwerk of enigiets anders hoegenaamd sonder die skriftelike goedkeuring van die Suid-Afrikaanse Nasionale Padagentskap Beperk binne ‘n afstand van 20 meter, gemeet vanaf die nasionale padreserwegrens, opgerig word nie.
4. ‘n Permanente 2 meter baksteenmuur of sekuriteitsheining moet opgerig word op die gemeenskaplike grens van die nasionale pad en die eiendom. Detailplanne van die voorgestelde muur/sekuriteitsheining moet aan Die Suid-Afrikaanse Nasionale Padagentskap Beperk voorgelê word vir skriftelike goedkeuring.
5. Geen direkte toegang tot of uitgang vanaf bogenoemde eiendomme na die nasionale pad toegestaan sal word nie. Toegang sal slegs verkry kan word vanaf die bestaande T2/10 in oorleg met die Provinsiale Administrasie.
6. Die Suid-Afrikaanse Nasionale Padagentskap Beperk sal nie aanspreeklik gehou word vir enige skade of waardevermindering van die eiendom wat voortspruit uit enige impak wat die ontwikkeling wat hiermee goedgekeur word mag hê op die huidige stormwater dreinerings van die eiendom. Die Suid-Afrikaanse Nasionale Padagentskap Beperk behou die reg voor om enige voorwaardes in hierdie verband neer te lê wat redelik geag word onder die omstandighede.
7. Die Suid-Afrikaanse Nasionale Padagentskap Beperk sal nie in die toekoms aanspreeklik gehou word nie vir enige geraas wat ontstaan van die nasionale pad indien dit ‘n probleem skep vir enige ontwikkeling langs die nasionale pad, en óf die ontwikkelaar óf die grondeienaar óf plaaslike owerheid sal derhalwe verantwoordelik wees om die nodige stappe te neem om die geraas waarvoor gekla word te verminder.”

J. **SUBJECT FURTHER** by virtue of Deed of Transfer No. T5512/2007 to the following conditions imposed by Attfund Limited, No. 1999/005649/06, in favour of Portion 287, a portion of Portion 286 of the farm Kraai Bosch No. 195, in the Municipality and Administrative District of George, Province of the Western Cape, in extent: 1,4593 hectares (hereinafter referred to as Portion 287), held by Certificate of Registered Title No. T5510/2007, namely:

1. No hotel or short term accommodation establishment (except for "bed and breakfast" accommodation of less than 5 (five) bedrooms to sleep no more than 10 (ten) guests) will be permitted on the property without the written consent of the Transferor as owner of the said Portion 287 or its successors in title.
2. No bottle store may be constructed on this property within 50 (fifty) metres of the boundary of Portion 287.

K. BY virtue of Deed of Transfer No. T5512/2007 the within mentioned property is ENTITLED to the benefit of a servitude right of way, 20 (twenty) metres wide, over Remainder Portion 286, portion of Portion 22 of the farm Kraai Bosch No. 195, in the Municipality and Division of George, Western Cape Province, in extent 1,1302 hectares, held by Certificate of Registered Title T5509/2007, the north-western boundary of which servitude right of way is indicated by the line D1E1B on Diagram L.G. No. 5715/2005 annexed to Certificate of Registered Title No. T5509/2007.

L. **SUBJECT FURTHER** to the following conditions contained in Deed of Transfer No. T72667/2008 as imposed by the Municipality of George in terms of Section 29 Ordinance 15/1985 with the approval of the sub-division of erf 25360 George namely:

The owner of an erf shall only be entitled to sell or register a transfer of an erf in any manner (which includes the sale of shares in the case of a company, members interest in the case of a close corporation or the change of beneficiaries in the case of a trust, donation or testamentary or intestate depositions) to a third party after such purchaser, his executor, trustees or assigns has first obtained the written consent from the Blue Mountain Gardens Property Owners Association which consent will not be unreasonably be withheld.



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

T L MOEPI TESTAMENTARY TRUST
Registration Number MC 18571/2013 (T)

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

HEIDIE JEANETTE VAN DEN BERG, Married as aforesaid

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 R620 000,00 (SIX HUNDRED AND TWENTY THOUSAND RAND) .

