

WILDERNESS ERF 196

APPLICATION FOR:

**REZONING & REMOVAL OF A RESTRICTIVE
CONDITION**



CLIENT: POINT VILLAGE RESTAURANT 2 CC
PREPARED BY: MARIKE VREKEN URBAN & ENVIRONMENTAL PLANNERS



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SECTION A : BACKGROUND

1. BACKGROUND

Wilderness Erf 196 (hereafter referred to as “the application area”) is located along George Road, directly east of the Alpha Pharm Wilderness Pharmacy and across the street from Pomodoro Restaurant to the south. The property is 743m² in extent and is currently zoned as “Business Zone II” in terms of the George Integrated Zoning Scheme Bylaw, 2023.



FIGURE 1: WILDERNESS ERF 196 – LOCALITY

The owners of Wilderness Erf 196 took ownership of the application area in 2022 and converted the property into a “Mozambik” theme restaurant, the activity has commenced. The current zoning of the property allows for a restaurant as a consent use. A consent use must be supplementary to the primary use (offices), however, the landowners use the entire extent of the property for the existing restaurant.

In order to obtain development rights for the landowners to legally operate the restaurant (business) on the premises, an application for rezoning and the removal of a restrictive title deed condition is required. This report serves as the motivation report for the to allow the existing restaurant on Wilderness Erf 196.

1.1. Pre-Application

The required pre-application consultation was conducted with George Municipality on 23 October 2024 for the development proposal. The pre-application consultation did not highlight any concerns for the intended application and the minutes of the pre-application consultation are attached as **ANNEXURE A**. The following points were raised during the meeting for the applicant to bear in mind when compiling the land use application:

COMMENTS	RESPONSE
Should the primary right on the site (i.e. offices) not be exercised, then the application must be submitted for rezoning to Business Zone I (business premises) to accommodate the restaurant as a primary right. A Consent Use must be supplementary to the primary right.	<ul style="list-style-type: none"> ▪ <i>Application for rezoning</i>
The proposed use (restaurant) should be motivated in terms of the relevant planning policies (MSDF & LSDF).	<ul style="list-style-type: none"> ▪ <i>Refer to Par.10</i>
Parking must be provided in accordance with Section 42 of the George Integrated Zoning Scheme By-law (2023). All parking must be provided on-site. Alternatively, parking may also be provided in a different location, subject to approval from the municipality.	<ul style="list-style-type: none"> ▪ <i>Refer to Plan 2</i>
It is recommended that the parking layout be discussed with the municipality's Civil Engineering Services section, prior to submission of the application.	<ul style="list-style-type: none"> ▪ <i>Refer to ANNEXURE B</i>
Comments from DFFE will be required given the potential impact on vegetation.	<ul style="list-style-type: none"> ▪ <i>The application will be circulated to DFFE on submission.</i>
Comments/approval from Heritage Western Cape should be obtained and submitted with the application. Submit a Notice of Intent to Develop to Heritage Western Cape.	<ul style="list-style-type: none"> ▪ <i>Statement for Heritage Specialist (Stefan de Kock) confirming that the proposal doesn't trigger any listed activities in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999). Refer to ANNEXURE C</i> ▪ <i>George Municipality confirmed that this statement is sufficient for the proposed development. Refer to ANNEXURE D</i>

<p>The parking configuration and manoeuvring space should be illustrated on the proposed site plan along with all the Milkwood trees.</p>	<ul style="list-style-type: none"> ▪ Refer to Plan 2 & ANNEXURE L
<p>A study of the Milkwood trees should be done, and mitigation measures be implemented in the design of the development.</p>	<ul style="list-style-type: none"> ▪ Hilland Environmental has been appointed to assess the Milkwood trees for the proposed development. Refer to ANNEXURE N: Milkwood Tree Study
<p>The character of the street needs to be preserved (consider urban design and landscaping measures relating to the streetscape).</p>	<ul style="list-style-type: none"> ▪ Refer to Par.14 & 16
<p>Conveyancing Attorney to confirm if there are any restrictive conditions in the title deed, with special reference to Condition B(2), and if consent is required from the 'seller'.</p>	<ul style="list-style-type: none"> ▪ Refer to ANNEXURE E

2. THE APPLICATION

Marika Vreken Urban and Environmental Planners have been appointed by **POINT VILLAGE RESTAURANT 2 CC** (refer to **ANNEXURE F**: Signed Company Resolution and Power of Attorney and Company Resolution) to prepare and submit the required application documentation (refer to **ANNEXURE G**: Application Form) for:

- a) Rezoning of Wilderness Erf 196 from "Business Zone IV" to "Business Zone I" in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality (2023) to a "business premises" to utilise Wilderness Erf 196 as a 'restaurant'.
- b) Removal of a Restrictive Title Deed Condition: B(2) from the Title Deed T43030/22 in terms of Section 15(2)(f) of Land Use Planning By-Law for George Municipality (2023), to allow the existing restaurant on Wilderness Erf 196.

3. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the Title Deed (T43030/2022) that includes all the information outlined below, is contained in **ANNEXURE H**. A copy of the SG diagram is contained in **ANNEXURE I**.

Erf Number:	Wilderness Erf 196
Title Deed No:	T043030/22
Property Owner:	Point Village Restaurant 2 CC
Property Description:	Erf 197 Wilderness in the Municipality and Division of George, Province of the Western Cape.
Property Size:	743m ² (Seven Hundred and Forty-Three Square Meters)

Title Deed Restrictions: Condition B(2): "...No trade or business of any description may be carried on, on this lot without the written permission of the seller first had, and obtained..."

Servitudes: There are no servitudes registered over this property.

Bond: A bond is registered in favour of Standard Bank. Refer to **ANNEXURE J** for a copy of the bondholder’s consent

SECTION B : DEVELOPMENT PROPOSAL

4. DEVELOPMENT SPECIFICATIONS
(Refer to Error! Reference source not found.: Building Plans)

The Applicant desires to obtain land use rights to allow the existing restaurant known as “Mozambik” on Wilderness Erf 196. There is an existing building on the premises which the owners converted into a restaurant. The existing building is ± 112m² in extent. No additions will be made to the existing building to accommodate the restaurant.

The municipality’s Building Control Department has, no records of any former building plans on the application area *(refer to ANNEXURE K: email from George Municipality)*.

4.1. Restaurant

The restaurant has ±35 seats inside (±101m²) and serves mainly a takeaway service. An outdoor play area of ±80m² is earmarked. Some outdoor seating is provided to the north of the existing building. Ample public ablution facilities for patrons are provided.

The restaurant will operate on a Monday to Sunday between 11 am and 10 pm.

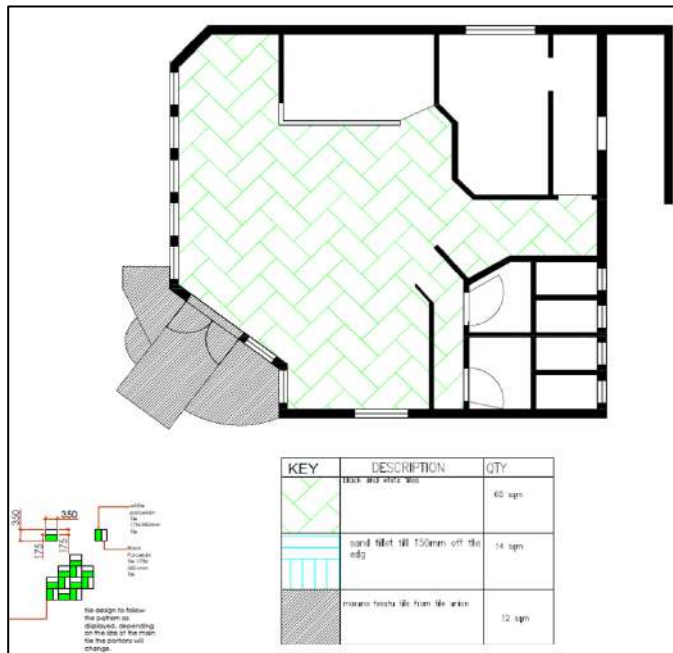


FIGURE 2: INTERNAL LAYOUT

The restaurant design, themed around “Mozambik” with a beach and sea image, conveys a vibrant and lively aesthetic that blends natural elements with cultural motifs. The use of bright, bold

colours on the exterior — especially in the reds, yellows, and greens — gives the establishment a cheerful, welcoming look that reflects the warmth and cheerful environment. The decorative patterns on the walls and traditional design elements around the entrance, combined with wooden details, emphasise authenticity and celebrate Mozambique’s unique visual culture.



FIGURE 3: 3D RENDER OF THE EXTERIOR OF THE DESIGN OF THE RESTAURANT



FIGURE 4: 3D RENDER OF THE INTERIOR OF THE DESIGN OF THE RESTAURANT

The interior design is thoughtfully structured for functionality and ambiance. The decorative, woven pendant lights create a warm, textured lighting effect, adding to the beachy, laid-back

atmosphere that enhances the dining experience. The mix of patterned tiles and natural materials, such as wood and woven fibres, brings an earthy, beach-inspired feel. The majority of the seating is inside the building whilst there some seats provided outside.



FIGURE 5: EXTRACT - SITE DEVELOPMENT PLAN

4.2. Access & Parking

According to the George Zoning Scheme Bylaw, a total of 4 parking bays per 100m² GLA has to be provided for restaurants. Public ablutions (±12.9m²) are excluded from the calculation of GLA, hence the GLA of the restaurant (indoor and outdoor seating will be ±101m²). For a GLA of 101m², a total of 5x parking bays must be provided. The Site Development Plan shows that 7x parking bays can easily be provided on the application area.

The appointed Civil Engineers (**S & Z Consulting (Pty) Ltd**) consulted with Mr. Zuko from the Civil Engineering Services Department of George Municipality on 06 November 2024. It was confirmed that there is sufficient parking proposed on the application area and that physically disabled and loading parking bays are not a requirement for the restaurant. However, for practicality, a loading bay must be provided. It was recommended to relocate the proposed disabled bay to the entrance of the building so that it will have a dual purpose of general parking during working hours and a loading bay parking outside of business hours. The proposed parking layout was informed by the discussion held with the George Civil Services Department (refer to **ANNEXURE L**).

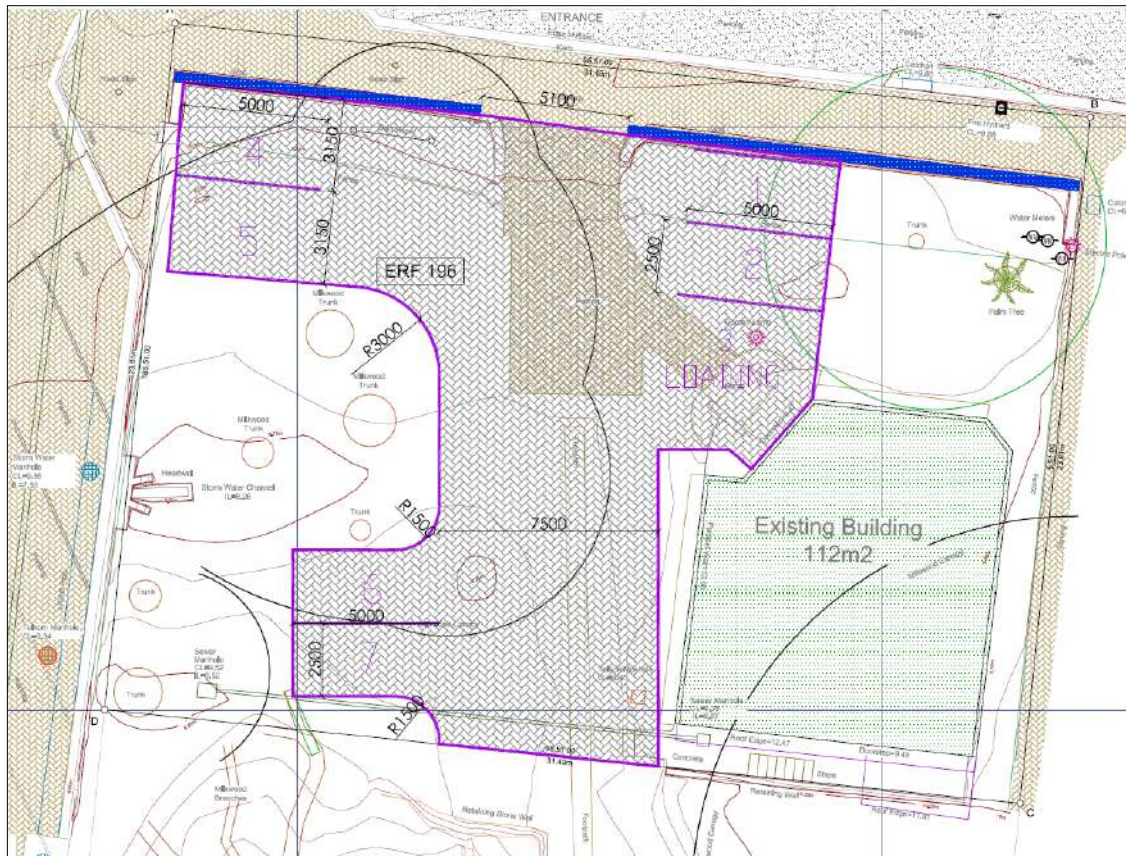


FIGURE 6: SDP - PARKING LAYOUT

The existing access directly off George Road will be used for the proposed development. The access to the site will have a width of $\pm 5.1\text{m}$, which is compliant with the requirements of the combined access and exit of the George Zoning Scheme Bylaw (2023).

5. STATUTORY SPECIFICATIONS

The following land development application is lodged in terms of the George Municipality Land Use Planning By-Law (2023), to achieve the desired outcome:

5.1. Rezoning

The Applicant envisages obtain land use rights for the existing restaurant on the application area. The primary use of the property will be for 'business premises' to allow for a 'restaurant'. The current zoning 'Business Zone IV' allows for a restaurant as a consent use, however, the municipality confirmed during the pre-application consultation that the intended use for the restaurant will constitute a primary use and that the allowed primary use for an 'office' will not be exercised. Hence, the need for a rezoning application as opposed to a consent use application.

'business premises'

Land use Description: "business premises" means a property from which business is conducted and:

- (a) *includes a shop, big box retail, **restaurant**, liquor store, plant nursery, office, funeral parlour, financial institution and building for similar uses, place of assembly, place of leisure, institution, hotel, conference facility, rooftop base telecommunication station, and multiple parking garage;*
- (b) *includes five electronic or mechanical playing devices that are ancillary to a restaurant or place of leisure per property;*
- (c) *includes also the following land uses above ground floor:*
 - i. *flats;*
 - ii. *caretaker's quarters*
 - iii. *backpackers' lodge;*
 - iv. *youth hostel; as well as*
 - v. *boarding houses; and*
- (d) *does not include a place of entertainment, gambling place, motor repair garage, industry, noxious trade, risk activity, adult entertainment, adult services, or adult shop.*

In order to allow the existing use on Wilderness Erf 196, an application for rezoning from "Business Zone IV" to "Business Zone I" is submitted in terms of Section 15(2)(a) of the George Municipality Land Use Planning By-Law (2023) to a "business premises" to utilise Wilderness Erf 196 for a 'restaurant'.

5.2. Removal of Restrictive Condition

Title Deed T043030/22 of Wilderness Erf 196 contains a restrictive title deed condition that prevents the landowners from operating a business on the subject property.

It is proposed to remove Condition B(2), which relates to restrictive development parameters, which were imposed at a time when a Town Planning Scheme did not exist, and land development was controlled through title deeds. Condition B(2) of Title Deed T043030/22 reads: "*...No trade or business of any description may be carried on, on this lot without the written permission of the seller first had, and obtained...*". This condition does not allow the use of the application area for business or restaurant purposes, and therefore it is necessary to lodge an application for the removal of this restrictive title deed condition, to allow the proposed use. Application is therefore made for:

- i. Removal of a Restrictive Title Deed Condition: B(2) from the Title Deed T043030/22 in terms of Section 15(2)(f) of the George Municipality Land Use Planning By-Law (2023), to allow the existing restaurant on Erf 196 Wilderness.

5.3. George Zoning Scheme Bylaw (2023)

Application is made for the rezoning of Wilderness Erf 196 from "Business Zone IV" to "Business Zone I". The proposed development complies with all the prescribed development parameters as set out for "Business Zone I" in the Integrated Zoning Scheme By-Law of George Municipality (2023). A summary of the prescribed development parameters for

“Business Zone I”, and a comparison of the proposed development’s parameters are shown in the table below:

Prescribed Development Parameter		Proposed on Erf 196	Compliance
Land use	business premises	business premises	COMPLY
Bulk	3	0,16	COMPLY
Coverage	100%	16%	COMPLY
Height	i. The highest point of a building may not exceed 15 metres to the top of the roof. ii. The general provisions regarding earth banks and retaining structures in this by-law apply.	1-storey building – (<15m)	COMPLY
Building Lines	Street building line: 0m	north - >0m (George Road)	COMPLY
	Side and Rear building lines: 0m <i>(Provided that the municipality may lay down more restrictive building lines in the interest of public health and safety or in order to enforce any other)</i>	eastern lateral – >0m	COMPLY
		southern Rear– >0m	COMPLY
		Western lateral – >0m	COMPLY
Parking (See Par.4)	4 bays per 100m ² GLA	<ul style="list-style-type: none"> 101m² / 100m² = 1.01 x 4 = 5x Parking Bays Required 7x on-site parking bays provided Parking Bay 3 (dual purpose: loading bay & parking bay) <u>7x parking bays provided in total</u> 	COMPLY
Street Corners	The Municipality may require that the owner of a building that is to be situated at a public street corner, and which the Municipality considers to be significant, must incorporate in the building architectural features which focus visual interest on the corner, and which emphasise the importance of pedestrian movement around the corner. Such features may include building cut-offs,	<ul style="list-style-type: none"> Refer to Par14 & 16 	COMPLY

Prescribed Development Parameter		Proposed on Erf 196	Compliance
	walkthrough covered arcades, plazas, or other elements.		
Site Access and Exits (See Par.4.2 & 1515)	Combined entrance and exit way for other land uses: Minimum width = 5m maximum width = 8m	<ul style="list-style-type: none"> 5.1m 	COMPLY
Refuse area	1x required	<ul style="list-style-type: none"> 1x provided in the south-eastern corner of the property. Refuse will be made accessible to refuse trucks on collection days. 	COMPLY
Parking Layout Requirements	A standard 90-degree parking bay for a motor vehicle shall measure at least 2,5 metres in width and 5.0 metres in length with 7.5 metres manoeuvring space or otherwise determined by the Municipality;	<ul style="list-style-type: none"> Proposed parking bays measure 2.5m in width and 5m in length with 7.5m manoeuvring space. 	COMPLY

6. CIVIL SERVICES INFRASTRUCTURE

'S & Z Consulting (Pty) Ltd' was appointed to compile a civil engineering services report, that outlines civil engineering services that are subject to the proposed development. A copy of the report is attached as **ANNEXURE M**.

