



The Municipal Manager
P O Box 19
George
6530

Reference: Erf 3703 George and Erf 3704 George

31 January 2024

Sir

**APPLICATION FOR REZONING, CONSOLIDATION AND PERMANENT DEPARTURE
(BUILDING LINES): ERF 3703 GEORGE AND ERF 3704 GEORGE**

Attached hereto, please find an application in terms of

- Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 3703 George from Single Residential Zone I to Community Zone I.
- Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 3704 George from General Residential Zone IV to Community Zone I.
- Section 15(2)(e) of the Land Use Planning By-Law for the George Municipality, 2023 for the consolidation of Erf 3703 George with Erf 3704 George.
- Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of the following building lines in respect of the consolidated erf:
 - the southern street boundary building line from 5.0 metres to 0.0 metres to accommodate the southern wall of the outbuilding to be converted into a pre-school building;

- the western side boundary building line from 5.0 metres to 3.299 metres to accommodate the north-western corner of the dwelling house to be converted into a pre-school building; and
- the eastern side boundary building line from 5.0 metres to 4.0 metres to accommodate the eastern wall of the dwelling house to be converted into a pre-school building.
- the eastern side boundary building line from 5.0 metres to 0.880 metres to accommodate the eastern wall of the outbuilding to be converted into a pre-school building.

Your prompt consideration of the application will be appreciated.

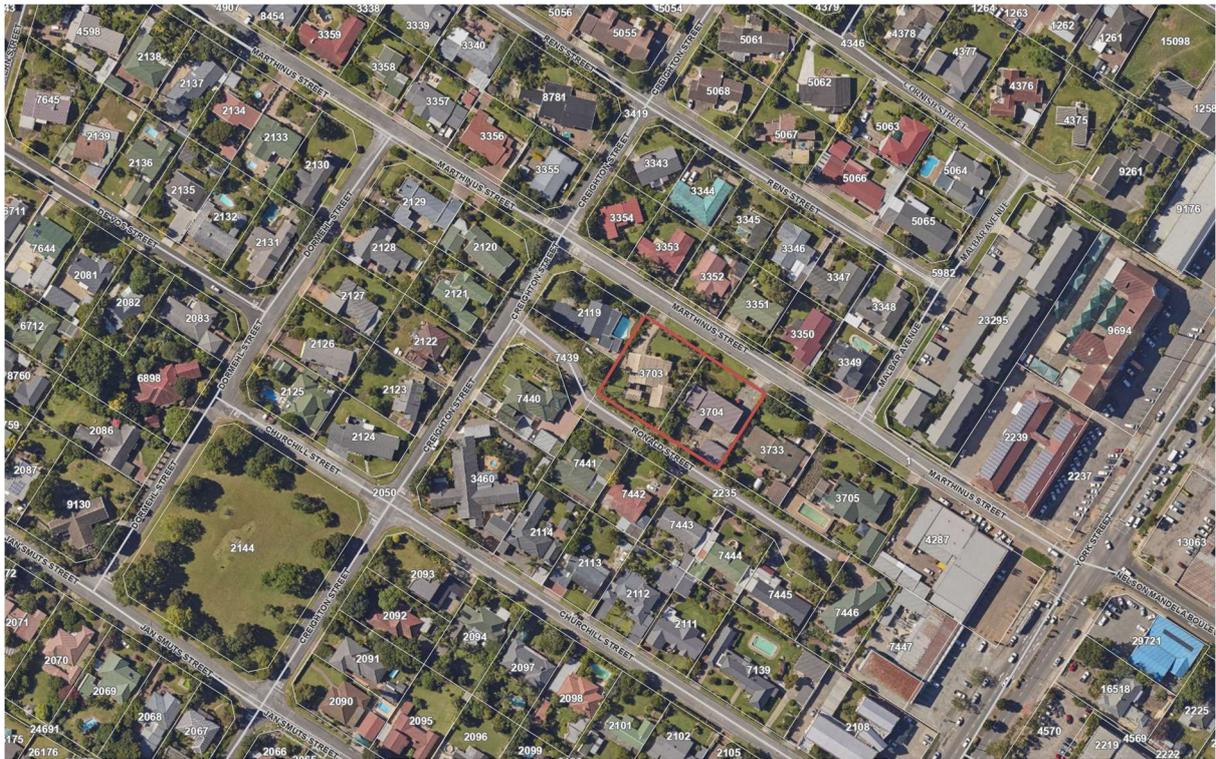
Thanking you in anticipation.

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

Jan Vrolijk

MOTIVATION REPORT
APPLICATION FOR REZONING, CONSOLIDATION AND PERMANENT DEPARTURE
(RELAXATION OF BUILDING LINES)
ERF 3703 GEORGE AND ERF 3704 GEORGE

31 January 2024



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MOTIVATION REPORT:
APPLICATION FOR REZONING, CONSOLIDATION AND PERMANENT DEPARTURE
(RELAXATION OF BUILDING LINES):
ERF 3703 GEORGE AND ERF 3704 GEORGE

1. APPLICATION

- Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 3703 George from Single Residential Zone I to Community Zone I.
- Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 3704 George from General Residential Zone IV to Community Zone I.
- Application is made in terms of Section 15(2)(e) of the Land Use Planning By-Law for the George Municipality, 2023 for the consolidation of Erf 3703 George with Erf 3704 George.
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of the following building lines in respect of the consolidated erf:
 - ⇒ the southern street boundary building line from 5.0 metres to 0.0 metres to accommodate the southern wall of the outbuilding to be converted into a pre-school building;
 - ⇒ the western side boundary building line from 5.0 metres to 3.299 metres to accommodate the north-western corner of the dwelling house to be converted into a pre-school building; and
 - ⇒ the eastern side boundary building line from 5.0 metres to 4.0 metres to accommodate the eastern wall of the dwelling house to be converted into a pre-school building.

- ⇒ the eastern side boundary building line from 5.0 metres to 0.880 metres to accommodate the eastern wall of the outbuilding to be converted into a pre-school building.

A site plan indicating the development proposal is attached hereto as **Annexure “A”**.

The completed application form for the proposed rezoning, consolidation and permanent departure application is attached hereto as **Annexure “B”**.

2. DEVELOPMENT PROPOSAL

Erf 3703 George is developed with a dwelling house.

An application for the rezoning of Erf 3704 George from Single Residential Zone I to General Residential Zone IV to allow for the conversion of the existing dwelling unit on the erf into 5 flats has been approved by the George Municipality on 31 March 2023. A copy of the approval letter is attached hereto as **Annexure “C”**. The dwelling unit was at that stage converted into the five flats.

Both buildings and their respective outbuildings have since, however, been converted into a pre-school. The erven are at present used as a pre-school accommodating a maximum of 140 children. For this purpose, the existing dwelling house, the five flats and the outbuildings have been converted into inter alia, a reception area, an office, 11 classrooms, dining area, kitchenette, playrooms, storerooms and bathrooms.

Outdoor play equipment is provided on the south-eastern side of the consolidated erf.

A “drop and go” area is provided on the northern side of the consolidated erf, between the existing buildings and the existing street boundary fence along the Marthinus Street boundary. Eighteen parking bays, which include staff parking, are also provided within this “drop and go” area as indicated on the proposed site plan attached hereto as **Annexure “A”**.

As Erf 3703 George and Erf 3704 George have been zoned Single Residential Zone I and General Residential Zone IV respectively, both application erven will have to be rezoned to Community Zone I and consolidated to accommodate the existing pre-school.

The converted buildings transgress the southern street boundary building line (Ronald Street) by 5.0 metres, the western side boundary building line by 1.701 metres and the eastern side boundary building line by 1.0 metre and 4.120 metres respectively. An application for a permanent departure to relax the mentioned building lines will, therefore, also have to be submitted.

The following site plan indicates the site layout of the proposed development on the consolidated erf. The extent to which the building lines are exceeded, as well as the parking bays, “drop and go” area as well as the entrance and exit are also indicated on the plan. A copy of the proposed site plan is attached hereto as **Annexure “A”**.

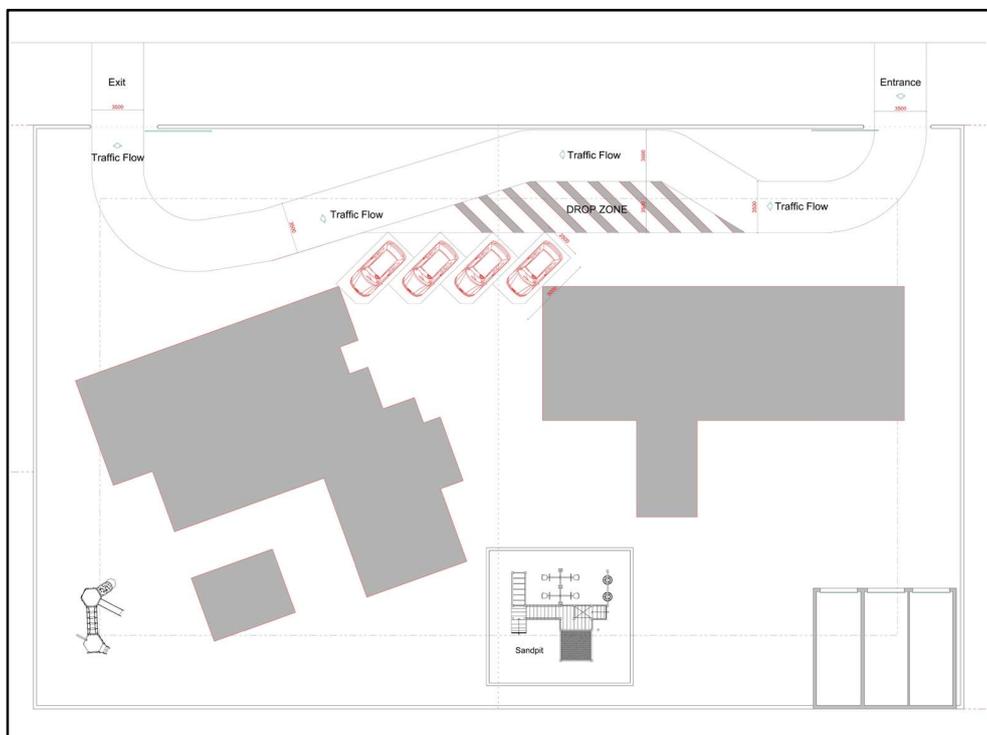


The purpose of this application is therefore to obtain approval for the rezoning, consolidation and permanent departure to enable the submission of building plans to accommodate the conversion of the existing buildings for pre-school purposes.

3. PRE-APPLICATION CONSULTATION

The pre-application consultation discussion of the proposed application by the relevant officials of George Municipality took place on 13 December 2023. The completed pre-application consultation form with the municipal comments on the proposal is attached hereto as **Annexure "C"**. The signed pre-application consultation form contains the following comments that need to be addressed in the application:

"Pre-application as discussed on 13 December 2023 for the development of a school (place of instruction) on consolidated erven 3703 and 3704, George. The application is submitted for the consolidation, rezoning and departure. The following site layout plan was provided for consideration.



Town Planning comments

- *Comment from the department, Western Department of Education must be submitted together with the application. The basic standards for school requirements, i.e., play areas, rest rooms and safe & easily accessible classrooms must be met.*
- *The proposed school (type) to be motivated and addressed in the application.*
- *Appropriate accesses, drop-off facilities and parking will need to be provided on site – the existing drop of facility does not seem to be functional without causing disturbance to movement of traffic in the street.*
- *Applicant will need to demonstrate a functional site layout plan on submission of the application.*
- *Suitable play areas will need to be shown. The trees and greenery on the site must be maintained at all costs, a landscape plan will be required.*
- *Compliance with applicable legislation to be provided i.e. zoning scheme, MSDF etc.*
- *Applicant to take note that contravention levies will be applicable.*

CES comments

- *A TIA will be required for the number of learners (140).*
- *Access and parking must comply to the GIZS 2023.*
- *All parking must be provided on site, and no parking will be allowed within the road reserve.*
- *Water and sewer are available, subject to confirmation of capacity required.*
- *The development must conform with the applicable Stormwater By-law.*
- *Normal DC's in terms of the DC policy will apply on service.*

ETS comments

- *Development Charges will be applicable upon change on Town Planning Approval. Electric service connections will need to be consolidated into one.”*

A copy of the signed pre-application consultation form is attached hereto as **Annexure “C”**.

No negative issues were mentioned, and permission was granted to proceed with the submission of the application. The issues mentioned in the comments are addressed in various points in this motivation report.

4. GENERAL INFORMATION REGARDING ERF 3703 GEORGE AND ERF 3704 GEORGE

4.1 Locality

Erf 3703 George and Erf 3704 George are situated at 7 and 5 Marthinus Street respectively, in Dormehlsdrift, west of the George CBD. The locality of the erf is indicated on the locality plan which is attached hereto as **Annexure “E”**.

4.2 Existing land use

Erf 3703 George had been developed with a dwelling house and outbuildings whilst the dwelling house on Erf 3704 George has previously been converted into 5 flats.

Both buildings and their respective outbuildings have since, however, been converted into a pre-school. The development of the erf is rounded off by an outdoor play area, “drop and go” and parking area and a garden, consisting of lawn, shrubs and trees. A steel palisade fence with 2 sliding gates has been erected on the Marthinus Street boundary of the two erven.