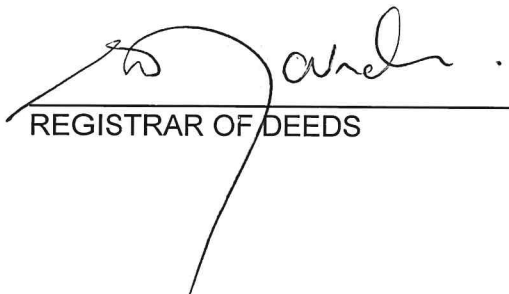
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 05 APR 2024



q.q.

In my presence



REGISTRAR OF DEEDS



ANNEXURE "H": POWER OF ATTORNEY



POWER OF ATTORNEY

I, the undersigned

Heidie Jeanette van den Berg

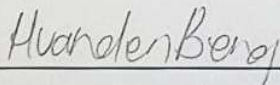
the registered owner of

Erf 25464 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 the George Municipality, 2023 for the subdivision of Erf 25464 George into a Portion 1 ($\pm 403\text{m}^2$) and a Remainder ($\pm 346\text{m}^2$).*
- *An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the registration of a right of way servitude marked abefgh over Portion 1 in favour of the Remainder.*
- *An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the registration of a right of way servitude marked bcde over the Remainder in favour of Portion 1.*

Signed at George on 2 May 2024



Heidie Jeanette van den Berg

ANNEXURE "I": CONVEYANCER CERTIFICATE



CONVEYANCER'S CERTIFICATE

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

ERF 25464 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 Erf 25464 George into a Portion 1 ($\pm 403\text{m}^2$) and a Remainder ($\pm 346\text{m}^2$).
- An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the registration of a right of way servitude marked abefgh over Portion 1 in favour of the Remainder.
- An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the registration of a right of way servitude marked bcde over the Remainder in favour of Portion 1.

APPLICATION DATE

May 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:

T19520/2024 (current Title Deed)

in respect of:

ERF 25464 GEORGE

**IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT: 749 (SEVEN FOUR NINE) SQUARE METRES

HELD BY DEED OF TRANSFER NUMBER T19520/2024

REGISTERED in the name of

HEIDIE JEANETTE VAN DEN BERG

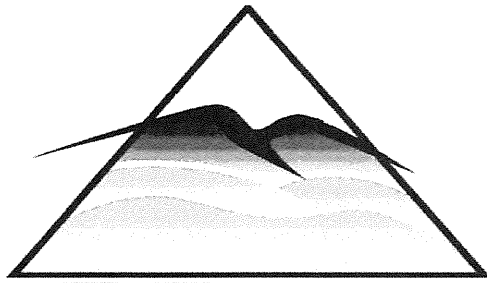
2. I have appraised myself with the details of the abovementioned Land Development Application.
3. The abovementioned Title Deed contains no conditions restricting the contemplated Land Use in terms of the abovementioned Land Development Application.
4. There is no bond registered over the property.

SIGNED at GEORGE on 9 May 2024



CONVEYANCER

**ANNEXURE "J": CONSENT BLUE MOUNTAIN GARDENS HOMEOWNERS'
ASSOCIATION**



BLUE MOUNTAIN *Gardens*

HOA Office Park • Blue Mountain Boulevard • George • 6529
PO Box 13284 • Garden Route Mall • George • 6546

6th May 2024

Town Planning Department
George Municipality
George
6530

Dear Sir or Madam

APPROVAL FOR SUB-DIVISION OF ERF 25464 IN BLUE MOUNTAIN GARDENS

We hereby confirm that the Home Owners Association of Blue Mountain Gardens has no objection to the sub-division of this stand into duet erven.

Stand numbers: 25464.

For approval reference, kindly find attached a copy of the Duet Architectural Guidelines dated June 2019 with reference to pages 8 and 9.

Yours Sincerely



CHRISTO STEYN

Estate Manager
Blue Mountain Gardens

ANNEXURE "K": CONTOUR PLAN



LAND SURVEYOR'S CONTOUR PLAN
 ERF 25464 GEORGE at Blue Mountain Estate
 Situate in the Municipality of GEORGE
 Administrative District of George
 Province of the Western Cape

25470

25465

25454

KANARIE
 CLOSE

25455

Scale 1:250

BM

Ht=220.558

25463

27626

Beacon Descriptions

- A,B,D,E,F: wall corners
- C: steel nail in paving
- CF: 1759/BMKB 4
- Ref: 25464BM.mal

in March 2024

G. S. SAVAGE & Associates

PROFESSIONAL LAND SURVEYOR

46 ALBERT STREET, P O BOX 752, GEORGE 6530

TEL: (044) 874 2414 Cell: 083 454 1350