6.1. Roads and Stormwater

Access to the development will be via the existing unobstructed access in the Northern boundary of the Erf coming from George Road with a width of 5.1m. The internal roads and parking will adhere to the zoning scheme with a total of 7 parking bays, of which one is a dual-purpose bay to be utilised as a loading bay outside of business hours and general parking within business hours. The roadways will be a minimum of 7.5m wide which adheres to the minimum space needed for parking bays on either side of the roadway.

The stormwater run-off will be routed via roadside kerbs and pipes and discharged to the existing municipal storm water system via an existing storm water connection on the western boundary of the erf.

The contours of the site are such that during an excessive flood situation, the overland flow of stormwater run-off will be channelled via the roads as "channels" and emergency overflow area into the existing road system on the northern boundary of the development. No storm water will be discharged onto neighbouring properties.

The goal of the storm water management system will be to prevent any negative impact on adjacent properties and to prevent erosion. The stormwater design will comply with the Stormwater Management Planning & Design Guideline for New Developments.

6.2. Water Supply

Internal Water Supply:

The internal water supply will be designed in accordance with "Guidelines for the Provision of Engineering Services in Residential Townships" (Red Book).

The development calculations will be based on that of a business/commercial property yielding 0.65kl/day.

External Water Supply

The potable water for this development will be supplied by the municipality.

The existing development has an existing water connection on the North-Eastern corner of the erf. This domestic potable water supply is a direct supply from the existing 75mm Φ AC municipal line running along the northern boundary of the development. This same line will also feed the fire line connection to the development.

6.3. Sewer Drainage

The development on Erf 196 will generate approximately 0.67 kl effluent per day based on average daily flow. The property has an existing sewerage connection on the South-western corner of the erf. The capacity of the existing municipal sewerage works will stay unchanged as the new development is well within the usage approved for the current use of the property.

6.4. Summary and Conclusion

From investigations of the infrastructure detailed in this report, it is evident that internal services can be provided for the proposed development in a feasible and sustainable manner. The capacity of the master services of the George Municipality will also be unaffected as the land-use purpose of this facility is unchanged from previous approvals.

SECTION C : CONTEXTUAL INFORMANTS

7. LOCALITY

(Refer to **Plan 1** Locality Map)

Wilderness Erf 196 is located along George Road which is directly accessed via the N2, Wilderness, George. The application area is 100m southeast of the Wilderness Spar, 150m east of the Milkwood Village Shopping Centre, and 200m south of the Wilderness Hotel. The application area is located within the urban edge of George Municipality within the business node of Wilderness. The GPS coordinates for Wilderness Erf 196 are 33°59'39.64"S and 22°34'32.11"E.



FIGURE 7: LOCALITY PLAN

8. CURRENT LAND USE AND ZONING

8.1. Land Use

Wilderness Erf 196 was used in the past for residential purposes, although it had business rights. The prope



FIGURE 8: EXTRACT – EXISTING USES ON ERF 196



FIGURE 9: EXISTING USES ON ERF 196

8.2. Zoning

Wilderness Erf 196 is currently zoned 'Business Zone IV' in terms of the George Integrated Zoning Scheme By-Law, 2023.



FIGURE 10: ZONING MAP

9. CHARACTER OF THE AREA
(Plan 3: Land Use Plan)

According to the George SDF, Wilderness forms part of the Secondary Services Centres (District Towns) within the George Municipality and is characterised by Coastal residential properties, tourist and recreational activities, and has a local business node. The application area is located within the earmarked commercial precinct of Wilderness (*refer to Par.10.3*) and is characterised by numerous business uses such as restaurants, coffee shops, shopping centres, local retail shops, convenient shops, petrol station, offices, pharmacy, hotels and Airbnb’s. The restaurant is highly consistent with this character and with the existing mixed-use character of the surrounding area.



FIGURE 11: EXISTING BUSINESSES IN THE SURROUNDING AREA



FIGURE 12: EXISTING BUSINESSES IN THE SURROUNDING AREA

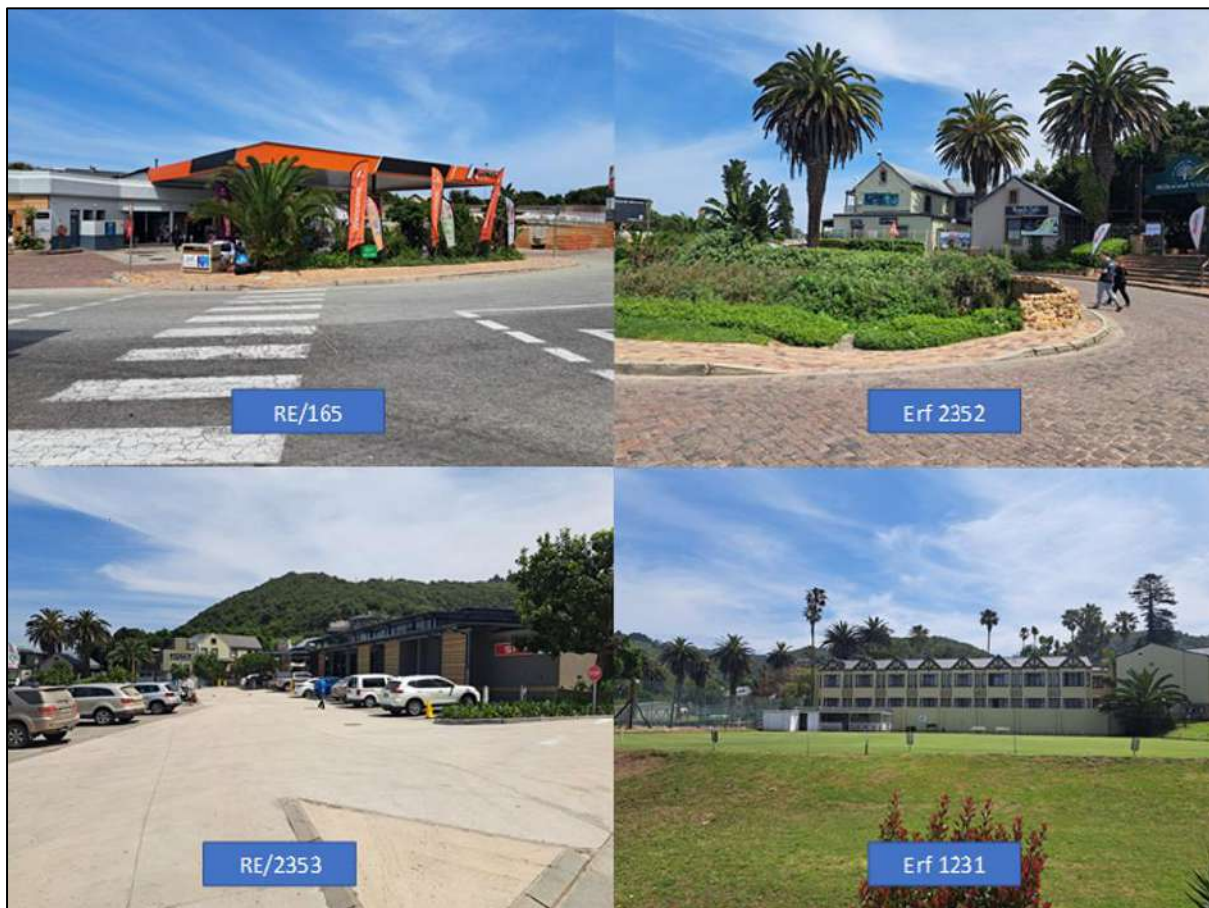


FIGURE 13: EXISTING BUSINESS IN THE SURROUNDING AREA

A variety of business uses are located all around the application area as seen in the figures above. The streetscape in the area is generally characterised by a positive degree of integration between public and private space mainly because of mixed land uses between residential and business zones.

Land uses other than business in the surrounding area, include residential, mixed-use, parking areas, open spaces, and various forms of tourist accommodation establishments (hotels, Airbnb’s, etc.).



FIGURE 14: OTHER LAND USES IN THE SURROUNDING AREA



FIGURE 15: EXTRACT - LAND USE PLAN

The above land uses indicate that the character of the area is dominated by a variety of business uses, with a mixture of other land uses. The restaurant on the application area can be regarded as highly consistent with the existing land use character of the area and will in no way detract from, or affect the existing character of the area.

10. EXISTING POLICY FRAMEWORKS

10.1. Western Cape Provincial SDF (2014)

The Western Cape Provincial SDF was approved in 2014 by the Western Cape Parliament and serves as a strategic spatial planning tool that “communicates the province spatial planning agenda”.

The PSDF sets out a policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. Each of the three spatial themes contributes to the achievement of the Western Cape strategic objectives. These policies are categorised into three themes, namely:

- **Resources:** Sustainable use of spatial assets and resources
- **Space Economy:** Opening up opportunities in the Space Economy
- **Settlement:** Developing Integrated and sustainable settlements.

PSDF THEME	FROM	TO
RESOURCES	Mainly curative interventions	More preventative interventions
	Resource consumptive living	Sustainable living technologies
	Reactive protection of natural, scenic and agricultural resources	Proactive management of resources as social, economic and environmental assets
SPACE-ECONOMY	Fragmented planning and management of economic infrastructure	Spatially aligned infrastructure planning, prioritisation and investment
	Limited economic opportunities	Variety of livelihood and income opportunities
	Unbalanced rural and urban space economies	Balanced urban and rural space economies built around green and information technologies
SETTLEMENT	Suburban approaches to settlement	Urban approaches to settlement
	Emphasis on 'greenfields' development and low density sprawl	Emphasis on 'brownfields' development
	Low density sprawl	Increased densities in appropriate locations aligned with resources and space-economy
	Segregated land use activities	Integration of complementary land uses
	Car dependent neighbourhoods and private mobility focus	Public transport orientation and walkable neighbourhoods
	Poor quality public spaces	High quality public spaces
	Fragmented, isolated and inefficient community facilities	Integrated, clustered and well located community facilities
	Focus on private property rights and developer led growth	Balancing private and public property rights and increased public direction on growth
	Exclusionary land markets and top-down delivery	Inclusionary land markets and partnerships with beneficiaries in delivery
	Limited tenure options and standardised housing types	Diverse tenure options and wider range of housing typologies
Delivering finished houses through large contracts and public finance and with standard levels of service	Progressive housing improvements and incremental development through public, private and community finance with differentiated levels of service	

FIGURE 16: KEY TRANSITION FOR THE PSDF

The Western Cape’s agenda for spatial transformation and improved efficiencies in the use of natural resources are closely linked. The PSDF states that the paradigm that economic growth implies the ongoing depletion of the Province’s natural capital needs to be broken. This is the rationale for the PSDF embracing a transition to a Green Economy. The so-called ‘decoupling’ of economic growth strived for, requires reductions/substitutions and/or replacements in the use of limited resources while avoiding negative environmental impacts. The table below contains a summary of the key transitions promoted in the PSDF:

The recent shift in legislative and policy frameworks has clearly outlined the roles and responsibilities of provincial and municipal spatial planning and should be integrated into the overall spatial structuring plan for the province to create and preserve the resources of the province more effectively through sustainable urban environments for future generations. This shift in spatial planning meant that provincial inputs were in general limited to provincial scale planning.

The proposed development complements the SDF’s spatial goals that aim to take the Western Cape on a path towards:

- (i) Greater productivity, competitiveness and opportunities within the spatial economy;
- (ii) More inclusive development in the urban areas;
- (iii) Strengthening resilience and sustainable development.

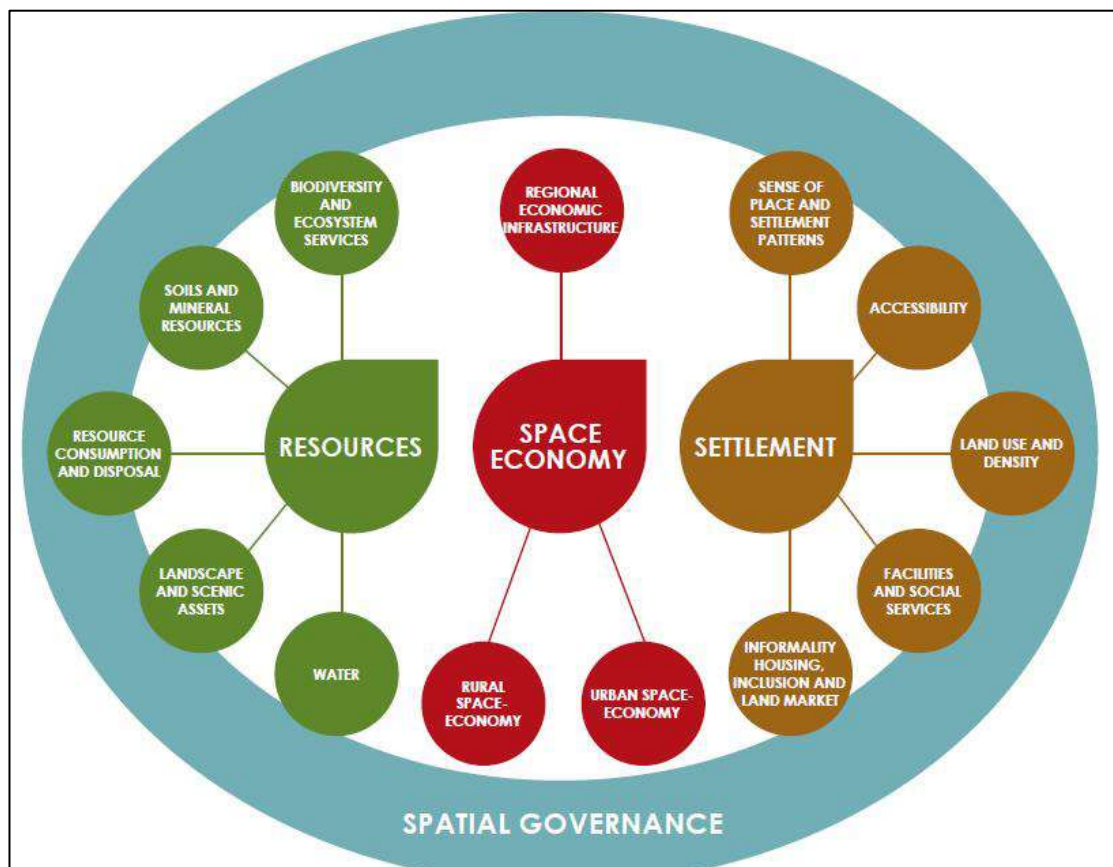


FIGURE 17: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

However, it is important to note some of the key policies laid down by the Western Cape PSDF have a bearing on this application.

POLICY E3: REVITALISE AND STRENGTHEN URBAN SPACE-ECONOMIES AS THE ENGINE OF GROWTH

POLICY STATEMENT	DEVELOPMENT'S RESPONSE
5. Existing economic assets (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) should be targeted to levers the regeneration and revitalisation of urban economies.	<ul style="list-style-type: none"> ▪ <i>The application area is ideally located for the existing business use and will integrate with the existing character of the surrounding area and contribute to the economic growth of Wilderness and George. Therefore, the proposal will enhance and contribute to the urban economy.</i>
7. Incentives should be put in place to attract economic activities close to dormitory residential areas, facilitate brownfields development	<ul style="list-style-type: none"> ▪ <i>The proposal is directly aligned with the policy statement as the proposal is situated in proximity to the existing residential area to the east and south, characterised as an area prominent with business and residential uses.</i>

POLICY S1: PROTECT, MANAGE AND ENHANCE SENSE OF PLACE, CULTURAL AND SCENIC LANDSCAPES

POLICY STATEMENT	DEVELOPMENT'S RESPONSE
2. Promote smart growth ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill, intensification and redevelopment within settlements.	<ul style="list-style-type: none"> ▪ <i>The proposal is directly aligned with this policy statement. The development area is located within the Wilderness business area, and inside the urban edge. Therefore, the rezoning of the subject property from a BZIV to BZI property prioritises intensification and redevelopment within settlements without creating urban sprawl, also contributing to urban renewal.</i>

S3: PROMOTE COMPACT, MIXED-USE AND INTEGRATED SETTLEMENTS

POLICY STATEMENT	DEVELOPMENT'S RESPONSE
1. Target existing economic nodes (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) as levers for the regeneration and revitalisation of settlements.	<ul style="list-style-type: none"> ▪ <i>The restaurant revitalised and intensified the land uses of the property, contributing to a more integrated town as a whole. It is located within an existing business node in proximity to the N2 and is directly accessed from George Road, meaning it is easily accessible to the public</i>

Planning Implication:

The Western Cape Spatial Development framework has a strong emphasis on revitalising urban spaces creating an urban living environment that is more convenient, efficient and aesthetically pleasing to residents.

The restaurant will continue to contribute to the economic growth of the area, as well as to the functional and urban integrated living environment which is strategically aligned with the surrounding land uses of the existing neighbourhood and other economic activities throughout the town of George. The proposal promotes smart growth, by ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising redevelopment within the settlements. The location of the restaurant is ideally situated in the business node of Wilderness, within walking distance from various public facilities.

The proposal will not impact the spatial structure of the area, complies with strategic objectives as set out by the Western Cape Spatial Development Framework, and is aligned with the key policies as outlined above, and complies with strategic objectives as set out by the Western Cape Spatial Development Framework.

10.2. Eden Spatial Development Framework (2017)

The Eden District Spatial Development Framework was approved in 2017 and aims to establish a strong strategic direction and vision, towards increasing levels of detail in the spatial recommendations that are directive rather than prescriptive and guiding local municipalities in the District regarding future spatial planning, strategic decision-making and regional integration.

This vision and strategic direction identify the four key drivers of spatial change within the District. These drivers are defined in terms of spatial legacies, current challenges, future risks and prospects. The four drivers of change around which this SDF are framed are:

Strategy 1: The economy is the environment; a strategy founded on the principle that a sustainable economy in Eden District is an economy that is positioned for growth.