4.3 Extent

Both Erf 3703 George and Erf 3704 George are 1 252m² in extent, respectively.

4.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023, the zoning of Erf 3703 George is Single Residential Zone I and that of Erf 3704 George is General Residential Zone IV.

4.5 Surveyor General Diagrams

The Surveyor General Diagram of Erf 3703 George is attached hereto as **Annexure “F”** and the Surveyor General Diagram of Erf 3704 George is attached hereto as **Annexure “G”**.

4.6 Title Deeds

Erf 3703 George is registered in the name of RG and MK Developments Proprietary Limited, Registration Number 2023/618724/07.

Erf 3704 George is registered in the name of Ryno Gerber, ID Number 860817 5143 082 and Angelo Michael Kater, ID Number 950324 5128 081.

Copies of the Title Deeds of both erven are attached hereto as **Annexure “H”** and **Annexure “I”** respectively.

The consolidated erf is to be registered in the name of RG and MK Developments Proprietary Limited, Registration Number 2023/618724/07. The transfer of Erf 3703 George from Ryno Gerber and Angelo Michael Kater to RG and MK Developments Proprietary Limited, Registration Number 2023/618724/07 will take place simultaneously with the transfer of the consolidated erf in the name of RG and MK Developments Proprietary Limited, Registration Number 2023/618724/07.

4.7 Power of Attorney

A certificate, issued by the Commissioner of Companies & Intellectual Property Commission, on 8 March 2023, certifying that Ryno Gerber, ID Number 860817 5143 082 and Angelo Michael Kater, ID Number 950324 5128 081 are the Directors of RG and MK Developments Proprietary Limited, Registration Number 2023/618724/07, the registered owner of Erf 3703 George, is attached hereto as **Annexure “J”**.

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Ryno Gerber and Angelo Michael Kater, the registered owners of Erf 3703 George, to prepare the applications referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “K”**.

A Power of attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Ryno Gerber and Angelo Michael Kater, the Directors of RG and MK Developments Proprietary Limited, Registration Number 2023/618724/07, the registered owners of Erf 3704 George, to prepare the applications referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “L”**.

4.8 Bondholder’s Consent

Both Erf 3703 George and Erf 3704 George are not encumbered by a bond.

4.9 Conveyancer Certificates

A Conveyancer Certificate in respect of Erf 3703 George is attached hereto as **Annexure “M”** whilst the Conveyancer Certificate in respect of Erf 3704 George is attached hereto as **Annexure “N”**. The Conveyancer Certificates confirms that there are no conditions in the Title Deeds of the application erven which restrict the development of the erven as proposed in this application.

5. DESIRABILITY OF THE APPLICATION FOR THE REZONING AND CONSOLIDATION OF ERF 3703 GEORGE AND ERF 3704 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 rezoning and consolidation shall be discussed with reference to the aspects listed below.

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

➤ Provision of services.

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

5.2 Physical characteristics of the properties

5.2.1 Topography

The application erven have a slight slope from east to west across the erven. The topography of both erven had been considered in the design of the existing buildings and is ideal for drainage of the proposed parking and “drop and go” areas. The topography will therefore not have a negative impact on the proposed development and therefore, does not restrict the rezoning and consolidation 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 erven seems stable. The existing buildings on the application erven and buildings in the vicinity 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 development.

There is, as such, no reason why this application cannot be supported from this point of view.

5.2.3 Vegetation

Both the application erven were developed with gardens covered with lawn, trees, shrubs and paved driveways. The existing buildings on the two application erven have been converted for pre-school purposes and no new buildings are envisaged.

Although it was endeavored to retain as much as possible of the existing vegetation on the application erven, some of the lawn and shrubs on the northern side of the buildings had to be removed to accommodate the “drop and go” and parking area. The area to the south of the

buildings is mainly used as a children's play area. The existing street trees on the southern side of the buildings have been retained, as well as the pavement garden along Ronald Street, to the south of the application erven.

A landscape plan will be submitted with the Site Development Plan subsequent to the approval of this application. 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 rezoning and consolidation of the application erven cannot be supported.

5.3 Proposed land use

The owner is currently using the application erven for pre-school purposes accommodating a maximum of 140 children. For this purpose, the existing buildings have inter alia been converted into an office, classrooms, playrooms and toilets. Play areas have been provided for the different age groups.

A "drop and go" and parking area accommodating 18 parking bays, with a separate entrance and exit from Marthinus Street, as per the site plan attached as **Annexure "A"** will be provided between the existing palisade fence and the two existing dwelling units which has been converted into a pre-school.

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

5.4.1 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.

5.4.2 Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) “(SPLUMA)”

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

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

Different development principles are identified under each of the 5 abovementioned principles which must be applied when a land use application is to be evaluated. The proposed application for rezoning and consolidation 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.	The pre-school is accessible to children from all the communities in George. The application will result in an underdeveloped residential erf situated within the Urban Edge and in close proximity to the CBD of George being developed to its full potential. It will also lead to more efficient use of land.

<p>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.</p>	<p>Complies with.</p>	<p>George Municipality approved a Spatial Development Plan for George, 2023, as well as a CBD Local Spatial Development Framework, 2016. These Spatial Development Frameworks 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 targets all income groups.</p>
<p>Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.</p>	<p>Complies with.</p>	<p>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 as proposed, which is aimed at providing care and education to pre-school children of all communities.</p>
<p>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.</p>	<p>Complies with.</p>	<p>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 as proposed, which is aimed at providing care and education to pre-school children of all communities.</p>
<p>Land development procedures must include provisions that accommodate access to secure tenure and incremental upgrading of informal areas.</p>	<p>Not applicable.</p>	<p>This provision does not apply to this application, as no informal residential development is involved.</p>

<p>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.</p>	<p>Not applicable.</p>	<p>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).</p>
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Spatial sustainability		
Criteria	Compliance	Planning Implication
<p>Promote land development that is within the fiscal, institutional and administrative means of the Republic.</p>	<p>Complies with.</p>	<p>The proposed development will have no impact on the fiscal, institutional or administrative capabilities of the George Municipality. The George Municipality's income base will in fact be broadened through this development proposal. The development proposal that forms the subject of the application is located within the urban edge of George in terms of the George Spatial Development Framework, 2023.</p>
<p>Ensure that special consideration is given to the protection of prime and unique agricultural land.</p>	<p>Not applicable.</p>	<p>The application erven are 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.</p>
<p>Uphold consistency of land use measures in accordance with environmental management instruments.</p>	<p>Not applicable.</p>	<p>The proposed development does not trigger any listed activities in terms of environmental legislation.</p>
<p>Promote and stimulate the effective and equitable functioning of land markets.</p>	<p>Complies with.</p>	<p>The application erven are situated in Marthinus Street, approximately 100 metres west of York Street and are therefore situated within the "Residential Densification" area as well</p>

		<p>as in the “Densification Zone” as indicated in the George Spatial Development Framework, 2023. Although the surrounding area is currently characterized by single residential development, the application erven are situated a mere 100 metres to the west of the business – and high-density development in York Street. The pre-school facility is therefore conveniently situated for parents to drop their children at school on their way to work in the CBD. Due to the extent of the proposed consolidated erf, the required “drop and go” facility and play area can easily be accommodated. Being situated between Marthinus Street in the north and Ronald Street in the south, the pre-school is relatively isolated from surrounding houses which will assist in minimizing the effect the pre-school may have on surrounding erven. As all erven in the immediate vicinity have the potential to be developed with higher order land uses it is argued that the proposal will not have a negative effect on surrounding property values as these properties will be valued by any potential developer in accordance with their development potential. The pre-school will thus have no effect on the development potential value of the surrounding erven as their value will be determent by virtue of their development potential.</p>
<p>Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.</p>	<p>Complies with.</p>	<p>All costs pertaining to the infrastructure required for the proposed development will be carried by the landowner. 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.</p>

Promote land development in locations that are sustainable and limit urban sprawl.	Complies with.	The application erven are 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.	Being situated in close proximity to the CBD, the use of the application erven as is proposed in this application, will result in underdeveloped erven being turned into a more viable investment, creating more job opportunities, which will have a positive effect on 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 erven are 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.
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 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.
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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 erven are situated within the Urban Edge of George, in an area indicated for 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 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 this specific criterion.

<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 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 have to 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 in order to inform and empower members of the public.</p>

		This 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.

5.4.3 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 5.4.4 to 5.4.6 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 point 5.4.2 above. The comments in point 5.4.2 are thus also relevant as far as Section 59 of LUPA is concerned.

5.4.4 Western Cape Provincial Spatial Development Framework (WC PSDF)

5.4.4.1 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 taken into account with any development proposal.

In terms of the framework, several 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 point 5.4.2 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.

5.4.4.2 Protection of agricultural land

In terms of the WC-PSDF it is indicated that agricultural land must be protected. Erf 3703 George is zoned Single Residential Zone I and Erf 3704 George is zoned General Residential Zone IV. The erven are not used for agricultural purposes. This objective of the WC-PSDF is therefore not relevant to this application.

5.4.4.3 Urban edge

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

Municipality identified an urban edge, and both the application erven fall 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.

5.4.4.4 Densification

In terms of the WC-PSDF, higher densities and more compact cities must be created. It is indicated that densification has the following benefits:

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

The application erven are situated in an area indicated for "Densification". Higher densities will create a demand for ancillary and supportive land uses, such as care – and education facilities for children of all ages. The establishment of a pre-school facility within densification area and in close proximity to the CBD will not only provide a convenient service to people living within the CBD and surrounding high density area, but also to residents from the suburbs who work in the CBD.

Rezoning and consolidation of two existing residential zoned erven, which were previously used for residential purposes, to accommodate a pre-school facility, accommodating 140 children of all ages, is proposed in this application.

The proposal is, therefore, ancillary and supportive of the broader requirement for densification as set out in this guideline in the WC PSDF.

5.4.4.5 Self-sufficiency

Another important guideline requires that any proposed development must be self - sufficient, as: *"the development needs of the present generations should be met without the ability of future generations to meet their own needs, being compromised."* The rezoning and consolidation

proposed in this application will be self – sufficient and will place no financial burden on present – or future inhabitants of George.

5.4.4.6 Summary

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, densification and self-sufficiency, which could be used to determine whether this application falls within the stipulations of the framework. From the content of point 5.4.4 it seems clear that the application can indeed be considered compatible with the WC-PSDF.

5.4.5 George Spatial Development Framework, 2023 (GSDF)

Erf 3703 George and Erf 3704 George are located within the study area of the George Spatial Development Framework, 2023 (GSDF) and this framework therefore applies to this application. In terms of the GSDF, the application erven are located within the **Urban Edge of George**. It is also indicated that the application erven are situated in the **Residential Densification Zone** and being situated within five hundred metres of York Street, the application erven are also situated within the **Intensification Zone**.

The application erven are situated in Marthinus Street, on the western side of York Street, within 100 metres from York Street and can therefore be used for land use densification.

The establishment of a pre-school facility large enough to accommodate 140 children, on erven previously zoned for residential purposes, as proposed in this application, can be considered as “intensification”, for the following reasons:

- the pre-school attracts more vehicular traffic and pedestrian traffic to the application erven than a dwelling house or a building containing 5 flats; and
- during office hours the facility will be occupied by 140 children, teachers and support staff, whereas the occupants of dwelling units will be at work elsewhere.

The intensified utilization of the application erven will, however, not have a negative influence on the character of the area concerned, for the following reasons:

- No new buildings are envisaged. The existing dwelling house and small block of flats have been converted into the pre-school facilities. The street view of the two erven will thus be minimally changed by the proposal. The residential appearance character of the two erven will thus to a large extent be maintained.
- Due to the extent of the consolidated erven, sufficient on-site parking bays, as well as a separate entrance and exit can be provided;
- The intensified use of the facility only takes place during office hours on weekdays.
- The presence of the people on the application erven during office hours, when most of the surrounding residential properties are sparsely populated, act as deterrent to burglars and vagrants.
- After hours the pre-school facility is protected by burglar alarms, increasing the over-all security in the area.
- After hours on weekdays and during weekends, when the inhabitants of the surrounding dwellings are at home, the pre-school is closed, with no activities taking place which could create disturbances.

Except for the indication that the application erven fall within the “*Urban Edge*” of George, as well as within the “*Densification Zone*” and “*Intensification Zone*” the George Spatial Development Framework, 2023, contains no specific future development proposals for this area which could be used to evaluate the compatibility of a land use application with the Spatial Development Framework.

5.4.6 George Integrated Zoning Scheme By-Law, 2023

Erf 3703 George is zoned Single Residential Zone I. In terms of this zoning, the erf may be used primarily for the purposes of a dwelling house. A crèche could be developed as a consent use. A “crèche” is described as follows in the George Integrated Zoning Scheme By-Law, 2023:

“crèche” means the use of a portion of a dwelling house or outbuildings by the occupant to provide day care, nursery, play group or after school care services for children.”

The following development parameters are applicable in respect of a “crèche” in Single Residential Zone I:

- (a) *“The service provided must primarily be day care and educational and not medical services.*
- (b) *The services may not operate outside the hours 6:00 to 18:00.*
- (c) *The dominant use of the dwelling house must remain for the living accommodation of a single family.*
- (d) *Not more than 20 children may be registered at a time, or on the property at any time.*
- (e) *Parking and access must be provided in accordance with this by-law.”*

The erf is not used for living accommodation and as the pre-school facility accommodates more than 20 children, the erf has to be rezoned to Community Zone I.