Strategy 2: Regional accessibility for inclusive growth; a strategy that is based on the notion that improved regional accessibility is essential to achieving inclusive growth

Strategy 3: Coordinated growth management for financial sustainability; a strategy informed by the realities of global fiscal austerity and the need for responsible growth management that does more with less to secure future social and economic resilience.

Strategy 4: Planning, budgeting and managing as one government, this strategy highlights that real intergovernmental cooperation is essential to achieving the spatial transformation goals of SPLUMA and the three spatial strategies above.

These strategies lie at the heart of this SDF and the problem statement, spatial concept, spatial proposals, and implementation are organised around these directives.

According to the Eden SDF, George's role within the Eden District is "**Regional/District Urban Centre**" *Main urban centres in terms of location of new housing, jobs, services and facilities with a focus on development and densification. The urban centres accommodate main health, education, cultural facilities, as well as government services. These economic hubs contain industry, services sector and innovative business environments. George's*

function/role within the Eden district as defined in the Eden SDF is to serve as a Major economic / services / education hub along the N2.

According to the Eden District SDF, the functional role of Wilderness is that of a “Specialised Coastal Centre” for “residential” and “tourism”. The proposed restaurant supports the identified tourism role of Wilderness.

The Regional SDF identified the Wilderness to Plettenberg Bay corridor being a **leisure corridor** of Provincial significance. The restaurant located so close to the beach supports the “leisure” character of the identified corridor.

Planning Implication:

The Spatial document emphasises sustainable development and protecting the environment which is the economy of the unique Eden area. This spatial document emphasises the district’s natural beauty which is made up of diverse wilderness and agricultural landscapes, estuaries and lagoons, mountain backdrops, and coastal settings, including the verdant landscapes of the coastal belt. Sustainable development and protecting the environment which is the economy of the Eden District should be the key.

The development is consistent with the identified “Tourism” role of Wilderness, and therefore it is the considered opinion that the proposal is consistent with this regional SDF.

10.3. George Municipal Spatial Development Framework (2023)

The Municipal Spatial Development Framework 2023, for the period May 2023 to May 2027, is now deemed the adopted policy, which guides spatial growth and development in George. The MSDF provides clarity with respect to the manner in which land-use, development, and investment will be supported to build a spatial form which facilitates the vision and strategic objectives of the Municipality.

The George MSDF plays a leading role in the broader municipal planning system. The MSDF is the spatial expression of the IDP while at the same time, the MSDF couches the IDP within a long-term spatial vision for the municipal area that seeks to implement the vision, principles and policy directives set out in national and provincial legislation, strategies, policies and plans. Therefore, decisions made by sectors, spheres and entities of the public sector should be consistent with and work towards realising the vision, spatial strategies and plan set out in the MSDF.

George Municipality’s vision, as encapsulated in its 2022 – 2027 Integrated Development Plan (IDP), is to be “a city for a sustainable future”. To this end, the following 5 Strategic goals are identified within the George SDF:

- ✚ Develop and grow George;
- ✚ Safe, clean and green;
- ✚ Affordable quality services;
- ✚ Good governance and human capital; and

- ✚ Ensure good governance and human capital in George.

The spatial policies and policy guidelines guide decision-making on resource allocation, sector planning, land use management and land development programmes. It is important to note some of the key policies of the SDF have a bearing on this application.

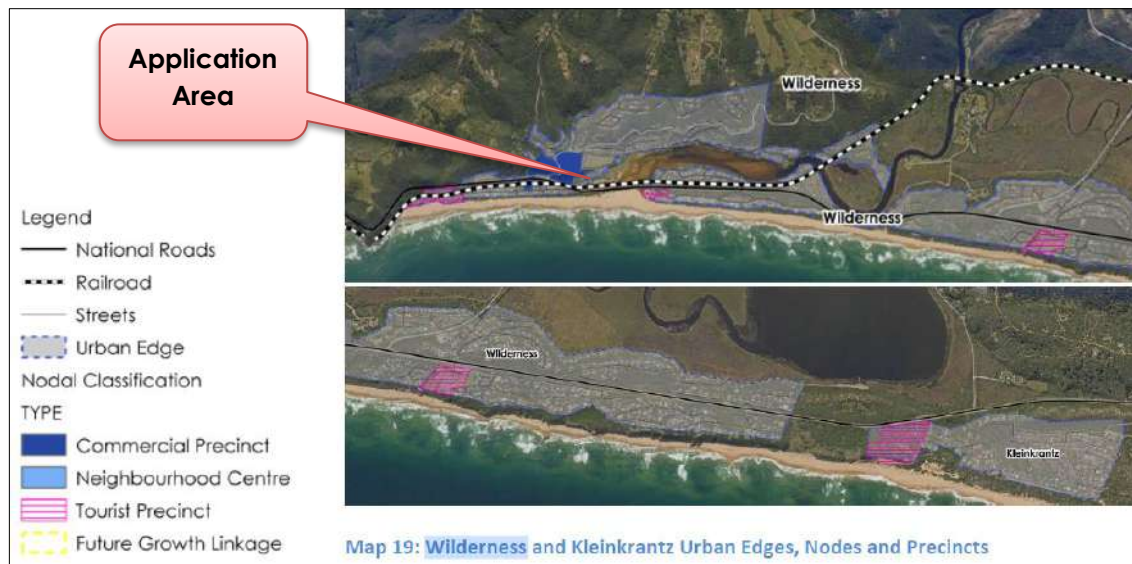


FIGURE 18: EXTRACT - GEORGE SDF

According to the George SDF, Wilderness forms part of the Secondary Services Centres (District Towns) within the George Municipality and is characterised by Coastal residential properties, tourist and recreational activities, and has a local business node.

From the above discussion regarding the George MSDF; the following conclusion can be made:

- The application area is situated inside a Secondary Services Centre (District Town) within George Municipality, that is earmarked for tourism purposes.
- The application area is located within a Commercial Precinct.
- The application area is located within the urban edge and urban area of Wilderness

Therefore, this development is regarded as being consistent with the George Spatial Development Framework as it does not conflict with the purpose of the relevant designation in the spatial development framework and urban development is supported.

Planning Implication:

The application area is situated inside the urban edge of George Municipality and is suitable for urban development and is located within a commercial precinct. The property is ideally situated for higher-intensity use (along George Road), hence utilising the property to its full potential without impacting the existing character of the area, which consists predominantly of restaurants and shops (business uses). The existing use is consistent with the spatial

pattern of the surrounding area and will not detract from the current spatial patterns. Therefore, the proposal is in line with the George SDF.

10.4. George Integrated Development Plan (2022 - 2027)

The IDP is an instrument of both local mobilisation and intersectoral and intergovernmental coordination and covers the extent of the local agenda. It must be viewed as the convergence of all planning, budgeting and investment in the George municipal area and must incorporate and illustrate national, provincial and district policy directives. The plan also seeks to integrate and balance the economic, ecological and social pillars of sustainability without compromising effective service delivery.

George Municipality set out the following as their vision and mission statement within the IDP:

VISION
A city for a sustainable future
MISSION
<ul style="list-style-type: none"> ❖ To deliver affordable service ❖ Develop and grow George; ❖ Keep George clean, safe and green; and ❖ Ensure good governance and human capital in George and to participate in George

The application area is located in **Ward 4** of George Local Municipality within the demarcated urban edge. The proposed development will contribute to the mission of George Municipality through the provision of water infrastructure services.

Planning Implications

The IDP is a municipal planning tool that integrates municipal planning and allocates municipal funding to achieve strategic objectives that will contribute to the overall municipal vision. The proposed land development supports important municipal interventions amongst others promoting local economic development, revitalising urban areas, municipal service delivery and utilising existing properties within the urban edge.

The proposed development does not have a direct link to the strategic objectives and is on a too small scale to contribute or to deviate from this. The proposed land development will not directly contribute to any of the Ward-based issues/priorities but is important to note that the proposal does not contradict any of them or the desired outcome for this ward.

10.5. Wilderness/Lakes/Hoekwil Local Spatial Development Framework (2015)

Wilderness and The Lakes area, including Hoekwil and the agricultural areas to the north have a specific and unique character that defines the area, attracts vast numbers of tourists to our area and contains very sensitive and valuable landscapes. To assist decision takers and developers to manage the future development of this area, the George Town Council approved guidelines to ensure the sustainable use and protection of the positive landscape

characteristics of this area. The George Municipality stated the following goals for the local spatial development framework:

- ✚ Define the space economy for Wilderness in both the regional and George context;
- ✚ Associated development objectives, guidelines and strategies;
- ✚ Densification guidelines and strategy;
- ✚ Management Strategy for the coastal dune belt and estuarine rivers.

Whilst the local spatial development framework aims to encourage the development of tourism infrastructure in Wilderness, it also has to be very careful not to destroy the character of the area, which is the reason why people visit Wilderness in the first place. Certain limited opportunities (such as guest houses and tourism facilities on farms) are spread out throughout the area, but the bona fide business uses should be limited to the few nodes identified on the plan. The Village has historically been the main node in this area and should be strengthened as the main tourism destination.

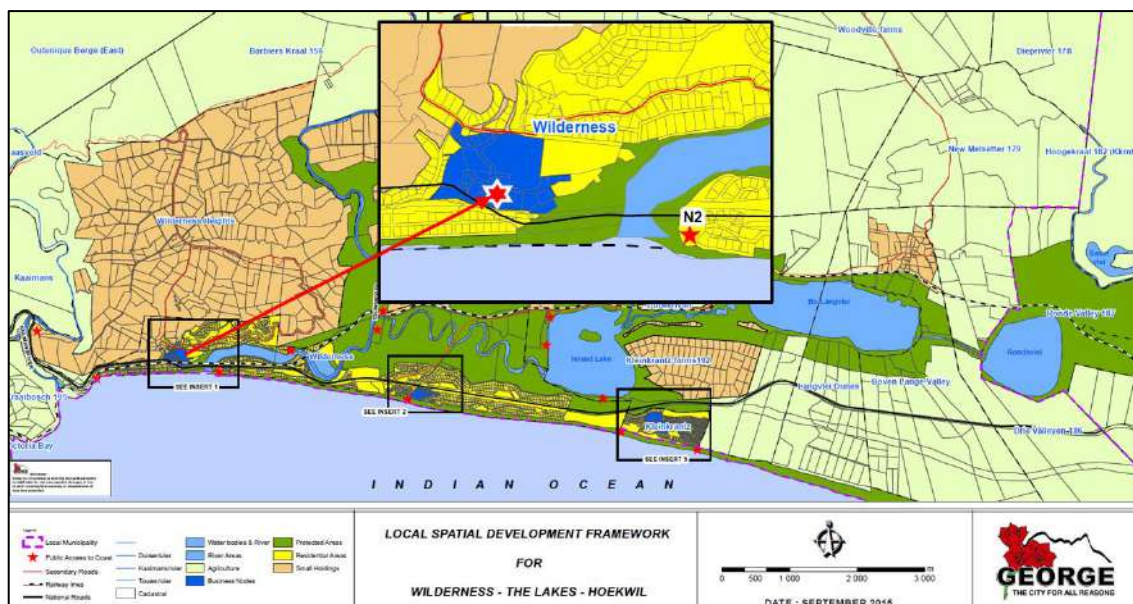


FIGURE 19:EXTRACT - LOCAL SDF (2015)

The Local SDF has identified “The Village in Wilderness” as the primary business node, as well as the tourism destination of choice. The Village should be allowed and encouraged to develop further tourism facilities and attractions to become the premier tourism destination in the area. The core business area of the node is indicated on the local spatial development framework map, but consideration should be given to proposals for tourism facilities outside and in close proximity to this area if it builds onto the tourism industry and does not affect the surrounding residential or natural areas.

Planning Implication:

The application area is situated inside the urban edge of George Municipality and is suitable for urban development and is located within the primary business node. The Local SDF

encourage tourist related development in this area and envisions strengthening particular business. Business and tourist related developments are not only encouraged within the business node but also the outskirts in proximity to The Wilderness Village. The property is ideally located for the development proposal which is in line with the spatial vision of the Local SDF. The development proposal will contribute to the existing tourist and business related activities of the surrounding area and will not detract from the current spatial patterns. Therefore, the proposed development is in line with the Local SDF (2015).

SECTION D :**MOTIVATION****11. ASSESSMENT OF APPLICATIONS****11.1. Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

Section 42 of SPLUMA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- (1). Development principles set out in Chapter 2 of SPLUMA
- (2). Protect and promote the sustainable use of agricultural land
- (3). National and provincial government policies the municipal spatial development framework; and take into account: —
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
 - (vi) any factors that may be prescribed, including timeframes for making decisions.

11.2. Land Use Planning By-Law for George Municipality, 2023

The George Land Use Planning By-Law for George Municipality, 2015 as promulgated by G.N 8747 dated 21 April 2023 states in Section 65 the general criteria necessary for considering an application by the municipality.

It must be noted that the application has not undergone the notice phase of the application process and that the information below is the necessary information required by the municipality to process the application. The following criteria must be considered when evaluating the desirability of this land development application:

CRITERIA	REFERENCE IN REPORT
The impact of the proposed land development on municipal engineering services .	Par.6
The integrated development plan , including the municipal spatial development framework.	Par.10.4

CRITERIA	REFERENCE IN REPORT
The applicable local spatial development frameworks adopted by the Municipality.	Par.10.3
The applicable structure plans .	n/a
The applicable policies of the Municipality that guide decision-making .	Par. 11.2
The provincial spatial development framework .	Par.10.1
where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act or provincial regional spatial development framework.	Par.10.2
The policies, principles and the planning and development norms and criteria set by the national and provincial governments;	Par.11.1
The matters referred to in Section 42 of the Spatial Planning and Land Use Management Act; Principles referred to in Chapter VI (6) of the Western Cape Land Use Planning Act ; and	Par.22
applicable provisions of the zoning scheme	Par.5.3

12. CONSISTENCY WITH SPATIAL PLANNING POLICIES

As described in **Par.10** of this report, the proposal is consistent with the relevant spatial planning policies (Western Cape Provincial SDF, George SDF and IDP) for the following reasons:

- The proposed development complies with the strategic objectives as set out by Western Cape Provincial SDF (2014) as it aims to ensure compact, balanced & strategically aligned activities & land uses that are in line with the character of the surrounding area.
- The proposed development is in line with the Spatial Policy Statements & Guidelines of the Eden SDF (2017) and the vision for George. This spatial document emphasises sustainable development and the protection of the environment which is the economy of the unique Eden area. The proposal aims to fully utilise a strategically located piece of land, without having a negative impact on the surrounding character of the area as well as preserving/protecting the existing milkwood trees on the property.
- The development proposal aims to utilise the property to its full potential without impacting the existing character of the area (predominantly business). The proposed development is consistent with the spatial pattern of George’s SDF (2023) and will not detract from the current spatial patterns.
- The proposal will continue to provide new and additional economic growth prospects as well as temporary and permanent employment opportunities for the ward. The site is located, within the existing urban edge and commercial precinct of Wilderness (George Municipality) and is suited for urban development. The proposed development is consistent with the vision outlined in the George IDP.

- The proposed development is considered desirable as it is not in conflict with the spatial development policies mentioned above. The application promotes a sought-after business to the Wilderness area without preventing any surrounding landowner from lawfully exercising his/her existing land use rights or detracting from the character of the area, and can therefore be considered as a suitable and desirable development in the area it is situated.

13. REMOVAL OF TITLE DEED RESTRICTION

According to Section 33(4) of the George Municipality: Land Use Planning By-law (2023), the municipality must have regard to the following, when considering the removal, suspension or amendment of restrictive title deed conditions:

a) The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person, as the owner of a dominant tenement.

Response:

It could be that this restrictive condition was imposed when Wilderness was originally developed, during the early 1930's. At this time, the purpose was to develop residential erven. Over time, the area where the application area is located, has completely changed with various business uses. Even the surrounding properties are all business uses. The removal of this title deed condition that prevents the application area from being used for business purposes, will have no impact whatsoever on the value (financial value), of any of the surrounding properties. The restaurant is surrounded by other restaurants, a filling station, and other business uses, and the proposal will have no impact on the quality of life, or privacy of surrounding owners.

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

Response:

The holder of the rights is the original developer that developed this part of Wilderness, and the property owners that are now in this area. The purpose of these restrictions was to maintain a uniform residential area. Over time, the entire character of this area changed from being homogeneously residential, to a vibrant tourism town with various tourism offerings and tourism related businesses. There are no personal benefits for the original developer or the surrounding owners to protect their residential character, as very few of the properties in this area are used for single residential purposes only.

c) The personal benefits which will accrue to the person seeking the removal, suspension, or amendment of the restrictive condition if it is amended, suspended, or removed.

Response:

The personal benefit which accrues to the person seeking to remove the condition will allow the landowners to utilise this property for business purposes.

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

Response:

There are no social benefits¹ to keeping the restrictive condition in place. This restriction is outdated, and several precedents already exist in the area. Should the restrictive condition remain in place it will prohibit the landowner to utilise the property for any business activity. The current zoning of the property is "Business Zone IV" and this condition do not allow the owners to currently exercise their primary rights. If the condition is enforced and the property is only used for single residential purposes, several people might lose their jobs, and there is no social benefit in being unemployed. Therefore, it will have no social benefit if it remains in place and will not allow for the proposed use or even the current land use of the property.

e) The social benefit of the removal, suspension, or amendment of the restrictive condition.

Response:

The surrounding property owners will not be negatively affected by the removal of the title deed restriction in any way whatsoever and will allow the owner to utilise the property for business uses as intended. In fact, there are several social benefits to allowing the existing restaurant on the subject property. These include:

- (i) **Boost to Walkability and Street Life:** The restaurant's design, with some outdoor seating, shaded areas, and greenery, contributes to a lively and active streetscape that encourages foot traffic. This improves the overall walkability of the area, promoting healthier, more active lifestyles and reducing reliance on vehicles.

By adding to the vibrancy of the street corner, the restaurant creates a safer environment; as active, populated streets tend to deter crime. Increased foot traffic and "eyes on the street" contribute to a safer, more socially engaging atmosphere.
- (ii) **Enhanced Quality of Life for Residents:** The presence of an attractive, family-friendly dining option improves the quality of life for residents, as they have access to a unique social venue close to home. For families, friends, and colleagues, this restaurant offers a comfortable space for dining and relaxation, enhancing the appeal of the neighbourhood.

Having such establishments within walking distance creates convenience for residents and fosters a sense of pride in the community, as the restaurant will likely become a well-loved local fixture and tourist attraction.
- (iii) **Job Creation and Local Employment Opportunities:** The restaurant created new job opportunities, both during the construction phase and in its day-to-day operations. Positions in the kitchen, service, management, and maintenance will benefit residents, providing them with employment options close to home.