Erf 3704 George is zoned General Residential Zone IV. In terms of this zoning, the erf may be used primarily for the purposes of flats. As a pre-school is not included in the list of consent uses, the erf will also have to be rezoned to Community Zone I to accommodate the pre-school facility.

The objective of the “Community Zone I” use zone is described as follows in the Land Use Table in Schedule 1 of the George Integrated Zoning Scheme By-Law, 2023:

“The objective of this zone is to provide for educational facilities of all kinds, but controlled provision is made for other compatible community uses.”

The primary land use allowed on a Community Zone I erf is “*Place of instruction*”. The land use description of a “*Place of instruction*” in the George Integrated Zoning Scheme By-Law, 2023, is as follows:

“Place of instruction” means-

- (a) *a place for education or training at nursery, school or post-school levels, including-*
 - (i) *crèche;*

- (ii) *nursery school;*
- (iii) *primary school;*
- (iv) *secondary school;*
- (v) *college;*
- (vi) *university; or*
- (vii) *research institute; and*
- (viii) *place of instruction in physical exercise and sport where the main objective is instruction rather than participation of the public as competitors or spectators;*
- (ix) *and the following ancillary uses-*

- (aa) *a boarding hostel;*
- (bb) *administrative offices;*
- (cc) *cafeteria;*
- (dd) *convenience shop limited to a total floor space of 100m²;*
- (ee) *laboratories;*
- (ff) *occasional use for religious gatherings, craft markets and events;*
- (gg) *place of assembly;*
- (hh) *place of worship;*
- (ii) *private road;*
- (jj) *private open space;*
- (kk) *sports and recreation centre; and*
- (ll) *staff accommodation.*

(b) *a civic facility for the promotion of knowledge to the community, including-*

- (i) *a public library;*
- (ii) *public art gallery; and*
- (iii) *museum;*

(c) *but does not include a reformatory or conference facility.”*

The proposed land use (pre-school) will therefore be in line with the proposed zoning (Community Zone I).

The site plan attached hereto as **Annexure “A”** indicates the design and layout of the pre-school facility (place of instruction). The following table indicates the development parameters applicable to a place of instruction in terms of Schedule II of the mentioned By-Law as well as the compliance of the proposal with the different parameters:

Development parameter	Description	Adherence
(a) Floor factor	Maximum: 1,2	Adhered to
(b) Coverage	Maximum: 60%	Adhered to
(c) Height	Top of the roof: 12 meters	Adhered to
(d) Building lines	All boundaries: 5 meters	Marthinus Street boundary: adhered to. Ronald Street boundary: relaxation applied for. Western – and eastern side boundaries: relaxation applied for.
(e) Parking access	1.5 bay per classroom/office plus “stop and drop” facility	Adhered to
(f) Loading bays	Must be provided (if required)	Not provided
(g) Screening	May be required	Not provided
(h) Noise mitigation	May be required	Not provided
(i) Refuse room	Must be provided	Not provided

5.4.7 Title Deeds

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.

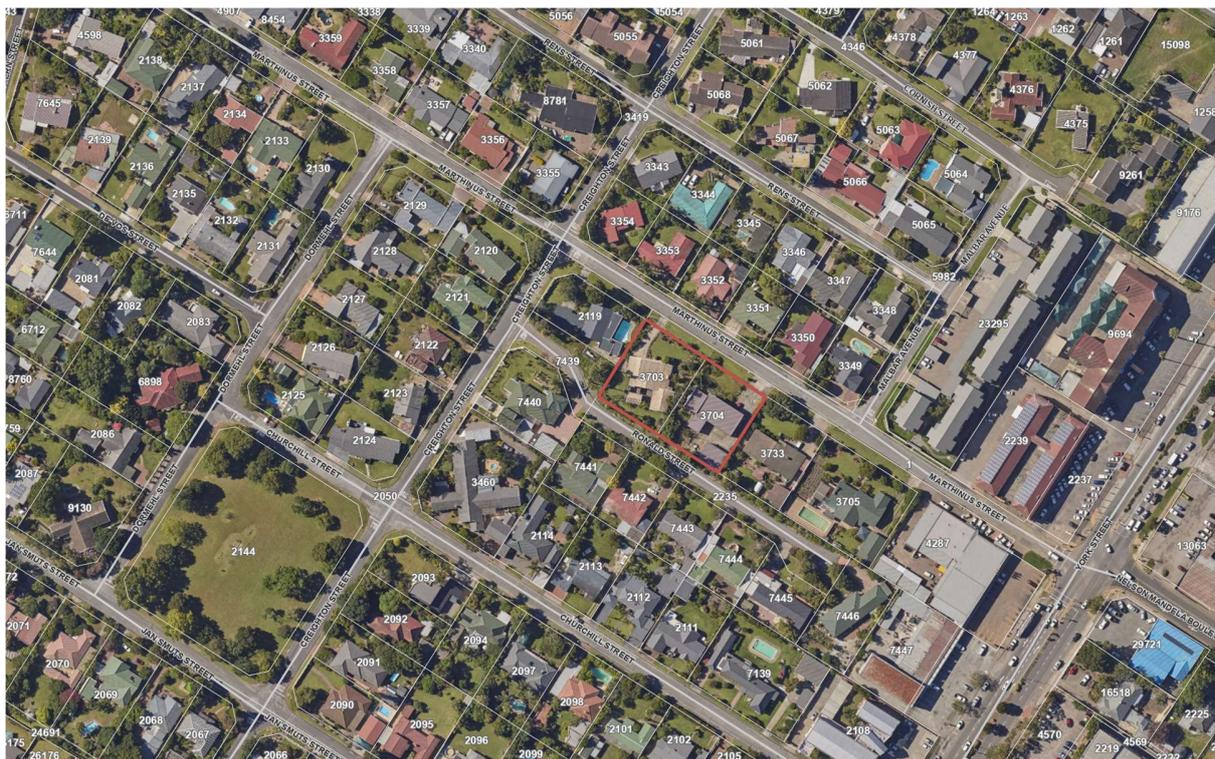
The title deeds of Erf 3703 George and Erf 3704 George were scrutinised, and it was found that they contain no conditions prohibiting the rezoning and consolidation as proposed.

5.4.8 Conclusion

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

5.5 Compatibility of the proposal with the character of the area

The application erven are situated in an area identified in the George Spatial Development Framework, 2023, for “*densification*”. As indicated on the following aerial photo, the area is currently surrounded by single residential development and is situated within close proximity to the high-density business and residential development along York Street, which is located approximately 100 metres to the east of the application erven.



The pre-school is therefore well situated to provide education and care facilities to children of parents living or working in the nearby CBD of George. The rezoning and consolidation as

proposed in this application will, therefore, be supportive of land uses in the area, whilst being compatible with the existing, as well as the future character of the surrounding area.

5.6 Compatibility of the proposal with the natural environment of the property

The application erven are situated within the Urban Edge of George. Both the application erven were developed with gardens covered with lawn, trees, shrubs and paved driveways. The existing buildings on the two application erven have been converted for pre-school purposes and no new buildings are envisaged. Although it was endeavored to retain as much as possible of the existing vegetation on the application erven, some of the lawn and shrubs on the northern side of the buildings had to be removed to accommodate the “drop and go” and parking area. The grass area to the south of the main buildings is used as a play area. The existing street trees on the southern side of the buildings have been retained, as well as the pavement garden along Ronald Street, to the south of the application erven.

The following photos depict the play area on Erf 3704 George and the current staff parking area on Erf 3703 George which will be converted to a play area.





A landscape plan will be submitted with the Site Development Plan subsequent to the approval of this application.

The proposed development will thus not have a negative impact on the natural environment.

5.7 Potential of the erven

Erf 3703 George and Erf 3704 George are zoned Single Residential Zone I and General Residential Zone IV respectively and may respectively be used for a dwelling house and 5 flats.

The application erven are situated within close proximity to the high-density business and residential development along York Street, which is located to the east. The area surrounding the application erven is therefore, identified for “*densification*”. Due to the locality, the erven have the potential to be developed at a higher intensity than currently allowed by the respective zonings.

The rezoning and consolidation of the application erven, as proposed in this application, will therefore result in the application erven attaining a higher development potential.

5.8 Traffic Impact Assessment

In terms of the requirements of the Directorate Civil and Engineering Services of the George Municipality as per the pre-application a Traffic Impact Assessment (TIA) is required for the proposed development.

It is expected that several objections will be received against the application as submitted and that the objectors may even lodge an appeal against any decision that might be taken by the George Municipality. The outcome of the application is thus uncertain.

Bearing this in mind, and the cost related to a TIA, the Directorate Civil and Engineering Services is requested to wave the requirement for a TIA to accompany the initial application and to rather add a condition to the decision, if the application is approved, that a TIA be submitted for approval and that the owners will be responsible for the implementation of any recommendation contained in the TIA.

5.9 Access to the properties

The application erven are situated in Marthinus Street, to the west of York Street, in close proximity to the CBD of George. The erven are easily accessible from the surrounding areas. The accessibility of the erven is enhanced by the fact that it is situated close to the “Go George” public transport routes in York Street and Nelson Mandela Boulevard.

As indicated on the proposed site plan, attached hereto as **Annexure “A”**, a separate entrance and exit to the proposed “stop and drop” and parking area on the application erven is provided from Marthinus Street. There is good visibility in both directions into the street from the proposed access points.

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 school’s provision must be made for 1.5 bay per classroom / office, plus 1 “stop and drop” facility. As 11 classrooms and 1

office are proposed 18 parking bays and a stop and drop” facility must thus be provided for the pre-school.

As indicated on the proposed site plan attached hereto as **Annexure “A”**, 18 parking bays and a “stop and drop” facility will be provided which is in line the mentioned requirement.

5.11 Provision of services

Existing municipal services are available to the application erven. Should any upgrade or extension of services be required as a result of this application, this will be at the cost of the developer and to the satisfaction of the municipality.

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

5.12 Proposed consolidation

The purpose of the proposed consolidation of Erf 3703 George and Erf 3704 George is to create an erf to be rezoned to Community Zone I to accommodate the conversion of the existing buildings on the mentioned erven to a pre-school. The consolidation as proposed in this application can be deemed desirable for the following reasons:

- Both the erven will have the same zoning, namely Community Zone I.
- The Title Deeds of both erven do not prohibit consolidation.
- The stipulations in the Title Deeds are reconcilable.
- Both erven will have the same owners.
- There are no Municipal services on the communal erf boundary, so no Municipal services will be disrupted as a result of the consolidation.
- The proposed consolidation will not affect the view of any of the surrounding properties.
- The privacy and amenity of the surrounding properties will not be affected by the consolidation.
- Sufficient on-site parking will be provided in respect of the development as proposed.

- Traffic movement in the area will not be affected.

The proposed consolidation will therefore not have a negative impact on the surrounding area.

6. DESIRABILITY OF THE APPLICATION FOR PERMANENT DEPARTURE (RELAXATION OF BUILDING LINES) IN RESPECT OF THE CONSOLIDATED ERF 3703 GEORGE AND ERF 3704 GEORGE

6.1 Introduction

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

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

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

6.2 Existing planning in the area

The application erven are situated in Marthinus Street, approximately 100 metres west of York Street and are therefore situated within the “Residential Densification” area as well as in the

“Densification Zone” as indicated in the George Spatial Development Framework, 2023. Although the surrounding area is currently characterized by single residential development, the application erven are situated a mere 100 metres to the west of the business and high-density development in York Street. It can therefore be expected that more land use changes will take place in the vicinity of the application erven in the future. Due to the variation in building lines between different land uses, further land use changes in the area concerned will therefore also result in changes in buildings lines.

The building line relaxations as proposed in this application are required to accommodate the change in land use from single residential and general residential use to a place of instruction. Being situated between Marthinus Street in the north and Ronald Street in the south, the pre-school is relatively isolated from surrounding houses. No new buildings, or exterior changes to the existing buildings are required to accommodate the pre-school.

The existing buildings have formed part of the ambience of the area for a considerable period and as no extensions to these buildings are proposed the proposal will have no changing effect on the surrounding area as far as building construction is concerned.

It is further clear from the aerial photo that there are buildings situated in close proximity to their erf boundaries on many of the surrounding erven. Buildings located in building lines are thus not uncommon to the area.

The relaxation of the building lines, as proposed in this application, will therefore not establish an undesirable precedent and can be accommodated within the existing planning of the area concerned.

6.3 Impact on schools, open spaces and other community facilities

This application entails the relaxation of the southern street, western and eastern side boundary building lines on the consolidated Erf 3703 George and Erf 3704 George to accommodate the existing buildings used as a pre-school.

The proposed permanent departure for the relaxation of the building lines will not result in an increase in the number of children accommodated in this nursery school, nor will it result in an increase in the population of the area concerned. The pre-school relieves the pressure on other, similar facilities in the area.

Due to the proximity of the application erf to the public open space in Churchill Street and the community facilities in the CBD and public transportation in York Street, these facilities are easily accessible from the application erf. As such, the relaxation of the building lines as applied for will not have a negative impact on schools, open spaces and other community facilities in the area.

This aspect is therefore not relevant to this application.

6.4 Impact on sunlight, view and privacy

The aerial photo in point 6.2 of this motivation report indicates that the only erven which could be affected by the proposed permanent departure on the consolidated application erven, are Erf 2119 George, to the west and Erf 3733 George, to the east thereof. As the pre-school buildings already exist, it is easy to establish whether the proposed relaxation of the building lines could have any impact on sunlight, view or privacy of the mentioned adjacent erven.

Erf 2119 George

This erf is situated to the west of the application erf. The north-western corner of the pre-school building which transgresses the western side boundary building line is situated opposite the eastern wall of the dwelling house on Erf 2119 George, which fronts northwards. The proposed relaxation of the western side boundary building line on the consolidated application erf will, therefore, have no impact on sunshine on, or the view from the mentioned adjacent erf. The proposed change in the use of the building on the application erf, as a result of the building line relaxation, will have a limited impact on the privacy of the adjacent erf, due to the pre-school only being operational during office hours.

Erf 3733 George

The mentioned erf is situated to the east of and adjacent to the consolidated application erven. The pre-school building which is situated in the south-eastern corner of the consolidated application erven, is situated adjacent to the backyard of Erf 3733 George. As such, it has limited influence on the sunlight in the backyard. The proposed building line relaxations on the application erf will not have an influence on the sunlight, view or privacy of the remainder of the mentioned erf.

6.5 Impact on streetscape

The following photos indicate the present Marthinus Street and Ronald Street street elevations of the application erven. The existing structures have been retained and were converted internally, without external additions, to accommodate the proposed pre-school.



The buildings in respect of which the proposed relaxation of the southern street, and side boundary building lines are required, are all existing buildings which have formed part of the development on the application erven for a considerable time and thus form part of the existing streetscape. The relaxation of the building lines as proposed in this application will thus not have a negative or changing impact on the streetscape.

6.6 Impact on property values

As indicated in the previous points, the buildings in respect of which the building line relaxations are required, have been in existence for a considerable time and do not have a negative impact on any of the surrounding properties. Their architectural design is sound, and the finishes are of a good quality. The mentioned buildings add value to the utilization of the erf and represent a substantial capital investment by the owner.

The value of surrounding properties can, therefore, not be negatively impacted upon by the relaxation of the building lines as proposed in this application.

6.7 Impact on the provision of parking

The parking requirements and the provision of parking are discussed in detail in point 5.9 of this report. As indicated on the proposed site plan attached hereto as **Annexure "A"**, 18 parking bays, as well as a "stop and drop" area will be provided in respect of the proposed development.

The building line relaxations as proposed in this application are required to accommodate the conversion of the existing buildings for pre-school purposes and have no impact on the availability of space for the required parking areas. As such, the proposals have no negative impact on the provision of parking on the consolidated application erven.

The following photos indicate the "stop and drop" and parking areas on each individual erf.



Once the application has been approved this stop and go area will be properly developed and landscaped in accordance with a site development plan and landscape plan which is to be submitted for approval.

6.8 Impact on traffic circulation

The buildings in respect of which the proposed relaxation of the Ronald Street street, side and rear boundary building lines are required are situated a substantial distance away from the street boundary of Marthinus Street, the main street which gives access to the pre-school development. Sufficient parking and a “drop and go” facility are provided on site. The sight distances in both directions at the access and exit points from Marthinus Street are adequate.

The street frontage of the consolidated application erf is approximately 62 metres wide, which is more than the minimum length of 30 metres required. Two access points can therefore be allowed. The distance between the entrance and exit to Marthinus Street is approximately 48.141 metres. This distance is acceptable, as it is more than the minimum width of 12.0 metres, stipulated in Section 45(4) “Site Access and Exits” of the George Integrated Zoning Scheme, 2023.

The following photos show the exit on Erf 3703 George and the [entrance](#) on Erf 3704 George.



The buildings which transgress the southern street boundary (Ronald Street) are all situated behind a street boundary wall and are partially hidden from view from the street by means of substantial vegetation on the sidewalk. The existing vehicular access from Ronald Street will be closed.

The relaxation of the building lines as proposed in this application will thus not have a negative impact on traffic circulation in either Ronald Street or Marthinus Street.

6.9 Provision of services

Municipal services are available to both the application erven. The building line relaxations as proposed in this application will not have any negative impact on the existing services or the provision of services. Should any extension of the existing municipal infrastructure be required as a result of this application for building line relaxation, all costs as a result of such extension will be for the account of the applicant, subject to the conditions of the municipality.

6.10 Fire fighting

The fire-fighting requirements stipulated in the fire-regulations will not be negatively impacted upon as the consolidated application erven will still be fully accessible for fire-fighting purposes.

7. CONCLUSION

Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 3703 George and of Erf 3704 George from Single Residential Zone I and General Residential Zone IV respectively, to Community Zone I.

Application is also made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2015 for a permanent departure for the relaxation for certain building lines on the consolidated erf.

As indicated in this report the proposed applications for rezoning, consolidation and permanent departure (building lines) in respect of the application erven are 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 applications 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 SITE PLAN

Site Plan
SCALE 1 : 100

BLUEPRINT DRAUGHTING
PROFESSIONAL ARCHITECTURAL DRAUGHTSPERSON
TIAN SCHOON
082 303 0652 / SCHOON.TIAN@GMAIL.COM

TIAN KONRAD SCHOON
PROFESSIONAL ARCHITECTURAL DRAUGHTSPERSON
10:29 AM (Africa/Johannesburg) on 30 Sep 2020
Member NR: 32414

Project Description:
New Pre-School on Erf 3703 + 3704
George - Dormhelsdrift
for Mr Gerber

Drawing Nr: H23 - 24
RGF - 01 - 01
29/01/2024

Drawing :
SDP

NOTES:
1.All information on the plan must be checked and any discrepancies must be brought to the arch professional's attention, before any building work commences.
2.All levels and dimensions must be checked on site.
3.Drawings must not be scaled.

Municipality Approval Stamp:

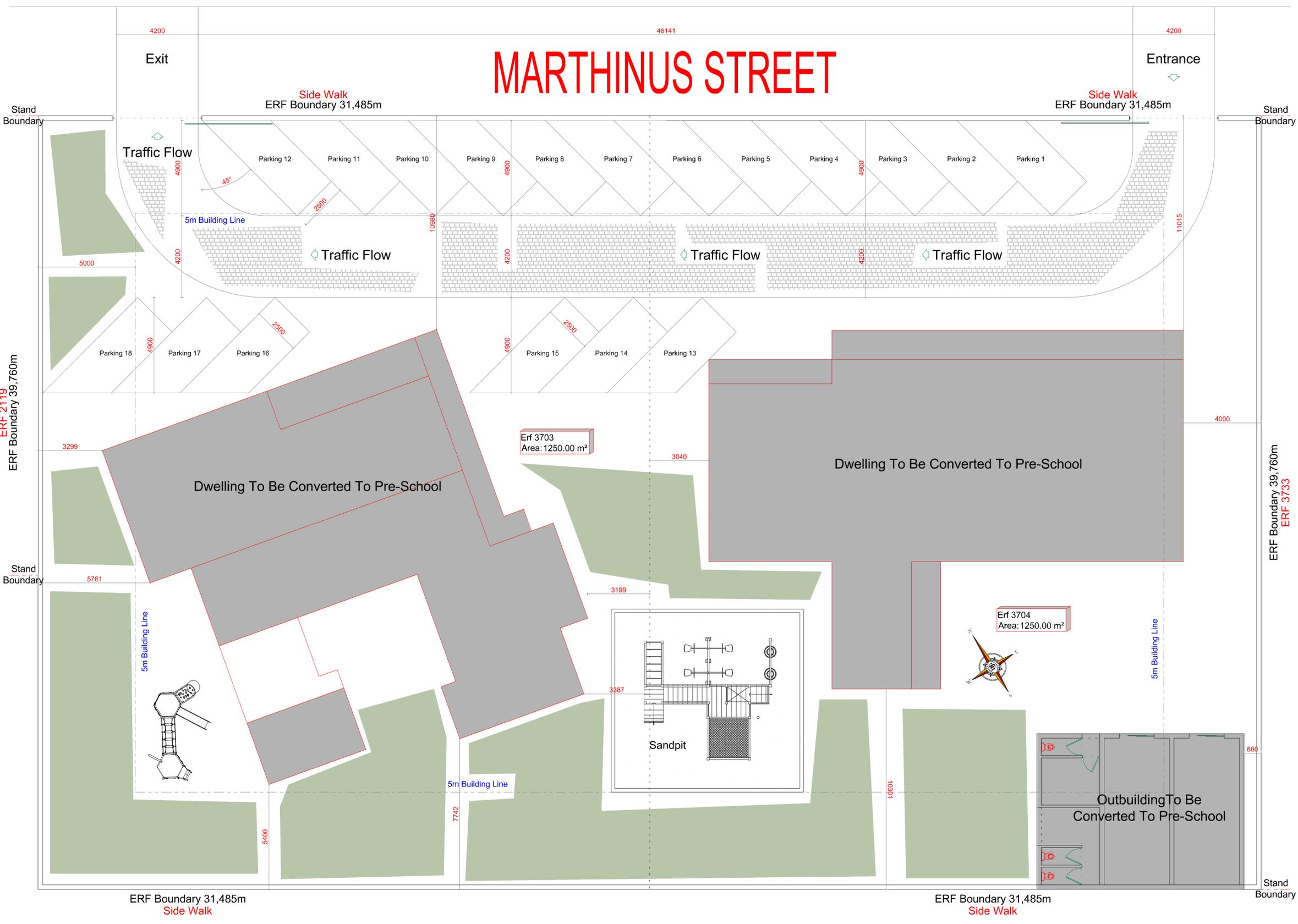
HOA Approval Stamp if Applicable :

Applicable Party Approval:
Owner/authorized Signiture: _____ Date: _____
T Schoon Signiture: _____ Date: _____

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ACTS OF PARLIAMENT
All Contractors shall ensure that, before any work is put in hand, they comply with all the necessary Acts of Parliament of the Republic of South Africa.



MARTHINUS STREET

RONALD STREET

ERF 2119
ERF Boundary 39,760m

ERF Boundary 39,760m
ERF 3733

ERF Boundary 31,485m
Side Walk

ERF Boundary 31,485m
Side Walk

Stand Boundary

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	Erf 3703 George: RG & MK Developments (Pty) (Ltd) Registration number 2023/618724/07 Erf 3704 George: Ryno Gerber and Angelo Michael Kater		
Address	P/a Office 3, Donerailehouse, 7 Doneraile Street		
	George	Postal code	6529
E-mail	ryno@jgwo.co.za		
Tel	044 004 0008	Fax	N/a
		Cell	079 515 6261

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

Property Description [Erf / Erven / Portion(s) and	Erf 3703 George and Erf 3704 George
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Farm number(s), allotment area.]						
Physical Address	5 and 7 Marthinus Street, Dormehlsdrift, George					
GPS Coordinates				Town/City	George	
Current Zoning	Erf 3703 George: Single Residential Zone I Erf 3704 George: General Residential Zone IV	Extent	Erf 3703 George: 1 252m² Erf 3704 George: 1 252m²	Are there existing buildings?	Y	N
Current Land Use	Dwelling house which has been converted into a pre-school					
Title Deed number & date	Erf 3703 George: T21067/2023 Erf 3704 George: T2871/2022					
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	Fakazile Vava & Jeanne Muller	Reference number	2960687	Date of consultation	14 December 2023
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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: **FIRZAJJ**
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)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 3703 George from Single Residential Zone I to Community Zone I.**
- **Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of Erf 3704 George from General Residential Zone IV to Community Zone I.**
- **Application is made in terms of Section 15(2)(e) of the Land Use Planning By-Law for the George Municipality, 2023 for the consolidation of Erf 3703 George with Erf 3704 George;**
- **Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of the following building lines in respect of the consolidated erf:**
 - **the southern street boundary building line from 5.0 metres to 0.0 metres to accommodate the southern wall of the outbuilding to be converted into a pre-school building;**
 - **the western side boundary building line from 5.0 metres to 3.299 metres to accommodate the north-western corner of the dwelling house to be converted into a pre-school building; and**
 - **the eastern side boundary building line from 5.0 metres to 4.0 metres to accommodate the eastern wall of the dwelling house to be converted into a pre-school building.**
 - **the eastern side boundary building line from 5.0 metres to 0.880 metres to accommodate the eastern wall of the outbuilding to be converted into a pre-school building.**

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) <i>(strikethrough irrelevant)</i>	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)
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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), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)				
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)				
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations				
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y	N/A	Other (specify)	
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				
Y	N	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:

31 January 2024

Full name:

Johannes George Vrolijk

Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

A/1386/2010

**ANNEXURE "C" – MUNICIPAL REZONING APPROVAL FOR ERF 3704 GEORGE
DATED 31 MARCH 2023**



Keith Meyer
Senior Land Use Regulator
Directorate: Planning and Development
Department: Planning
E-mail: kbmeyer@george.gov.za
Tel: +27 (0)44-801 9435
Fax: +27 (0)86 529 9985

*Menslike Nedersettings, Bepanning en Ontwikkeling
Human Settlements, Planning and Development*

Collaborator No.: 2202049
Reference / Verwysing: Erf 3704 George
Date / Datum: 31 March 2023
Enquiries / Navrae: Keith Meyer

Planning@delplan.co.za

Delplan
P O Box 9956
GEORGE
6530

REZONING AND DEPARTURE : ERF 3704, 5 MARTHINUS STREET, GEORGE

Your application in the above refers.