¹ social benefits are the positive effects that a particular product or service can have on society as a whole.

By hiring locally, the restaurant can positively impact the local economy, as wages paid to employees are often spent within the same community, creating a cycle of economic support for nearby businesses.

- (iv) ***Property Value Enhancement & Regeneration:*** *An aesthetically pleasing and culturally distinctive establishment can have a positive influence on property values in the area. Attractive and vibrant business nodes make neighbourhoods more desirable, and property values often rise as a result of these improvements.*

This economic boost can encourage additional investments, as other businesses and investors may see the area as a more attractive place to operate. The restaurant can serve as a catalyst for further economic activity and property development in the surrounding vicinity.

- (v) ***Potential Tourism Attraction:*** *Unique, culturally themed restaurants can attract tourists and visitors from outside the immediate area, especially if they offer a distinctive experience. The restaurant's Mozambik theme, along with its visually striking design, can make it a destination that appeals to tourists looking for authentic and immersive experiences.*

f) Whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.

Response:

The proposal entails the removal of Condition B(2) of the Title Deed. This condition prohibits the landowners from using the property for business purposes. Therefore, removing this condition will in no way affect the rights enjoyed by the holders of these rights (i.e. The original Seller or surrounding properties). The George Zoning Scheme Bylaw will remain in place (which did not exist during the 1930's when this area was developed), and the Zoning Scheme Bylaw now controls land use and land use management in the area. There will therefore still be controls to protect the rights of surrounding properties.

g) Whether the removal would be in the public interest.

Response:

The removal of this condition, allowing for the existing restaurant will be in the public interest, greater than keeping the condition in place and not allowing the new owners to operate a restaurant on their property according to their preferences. Refer to response to Section 33(4) above.

14. EFFECTIVE URBAN FORM

Urban form is the way the built environment looks and functions. The integration of working and living environments is a strategic town planning principle that promotes sustainable development. To achieve effective urban form, land uses should be integrated, residential densities should be increased, and the establishment of pedestrian-friendly, walkable communities. To redirect urban growth toward a more fiscally efficient and liveable compact urban form.

The proposal aims to fully utilise this strategically well-located property, creating more opportunities for interaction and a climate in which economic activity - and small-scale economic activity, in particular - can thrive. The Mozambik-themed restaurant development contributes positively to the urban form of the area by enhancing walkability, fostering a lively streetscape, creating a sense of place, and supporting sustainable urban growth. Considering that the immediate surrounding area consists of various business uses and tourist attractions such as Milkwood Village and Wilderness Hotel. The proposed rezoning will complement how the surrounding area has evolved over the years.

The restaurant's outward-facing design, with windows, greenery, and vibrant colours, engages people passing by, creating a visual connection that makes the space feel accessible and inviting. This reduces the "dead space" effect that can occur with blank walls and inward-facing designs, enhancing the human scale and making the street more dynamic.

As a corner property, the restaurant has a higher impact on the urban form, shaping two sides of the streetscape. Its design includes open spaces that encourage people to stop and linger, creating a lively edge that activates both sides of the corner and brings more life to the intersection.

In a business node, varied land uses and destinations make the area more active throughout the day. The restaurant will contribute to this by attracting diners at different times (e.g., lunch, dinner, and weekends), complementing other businesses, and promoting a steady flow of visitors. This diversity of activity strengthens the urban fabric, supporting an effective mix of uses that benefit each other.

Therefore, the Mozambik-themed restaurant development will positively contribute to the urban form by enhancing walkability, creating a distinct sense of place, fostering a lively streetscape, and supporting compact, sustainable growth.

15. ACCESSIBILITY & AVAILABILITY OF ON-STREET PARKING

Within an urban environment, nodes form the logical points at which to focus on economic and social investment. The application area is located along George Road, within the commercial/business node of Wilderness. The proposed rezoning and removal of restrictions will have no impact on the accessibility of the property since the existing access will be used for the restaurant via George Road.

The application area is within the existing business node/commercial precinct of Wilderness and in close proximity to the Wilderness Spar, Wilderness Village, Wilderness Hotel, Pomodoro's Restaurant and Ilali Restaurant. The application area is along a distributor road that intersects directly with the N2 Highway to the south, providing access throughout the Wilderness to various commercial activities/properties along it. Two of the adjoining properties are existing restaurants, therefore the location of the property makes it ideal for a restaurant with a different theme, which will complement the existing uses of the area.

The primary vehicular access to the site and the parking will be obtained directly off George Road as per the layout plans. The property currently enjoys safe and adequate access and egress to / from the property with good sight distances. The restaurant will not generate enough additional

traffic, to change the status of these routes, cause traffic jams, or require significant upgrades to allow for the proposal. All the parking provided for the restaurant is off-street parking.

According to the George Zoning Scheme Bylaw (2023), four (4) parking bays must be provided for every 100m² GLA of space devoted to a restaurant. Therefore, should the desired area of 101m² be used for business-related purposes at least five (5) on-site parking bays must be provided. As per the proposed SDP, there are 7x parking bays provided, including a parking bay that is earmarked as a loading bay after business hours.

Given the fact that the majority of vehicles that make use of off-street parking are only parked for interim periods, public parking is frequently available in the surrounding area. Therefore, it should also be noted that there are readily available public parking bays in the immediate surrounding area, and we strongly believe that the parking bays provided on-site are more than adequate for the restaurant.

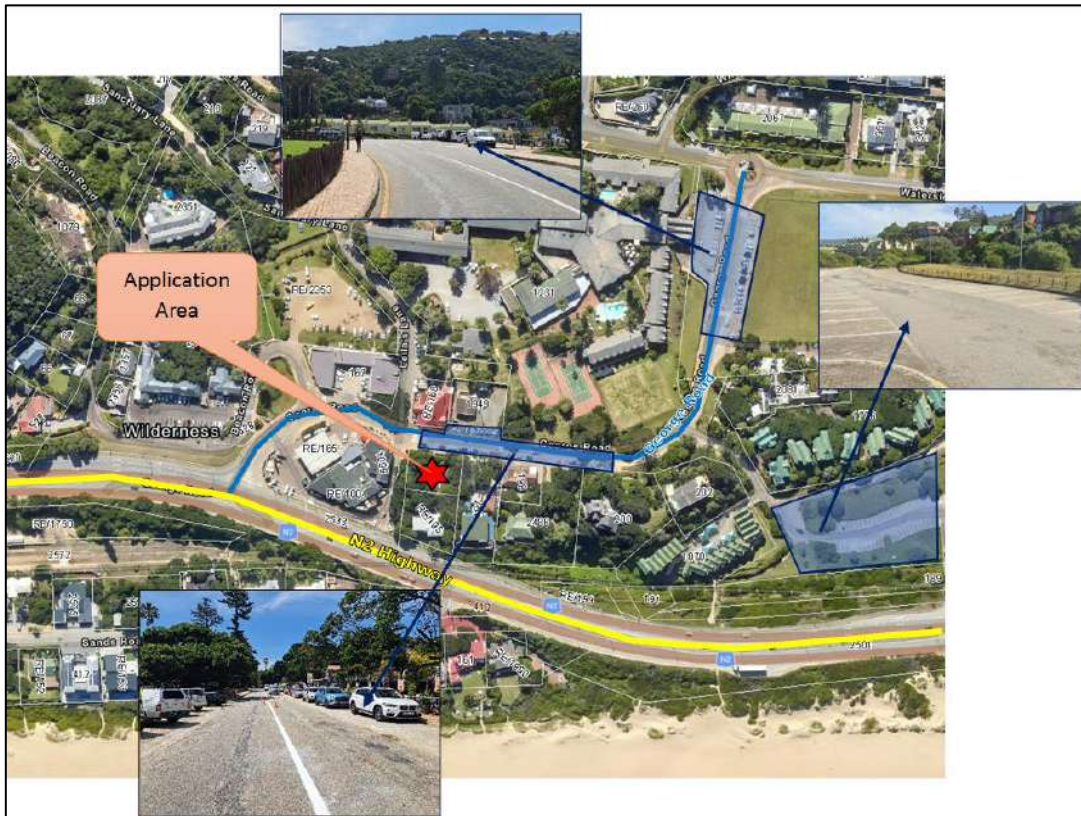


FIGURE 20: EXISTING PUBLIC PARKING IN THE IMMEDIATE SURROUNDING AREA

16. VISUAL IMPACT ON THE STREET FRONT

The existing restaurant is a valuable addition to the streetscape, especially given its prime location on a corner property within a business node that emphasizes walkability and aesthetic appeal. Here’s a deeper look at the positive impact it has on the surrounding environment:

❖ Visual Anchor for the Area:

Positioned on a street corner, this restaurant has the potential to act as a visual landmark within the business node. The vibrant colours, bold signage, and unique architectural elements

immediately catch the eye, establishing the establishment as a key focal point. This visibility creates a sense of place and identity for the intersection, enhancing the entire area's recognisability and appeal.

❖ **Enhanced Pedestrian Engagement**

The open, inviting design — with a combination of some outdoor seating and prominent indoor seating areas — fosters interaction with the streetscape. Walkable business nodes benefit from establishments that encourage foot traffic, and this restaurant's layout and design prioritize accessibility for pedestrians. By offering shaded outdoor seating and a play area, the design encourages people to sit and linger, creating a welcoming, social atmosphere on the street corner. This will likely draw in both locals and visitors, boosting the vibrancy and liveliness of the area.

❖ **Cultural and Aesthetic Enrichment**

The Mozambik-themed design introduces cultural diversity to the streetscape, adding character and uniqueness to the business node. The use of traditional patterns, colours, and textures enriches the area's visual variety, breaking away from any uniformity that might exist among neighbouring businesses. This type of aesthetic diversity can contribute to a more engaging and attractive streetscape, where each business offers a distinct visual and cultural experience, making the area a more desirable destination for visitors and patrons.

❖ **Softening of the Built Environment**

The integration of greenery, along the perimeter of the property and the existing tree canopy over the play area and where outside seating is proposed, softens the edges of the built environment. This landscaping not only enhances visual appeal but also creates a sense of natural comfort, aligning well with walkability goals. By introducing plants, the restaurant design counters the hard, urban surfaces around it, promoting a more inviting and balanced environment. This aligns with the goal of creating aesthetically pleasing, pedestrian-friendly spaces within business nodes.

❖ **Positive Economic Impact on Nearby Businesses**

As a visually prominent and culturally themed establishment, this restaurant is likely to attract a range of patrons who may also visit neighbouring businesses. Its unique aesthetic appeal and cultural charm could help draw more people to the business node, benefiting nearby shops and increasing foot traffic in the area. This cumulative effect strengthens the overall business node, creating a hub of activity and enhancing the area's economic vibrancy.



FIGURE 21: EXISTING STREET SCAPE



FIGURE 22: PROPOSED STREETSCAPE

It's clear that the location of the restaurant is ideally situated on the street corner, which will have a positive impact on the urban form, shaping two sides of the streetscape. The design includes open spaces that encourage people to stop and linger, creating a lively edge that activates both sides of the corner and brings more life to the intersection. The property is ideally located within

a business node, which could complement other businesses, and the existing streetscape whilst promoting walkability and accessibility. This diversity of activity strengthens the urban fabric, supporting an effective mix of uses that benefit each other.

17. POSITIVE ECONOMIC IMPACT

The restaurant will have a positive impact on George’s economy through the injection of spending into the local economy. Therefore, the approval of this rezoning is in the interest of the George Municipality’s economy.

The table below indicates the socio-economic impact of the business and its contribution to the local economy of George/Wilderness.

Impact	Outcome
Number of people to be employed	22x Employees
Local business services to be utilised by the restaurant	Wilderness Spar, WDF Security, Wilderness ISP, and the produce of local farmers

The approval of this application to allow for the existing restaurant on the subject property, will complement the character of the area, creating new business ventures in a commercial precinct known for tourist and recreational activities.

The proposal will have the following economic benefits:

Employment Opportunities:

- Direct Employment: The business will create 22 new employment opportunities for chefs, waiters, barmen, labour, general workers, and administrative personnel.
- Indirect Employment: Local service providers (e.g., Spar, Checkers, Local Farmers, etc) benefit from regular orders, creating a ripple effect in the local economy.

Local Economic Growth:

- Increased Spending: Employees and the business itself contribute to the local economy by spending their earnings at other local businesses such as retail stores, shops, and service providers.
- Business Growth: Small businesses often foster local entrepreneurship, leading to the creation of more businesses and services.
- Tourism: The restaurant will contribute to the existing commercial precinct of Wilderness, as well as the well-established tourist-related character of the surrounding area.

The approval will allow the business to continue contributing to job security and to provide an attraction to the people living and visiting Wilderness and should therefore be supported.

18. NO IMPACT ON EXISTING RIGHTS

Given the existing mixed land use character of the area and the existing business uses in the area (shops, restaurants, offices, etc), it is the considered opinion that the rezoning and the removal of restrictive conditions will not have any impact on the existing land use rights of any of the surrounding property owners within the area.

The properties adjacent to the eastern, western, and southern boundaries of Erf 196 are business properties (Erven 1099, 195 & 197). The properties directly across the street from the application area consist of a business property known as Pomodoro Restaurant and a "Utility Zoned" property, that is already adjacent/across to other existing business premises. Therefore, we don't foresee any concerns with the adjoining neighbours.

In addition, the fact that there is consistent movement in this area and the fact that the building is occupied during the daytime, there will be increased activity on the street resulting in additional surveillance and therefore an improvement in the safety and security of surrounding properties of the application area, and a subsequent increase in property values.

Therefore, it can be considered that the restaurant will have no negative impact on the existing rights enjoyed by the surrounding neighbours.

19. CONSISTENCY WITH THE CHARACTER OF THE SURROUNDING AREA

The restaurant is consistent with the established mixed land-use character of the surrounding area. The proposal will in no way negatively impact the character of the area, it will rather improve the functionality and practicality in the area by intensifying the use of the property. There are numerous mixed-use and business-use properties situated in the immediate surrounding area.

This development will be consistent and complementary to the current characteristics of this area in terms of land uses and visuals. Specific locational factors that favour the proposed land use is also important when desirability is assessed. The proposal can be regarded as highly consistent with the established character of the area.

The proposal will also contribute to the existing economic efficiency of the neighbouring businesses and shops, a trend which is not uncommon in this area. There are plenty of properties conducting business in the area.

20. ENVIRONMENTAL IMPACT

An Environmental Assessment Practitioner has been appointed to investigate the existing Milkwood Trees on the application area and a Statement / Study will be shared once completed. No Structures are proposed in and around the Milkwood Trees. Furthermore, no other negative environmental impacts will be created as a result of the development. The proposed development does not trigger any listed activities in terms of the National Environmental Management Act (1998) as amended. Therefore, the development will not have any significant negative impacts on the natural environment in or around the application area.

21. RELEVANT CONSIDERATIONS, WESTERN CAPE - ENVIRONMENTAL AFFAIRS & DEVELOPMENT PLANNING

The following key considerations are taken into account to determine the desirability of the proposed land use:

Elements for Consideration	Key Questions to Ask	Application’s Response / Desirability
Economic impact	Positive or Negative Impact on neighbourhood / settlement?	<ul style="list-style-type: none"> ▪ <i>Positive economic impact.</i> ▪ <i>No impact on surrounding property owners or their rights.</i> ▪ <i>Contribute to the local economy and the existing tourist-related activities in Wilderness.</i>
Social impact	Greater social justice, equity of access to opportunity	<ul style="list-style-type: none"> ▪ <i>The proposed zoning of the property will allow the existing restaurant within the commercial precinct to continue operating. The proposed business on the property could potentially employ twenty Two (22) people.</i>
Scale of capital investment	> capital investment - > positive impact	<ul style="list-style-type: none"> ▪ <i>Investment by landowners to utilise the property more efficiently and provide additional tourist attractions in this area.</i> ▪ <i>The proposed development will beautify this property and make it more aesthetically pleasing from the street front. Positive impact.</i>
Compatibility with surrounding land uses		See Par.9 & Par.19
Impact on external engineering services	How much must the developer contribute to municipal costs incurred?	See Par. 6
Impact on safety, health & wellbeing of the surrounding community		See Par.14; 17 & 18
Impact on heritage		<ul style="list-style-type: none"> ▪ <i>No impact – Refer ANNEXURE C</i>
Impact on the biophysical environment	Are there negative impacts? Are they adequately mitigated?	<ul style="list-style-type: none"> ▪ <i>Within urban edge.</i> ▪ <i>No NEMA-listed activities triggered.</i> ▪ <i>Outside any CBA areas.</i>
Traffic impacts, parking access, other transport considerations	Support for densification & functional public transport system?	See Par.4.2; 6; & 15
Impact on quality of life (incl. views, sunlight,		<ul style="list-style-type: none"> ▪ <i>No views will be obscured.</i>

Elements for Consideration	Key Questions to Ask	Application’s Response / Desirability
privacy, visual impact, character)		<ul style="list-style-type: none"> ▪ <i>No negative visual impact.</i> ▪ <i>No privacy will be impacted on.</i> ▪ <i>Fits within the character of the area.</i>
Timing – need to densify or protect urban edges	The best option for the site at this point?	<ul style="list-style-type: none"> ▪ <i>The application area is within the urban edge, and urban area of George Municipality and within the commercial precinct of Wilderness, ideally located for business uses.</i> ▪ <i>The proposal is directly aligned with the vision for the area as per the SDF.</i>
Cumulative impacts	Unacceptable cumulative impacts?	<ul style="list-style-type: none"> ▪ <i>Only positive impacts.</i> ▪ <i>No negative impact on any of the surrounding property owners.</i>
Opportunity costs	Any unacceptable opportunity costs?	<ul style="list-style-type: none"> ▪ <i>Private investment.</i> ▪ <i>No municipal funding is required.</i>
Alignment with SDF’s		<i>Refer to Par.12</i>

Note: LUPA (Land Use Planning Act) does not refer to a lack of desirability, nor does it require there to be a positive advantage (i.e. the absence of a positive advantage should not automatically lead to a decision to refuse).

From the table above, it is clear that the proposed development is desirable on the subject property.

22. WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014)

The purpose of this Provincial legislation is to consolidate legislation in the Province pertaining to provincial planning, regional planning and development, urban and rural development, regulation, support and monitoring of municipal planning and regulation of public places and municipal roads arising from subdivisions; to make provision for provincial spatial development frameworks; to provide for minimum standards for, and the efficient coordination of, spatial development frameworks; to provide for minimum norms and standards for effective municipal development management; to regulate provincial development management; to regulate the effect of land development on agriculture; to provide for land use planning principles; to repeal certain old-order laws, and to provide for matters incidental thereto.

Section 59 of this Act prescribes the Land Use Planning Principles that apply to all land development in the Province. These are summarised in the tables below. The tables below aim to summarise how the proposed development on George Erf 196 complies with these principles.

22.1. Spatial Justice

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Past spatial and other development imbalances must be redressed through improved access to and use of land.	N/A	<i>This policy is not applicable to the application area.</i>
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.	N/A	<ul style="list-style-type: none"> ▪ <i>This policy is not applicable to the application area.</i> ▪ <i>Not a Spatial Development Framework or Policy.</i>
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	N/A	<i>This policy is not applicable to the application area.</i>
Land use management systems should include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas and informal settlements.	Applicable to George Municipality	<i>This policy is not applicable to the application area.</i>
Land development procedures must include provisions that accommodate access to, and facilitation of, the security of tenure and the incremental upgrading of informal areas.	Applicable to George Municipality	<i>This policy is not applicable to the application area.</i>
A competent authority contemplated in this Act or other relevant authority 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 will be affected by the outcome of the application.	Applicable to George Municipality	<i>The municipality should process this application within the prescribed guidelines of the George Municipality: Land Use Planning By-law (2023),</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
The right of owners to develop land in accordance with current use rights should be recognised.	N/A	<i>The applicant does not want to develop the property in accordance with the current land use rights.</i>

22.2. Spatial Sustainability

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Promote land development that is spatially compact, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority.	COMPLY	<ul style="list-style-type: none"> ▪ <i>The proposed development is within the urban edge of the George/Wilderness area and within an established urban environment.</i> ▪ <i>This rezoning application will have minimum impact on the existing services infrastructure capacity of George Municipality. The current zoning of the property allows for business uses and the proposed use will also be for business purposes.</i> ▪ <i>No additional spending or costs for the local authority is necessary to accommodate the proposal.</i>
Ensure that special consideration is given to the protection of prime, unique and high potential agricultural land.	N/A	<i>Not Agricultural land</i>
Uphold consistency of land use measures in accordance with environmental management instruments.	COMPLY	<ul style="list-style-type: none"> ▪ <i>The application area is located within the urban edge of George Municipality and the proposal does not trigger any environmental listed activities according to the National Environmental Management Act (1998).</i>
Promote and stimulate the effective and equitable functioning of land markets.	COMPLY	<ul style="list-style-type: none"> ▪ <i>The properties in the surrounding area consist of a diverse group of land uses. The proposal is compatible with the surrounding area which is prominently business properties.</i> ▪ <i>Development is occurring in the area and change in land use is not an irregular occurrence.</i> ▪ <i>The proposal to rezone will not influence the functioning of the land markets in the area. It will in fact increase the value of the land and the surrounding properties.</i>
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	COMPLY	<ul style="list-style-type: none"> ▪ <i>Any future costs will be at the cost of the applicant or as determined by the municipality.</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Promote land development in locations that are sustainable and limit urban sprawl.	COMPLY	<ul style="list-style-type: none"> The rezoning proposal of the application area constitutes urban renewal and regeneration. No urban sprawl will be created as a result of the proposed development.
Result in communities that are viable.	COMPLY	<ul style="list-style-type: none"> The proposal will not detract from the existing character of the area and complement the existing character of the area. The additional employment opportunities and downstream economic opportunities as a result of this application result in a viable community.
Strive to ensure that the basic needs of all citizens are met in an affordable way.	N/A	<i>This principle is not applicable to the applicant or this development.</i>
The sustained protection of the environment should be ensured.	COMPLY	<ul style="list-style-type: none"> In line with all Environmental policy documents and legislation. Existing milkwood trees on the application area will be retained and incorporated in the design of the site. Refer to ANNEXURE N. The application area is located within the existing urban area of George and within the existing urban fabric.

22.3. Spatial Efficiency

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Land development optimises the use of existing resources and infrastructure.	COMPLY	<ul style="list-style-type: none"> The development will utilise the existing services infrastructure on the property and will not require any additional services. The under-utilised property was regenerated and used for economic purposes.
Integrated cities and towns should be developed.	COMPLY	<ul style="list-style-type: none"> The proposal aims to allow for a more integrated town. The proposal will create more opportunities for the area, investing in the economic growth of the area. The area is prominent with mixed uses, and business uses. The proposal will integrate different land uses, contributing to the evolving character of the area.
Policy, administrative practice and legislation should promote speedy land development.	Applicable to George Municipality	<i>The municipality should process this application within the prescribed time frames of the George</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
		<i>Municipality: Spatial Planning and Land Use Management By-law (2023),</i>

22.4. 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	COMPLY	<ul style="list-style-type: none"> ▪ <i>The proposal is consistent with the various applicable spatial plans, policies, and land use management systems.</i> ▪ <i>It will have no negative impact on the livelihood of the community.</i> ▪ <i>The proposal will uplift the community by contributing to the existing tourist activities found within Wilderness</i> ▪ <i>The proposed application complies with the requirements of the George Municipality: Spatial Planning and Land Use Management By-law (2023),</i>

22.5. Good Administration

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
All spheres of government should ensure an integrated approach to land use planning.	Applicable to George Municipality	<p><i>This principle has no direct bearing on the application; however, the George Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.</i></p> <p><i>What is however important is that all decision-making is aligned with sound policies based on national, provincial, and local development policies.</i></p>
All government departments must provide their sector inputs and comply with any other statutory requirements during the preparation or amendment of spatial development frameworks.		
The requirements of any law relating to land development and land use must be met timeously.		
The preparation and amendment of spatial plans, policy, zoning schemes and procedures for land development and land use applications, should include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.		
The legislation, procedures and administrative practice relating to land development should be clear,		

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
promote predictability, trust and acceptance in order to inform and empower members of the public.		
A spatial development framework, zoning scheme or policy should be developed in phases and each phase in the development thereof should include consultation with the public and relevant organs of state and should be endorsed by the relevant competent authority.		
Decision-making procedures should be designed to minimise negative financial, social, economic or environmental impacts.		
Development application procedures should be efficient and streamlined and timeframes should be adhered to by all parties.		
Decision-making in all spheres of government should be guided by and give effect to statutory land use planning systems.		

23. CONCLUSION

In light of this motivation, and the information contained in the foregoing report, it is clear that the application for:

- a) Rezoning of Wilderness Erf 196 from “Business Zone IV” to “Business Zone I” in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality (2023) to a “business premises” to utilise Wilderness Erf 196 as a ‘restaurant’.
- b) Removal of a Restrictive Title Deed Condition: B(2) from the Title Deed T43030/22 in terms of Section 15(2)(f) of Land Use Planning By-Law for George Municipality (2023), to allow the existing restaurant on Wilderness Erf 196.

Meets the criteria as set out in the Spatial Planning and Land Use Management Act (SPLUMA) and the George Municipality: Land Use Planning By-law (2023), is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by George Municipality.

Marika Vreken Urban and Environmental Planners



November 2024

ANNEXURE A:

*Pre-Application meeting minutes dated 29
October 2024*

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:	3455611
Purpose of consultation:	To discuss applications in terms of section 15(2)(b); 15(2)(f) & 15(2)(o) of the George Land Use Planning Bylaw (2023) for permanent departures and consent use to allow for a restaurant.
Brief proposal:	Marike Vreken Town Planners
Property(ies) description:	Wilderness Erf 196
Date:	15 October 2024

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Martin Botha	George Mun.	044 801 9191	pmbotha@george.gov.za
	Naudica Swanepoel	George Mun.	044 801 9138	nswanepoel@george.gov.za
Pre-applicant	Ruben van Schalkwyk	Marike Vreken Town Planners	044 382 0420	ruben@vreken.co.za info@vreken.co.za

Documentation provided for discussion:

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

	Description	Plan No / Reference	Date
A	Locality Plan	Locality Plan	2024/10/11
B	Proposed Building Plans	SDP-01	2024/10/15
C	Copy of Title Deed	T43030/22	2022-09-07
D	SG Diagrams		1933

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

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

YES	NO
-----	----

Comprehensive overview of proposal:

1. Wilderness Erf 196 is located along George Road, Wilderness, George and is currently zoned “Business Zone IV” in terms of the George Integrated Zoning Scheme Bylaw, 2023 and is approximately 743m² in extent.



FIGURE 1: WILDERNESS ERF 196 - LOCALITY

2. According to the George Zoning Scheme Bylaw (2023), a restaurant is allowed as a consent use on a property zoned "Business Zone IV" and the development parameters of the primary use shall apply.
3. The owners of the Wilderness Erf 196 purchased the property in 2022 and wish to convert the existing building on the premises into a Mozambik Themed Restaurant. The existing footprint of the building will be used for the restaurant and the necessary interior and exterior restorations will be done to accommodate the proposed restaurant.
4. There is a wooden deck proposed which will serve as an outside seating area. The existing milkwood trees will be protected and the wooden decks will be erected around these trees. Four (4x) parking bays are required for every 100m² GLA. The footprint of the building used for the restaurant is ±112m² and therefore, 5x parking bays are provided including 1x disabled parking bay.



FIGURE 2: EXTRACT - SDP



FIGURE 3: PROPOSED RESTAURANT

5. The Building Control of George Municipality confirmed that there aren't any plans on records for the subject property.
6. The existing building is situated within the eastern lateral and rear building line and a permanent departure for the relaxation of the building line will be submitted. According to Section 21 of the George Zoning Scheme Bylaw (2023), uncovered stoeps/decks which are less than 0.5m from NGL is exempted from a formal land use application. If the proposed decks do not comply, the necessary permanent departure application will be submitted.
7. The title deed has restricted title deed conditions and this was confirmed with a conveyancer certificate. Therefore, an application for the removal of restrictive conditions will also be submitted.

B. SUBJECT FURTHER to the special conditions contained in Deed of Transfer Number T8377/1933 which read as follows:

"2. No trade or business of any description may be carried on, on this Lot without the written permission of the seller first had and obtained.

FIGURE 4: EXTRACT - TITLE DEED

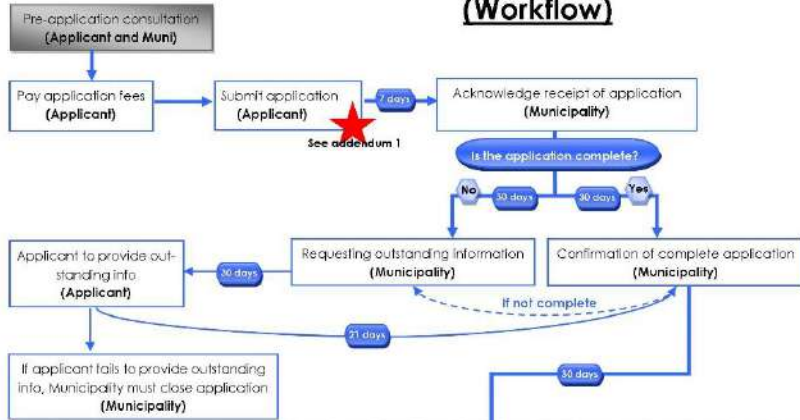
PART B: APPLICATION PROCESS

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

Draft By-Law on Municipal Land Use Planning

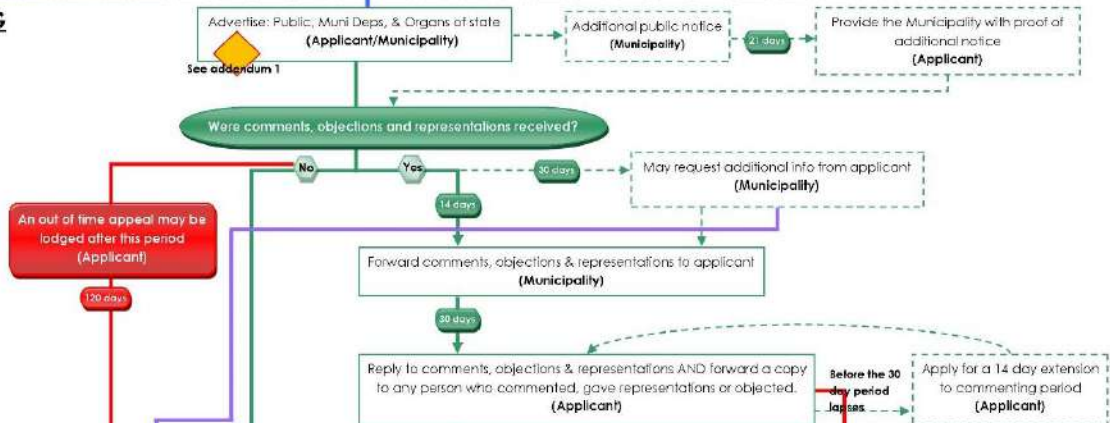
(Workflow)

SUBMISSION



- Types of applications that can be submitted in terms of Section 15 (2)**
- (a) Rezoning of land
 - (b) Permanent departure
 - (c) Temporary departure
 - (d) Subdivision of land
 - (e) Consolidation of land
 - (f) Amendment, suspension or removal of restrictive conditions
 - (g) Permission required in terms of the zoning scheme
 - (h) Amendment, deletion or imposition of condition in respect of an approval
 - (i) Extension of validity period of an approval
 - (j) Approval of an overlay zone
 - (k) Phasing, amendment or cancellation of a subdivision plan or part thereof
 - (l) Permission required in terms of condition of approval
 - (m) Determination of zoning
 - (n) Closure of public place or part thereof
 - (o) Consent use
 - (p) Occasional use

ADVERTISING

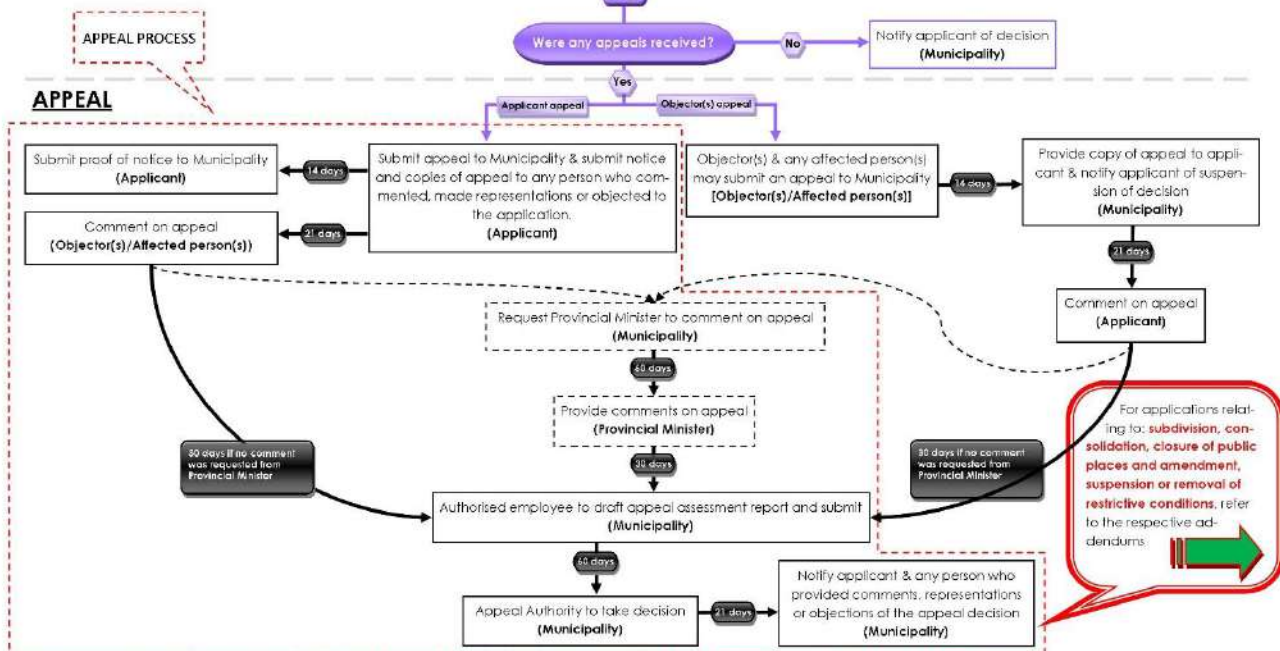


ASSESSMENT

DECISION



APPEAL



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
<input checked="" type="checkbox"/>	2(a)	a rezoning of land;	R10 710
<input checked="" type="checkbox"/>	2(b)	a permanent departure from the development parameters of the zoning scheme;	R4 260 (building line relaxation)
	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e)	a consolidation of land that is not exempted in terms of section 24;	R
<input checked="" type="checkbox"/>	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R10 240
	2(g)	a permission required in terms of the zoning scheme;	R
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(i)	an extension of the validity period of an approval;	R
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l)	a permission required in terms of a condition of approval;	R
	2(m)	A determination of a zoning;	R
	2(n)	A closure of a public place or part thereof;	R
	2(o)	a consent use contemplated in the zoning scheme;	R
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a home owner's association;	R
	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
Tick if relevant		What prescribed notice and advertisement procedures will be required?	Advertising fees payable
<input type="checkbox"/>	N	Serving of notices (i.e. registered letters etc.)	R
<input type="checkbox"/>	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):			TBC following submission of application

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	Motivate in application
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	Submit Conveyancer's Certificate
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?				
<i>Integrated George Zoning Scheme Bylaw</i>				
What is the current zoning of the property?				
<i>"Business Zone IV"</i>				
What is the proposed zoning of the property?				
<i>"Business Zone I"</i>				
Does the proposal fall within the provisions/parameters of the zoning scheme?				
<i>Yes</i>				
Are additional applications required to deviate from the zoning scheme? (if yes, specify)				
<i>TBC</i>				

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	Motivate in application
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?		X		

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / 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) (striketrough 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)?			Submit NID to HWC	South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC)

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Will the proposal have an impact on any National or Provincial roads?		X		National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW)
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:
Electricity supply:			X	
Water supply:			X	
Sewerage and waste water:			X	
Stormwater:			X	
Road network:			X	
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

COMPULSORY INFORMATION REQUIRED:

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

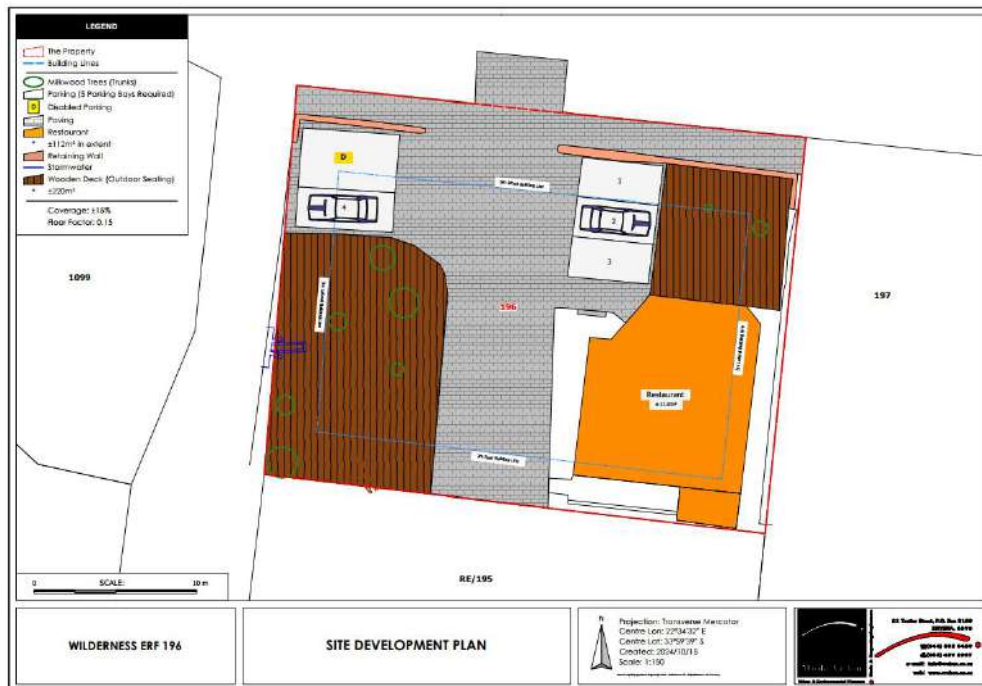
MINIMUM AND ADDITIONAL REQUIREMENTS:

Y	N		Y	N	
		Site Development Plan			Conveyancer's Certificate
		Land Use Plan			Proposed Zoning plan
		Phasing Plan			Consolidation Plan
		Abutting owner's consent			Landscaping / Tree Plan
		Proposed Subdivision Plan (including street names and numbers)			Copy of original approval letter
		Services Report or indication of all municipal services / registered servitudes			Home Owners' Association consent
		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)			1 : 50 / 1:100 Flood line determination (plan / report)
		Other (specify)			Required number of documentation copies

PART E: DISCUSSION

Town and Spatial Planning:

The attached documents and plan below were discussed at the pre app meeting on 23 October 2024.