The Eden Joint Municipal Planning Tribunal – George Municipality, meeting held on 28 March 2023 resolved:

That the following applications applicable to Erf 3704, George:

1. **Rezoning**, in terms of Section 15(2)(a) of Land Use Planning By-Law for George Municipality, 2015 of Erf 3704, George from Single Residential Zone I to General Residential Zone IV (5 Flats);
2. **Departure** in terms of Section 15(2)(b) of Land Use Planning By-Law for George Municipality, 2015 on Erf 3704, George for the following:
 - a) Relaxation of the western common boundary building line from 4.5m to 3.0m for new proposed garages and flats;
 - b) Relaxation of the eastern common boundary building line from 4.5m to 4.0m for flats;
 - c) Relaxation of the southern street boundary (Ronald Street) building line from 5.0m to 0.0m for existing garages;

BE APPROVED in terms of Section 60 of said Planning By-Law for the following reasons:

REASONS FOR DECISION

- (i). The proposed development, in consideration of the need for densification, will not have a significant adverse impact on the adjacent neighbours' amenities and rights in terms of privacy, views and overshadowing.
- (ii). Adequate mitigation measures have been imposed in the conditions of approval below to ensure that the future development of the property will not have a significant adverse impact on the residential and streetscape character of the area.

- (iii). The proposal promotes a sensible and compatible form of residential densification and intensification of land use in support of the spatial planning principles, objectives and guidelines applicable to this area.

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

CONDITION OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT

General conditions

1. That in terms of Section 40 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) read with the Land Use Planning By-law for the George Municipality, 2015, the approval shall lapse if not implemented within a period of five (5) years from the date thereof.

Conditions applicable to the Rezoning and Departures

2. This approval shall be taken to cover only the Rezoning and Departures as applied for and indicated on the site plan number: **H21 - 47** dated **05/10/2021** and drawn by **TK Schoon (2 drawings)** attached as "**Annexure A**" which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision.
3. A site development plan (SDP) for the development must be submitted to the satisfaction of the Directorate: Human Settlements, Planning and Development for consideration and approval, in accordance with the provisions of Section 23 of the George Zoning Scheme By-Law, 2017 and the conditions of approval prior to submission of building plans.
4. The development is limited to a maximum height of to 8.5m to the top of the roof and coverage of 40%.
5. Access to the proposed development is limited to Marthinus Street only.

Implementation of rights

6. The above approval will be considered as implemented on the commencement of building work in accordance with an approved building plan for the development.

Notes:

- *A building plan be submitted for approval in accordance with the National Building Regulations (NBR).*
- *The applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.*
- *Provisions for the removal of solid waste is to be addressed in conjunction with the Directorate: Community Services.*
- *The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.*

CONDITION OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

7. The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:
8. The amounts of the development contributions are reflected on the attached calculation sheet dated 10/03/2022 and are as follows:

Roads:	R 8 039,06
Sewer:	R 23 044,96
Water:	R 3 632, 10

Total:

R 34 716,10 (Excl VAT)

9. The total amount of the development charges of **R34 716,10** Excluding VAT shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
10. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 8 above, which might lead to an increase in the proportional contribution to municipal public expenditure, will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

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

11. As provided in section 66(5) (b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R34 716,10 Excluding VAT shall be adjusted in line with the consumer price index published by Statistic South Africa up to the date when payment is made in terms of condition 9 above.
12. Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
13. All services -internal, link and relocation of or upgrades to existing – are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, 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 by a suitable qualified/registered electrical contractor 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 municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.
14. Any, and all, costs directly related to the development remain the developers' responsibility.
15. Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 13 applies.
16. 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 by the developer and the owner of the other erf. (Condition 13 applicable)
17. Any service from another erf that must be accommodated across the development or incorporated into the services of the development: all negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned. (Condition 13 applicable)
18. Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality. (Condition 13 applicable)

19. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.
20. Transfers, building plan approvals and occupation certificates 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 Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.
21. The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
22. No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
23. Municipal water is provided for potable use only. No irrigation water will be provided.
24. A water meter must be installed by the developer prior to construction to monitor water usage during the construction phase. The Dir: CES (Water section) is to be consulted by the developer, prior to installation, regarding the required specifications. Failure to complying with the water meter application process, will result in the developer being responsible for payment of penalties and/or an estimated non-metered water consumption by this department at a rate as per the applicable annual Tariff List. In this regard, transfers, building plan approval and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full. The water meter is to be removed on completion of construction if so, required by the Dir: CES.
25. The developer / erf owner is to apply to the George Municipality for the installation of an individual erf water meter prior to any building work commencing on an erf.
26. The development, in its entirety or in phases, is subject to confirmation by the Dir. CES of the availability of Water and Sanitation bulk treatment capacity at the time of the development implementation, or if developed in phases before the commencement of each phase. A development/implementation program is to be provided by the Developer when requesting confirmation of this capacity from the Dir. CES. If the Developer does not adhere to the program the Dir. CES will be entitled to revise the availability of such bulk capacity.
27. The discharge of surface stormwater is to be addressed by the developer. Condition 13 applies. All related costs are for the developer. The developer is to consult with the Dir: CES to ensure that stormwater planning is done online with the available stormwater master plans.
28. Internal parking requirements (i.e. within the development area), position of accesses, provision for pedestrians and non-motorized transport, and other issues related to traffic must be addressed and all measures indicated on plans and drawings submitted for approval.
29. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
30. No private parking will be allowed in the road reserve.
31. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval. Condition 13 applies
32. The approval of the layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dir: CES. A site development plan is to be submitted to the Dir: CES, or any other relevant authority for approval prior to any construction work taking place.
33. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities

CONDITION OF THE DIRECTORATE: ELECTRO TECHNICAL SERVICES

34. The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed

development, the developer will be required to make development contribution, as follows:

35. The amounts of the development contributions are reflected on the attached calculation sheet dated 12/03/2022 and are as follows:

Electricity:	R 38 324,85	Excluding VAT
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36. The total amount of the development charges of **R38 324,85** Excluding VAT shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
37. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 35 above, which might lead to an increase in the proportional contribution to municipal public expenditure will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

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

38. As provided in section 66(5) (b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R38 324,85 Excluding VAT shall be adjusted in line with the consumer price index published by Statistic South Africa up to the date when payment is made in terms of condition 36 above.
39. Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
40. All services -internal, link and relocation of or upgrades to existing – are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, 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 by a suitable qualified/registered electrical contractor 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 municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.
41. Any, and all, costs directly related to the development remain the developers' responsibility.
42. Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 40 applies
43. 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 by the developer and the owner of the other erf. (Condition 40 applicable)
44. Any service from another erf that must be accommodated across the development or incorporated into the services of the development: all negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of

- these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned. (Condition 40 applicable)
45. Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality. (Condition 40 applicable)
 46. Should it be required, a services agreement is to be drawn up between the developer and the George Municipality, by an attorney acceptable to the Municipal Manager. All expenses will be for the developer.
 47. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines. Servitudes must be registered for all electrical services traversing erven.
 48. A homeowners' association/body corporate (as applicable) is/are to be established incorporating all erven within any security development / private and /or access-controlled developments. The private roads and the related stormwater and light poles infrastructure, and private open spaces within the development will be transferred by the developer to this / these homeowners' association/ body corporate who will assume responsibility for the maintenance thereof.
 49. The association shall see to it that the officials and contractors of the Municipality shall at all times have access to any portion of the development that may otherwise not be generally accessible to the general public due to security measures, including guarded entrances, electronic gates or booms. For the avoidance of doubt, it is agreed that this requirement relates to the Municipality's emergency services, entry for normal maintenance and replacement, meter reading and inspection and refuse removal. If access to the development is denied to the Municipality or a contractor appointed by the Municipality, the developer and the association will jointly and severally be liable for the full cost of the municipal infrastructure repairs and any damages the Municipality may suffer as a result thereof and will be billed for any water losses or loss in electrical sales from the system.
 50. Transfers, building plan approvals and occupation certificates 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 Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.
 51. The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
 52. No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
 53. In all cases, where individual customer applies for a supply capacity exceeding that provided for in the calculation of DCs and for the developer paid, will be subject to additional DCs based on the rates applicable at the time.
 54. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans)
 55. Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
 56. The developer and/or an owner of an erf shall see to it that no Small-Scale Embedded Generation (SSEG) are installed on an erf, any portion of an erf or the development, without prior approval from the ETS. Should any SSEG be installed within any part of the development the Electrotechnical Services will within their discretion either implement applicable penalties and/or disconnect the relevant point of supply.
 57. Where DCs have been applied for a particular section of the network, but the developer is requested to install and fund a part of the section of network, such work will be credited against DCs calculated.
 58. Installation of ripple relays are compulsory for all geysers with electrical elements
 59. All municipal supply points must be subject to standard DC charges. These charges to be included in the project costs of the project.

60. A detailed energy efficiency and demand side management plan to be implemented in the development to provide to the municipality.
61. All LV work must be installed and be funded by the developer / customer.
62. In all cases, the circuit breaker capacity (pre-payment meter limit) must match the ADMD figures used for each of the various types of customers. For example, an ADMD of 2.17kVA equates to a 30 Amp circuit breaker. $240V * 30A / (3 \text{ diversity}) / 1000 = \text{kVA (ADMD)}$.
63. No electricity may be consumed within, or by any part of the development, without the consumption of the supply being metered and billed by a municipal meter (prepaid or credit). All cost, installation and consumption, will be for the cost of the developer. Standard application process will apply.
64. Each new portion created must have separate electrical connection and it may not cross any other portion. Each consumer will have to enter into a separate supply agreement with the Municipality. For new consolidated erven it will be the responsibility of the owner/developer to make the necessary arrangements with the Electrotechnical Services Department to remove all the unused electrical services. All costs will be for the owner/developer.
65. The Electrotechnical Services will not be responsible for the installation, maintenance, energy consumption or any other costs related to streetlights, or other lighting, within the development or along any other private road.
66. All streetlights along municipal public roads are to be designed by a registered consulting engineer in accordance with Council specifications. All drawings and plans are to be submitted to the applicable department, 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 by a suitable qualified/registered electrical contractor 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.
67. The developer will be responsible to arrange with a professional land surveyor to indicate those services traversing erven on the relevant erf's SG diagram. The ETS can insist that an electrical servitude be registered if services traverse other properties. All cost related to the above will be for the developer.
68. Neither the Developer or the HOA/body corporate or a property owner are allowed to distribute electricity across property boundaries.
69. All electrical infrastructure downstream of the electrical supply point, the LV breaker in the low-voltage kiosk, will remain the responsibility of the various owners/developer. The electrical network above the LV breaker will be deemed part of the George Municipality distribution network and will be transferred to the municipality at no cost, who will assume responsibility for the maintenance thereof.
70. It will not be the responsibility of the Municipality to maintain and protect any service cables installed by the developer, but not used, i.e. not being metered and not consuming electricity. Should a future owner purchase an erf within the development, the installation and connection of the service cable will be for the cost of the developer or new owner. The connection fee paid to the municipality will be solely for provision of the electrical meter and the cost associated with opening the customer account.
71. The developer will be responsible to submit an Electrical Services Report for the development for the approval by the ETS. All the required electrical upgrades required on the Municipal electrical distribution network must be listed within the Electrical Services Report and will be for the cost of the developer. The developer will have to adhere to the Electrical Services Report. However, the preliminary designs, followed by the detailed designs, will only be finalized once the site development plan is approved. Condition (38) applies
72. A temporary municipal metered construction supply can be installed, at a cost to be determine, prior to construction to monitor electrical consumption during the construction phase. All cost, installation and consumption, will be for the cost of the developer. No electricity may be consumed without it being metered by a registered

municipal electrical meter. Standard application process will apply. Temporary supplies will only be made available on full payment of the DCs for the whole development.

73. The developer / customer has requested a kVA/unit less than the standard kVA/unit. This has been accepted based on the condition that details relating to the proposed DSM / energy savings measured and capacity limits be supplied and that proof of implementation be provided.
74. The existing LV network in the area may not have sufficient capacity for the additional units. Any upgrades required will be for the cost of the applicant.

ADDITIONAL CONDITION

75. The development is limited to 5 flats.

You have the right to appeal to the Appeal Authority against the decision/conditions of approval of the Eden Joint Municipal Planning Tribunal – George Municipality, in terms of Section 79(2) of the George Municipality's By-law on Municipal Land Use Planning.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning, 5th floor, Civic Centre, York Street, George **on or before 21 April 2023** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. *Please also note that the appeal must be e-mailed to the administrative officer mentioned above.*

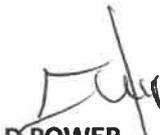
The notice must be served in accordance with section 115 of the Municipal Systems Act and in accordance with the additional requirements as may be determined by the Municipality. The notice must allow persons 21 days from date of notification of the appeal to comment on the appeal. Proof of the notification must be submitted to the Municipality, within 14 days of the date of notification.

An appeal that is not lodged within the timeframe or that does not comply with Section 80 of the George Municipality's By-law on Municipal Land Use Planning will be deemed invalid.

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

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

Yours faithfully



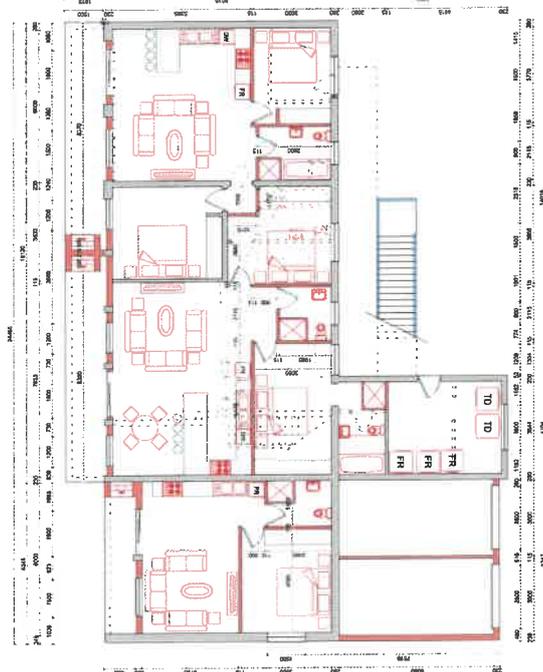
D. POWER

DEPUTY DIRECTOR: PLANNING

C:\Users\kbmeyer\Desktop\Access to folders\New By Law Approvals\Erf 3704 George (rez,dep approval) delplan.docx

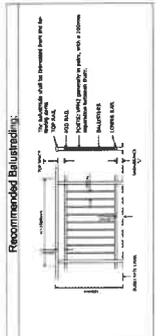
29/03/2023.

Dimension Plan Ground Storey
SCALE 1:100

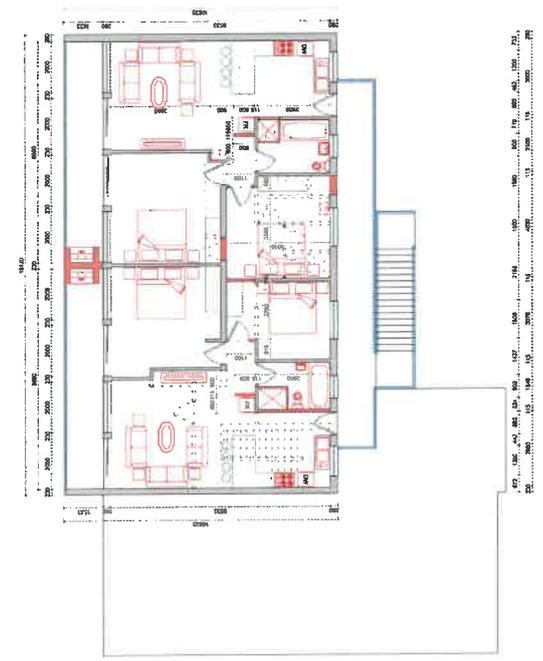


Information Plan Ground Storey
SCALE 1:100

Unit No.	Area (sqm)	Unit No.	Area (sqm)
UNIT 1 (10000)	34.57m ²	UNIT 10 (10000)	34.57m ²
UNIT 2 (10000)	34.57m ²	UNIT 11 (10000)	34.57m ²
UNIT 3 (10000)	34.57m ²	UNIT 12 (10000)	34.57m ²
UNIT 4 (10000)	34.57m ²	UNIT 13 (10000)	34.57m ²
UNIT 5 (10000)	34.57m ²	UNIT 14 (10000)	34.57m ²
UNIT 6 (10000)	34.57m ²	UNIT 15 (10000)	34.57m ²
UNIT 7 (10000)	34.57m ²	UNIT 16 (10000)	34.57m ²
UNIT 8 (10000)	34.57m ²	UNIT 17 (10000)	34.57m ²
UNIT 9 (10000)	34.57m ²	UNIT 18 (10000)	34.57m ²
UNIT 19 (10000)	34.57m ²	UNIT 20 (10000)	34.57m ²
UNIT 21 (10000)	34.57m ²	UNIT 22 (10000)	34.57m ²
UNIT 23 (10000)	34.57m ²	UNIT 24 (10000)	34.57m ²
UNIT 25 (10000)	34.57m ²	UNIT 26 (10000)	34.57m ²
UNIT 27 (10000)	34.57m ²	UNIT 28 (10000)	34.57m ²
UNIT 29 (10000)	34.57m ²	UNIT 30 (10000)	34.57m ²
UNIT 31 (10000)	34.57m ²	UNIT 32 (10000)	34.57m ²
UNIT 33 (10000)	34.57m ²	UNIT 34 (10000)	34.57m ²
UNIT 35 (10000)	34.57m ²	UNIT 36 (10000)	34.57m ²
UNIT 37 (10000)	34.57m ²	UNIT 38 (10000)	34.57m ²
UNIT 39 (10000)	34.57m ²	UNIT 40 (10000)	34.57m ²
UNIT 41 (10000)	34.57m ²	UNIT 42 (10000)	34.57m ²
UNIT 43 (10000)	34.57m ²	UNIT 44 (10000)	34.57m ²
UNIT 45 (10000)	34.57m ²	UNIT 46 (10000)	34.57m ²
UNIT 47 (10000)	34.57m ²	UNIT 48 (10000)	34.57m ²
UNIT 49 (10000)	34.57m ²	UNIT 50 (10000)	34.57m ²
UNIT 51 (10000)	34.57m ²	UNIT 52 (10000)	34.57m ²
UNIT 53 (10000)	34.57m ²	UNIT 54 (10000)	34.57m ²
UNIT 55 (10000)	34.57m ²	UNIT 56 (10000)	34.57m ²
UNIT 57 (10000)	34.57m ²	UNIT 58 (10000)	34.57m ²
UNIT 59 (10000)	34.57m ²	UNIT 60 (10000)	34.57m ²
UNIT 61 (10000)	34.57m ²	UNIT 62 (10000)	34.57m ²
UNIT 63 (10000)	34.57m ²	UNIT 64 (10000)	34.57m ²
UNIT 65 (10000)	34.57m ²	UNIT 66 (10000)	34.57m ²
UNIT 67 (10000)	34.57m ²	UNIT 68 (10000)	34.57m ²
UNIT 69 (10000)	34.57m ²	UNIT 70 (10000)	34.57m ²
UNIT 71 (10000)	34.57m ²	UNIT 72 (10000)	34.57m ²
UNIT 73 (10000)	34.57m ²	UNIT 74 (10000)	34.57m ²
UNIT 75 (10000)	34.57m ²	UNIT 76 (10000)	34.57m ²
UNIT 77 (10000)	34.57m ²	UNIT 78 (10000)	34.57m ²
UNIT 79 (10000)	34.57m ²	UNIT 80 (10000)	34.57m ²
UNIT 81 (10000)	34.57m ²	UNIT 82 (10000)	34.57m ²
UNIT 83 (10000)	34.57m ²	UNIT 84 (10000)	34.57m ²
UNIT 85 (10000)	34.57m ²	UNIT 86 (10000)	34.57m ²
UNIT 87 (10000)	34.57m ²	UNIT 88 (10000)	34.57m ²
UNIT 89 (10000)	34.57m ²	UNIT 90 (10000)	34.57m ²
UNIT 91 (10000)	34.57m ²	UNIT 92 (10000)	34.57m ²
UNIT 93 (10000)	34.57m ²	UNIT 94 (10000)	34.57m ²
UNIT 95 (10000)	34.57m ²	UNIT 96 (10000)	34.57m ²
UNIT 97 (10000)	34.57m ²	UNIT 98 (10000)	34.57m ²
UNIT 99 (10000)	34.57m ²	UNIT 100 (10000)	34.57m ²



Dimension Plan First Storey
SCALE 1:100



Information Plan First Storey
SCALE 1:100

Unit No.	Area (sqm)	Unit No.	Area (sqm)
UNIT 1 (10000)	34.57m ²	UNIT 10 (10000)	34.57m ²
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UNIT 36 (10000)	34.57m ²	UNIT 36 (10000)	34.57m ²
UNIT 37 (10000)	34.57m ²	UNIT 37 (10000)	34.57m ²
UNIT 38 (10000)	34.57m ²	UNIT 38 (10000)	34.57m ²
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UNIT 41 (10000)	34.57m ²	UNIT 41 (10000)	34.57m ²
UNIT 42 (10000)	34.57m ²	UNIT 42 (10000)	34.57m ²
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UNIT 97 (10000)	34.57m ²	UNIT 97 (10000)	34.57m ²
UNIT 98 (10000)	34.57m ²	UNIT 98 (10000)	34.57m ²
UNIT 99 (10000)	34.57m ²	UNIT 99 (10000)	34.57m ²
UNIT 100 (10000)	34.57m ²	UNIT 100 (10000)	34.57m ²

Area Covered:	Value
Unit 1 Area:	91.23 m ²
Unit 2 Area:	107.65 m ²
Unit 3 Area:	99.38 m ²
Unit 4 Area:	99.32 m ²
Unit 5 Area:	18.80 m ²
Laundry:	18.80 m ²
Wetroom:	32.28 m ²
Wetroom:	32.28 m ²
Total Foot Print Area:	691.44 m ²
Total Stand Area:	1253.90 m ²
F.A.R. (21.44 / 1253.90):	0.4937
Site coverage percentage (596.82 / 1253.90):	31.63 %
Package Required:	2.25 p/Unit
Package Provided:	11.25 Package
Occupancy:	H3
Zoning:	RES 2

MUNICIPALITEIT GEORGE MUNICIPALITY
 Approved in terms of Section 60 of the George Municipality Land Use Planning By-Law (2015) subject to the conditions contained in the covering letter.

31/03/2023
 DATE
 DEPUTY DIRECTOR: PLANNING
 ABANIK DIRECTEUR: BEPLANNING

BLUEPRINT DRAUGHTING
 IAN SCHOON
 082 303 0622 / SCHOOL@MAIL.COM

Member NR: 740279064
 Professional Institution: South African Council for the Architectural-Professional Services
 Project: Member NR: 740279064
 Member NR: 32114

Design: T. K. Schoon
 SACAP member
 Member NR: 740279064
 Professional Institution: South African Council for the Architectural-Professional Services
 Project: Member NR: 740279064
 Member NR: 32114

Project Description:
 New Flats on Eet 3704
 Donnas Orit George
 for Mr R Oelber

Drawing Nr: H21 - 47
 RG - 02 - 04
 05/10/2021
 Drawing:
 Dimension And Information Plan

- NOTES:**
- All information on the plan must be checked and any discrepancies reported to the architect before any building work commences.
 - All levels and dimensions must be checked on site.
 - All work and quality of materials must comply with SABS and SABS standards, and all other applicable authorities.

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: **2960687**

Purpose of consultation: 'n Aansoek om konsolidasie, hersonering en afwyking.

Brief proposal: **Die doel van die aansoek is om die bestaande woonhuise op die twee erwe in geheel as 'n voorskoolse onderrigplek in te rig.**

Property(ies) description: **Erwe 3703 en 3704 George**

Date: **13 December 2023**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Jeanne Muller	George Muni.	044 801 9138	jmuller@george.gov.za
Official	Fakazile Vava	George Muni.	044 801 9555	fvava@george.gov.za
Pre-applicant	Jan Vrolijk	Jan Vrolijk Town Planner	044 873 3011	janvrolijk@jvtownplanner.co.za

Documentation provided for discussion:

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

- **Titelakte van Erf 3703 George**
- **Titelakte van Erf 3704 George**
- **Hersonering goedkeuring vir Erf 3704 George**
- **Liggingsplan**
- **L G Diagram vir Erf 3703 George**
- **L G Diagram vir Erf 3704 George**
- **Konsep terreinplan**

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

YES	NO
-----	----

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

ONTWIKKELINGSVOORSTEL

Erf 3703 George is Residensiële Sone I en Erf 3704 George is Algemene Residensiële Sone IV gesoneer. Beide erwe is met woonhuise ontwikkel.

Dit is die voorneme van die eienaar van Erwe 3703 en 3704 George om die twee erwe te konsolideer en om die twee woonhuise en buitegeboue op die gekonsolideerde erf in geheel in 'n voorskoolse onderigplek, wat 'n maksimum van 140 kinders sal akkommodeer, te omskep.

Aangesien die twee woonhuise en buitegeboue in geheel omskep staan te word kan die gebruik nie as 'n vergunningsgebruik in terme van Artikel 20 van die George Geïntegreerde Soneringskema Verordening, 2023 hanteer word nie en sal die gekonsolideerde erf na Gemeenskapsone I gehersoneer moet word.

Soos vanuit die aangehegde konsep uitlegplan blyk sal dit moontlik wees om 'n "stop and drop facility" binne die grense van die erf te voorsien. Bo en behalwe die "stop and drop facility" moet daar ook 14 parkeerplekke vir die 140 kinders op die erf voorsien word. Alhoewel die aangehegde konsep uitlegplan nie die aantal parkeerplekke aantoon nie is daar genoegsame ruimte op die gekonsolideerde erf beskikbaar om aan die parkeervereiste voldoen. 'n Terreinplan wat die vereiste aantal parkeerplekke aantoon sal die volledige aansoek vergesel.