- Please take note that should the primary right on the site (i.e. offices) not be exercised, then application must be submitted for rezoning to Business Zone I (business premises) to accommodate the restaurant as primary right. A Consent Use must be supplementary to the primary right.
- The proposed use (restaurant) should be motivated in terms of the relevant planning policies (MSDF & LSDF).
- Parking must be provided in accordance with Section 42 of the George Integrated Zoning Scheme By-law (2023). All parking must be provided on site. Alternatively, parking may also be provided in a different location, subject to approval from the municipality.
- It is recommended that the parking layout be discussed with the municipality's Civil Engineering Services section, prior to submission of the application.
- Comments from DFFE will be required given the potential impact on vegetation.
- Comments/approval from Heritage Western Cape should be obtained and submitted with the application. Submit a Notice of Intent to Develop to Heritage Western Cape.
- The parking configuration and manoeuvring space should be illustrated on the proposed site plan along with all the Milkwood trees.
- A study of the Milkwood trees should be done, and mitigation measures be implemented in the design of the development.
- The character of the street needs to be preserved (consider urban design and landscaping measures relating to the streetscape).
- Conveyancing Attorney to confirm if there are any restrictive conditions in the title deed, with special reference to Condition B(2), and if consent is required from the 'seller'.

CES:

- **Access:** Access to the property is restricted to George Road, with only one access point permitted, as per the George Integrated Zoning Scheme By-law 2023 (GISZ).
- **Parking:**
 - All parking must be provided on-site, in accordance with the parking requirements specified in the GISZ (2023) parking tables.
 - No parking is allowed within the road reserve, and the owner may be held liable for any costs associated with preventing parking in this area
- **Water and Sewer:** Water and sewer services are available, but they are subject to confirmation of capacity through a service capacity study.

- **Stormwater:** Developer to adhere to the applicable Stormwater By-law.
- **DC's:** Normal DC's, as per the DC policy and Planning By-law will be applicable.

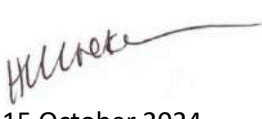
PART F: SUMMARY / WAY FORWARD

The applicant may proceed with the submission of the application subject to Part E above.

OFFICIAL: Martin Botha

PRE-APPLICANT: Marike Vreken

SIGNED: 
DATE: 29 October 2024

SIGNED: 
DATE: 15 October 2024

OFFICIAL: Naudica Swanepoel

SIGNED: 
DATE: 29 October 2024

**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 be deemed necessary.*

ANNEXURE B:

Emails to George Civil Services Department

From: Cobus Müller <cobus@szc.co.za>
Sent: 05 November 2024 12:19 PM
To: ruben@vreken.co.za
Cc: admin@licenceco.com; albert@trebla.co.za; 'Mika Lutchman'; 'Marike Vreken'; 'Bianca Lotz'; 'roger vicente'; Vanqa Zuko
Subject: RE: Pr2465- Wilderness Erf 196 - Land Use Application
Attachments: G823 Rev A_5-11-2024_Altered SDP.dwg; G823 - SDP PARKING PROPOSAL.pdf

Good day Ruben

I trust alls well.

I've just concluded my discussion with Mr. Zuko regarding the parking roadways and access to Erf 196, Wilderness.

All seems to be in order.

The following minor changes needs to be made to the SDP plan:

1. For the new usage a disabled parking and loading bay is not a requirement, however for practicality a loading bay is requested. We do have enough parking on site to comply with all regulations thus the request was made to remove the disabled parking bay in the North western corner and rather create a larger parking bay (NUMBER 3) next to the entrance of the building that will have a dual purpose of general parking during working hours and a loading bay parking outside of business hours. This is indicated on my proposed updated layout attached.
2. Part of the application discussions was the protection of the trees on site and this must please be adhered to.

Once the SDP is updated, please send it back to me so I can incorporate it in my Civil Service report.

If anything is unclear, please don't hesitate to contact me.

Vriendelike Groete / Kind Regards

Cobus Müller



S&Z Consulting (Pty) Ltd
Structural & Civil Engineers

Reg No. 9905336/07

11 Windsor Street, George, 6529
044 873 0149 / 082 457 9730

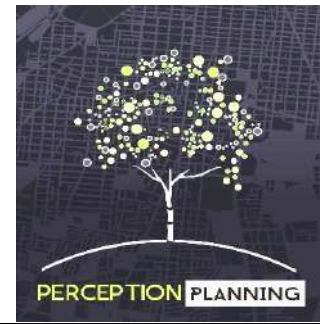
PO Box 2732, George, 65
cobus@szc.co.za

ANNEXURE C:

*Statement from Stefan de Kock dated 09
October 2024*

Southern Cape Office:
7 Imelda Court, 103 Meade Street,
George, 6529, Western Cape

Fax: 086 510 8357
Cell: 082 568 4719
E-mail: perceptionplanning@gmail.com
www.behance.net/perceptionplanningSA
CC Reg. No. 2003/102950/23



Our ref: WN/196/NHRA/2024

Your ref:

9th October 2024

Nanini 395 (Trading as Poncha)
Comp Reg: 2003/027985/23
Erf 196, Wilderness
George
6529

Attention: Roger Vicente,

APPLICABILITY OF SECTIONS 34 AND 38 OF THE NATIONAL HERITAGE RESOURCES ACT, 1999 (ACT 25 OF 1999): PROPOSED CHANGE OF LAND USE AND ALTERATIONS TO EXISTING BUILDING SITUATED ON ERF 6931 (YORK STREET: ERF 196 (WILDERNESS), GEORGE DISTRICT AND MUNICIPALITY

1. Our previous communications in relation to the abovementioned proposal refers.
2. Analysis of historic (1957) aerial imagery shows Erf 196, Wilderness vacant and densely overgrown by indigenous coastal vegetation (most likely milkwood trees). An access road leading between George Road and the historic dwelling located on Erf 195, Wilderness (directly to the south) is noted traversing Erf 196, Wilderness (see **Figure 1**).



Figure 1: Erf 196, Wilderness shown within context of 1957 aerial imagery for the area showing no structures on the property ((Flight Survey 403, Flight Strip 06, Image 3263, NGSi as edited).

3. Based on information made available (historic building plans) the existing dwelling located on Erf 196 was constructed during 1979 and is therefore presently not older than 60 years. However, the property holds a visually prominent location within the historic core of Wilderness and, together with existing mature milkwood trees remaining thereupon, significantly contributes to the broader streetscape character of the village core.

4. Following from the above and based on information provided regarding the proposed development currently envisaged on Erf 196, Wilderness the proposal would not trigger any development activity(ies) listed in terms of Sections 34 or 38(1) of the National Heritage Resources Act, 1999 (Act 25 of 1999):

Sec. of NHRA	Development Trigger	Yes/ No
34	"alteration or demolish any structure or part of a structure which is older than 60 years"	No
38(1)(a)	"Construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length"	No
38(1)(b)	"Construction of a bridge or similar structure exceeding 50m in length"	No
38(1)(c)	"Any development or other activity which will change the character of a site: Exceeding 5,000m ² in extent; Involving three or more existing erven or subdivisions thereof; Involving three or more erven or divisions thereof, which have been consolidated within the past five years; Costs of which will exceed a sum set in terms of regulations by SAHRA or a PHRA."	No No No No
38(1)(d)	"The rezoning of a site exceeding 10,000m ² in extent"	No
38(1)(e)	"Any other category of development provided for in the regulations by SAHRA or a PHRA."	No

5. It is trusted that you find the above in order however please do not hesitate to contact the writer, should any additional information be required.

Yours faithfully,
PERCEPTION Planning



STEFAN DE KOCK
 Hons: TRP(SA) EIA Mgmt(IRL) Pr. Pln PHP

ANNEXURE D:

*Email from George Mun dated 30 October
2024*

From: Naudica Swanepoel <nswanepoel@george.gov.za>
Sent: 30 October 2024 10:01 AM
To: ruben@vreken.co.za; Martin Botha
Cc: 'Bianca Lotz'; marike@vreken.co.za; dale@vreken.co.za; rogerv6969@gmail.com; mika@lutchmaninc.co.za; Post Collaborator
Subject: RE: Pr2465- Wilderness Erf 196 - Pre-Application

Hi Ruben

The statement by the heritage specialist is sufficient, thank you.

Although Sections 34 and 38 of the NHRA are not triggered, heritage in terms of the character of the site and area is still important.

Therefore, please take note of the below extract when doing the design.

- The character of the street needs to be preserved (consider urban design and landscaping measures relating to the streetscape).

On receipt of the application, we may also decide to circulate the application to the Aesthetics committee for their comment (in the absence of comment from HWC).

Please upload this e-mail trail as part of the pre-application document when submitting the land use application.

Kind regards

Naudica Swanepoel (Pr. Pln. A/2237/2015)
Senior Town Planner
Human Settlements, Planning and Development

Office: 044 801 9138
Internal Extension: 1290
E-mail: nswanepoel@george.gov.za



From: ruben@vreken.co.za <ruben@vreken.co.za>
Sent: Wednesday, 30 October 2024 08:30
To: Naudica Swanepoel <nswanepoel@george.gov.za>; Martin Botha <pmbbotha@george.gov.za>
Cc: 'Bianca Lotz' <info@vreken.co.za>; marike@vreken.co.za; dale@vreken.co.za; rogerv6969@gmail.com; mika@lutchmaninc.co.za
Subject: RE: Pr2465- Wilderness Erf 196 - Pre-Application

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Naudica & Martin

With reference to the Pre-Application feedback received on the subject property, it was stated that comments/approval from Heritage Western Cape should be obtained prior to submitting our application (see figure below).

- Comments from DFFE will be required given the potential impact on vegetation.
- Comments/approval from Heritage Western Cape should be obtained and submitted with the application. Submit a Notice of Intent to Develop to Heritage Western Cape.
- The parking configuration and manoeuvring space should be illustrated on the proposed site plan along with all the Milkwood trees.

We received a statement from a Heritage Specialist (Stefan de Kock) that the proposed development on Erf 196 will not trigger any development activities listed in terms of Section 34 or 38(1) of the National Heritage Resources Act (see attached document).

Could you kindly confirm if this statement will be sufficient and accepted for the purpose of our application?

Kind Regards
Ruben van Schalkwyk



Marike Vreken
Urban & Environmental Planners

Ruben Van Schalkwyk
C/9817/2023
Marike Vreken Town Planners CC
PO Box 2180, Knysna, 6570
tel. +27 (0)44 382 0420
fax. +27 (0)86 459 2987
cell. +27 (0)79 098 8091

From: Naudica Swanepoel <nswanepoel@george.gov.za>
Sent: 28 October 2024 05:59 PM
To: ruben@vreken.co.za
Cc: 'Bianca Lotz' <info@vreken.co.za>; marike@vreken.co.za; dale@vreken.co.za; Martin Botha <pmbbotha@george.gov.za>; ILANE HUYSER <ihuyser@george.gov.za>
Subject: RE: Pr2465- Wilderness Erf 196 - Pre-Application

Hi Ruben

The item served on the agenda on 23 October 2024.

Please note that the turn around time for feedback is within seven days after the meeting.

Kind regards

Naudica Swanepoel (Pr. Pln. A/2237/2015)

Senior Town Planner

Human Settlements, Planning and Development

Office: 044 801 9138

Internal Extension: 1290

E-mail: nswanepoel@george.gov.za



From: ruben@vreken.co.za <ruben@vreken.co.za>

Sent: Monday, 28 October 2024 16:28

To: ILANE HUYSER <ihuyser@george.gov.za>; Naudica Swanepoel <nswanepoel@george.gov.za>

Cc: 'Bianca Lotz' <info@vreken.co.za>; marike@vreken.co.za; dale@vreken.co.za

Subject: RE: Pr2465- Wilderness Erf 196 - Pre-Application

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ilane

I trust you are well.

I kindly want to find out when we can expect to receive the pre-application meeting minutes for the above-mentioned property.

Kind Regards

Ruben van Schalkwyk



Ruben Van Schalkwyk
C/9817/2023
Marike Vreken Town Planners CC
PO Box 2180, Knysna, 6570
tel. +27 (0)44 382 0420
fax. +27 (0)86 459 2987
cell. +27 (0)79 098 8091

Stads & Omgewingsbeplanners

From: ILANE HUYSER <ihuyser@george.gov.za>
Sent: 15 October 2024 03:40 PM
To: ruben@vreken.co.za; Naudica Swanepoel <nswanepoel@george.gov.za>
Cc: 'Bianca Lotz' <info@vreken.co.za>; marike@vreken.co.za; dale@vreken.co.za
Subject: RE: Pr2465- Wilderness Erf 196 - Pre-Application

Good day Ruben,

Your pre application is received, however the agenda for tomorrow is already closed. Your pre application will thus be discussed at next week's meeting 23 October 2024.

Kind Regards,

Ilané Huyser
Pr.PlA/1664/2013
Senior Town Planner
Directorate: Human Settlements, Planning and Development
Office: 044 801 9120
Internal Ext: x1299
E-mail: ihuyser@george.gov.za



From: ruben@vreken.co.za <ruben@vreken.co.za>
Sent: Tuesday, October 15, 2024 3:26 PM
To: ILANE HUYSER <ihuyser@george.gov.za>; Naudica Swanepoel <nswanepoel@george.gov.za>
Cc: 'Bianca Lotz' <info@vreken.co.za>; Clinton Petersen <cpetersen@george.gov.za>; marike@vreken.co.za; dale@vreken.co.za
Subject: Pr2465- Wilderness Erf 196 - Pre-Application

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Day

Please find attached the Pre-Application documents for discussion at the next pre-application consultation meeting with supporting documents.

I hope all is in order and please let me know if you require any additional information.

Kind Regards
Ruben van Schalkwyk

 <p>Marike Vreken Urban & Environmental Planners</p>	<p>Ruben Van Schalkwyk C/9817/2023 Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 cell. +27 (0)79 098 8091</p>
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functions. For your reference, the POPI and PAIA Acts are available at www.gov.za/documents/acts with amendments listed on www.acts.co.za

ANNEXURE E:

Conveyancer Certificate

CONVEYANCER'S CERTIFICATE

I, the undersigned,

FIONA ELEANOR WILLIAMSON,

CONVEYANCER OF FIONA WILLIAMSON ATTORNEYS INC – LPCM 83766

Do hereby certify that I have perused the Title Deed condition applicable to:

ERF 196 Wilderness, in the Municipality and Division of George, Province of the Western Cape Division

IN EXTENT : 743 (Seven Hundred and Forty three) Square Metres

HELD BY Deed of Transfer No. T43030/22

SUBJECT to the conditions contained therein.

In respect of which it was found that there are no restrictive conditions preventing the proposed rezoning of the property to make development of a restaurant possible, except Condition B(2):

"No trade or business of any description may be carried on, on this lot without the written permission of the Seller first had and obtained"

I am satisfied that there are no conditions or servitudes which adversely affect the value of the aforementioned properties.

SIGNED at MOSSEL BAY on this the 28th of AUGUST 2023



CONVEYANCER

ANNEXURE F:

*Signed Company Resolution and Power of
Attorney*

SPECIAL POWER OF ATTORNEY

I/We Kalatrika Lutchman obo Point Village

Restaurant 2 (Pty) Ltd. the undersigned,

do hereby nominate, constitute and appoint
THE AUTHORISED AGENTS OF MARIKE VREKEN TOWN & REGIONAL PLANNERS CC and duly
authorised employees of Marike Vreken Town Planners CC
with power of Substitution to be *my/our lawful representatives in *my/our application for:

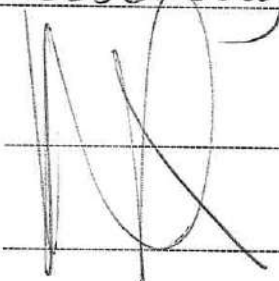
CONSENT USE

on

WILDERNESS ERF 196


In addition to apply for such amendments of any zoning schemes / structure plans/
Removal of Title Deed Restrictions as may be deemed necessary and to make other
necessary application and further to represent *me/us at any inquiry in relation to the
abovementioned matters and generally do whatever may be necessary or desirable to
procure the approval of the application, by virtue of those present and whatever our said
representative have to date done herein.