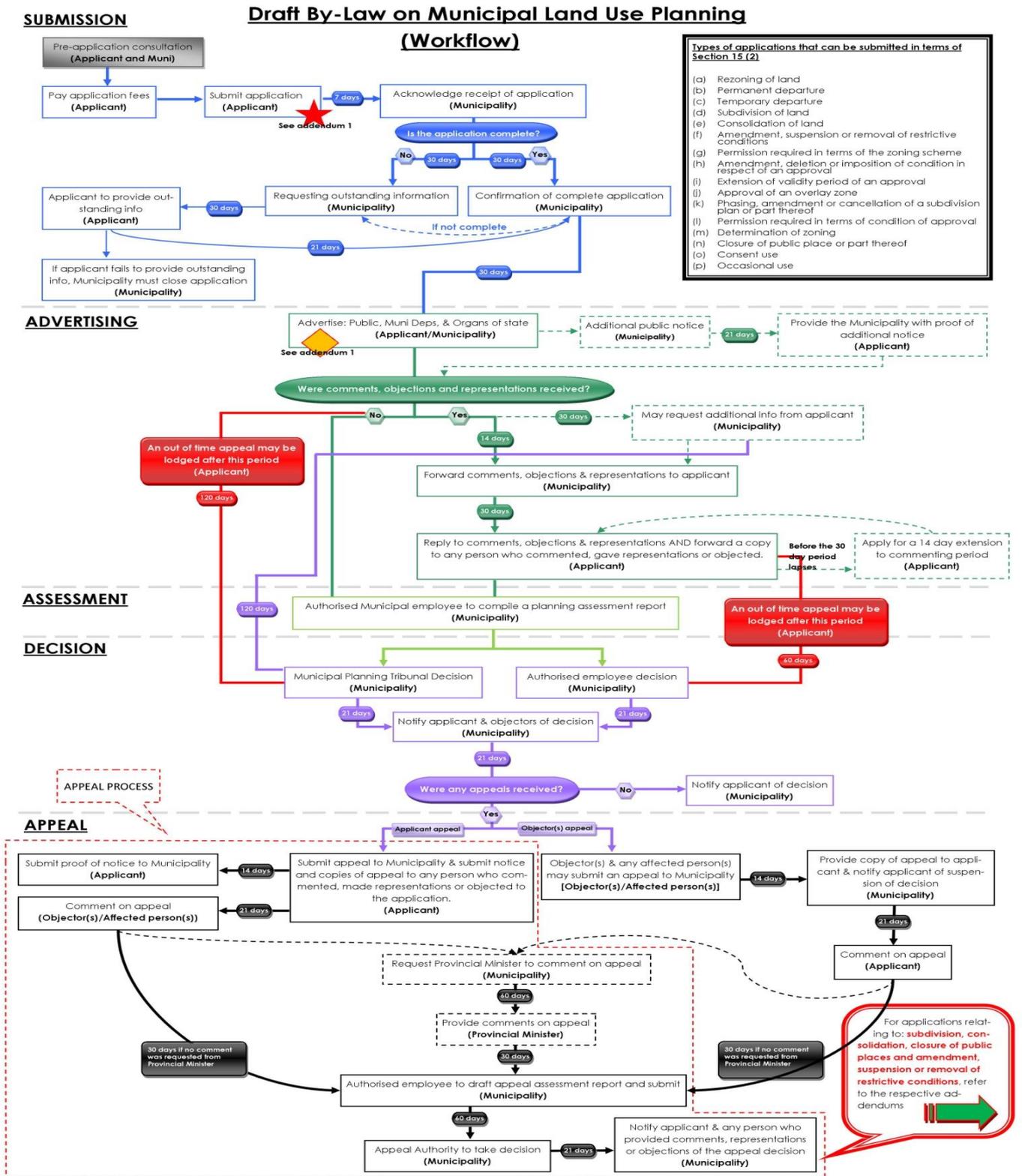
Vanuit die konsep uitlegplan blyk dit ook asof die geboue die 4.5 meter boulyn wat op 'n onderrigplek van toepassing is gaan oorskry. Aansoek sal dus ook gedoen moet word vir verslapping van die boulyne ten opsigte van die gedeeltes van die geboue wat die boulyne gaan oorskry. Die detail boulynverslappings sal op die finale uitlegplanne wat die aansoek gaan vergesel aangetoon word.

Aansoek sal dus

- in terme van Artikel 15(2)(e) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die konsolidasie van Erwe 3703 en 3704 George.
- in terme van Artikel 15(2)(a) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die hersonering van die gekonsolideerde erf vanaf Enkel Residensiële Sone I en algemene Residensiële Sone IV na Gemeenskapsone I.
- in terme van Artikel 15(2)(b) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die verslapping van sekere boulyne op die gekonsolideerde erf.

PART B: APPLICATION PROCESS

(WILL FULLY APPLY ONLY ONCE LUPA REGULATIONS ARE IN FORCE)



PART C: QUESTIONNAIRES

SECTION A:

DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES

Tick if relevant		What land use planning applications are required?	Application fees payable
x	2(a)	a rezoning of land;	R
	2(b)	a permanent departure from the development parameters of the zoning scheme;	R
	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
x	2(e)	a consolidation of land that is not exempted in terms of section 24;	To be determined
	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
x	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	To be determined
	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;	To be determined
	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
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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		George Ruimtelike Ontwikkelingsraamwerk 2023 en die George Sentrale Sakegebied Plaaslike Ruimtelike Ontwikkelingsraamwerk 2015	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 required
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, 2023 What is the current zoning of the property? Erf 3703 George – Enkel Residensiële Sone I Erf 3704 George – Algemene Residensiële Sone IV What is the proposed zoning of the property? Gemeenskapsone I Does the proposal fall within the provisions/parameters of the zoning scheme? Ja Are additional applications required to deviate from the zoning scheme? (if yes, specify) Moontlike boulynverslappings				
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		N.v.t.	N.v.t.

Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?		X	N.v.t.	N.v.t.
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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.			N.v.t.	
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 (if applicable)

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 13 December 2023 for the development of a school (place of instruction) on consolidated Erven 3703 and 3704, George. The application is submitted for the consolidation, rezoning and departure. The following site layout plan was provided for consideration.



Town Planning comments

- Comment from the department, Western Department of Education must be submitted together with the application. The basic standards for school requirements ie, play areas, rest rooms and safe & easily accessible classrooms must be met.
- The proposed school (type) to be motivated and addressed in the application.
- Appropriate accesses, drop-off facilities and parking will need to be provided on site – the existing drop of facility does not seem to be functional without causing disturbance to movement of traffic in the street.
- Applicant will need to demonstrate a functional site layout plan on submission of the application.
- Suitable play areas will need to be shown. The trees and greenery on the site must be maintained at all costs, a landscape plan will be required.
- Compliance with applicable legislation to be provided ie zoning scheme, MSDF etc.
- Applicant to take note that contravention levies will be applicable.

CES comments

- A TIA will be required for the number of learners (140).
- Access and parking must comply to the GIZS 2023.
- All parking must be provided on site, and no parking will be allowed within the road reserve.
- Water and sewer are available, subject to confirmation of capacity required.
- The development must conform with the applicable Stormwater By-law.
- Normal DC's in terms of the DC policy will apply on service.

ETS comments

- Development Charges will be applicable upon change on Town Planning Approval. Electrical service connections will need to be consolidated into one.

PART F: SUMMARY / WAY FORWARD

Refer to comments above.



OFFICIAL: _____

Fakazile Vava (Town Planner)

PRE-APPLICANT: **Johannes George Vrolijk**

(FULL NAME)



SIGNED: _____

Jeanne Muller (Senior Town Planner)



SIGNED:

DATE: **14 December 2023** _____

DATE: **8 December 2023**

**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

Erven 3703 and 3704 George - Locality plan



Date: 12/8/2023 1:27 PM

Scale: 1:1,617



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 OF ERF 3703 GEORGE

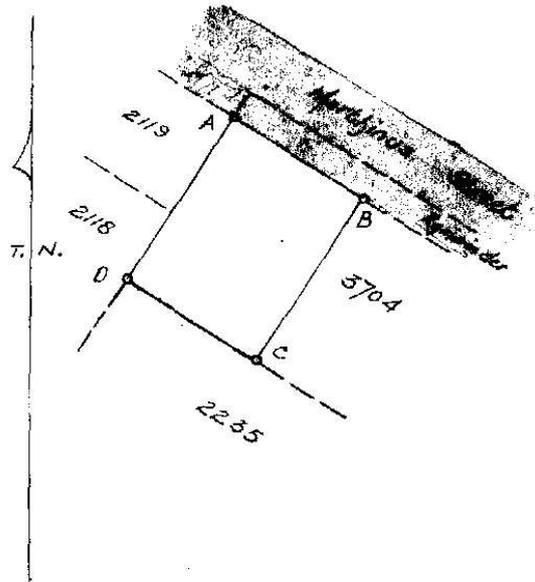
OFFICE COPY
KANTOOR AFSKRIF

802400

S.G. No.

SIDES Cape Feet	DIRECTIONS	CO-ORDINATES		OFF. DESIG.
		y	x	
AB	100.00	302.19.50	A +102611.29 +43010.28	<i>P. L. van der Heuwel</i> Surveyor-General. 6.11.1963
BC	126.29	32.19.50	B +102526.79 +43063.76	
CD	100.00	122.19.50	C +102594.33 +43170.47	
DA	126.29	212.19.50	D +102678.83 +43116.99	

Approved.



Beacons :-

- A, piece of iron standard.
- B, C & D, iron peg 18" long & 1/2" dia.

Scale 1: 1250

The figure A B C D _____
represents 12629 Sq. Feet _____ of land, being
_____ Erf 3703 portion of Erf 2236 George _____
situate in the Municipality and _____
Administrative District of George _____ Province of Cape of Good Hope.
Surveyed in August 1963 by me *T. Pascual*
Land Surveyor.

This diagram is annexed to

D/T. No 2179/1964

dated

i.f.o.

Registrar of Deeds.

The original diagram is

No 204/1824

~~Transfer~~ Grant

No Geo. F. 3.22

File No.

S/5775/139.

S.R. No.

E 1775/63

Comp.

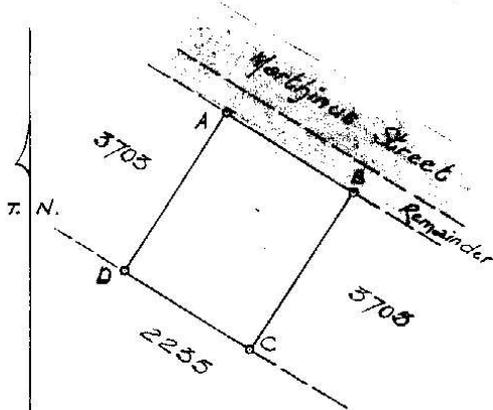
BL 700/X41

Gen. Plan

S
C
S

ANNEXURE "G" – SURVEYOR GENERAL DIAGRAM OF ERF 3704 GEORGE

SIDES	Cape Feet	DIRECTIONS	CO-ORDINATES		OFF. DESIG.
			y	x	
AB	100.00	302° 19' 50"	A +102526.79	+ 43063.76	<i>Approved.</i> <i>Alexander Heusel</i> <i>Surveyor-General.</i> <i>6-11-1963</i>
BC	126.29	32° 19' 50"	B +102442.29	+ 43117.24	
CD	100.00	122° 19' 50"	C +102509.83	+ 43223.95	
DA	126.29	212° 19' 50"	D +102594.33	+ 43170.47	



Beacons:

A, B, C & D, iron peg 18" long & 1/2" dia.

Scale 1: 1250

The figure ABCD _____
represents 12629 Sq. Feet _____ of land, being

_____ Erf 3704 portion of Erf 2236 George _____
situate in the Municipality and _____

Administrative District of George _____ Province of Cape of Good Hope.

Surveyed in August 1963 by me *T. Hasen*
Land Surveyor.

This diagram is annexed to

D/T. No 2178/1964

dated

i.f.o.

Registrar of Deeds.

The original diagram is

No 204/1824

Transfer/Grant

No Geo. F. 3.22.

File No.

5/8775/139

S.R. No.

E1775/63

Comp.

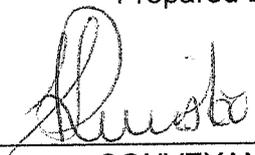
BL-7DD/X41

Gen. Plan

ANNEXURE "H" - TITLE DEED OF ERF 3703 GEORGE

Sharon Prinsloo Attorneys
 3 Varing Street
 Windsor Park Block G4
 George
 6529

Prepared by me



CONVEYANCER
 SHARON PRINSLOO
 (LPCM Number 85317)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 2700 000 00	R. 2014 00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg..... Act/Proc.....

Certified a true copy
 of the original hereof /
 Gesertifiseer 'n ware afskrif
 van die oorspronlike hiervan

ANNE LISE OOSTHUIZEN
 KOMMISSARIS VAN EDE/
 COMMISSIONER OF OATHS
 SENIOR CONVEYANCING SECRETARY/
 SENIOR AKTSEKRETARESSE
 3 VARING AVENUE, WINDSOR PARK
 GEORGE
 REPUBLIC OF SOUTH AFRICA

9/1/18/2 George

DATA / VERIFY
 10-05-2023
 PENELOPE NGOGWANA

T000021067 / 2023

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

RONELLE WILKINSON(97489)

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 by

- CLINTON PETERSEN
 IDENTITY NUMBER: 800106 5049 08 2
 UNMARRIED
- LIZELLE NASHLEY PETERSEN
 IDENTITY NUMBER: 800504 0056 08 8
 UNMARRIED

DATA / CAPTURE
 12-05-2023

which said Power of Attorney was signed at GEORGE on 5 MAY 2023

And the appearer declared that his/her said principal had, on 18 February 2023, 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:

RG & MK DEVELOPMENTS PROPRIETARY LIMITED
REGISTRATION NUMBER: 2023/618724/07

or its Successors in Title or assigns, in full and free property

ERF 3703 GEORGE IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE

IN EXTENT: 1252 (ONE THOUSAND TWO HUNDRED AND FIFTY TWO)
SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NO. T2179/1964 WITH
DIAGRAM NO 6344/1963 RELATING THERETO AND HELD BY DEED OF
TRANSFER NO. T51634/2012

SUBJECT to the conditions referred to in Deed of Transfer No. 2143 dated 23 March 1901.

Certified a true copy
of the original hereof /
Gesertifiseerde ware afskrif
van die oorspronlike hiervan

ANNELISE OOSTHUIZEN
KOMMISSARIS VAN EDE/
COMMISSIONER OF OATHS
SENIOR CONVEYANCING SECRETARY/
SENIOR AKTESEKRETARRESSE
3 VARING AVENUE, WINDSOR PARK
GEORGE
REPUBLIC OF SOUTH AFRICA

9/1/18/2 George

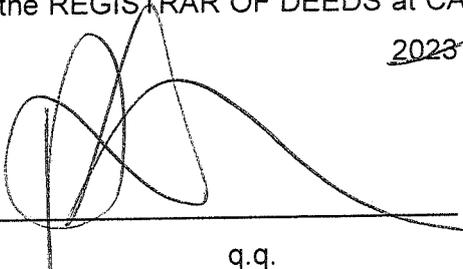
WHEREFORE the said Appearer, renouncing all rights and title which the said 1. CLINTON PETERSEN, Unmarried, and 2. LIZELLE NASHLEY PETERSEN, Unmarried heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

RG & MK DEVELOPMENTS PROPRIETARY LIMITED
REGISTRATION NUMBER: 2023/618724/07

or its Successors in Title 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 R2 700 000,00 (TWO MILLION SEVEN HUNDRED 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 31 MAY 2023


q.q.

In my presence


REGISTRAR OF DEEDS

Certified a true copy
of the original hereof /
Gesertifiseer / A ware afskrif
van die oorspronklike hiervan

ANNE LISE OOSTHUIZEN
KOMMISSARIS VAN EDE/
COMMISSIONER OF OATHS
SENIOR CONVEYANCING SECRETARY/
SENIOR AKTESEKRETARESE
3 VARING AVENUE, WINDSOR PARK
GEORGE
REPUBLIC OF SOUTH AFRICA

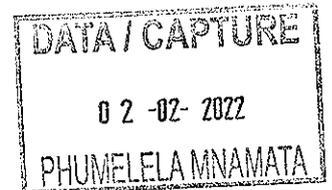
9/1/8/2 George

ANNEXURE "I" - TITLE DEED OF ERF 3704 GEORGE

Prepared by me


CONVEYANCER
UYS FOURIE
(88857)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 3040.000.00	R. 1778.00
Reason for Exemption	Category Exemption.....	Exemption i.o. Sec/Reg..... Act/Proc.....



T 000002871 / 2022

DEED OF TRANSFER

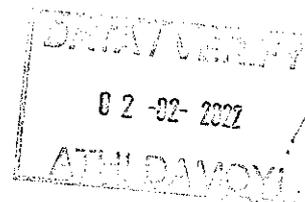
BE IT HEREBY MADE KNOWN THAT

DE WAAL ESTERHUYSE (78531) or ~~ALISON TRENTINI (85933) or MONICA SMITH (86480) or GELESTE LIZANNE KURUCZ (89833)~~

appeared before me, the Registrar of Deeds at Cape Town, the said appearer, being duly authorised thereto by a power of attorney granted to them by

1. **HUSEYIN ALTUN**
Identity Number 620104 5328 08 3
Married out of Community of Property
2. **SONJA-LOUISE ALTUN**
Identity Number 691012 0024 08 2
Married out of Community of Property

signed at GEORGE on 20th OCTOBER 2021



And the appearer declared that:

Whereas the Transferors had truly and legally sold the undermentioned property on 2 September 2021 by Private Treaty

Now therefore the Appearer on behalf of the Transferors, did by these presents, cede and transfer to and on behalf of

1. **RYNO GERBER**
Identity Number 860817 5143 08 2
Married out of Community of Property

2. **ANGELO MICHAEL KATER**
Identity Number 950324 5128 08 1
Unmarried

their heirs, executors, administrators or assigns, in full and free property

ERF 3704 ~~GEORGE~~,
IN THE MUNICIPALITY AND DIVISION OF GEORGE,
PROVINCE OF THE WESTERN CAPE

IN EXTENT ~~1252~~ (ONE THOUSAND TWO HUNDRED AND FIFTY TWO) SQUARE
METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NUMBER T2178/1964 DATED 7
FEBRUARY 1964 WITH DIAGRAM NO. 6345/1963 RELATING THERETO AND
HELD BY DEED OF TRANSFER NUMBER T5141/2017

SUBJECT to such conditions as are referred to in Deed of Transfer dated 23rd March 1901,
No. 2143.



WHEREFORE the appearer, renouncing all the right and title the said

1. HUSEYIN ALTUN, Married as aforesaid
2. SONJA-LOUISE ALTUN, Married as aforesaid

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

1. RYNO GERBER, Married as aforesaid
2. ANGELO MICHAEL KATER, Unmarried

their heirs, executors, administrators or assigns, now are and henceforth shall be entitled thereto, conformably to local customs; the State, however, reserving its rights, and finally acknowledging that the purchase price is the amount of R3 040 000,00 (Three Million Forty 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.

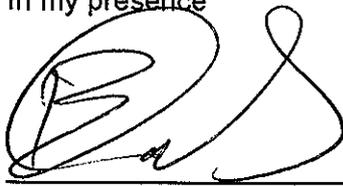
THUS DONE AND EXECUTED at the Office of the Registrar of Deeds at Cape Town on

31 January 2022

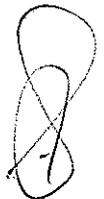


Signature of appearer q.q.

In my presence



Registrar of Deeds





ANNEXURE "J" - COMPANY REGISTRATION DOCUMENT



COR14.3: Registration Certificate

Registration Number: 2023 / 618724 / 07
Enterprise Name: RG AND MK DEVELOPMENTS

ENTERPRISE INFORMATION

Registration Number: 2023 / 618724 / 07
Enterprise Name: RG AND MK DEVELOPMENTS
Registration Date: 08/03/2023
Business Start Date: 08/03/2023
Enterprise Type: Private Company
Enterprise Status: In Business
Financial Year End: February
TAX Number: 9952244185

Addresses	<u>POSTAL ADDRESS</u>	<u>ADDRESS OF REGISTERED OFFICE</u>
	7 DONARAILE STREET DONARAILE HOUSE GEORGE CENTRAL WESTERN CAPE 6529	7 DONARAILE STREET DONARAILE HOUSE GEORGE CENTRAL WESTERN CAPE 6529

ACTIVE MEMBERS / DIRECTORS

Surname and First Names	Type	ID Number / Date of Birth	Appointment Date	Addresses
KATER, ANGELO MICHAEL	Director	9503245128081	08/03/2023	Postal: 5 MARTHINUS STREET, GEORGE, GEORGE, WESTERN CAPE, 6529 Residential: 5 MARTHINUS STREET, GEORGE, GEORGE, WESTERN CAPE, 6529
GERBER, RYNO	Director	8608175143082	08/03/2023	Postal: 9 KAAIMANS STREET, GROOT BRAKRIVIER, GROOT BRAKRIVIER, WESTERN CAPE, 6525 Residential: 9 KAAIMANS STREET, GROOT BRAKRIVIER, GROOT BRAKRIVIER, WESTERN CAPE, 6525



ANNEXURE "K" - POWER OF ATTORNEY – ERF 3703 GEORGE

POWER OF ATTORNEY

We, the undersigned

Ryno Gerber and Angelo Michael Kater

in our capacity as Directors of

RG & MK Developments Proprietary Limited Registration number 2023/618724/07

the registered owner of

Erf 3703 George

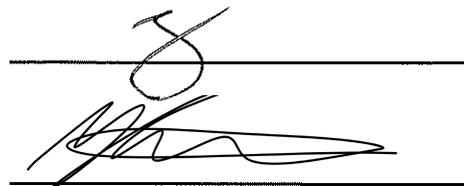
do hereby appoint Jan Vrolijk Town Planner/Stadsbeplanner to prepare, sign and submit the following application to the George Municipality:

- *An application in terms of Section 15(2)(a) of the Bylaw on Land Use Planning for George Municipality, 2023 for the rezoning of Erf 3703 George from Single Residential Zone I to Community Zone I and Erf 3704 George from General Residential Zone IV to Community Zone I.*
- *An application in terms of Section 15(2)(e) of the Bylaw on Land Use Planning for George Municipality, 2023 for the consolidation of Erven 3703 and 3704 George.*
- *An application in terms of Section 15(2)(b) of the Bylaw on Land Use Planning for George Municipality, 2023 for the relaxation of certain building lines in order to authorize the use of the existing buildings on the consolidated erf for pre-school purposes.*

Signed at George on 22 January 2024

Ryno Gerber

Angelo Michael Kater

The image shows two handwritten signatures in black ink. The top signature is a stylized, cursive 'R' followed by a flourish, positioned above a solid horizontal line. The bottom signature is a more complex, cursive signature, also positioned above a solid horizontal line.

ANNEXURE "L" - POWER OF ATTORNEY – ERF 3704 GEORGE

POWER OF ATTORNEY

We, the undersigned

Ryno Gerber and Angelo Michael Kater

in our capacity as the registered owner of

Erf 3704 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)(a) of the Bylaw on Land Use Planning for George Municipality, 2023 for the rezoning of Erf 3703 George from Single Residential Zone I to Community Zone I and Erf 3704 George from General Residential Zone IV to Community Zone I.*
- *An application in terms of Section 15(2)(e) of the Bylaw on Land Use Planning for George Municipality, 2023 for the consolidation of Erven 3703 and 3704 George.*
- *An application in terms of Section 15(2)(b) of the Bylaw on Land Use Planning for George Municipality, 2023 for the relaxation of certain building lines in order to authorize the use of the existing buildings on the consolidated erf for pre-school purposes.*

Signed at George on 22 January 2024

Ryno Gerber



Angelo Michael Kater



ANNEXURE "M" - CONVEYANCER CERTIFICATE FOR ERF 3703 GEORGE

CONVEYANCER'S CERTIFICATE

I, the undersigned,

UYS FOURIE

Conveyancer Practising at George, do hereby certify as follows in respect of the following property:

**ERF 3703, GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE**

IN EXTENT 1252 (ONE THOUSAND TWO HUNDRED AND FIFTY TWO) square metres

HELD BY DEED OF TRANSFER NUMBER T21067/2023

1. The property is registered in the name of:

**RG & MK DEVELOPMENTS PROPRIETARY LIMITED
REGISTRATION NUMBER: 2023/618724/07**

2. That the current title deed to the property contains no conditions prohibiting the Land Use Application in terms of the George Municipality Land Use Planning By-Law, 2015 on the abovementioned Erf.
3. That I have searched the records in the office of the Registrar of Deeds at Cape Town and hereby record that there are no conditions of title, servitudes or endorsements hidden behind the current or pivot / underlying deeds, prohibiting the Land Use application.
4. The above information is correct as per Deeds Office, Cape Town records on even date and relates only to Title Deed conditions and not to conditions applicable to the relevant Town Planning Scheme, obtainable from the Local Authority.



Dated at GEORGE this 31st day of January 2024.



CONVEYANCER

UYS FOURIE

ANNEXURE "N" - CONVEYANCER CERTIFICATE FOR ERF 3704 GEORGE

CONVEYANCER'S CERTIFICATE

I, the undersigned,

UYS FOURIE

Conveyancer Practising at George, do hereby certify as follows in respect of the following property:

**ERF 3704, GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE**

IN EXTENT 1252 (ONE THOUSAND TWO HUNDRED AND FIFTY TWO) square metres

HELD BY DEED OF TRANSFER NUMBER T2871/2022

1. The property is registered in the name of:

**RYNO GERBER
IDENTITY NUMBER: 860817 5143 082
UNMARRIED**

And

**ANGELO MICHAEL KATER
IDENTITY NUMBER: 950324 5128 081
UNMARRIED**

2. That the current title deed to the property contains no conditions prohibiting the Land Use Application in terms of the George Municipality Land Use Planning By-Law, 2015 on the abovementioned Erf.
3. That I have searched the records in the office of the Registrar of Deeds at Cape Town and hereby record that there are no conditions of title, servitudes or endorsements hidden



behind the current or pivot / underlying deeds, prohibiting the Land Use application.

4. The above information is correct as per Deeds Office, Cape Town records on even date and relates only to Title Deed conditions and not to conditions applicable to the relevant Town Planning Scheme, obtainable from the Local Authority.

Dated at GEORGE this 31st day of January 2024.



CONVEYANCER

UYS FOURIE