Signed at Mossel Bay on this 9 day of October 2024

SIGNED: 
SIGNED: _____
SIGNED: _____

In the presence of the undersigned witnesses:

AS WITNESSES:

- 1.  _____
- 2. _____

POINT VILLAGE RESTAURANT 2 cc (Pty) Ltd.

(Name of Company, Partnership, Trust or Close Corporation)

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in Mossel Bay on the 9 day of October 2024.

Resolved that K. Lutchman in his capacity as Director, be and is hereby authorized to do whatever may be necessary to give effect to this resolution and to enter into and to sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company/ Partnership/ Trust/ Close Corporation with such modification as he/ she in his/ her sole discretion shall deem fit, his/ her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

DESCRIPTION OF PROPERTY:

WILDERNESS ERF 196

NATURE OF APPLICATION:

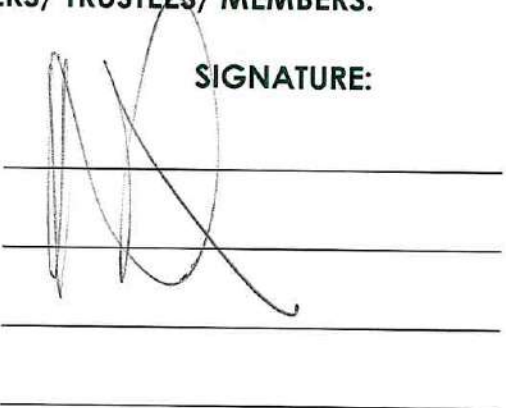
CONSENT USE

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:

K. Lutchman.

SIGNATURE:



ANNEXURE G:

Application Form dated 27 November 2024

GEORGE MUNICIPALITY



APPLICATION FORM FOR APPLICATION SUBMITTED IN TERMS OF THE LAND-USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY

NOTE: Please complete this form using **BLOCK** capitals and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Hendrika Maria		
Surname	Vreken		
SACPLAN Reg No. (if applicable)	1101		
Company name (if applicable)	Marike Vreken Town Planners		
Postal Address	PO Box 2180		
	Knysna	Postal Code	6570
Email	marike@vreken.co.za		
Tel	044 382 0420	Fax	
Cell	082 927 5310		

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

Registered owner	POINT VILLAGE RESTAURANT 2 CC		
Address			
		Postal code	
E-mail			
Tel		Fax	
Cell			

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

Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	Erf 196 Wilderness in the Municipality and Division of George Province of the Western Cape.					
Physical Address	196 George Road, Wilderness, George, 6560					
GPS Coordinates	33°59'39.64"S and 22°34'32.11"E.			Town/City	Wilderness	
Current Zoning	Business Zone IV	Extent	±743 m ²	Are there existing buildings?	Y	N
Current Land Use	Restaurant					
Title Deed number & date	T43030/2022					
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).	<u>Condition B(2):</u> ..“No trade or business of any description may be carried on this lot without the written permission of the seller first had and obtained.		
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies).	N/A		
Is the property encumbered by a bond?	Y	N	If Yes, list Bondholder(s)?	Refer to Annexure J : Bond Consent Letter		
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	Martin Botha	Reference number	Wilderness Erf 196	Date of consultation	15 October 2024	

PART E: LAND USE APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY & APPLICATION FEES PAYABLE

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

BANKING DETAILS

Name: **George Municipality**
 Bank: **ABSA**
 Branch no.: **632005**
 Account no.: **01022220981**
 Type: **Cheque**
 Swift Code: **ABSAZAJCPE-SORTCODE 632005**
 VAT Registration Nr: **4630193664**
 E-MAIL: **ronel@george.org.za**
***Payment reference:** GRG.....or ErAf nr:

PART F: DETAILS OF PROPOSAL

Brief description of proposed development / intent of application:

See attached motivation report

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

Minimum and additional requirements:

Y	<input type="checkbox"/>	N/A	Conveyancer's Certificate	Y	<input type="checkbox"/>	N/A	Land Use Plan / Zoning plan
----------	--------------------------	------------	---------------------------	----------	--------------------------	------------	-----------------------------

Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)	Y	N	N/A	Phasing Plan
Y	N	N/A	Consolidation Plan	Y	N	N/A	Copy of original approval letter (if applicable)
Y	N	N/A	Site Development Plan	Y	N	N/A	Landscaping / Tree Plan
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)	Y	N	N/A	1:50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	Y	N	N/A	Required number of documentation copies
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	Other (specify)

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

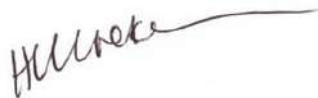
Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y	N/A	Specific Environmental Management Act(s) (SEMA)
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)			(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004),
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008),
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)			National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)
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
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.

Applicant's signature:



Date:

27 November 2024

Full name:

Hendrika Maria Vreken

Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

1101

FOR OFFICE USE ONLY

Date received:		Received by:	
Receipt number:			
Date application complete			

ANNEXURE H:

Title Deed (T43030/2022) – Wilderness Erf

196

RAUBENHEIMERS INC
 60 CATHEDRAL STREET
 GEORGE
 6529
 TEL: (044) 873-2043

CONVEYANCER
 ANN MARJORY COETZEE
 LPC Membership No: 83392

Deeds Office Registration fees as per Act 47 of 1937	
Amount	Office Fee
R 550000,00	R 2305,00
Purchase Price	Exemption 10
Reason for exemption	Category
Exemption	SecReg
Exemption	Act/Proc

W.O.P

VERBIND		MORTGAGED	
VR R 7 250 000,00			
B		02 SEP 2012	
REGISTRAR/REGISTRAR			

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT
 LEANNE KIM WILLIAMS

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney signed at GEORGE on 1 JUNE 2022 granted to him/her by

SAFFRON GUEST HOUSE CC
 REGISTRATION NUMBER 2002/006290/23

ELIZABETH VAN TONDEL
 07-09-2022
 DATA / VERBOD
 ELINDA GONCALVES
 17-09-2022
 DATA / CAPTURE

And the appearer declared that his/her said principal had, on 10 March 2022, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

POINT VILLAGE RESTAURANT 2 CC
REGISTRATION NUMBER 2004/014524/23

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

ERF 196 WILDERNESS
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE
IN EXTENT 743 (SEVEN HUNDRED AND FORTY THREE) SQUARE
METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NUMBER T8377/1933
WITH DIAGRAM NUMBER 3272/1933 RELATING THERETO AND HELD BY
DEED OF TRANSFER NUMBER T12043/2022

A. SUBJECT to the conditions referred to in Deed of Transfer Number
T31985/1973.

B. SUBJECT FURTHER to the special conditions contained in Deed of Transfer
Number T8377/1933 which read as follows:

"2. No trade or business of any description may be carried on, on this Lot
without the written permission of the seller first had and obtained.
3. All buildings erected on this lot shall be built of brick, stone or concrete
and the ground plan showing the relation of the position of such
buildings to the boundaries of the said lot, as well as the elevation of
such shall be submitted to the Seller for its approval in writing before any
buildings are commenced.

4. All walls, fences or hedges or like structures abutting upon any road or
pathway shall be of a type approved of by the Seller. The Seller shall not
be liable to contribute to the cost of any party or dividing fence, or wall
nor to the cost of repair thereof, but it may call upon the Purchaser to
enclose the said Lot. This provision eliminating any contribution by the
Seller may sell or dispose of subsequent to the date hereof, and the
Purchaser of such lot adjoining the lot hereby shall in all respects be
subject to the laws governing contributions to such party or dividing
fences or walls. The Purchaser agrees to observe to uniformity in
respect of fencing line for all fences that may abut on to any road,
pathway, open space, or property of the Seller and to maintain all
boundary fences of the said Lot in good order and repair. No Purchaser
shall be entitled to erect any corrugated iron fence or screen upon this lot
without the leave of the Seller.



②

The Seller retains the right and power to enforce the observation of proper sanitation and cleanliness upon this lot as well as the right to construct, use and maintain across this Lot any pipe line for water leading, sewerage or drainage. The Purchaser binds himself to conform to all such regulations as the Seller may hereafter prescribe in regard to matters of public health and sanitation, and the use of all roads, paths, open spaces, and the remainder of the Seller's Estate at The Wilderness.

5. The Seller retains the right and power to enforce the observation of proper sanitation and cleanliness upon this lot as well as the right to construct, use and maintain across this Lot any pipe line for water leading, sewerage or drainage. The Purchaser binds himself to conform to all such regulations as the Seller may hereafter prescribe in regard to matters of public health and sanitation, and the use of all roads, paths, open spaces, and the remainder of the Seller's Estate at The Wilderness.

6. Seller retains ownership and control of all roads, streets, paths, avenues, lanes, open spaces or reserves shown on the plan of the estate, as well as the right in its discretion to alter, close, deviate or otherwise deal with any such roads, street, paths, avenues, lanes, open spaces or reserves.

7. The Purchaser of any lot having a frontage on either "The Park", or any suitable height, such live hedge, and/or such trees or shrubs as shall be prescribed by the Seller suitable to screen any premises situated on the such Lot.

8. In respect of any lot situated in Blocks A, B, C, F, G, L and M, upon the sea front, purchasers shall not cut down or otherwise destroy the natural bush growth on the sea front and so endanger any lot to erudib bt sea ir to shifting sands. Seller reserves the right to prescribe the level at which all buildings shall be placed on such lots or any of them, and if called upon to do so by the Seller, Purchasers shall be obliged to plant and maintain suitable turf on any clear or open portions of such lots to guards against shifting sands.

9. The Purchaser agrees to be bound not to clear, or destroy the trees and bush on the said Lot, without first consulting the Seller, whose consent to such clearing or destroying shall be necessary, but shall not unreasonably interfere with the Purchaser's full use and enjoyment of the said Lot. The foregoing conditions are imposed for the benefit of all the Purchasers and their successors in title of portions of the properties held by the Seller under Deed of Transfer Number T2059/1923, Certificates of Registered Title Nos. 4119/1932, 4120/1932, 4121/1932, 4122/1932, Certificates of Consolidated Title Nos. 4125/1932, 4126/1932 and 4127/1932, and Certificate of Amended Title No. 8335/1929, and for the benefit of the Seller and its Successors in Title of the remainder or remainders of the said properties.

FORM

C. SUBJECT FURTHER to the Servitude endorsement dated 7 January 1972 as contained in Deed of Transfer Number T20626/1965, which reads as follows:

"REGISTRATION OF SERVITUDE

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District Cape) dated 26th May 1971, as will more fully appear on reference to the copy of said Order annexed to Servitude 15/72."

For Information



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

SAFFRON GUEST HOUSE CC
REGISTRATION NUMBER 2002/006290/23

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

POINT VILLAGE RESTAURANT 2 CC
REGISTRATION NUMBER 2004/014524/23

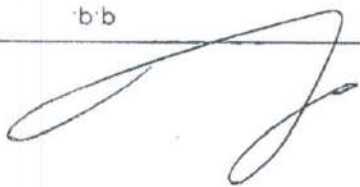
or its Successors in Title or assigns, now is and henceforth shall be entitled thereto,
conformably to local custom, the State, however reserving its rights, and finally
acknowledging the purchase price to be the sum of R5 500 000,00 (FIVE MILLION
FIVE HUNDRED THOUSAND RAND)

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.

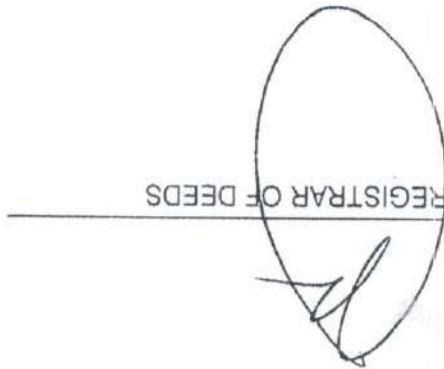
THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE

TOWN on

02 SEP 2022


p.q.

In my presence


REGISTRAR OF DEEDS



RAUBENHEIMERS INC
60 CATHEDRAL STREET
GEORGE
6529
TEL: (044) 873-2043

I, the undersigned

POWER OF ATTORNEY TO PASS TRANSFER

ANN MARJORY COETZEE
duly authorised hereto by a resolution of
SAFFRON GUEST HOUSE CC
REGISTRATION NUMBER 2002/006290/23

do hereby nominate and appoint ANDREA CRISTINE TOMASICCHIO (87225)
and/or ANN MARJORY COETZEE (LPCM No. 83392) and/or WILLEM MUNRO
LUTTIG (LPCM No. 82292) and/or CARL CHRISTIAAN BURGER (LPCM No.
79394) and/or HARRIS GEOFFREY HARDCASTLE (LPCM No. 98545) and/or
KARIN SMIT (59923) and/or LEANNE KIM WILLIAMS (LPCM No. 96605) and/or
MICHELLE VAN WYK (LPCM No. 80385) and/or ROBERT CHRISTOPHER
FERRANDI (LPCM No. 83111) and/or RONEL ELS (LPCM No. 86228) and/or
TERTIA LIZETTE KRIEL (LPCM No. 86380) and/or ROALD HUBERT
BESSELAAR (LPCM No. 82173)

with power of substitution to be my true and lawful Attorney and Agent in my name,
place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE
TOWN or any other competent official in the Republic of South Africa and then and
there to act as my Attorney and Agent and to pass transfer to:

POINT VILLAGE RESTAURANT 2 CC
REGISTRATION NUMBER 2004/014524/23

the property described as:

ERF 196 WILDERNESS
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE
IN EXTENT 743 (SEVEN HUNDRED AND FORTY THREE) SQUARE
METRES

HELD BY DEED OF TRANSFER NUMBER T12043/2022

CONVEYANCER
ANN MARJORY COETZEE
LPC Membership No: 83392

1-4
①

the said property having been sold by me on 10 March 2022, to the said transferees for the sum of R5 500 000,00 (Five Million Five Hundred Thousand Rand)

and further cede and transfer the said property in full and free property to the said Transferee; to renounce all right, title and interest which the Transferor heretofore had in and to the said property, and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as the Transferor might or could do if personally present and acting therein; hereby ratifying, allowing and confirming all and whatsoever the said Agent/s shall lawfully do or cause to be done in the premises by virtue of these presents.

Signed at GEORGE on 1 JUNE 2022 in the presence of the undersigned witnesses.

AS WITNESSES :

On behalf of SAFFRON GUEST HOUSE
CC

[Signature]

1. *[Signature]*
2. *[Signature]*

2

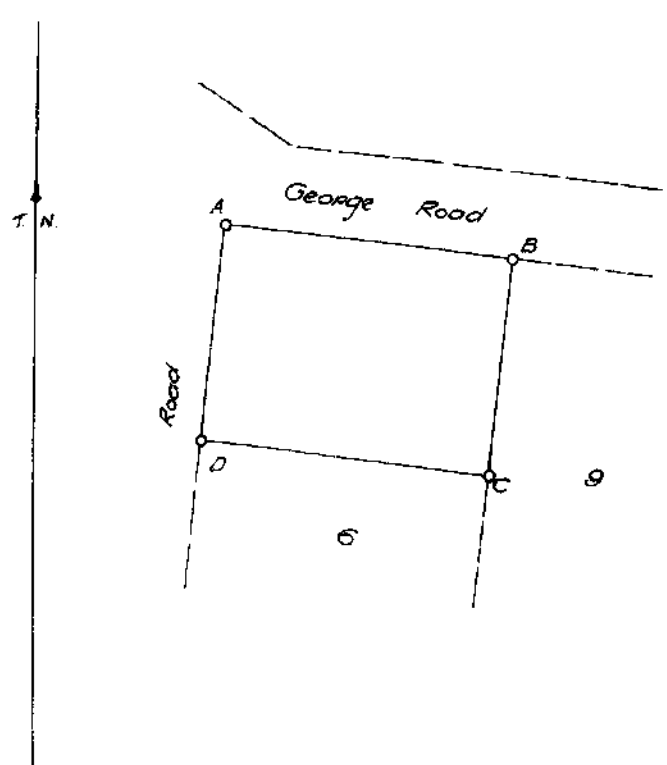
ANNEXURE I:

SG Diagram– Wilderness Erf 196

1933

1916/1918/1919/20

Sides		Angles	
	C. Feet		
AB	100	A	90.0.0
BC	75	B	90.0.0
CD	100	C	90.0.0
DA	75	D	90.0.0



FEB 1 196
WILDERNESS



The above figure lettered ABCD represents 52 Sq. Rds.,
 12 Sq. Feet, of land situate in the Division of George, being
Lot N^o 7 Block G Wilderness

a part of Lot H a freehold grant to A.V. Bergh on the 15th
 March 1852.

Bounded as indicated above.

This Diagram belongs to the Transfer Guide
 No. 13th day of Dec. 1922 N^o 8277
 in favour of M.T. Leggatt.

Surveyed & measured by me according
to regulations

[Signature]

Aug. - Nov. 1922, Govt. Land Surveyor.

Not. 221st Sht. 2

ANNEXURE J:

*Bondholders Consent –dated 06 November
2023*



**Technology and Operations
Account Maintenance**

Marlize De Bruyn Planning
Consulting Town & Regional Planning
P.O. Box 2359
George
6530

06 November 2023

Dear Sir/Madam

Consent for Rezoning for Erf 196 Wilderness Western Cape from Business Zone IV to Business Zone I and for Relaxation of Building lines and Additions and Alterations

Account Number : 536074240
In the Name of : Point Village Restaurant 2 CC
Property Description : Erf 196 Wilderness Western Cape

We are pleased to advise that the Standard Bank has no objection to your request, subject to our rights being protected.

Consent for Rezoning for Erf 196 Wilderness Western Cape from Business Zone IV to Business Zone I and for Relaxation of Building lines and Additions and Alterations is approved subject to:

- Local Authority approval.
- The bank is not committing to finance new development.
- No buildings to be demolished without the Bank's consent.
- The building must comply with SBSA minimum specifications, should there be any further development.
- The correct Insurance must be applied.
- No further lending (Re-advance / further advances & Access Bond) will be considered due to the zoning of this property falls outside normal home loans criteria / policy if used for any other purpose than single residential.

Yours faithfully

Technology and Operations Home Services SA
Consultant After Sales
Customer Contact Centre : +27 0860 123 001

The Standard Bank of South Africa Limited (Reg. No. 1962/000738/06) Authorised financial services and registered credit provider (NCRCP15)

Directors: NMC Nyembezi (Chairman) L Fuzile* (Chief Executive Officer) LL Bam PLH Cook A Daehnke* GJ Fraser-Moleketi Xueqing Guan¹ GMB Kennealy BJ Kruger Li Li¹ JH Maree NNA Matyumza ML Oduor-Otieno² ANA Peterside CON³ SK Tshabalala*

Company Secretary: K Froneman – 2023/06/12
* Executive Director ¹ Chinese ² Kenyan ³ Nigerian

ANNEXURE K:

*Email from George Municipality – dated 11
October 2024*

ruben@vreken.co.za

From: Phindiswa Lingani <Pmlingani@george.gov.za>
Sent: 11 October 2024 09:45 AM
To: ruben@vreken.co.za
Cc: 'Bianca Lotz'; marike@vreken.co.za; Lucretia Arries
Subject: Re: P24-093 Wilderness Erf 196 - File Investigation

Good day

Kindly note that we do not have the building plan electronically on our system, the request was sent to our records department.

Unfortunately, they also confirmed that they do not have any availability of records for Erf 196 Wilderness from their side.

Regards

Phindiswa Lingani
Administrative Assistant
Planning and Development
Office: 044 801 9370
Ext: 1241
Email: pmlingani@george.gov.za



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From: ruben@vreken.co.za <ruben@vreken.co.za>
Sent: Wednesday, October 9, 2024 10:00 AM
To: Phindiswa Lingani <Pmlingani@george.gov.za>
Cc: 'Bianca Lotz' <info@vreken.co.za>; marike@vreken.co.za <marike@vreken.co.za>
Subject: P24-093 Wilderness Erf 196 - File Investigation

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Phindiswa

I trust you are well.

We have been appointed by the owner of Wilderness Erf 196 to submit a land use application.

I kindly request to conduct a file investigation at building control for the subject property. The cut-off date for new land-use applications to George Municipality is next week Friday (18 October 2024) and we require the plans for the purposes of our application. It would be highly appreciated if you can assist us as swiftly as possible.

Please see attached the Power of Attorney signed by the landowner and please don't hesitate to ask if you require any additional information from our side.

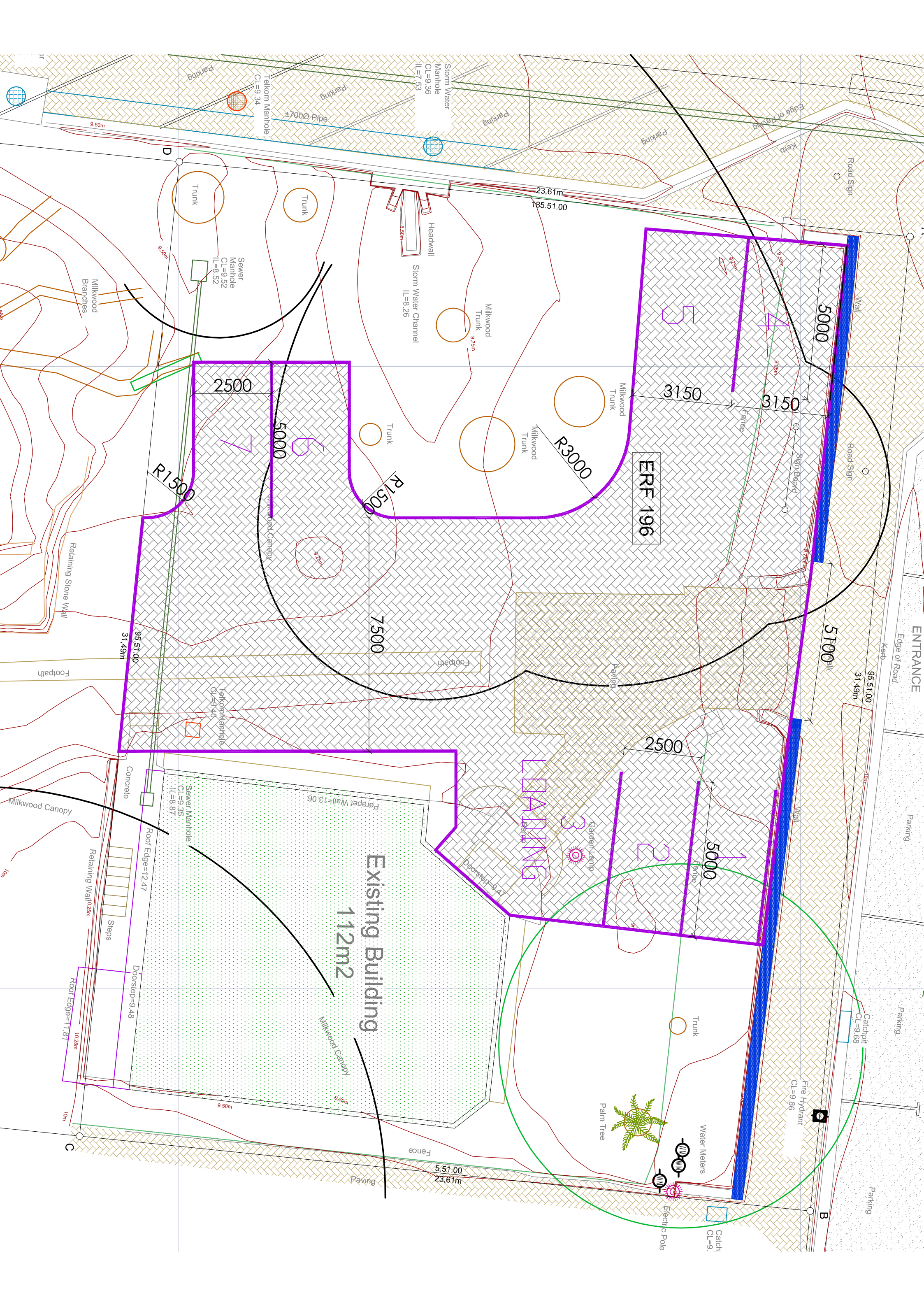
Kind Regards
Ruben van Schalkwyk

 <p>Marike Vreken Urban & Environmental Planners</p>	<p>Stads & Omgewingsbeplanners</p> <p>Ruben Van Schalkwyk C/9817/2023 Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 cell. +27 (0)79 098 8091</p>
--	---

CONFIDENTIALITY & DISCLAIMER NOTICE The information contained in this message is confidential and is intended for the addressee(s) only. If you have received this message in error or there are any problems please notify the originator immediately. The unauthorized use, disclosure, copying or alteration of this message is strictly forbidden. George Municipality will not be liable for direct, special, indirect or consequential damages arising from alteration of this message by a third party or as a result of any malicious code or virus being passed on. If you have received this message in error, please notify the sender immediately by email, facsimile or telephone and return and/or destroy the original message. ***** Privacy policy George Municipality implements a privacy policy aimed at protecting visitors to our social media sites. POPIA We respect the privacy rights of everyone who uses or enquires about our services. Protecting your personal information, as defined in the Protection of Personal Information Act, Act 4 of 2013, will be respected. Personal information will only be shared for purposes of resolving customer enquiries, providing customer services or for any other legitimate purpose relating to George Municipal functions. For your reference, the POPI and PAIA Acts are available at www.gov.za/documents/acts with amendments listed on www.acts.co.za

ANNEXURE L:

*Parking Layout drafted based on discussion
with Civil Services Department*



ERF 196

Existing Building
112m²

LOADING

5000

3150

3150

2500

5000

R1500

R1500

R3000

7500

5100

2500

5000

Doorstep=9.47

Roof Edge=12.47

Doorstep=9.48

Roof Edge=11.81

5.51.00

23.61m

9.50m

23.61m

185.51.00

95.51.00

31.49m

31.49m

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ANNEXURE M:

Civil Services Report dated 06 November 2024



S&Z Consulting (Pty) Ltd

Structural & Civil Engineers

11 Windsor Street, George, 6529
Tel: 044 873 0149

PO Box 2732, George, 6530
email: admin@szc.co.za

Reg No. 9905336/07

Your Ref: _____ Our Ref: G823/01 Rev 0 Date: 5 November 2024

Directorate Civil & Technical Services
George Municipality
PO Box 19
GEORGE
6530

ATTENTION : Mr Ricus Fivaz

Dear Ricus

PROPOSED DEVELOPMENT OF ERF 196, WILDERNESS
CIVIL ENGINEERING SERVICES REPORT

We enclose the Civil Engineering Services Report for the above development for your information and comment.

Please contact us should you require any further information.

Yours sincerely

JJ MULLER
Pr Eng



Directors : **IM Zaaiman Pr Eng BEng (Civil)**
naas@szc.co.za

JJ Müller Pr Eng MEng (Civil)
cobus@szc.co.za

✉ admin@szc.co.za

☎ 044 873 0149

📍 11 Windsor Street, George, 6529

🌐 www.szc.co.za



**CIVIL ENGINEERING SERVICES REPORT
FOR THE PROPOSED DEVELOPMENT OF
ERF 196 WILDERNESS**

5 NOVEMBER 2024

Developer:

Point Village Restaurant 2 CC
7 Point Road
Mossel Bay
6500
2004/014524/23

Prepared By:

S&Z Consulting (Pty) Ltd
P O Box 2732
GEORGE
6530

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ATTACHMENTS

- Annexure A: Site Locality Plan
- Annexure B: SITE PLAN Rev 01
- Annexure C: Existing Municipal Services

EXECUTIVE SUMMARY

The Civil Engineering Services report for the development of Erf 196 Wilderness, can be summarised as follows.

1. SITE AND LAND USE

The proposed development is situated in Wilderness, Western Cape. See Annexure A: Site Locality Plan for the satellite photo of the site. The boundaries as per compass direction are as follows:

- Northern Boundary - George Road/public parking neighbouring the property.
- Eastern Boundary - Erf 197 utilised as restaurants and commercial property.
- Southern Boundary - Re. Erf 195 Utilised as commercial property
- Western Boundary - Leila's n public road

The development consists of an existing building in the Wilderness central area that was originally used as a commercial property with business rights. The intent is to develop the property to be a small restaurant.

See attached Annexure B: G823 – SDP_05-11-2024 for the general development layout of the erf.

2. ROADS AND STORMWATER

Access to the development will be via the existing unobstructed access in the Northern boundary of the erf coming from George Road with a width of 5.1m. George road to the Northern side of the development has a bituminous surface. All internal road surfaces will be pavers. The internal roads and parking will adhere to the zoning scheme with a total of 7 parking bays, of which one is a dual-purpose bay to be utilised as a loading bay outside of business hours and a general parking within business hours. The roadways will be a minimum of 7.5m wide which adheres to the minimum space needed for parking bays on either side of the roadway.

Stormwater run-off will be routed via roadside kerbs and pipes and discharged to the existing municipal stormwater system via an existing stormwater connection on the western boundary of the erf.

The requirements Design Guideline for New Developments will be adhered to.

The contours of the site are such that during an excessive flood situation, overland flow of stormwater run-off will be channelled via the roads as “channels” and emergency overflow area into the existing road system on the northern boundary of the development. No stormwater will be discharged onto neighbouring properties.

3. WATER SUPPLY

The existing development has an existing water connection on the North-Eastern corner of the erf as indicated on the G823 – SDP_05-11-2024 in Annexure B. This domestic potable water supply is a direct supply from the existing 75mm Φ AC municipal line running along the northern boundary of the development.

This same line will also feed the fire line connection to the development.

4. SEWER DRAINAGE

The development on Erf 196 will generate approximately 0.67 kl effluent per day based on average daily flow. The property has an existing sewerage connection on the South-western corner of the erf.

5. SUMMARY AND CONCLUSION

From investigations of the infrastructure detailed in this report, it is evident that municipal and internal services are already in place. We are thus of the opinion that the proposed development is a feasible and sustainable development.

CIVIL ENGINEERING SERVICES REPORT

1. INTRODUCTION

S&Z Consulting (Pty) Ltd were appointed by Point Village Restaurant 2 CC to prepare a report on the Civil Engineering Services for the development of Erf 196, George.

The following services are considered:

- 1.1 Access and internal roads
- 1.2 Stormwater drainage
- 1.3 Water supply (potable) for domestic use.
- 1.4 Sewer drainage

2. DESCRIPTION OF SITE

The proposed development is situated in Wilderness, Western Cape. See Annexure A: Site Locality Plan for the satellite photo of the site. The boundaries as per compass direction are as follows:

- Northern Boundary - George Road/public parking neighbouring the property.
- Eastern Boundary - Erf 197 utilised as restaurants and commercial property.
- Southern Boundary - Re. Erf 195 Utilised as commercial property
- Western Boundary - Leila's n public road

The development consists of an existing building in the Wilderness central area that was originally used as a commercial property with business rights. The intent is to develop the property to be a small restaurant.

See attached Annexure B: G823 – SDP_05-11-2024 for the general development layout of the erf.

3. PROPOSED LAND USE

The property will be utilized as a small restaurant.

4. ROADS

4.1 General Information

Access to the development will be via the existing unobstructed access in the Northern boundary of the erf coming from George Road with a width of 5.1m. George road to the Northern side of the development has a bituminous surface. All internal road surfaces will be pavers. The internal roads and parking will adhere to the zoning scheme with a total of 7 parking bays, of which one is a dual-purpose bay to be utilised as a loading bay outside of business hours and a general parking within business hours. The roadways will be a minimum of 7.5m wide which adheres to the minimum space needed for parking bays on either side of the roadway.

4.2 Internal Road Classifications

The classification of the internal roads is summarised in Table 2.

Table 2: Road Classification

DESCRIPTION	CLASS NO.	FUNCTION	ROAD WIDTH
Entrance road	4	Local distributor, split into one entry and one exit lanes.	5 m
Internal roads	4	Residential access collector, min. 7.5m road will have 90° parking on both sides	7.5m

The developer will be responsible for the cost of the entrance- and internal roads.

4.3 Pavement Design

The pavement designs will be based on traffic volumes and ground conditions. The roads and parking areas will have a hard surface with a design life of minimum 20 years subject to regular maintenance.

The pavement design of the roads will be as follows.

Wearing	60mm Interlocking Cement brick paver
Subbase	150 mm subbase (G5 material) compacted to 95% Mod AASHTO density, CBR >45, MAX SIZE 63mm, PI < 10, stabilized with 2.5% cement forming a C4 material
Upper selected sub-grade	150 mm selected layer (G7 material, imported) compacted to 95% MOD AASHTO, CBR > 15
Lower selected sub-grade	150 mm selected layer (G7 material, from site excavation) compacted to 93% MOD AASHTO, CBR >15
In-Situ material	Compacted to 90% MOD AASHTO density

5. STORMWATER DRAINAGE

5.1 Design

The stormwater system will be designed in accordance with “Guidelines for the Provision of Engineering Services in Residential Townships” (Red Book). It will consist of pipes, roadside channels/kerbs and inlet structures (catchpits) that will drain the roads and hard-surfaced areas. The stormwater system will be designed for a 1:5 year flood return period. Larger floods will be accommodated via the roads as “channels”.

5.2 Stormwater Management

Stormwater run-off will be routed via roadside kerbs and pipes and discharged to the existing municipal stormwater system via an existing stormwater connection on the western boundary of the erf.

The requirements Design Guideline for New Developments will be adhered to.

The contours of the site are such that during an excessive flood situation, overland flow of stormwater run-off will be channelled via the roads as “channels” and emergency overflow area into the existing road system on the northern boundary of the development. No stormwater will be discharged onto neighbouring properties.

The goal of the stormwater management system will be to prevent any negative impact on adjacent properties and to prevent erosion. The stormwater design will comply with Stormwater Management Planning & Design Guideline for New Developments.

6. WATER SUPPLY (POTABLE)

6.1 Internal Water Supply

The internal water supply will be designed in accordance with “Guidelines for the Provision of Engineering Services in Residential Townships” (Red Book).

The development calculations will be based on that of a business/commercial property yielding 0.65kl/day. The alternative is using a yield of 10 L/person as indicated for a restaurant but seeing that the size of the restaurant is so small the yield calculates to 350 L/day which is unrealistic. Thus the higher yield as set out by Table J.4 as per Section J. Water of the Red Book as this is the main purpose of the facility is used.

Average annual daily demand (AADD):	= 728 l/day
Gross average annual demand (GAADD)	= Allow 15% losses
Maximum static head	= 90 m
Minimum residual head (fire + domestic)	= 25 m
Fire flow at any one hydrant under domestic peak flow	= 20 l/s
Fire flow at any one hydrant under hospital peak flow	= 50 l/s
Pipe type	= AC

The estimated demand figures are shown in Table 3. These figures are based on the recommended figures of the Red Book.

Table 3: Water Demand of 1 On York Development

DESCRIPTION	NO. OF UNITS (m ²)	UNIT DEMAND kl/day	TOTAL DEMAND	
			DEMAND kl/day	DEMAND + 15% LOSSES kl/day
Business/commercial	112	0.65	0.728	0.8372
TOTAL DEMAND			0.728	0.8372

6.2 External Water Supply

The potable water for this development will be supplied by City Council.

The existing development has an existing water connection on the north-eastern corner of the erf as indicated on the G823 – SDP_5-11-2024 found in Annexure B. This domestic potable water supply is a direct supply from the existing 75mm Φ AC municipal line running along the northern boundary of the development.

This same line will also feed the fire line connection to the development.

7. SEWER DRAINAGE

The sewer design will be done in accordance with “Guidelines for the Provision of Engineering Services in Residential Townships” (Red Book).

7.1 Design Criteria

Dwellings/Group houses/Town Houses

General Average daily flow kl/m ² /day	=	0.52 kl/m ² /day (80% of 0.65 kl/m ² /day)
Average daily flow for development	=	0.670 kl/day (80% of 0.8372 kl/day)
Peak flow factor	=	2,5 (max of recreational facilities)
Capacity of sewer	=	50% full
Sewer type	=	uPVC
Minimum velocity	=	0,6 m/s

7.2 Sewerage Reticulation

The development on Erf 196 will generate approximately 0.67 kl effluent per day based on average daily flow. The property has an existing sewerage connection on the South-western corner of the erf.

The capacity of the existing municipal sewerage works will stay unchanged as the new development is well within the usage approved for the current use of the property.

Development sewage drainage flows:

Total average daily flow	=	0.00775 l/s
Peak flow	=	0.0194 l/s

8. SUMMARY AND CONCLUSION

From investigations of the infrastructure detailed in this report, it is evident that internal services can be provided for the proposed development in a feasible and sustainable manner. The capacity of the master services of the George Municipality will also be unaffected as the land-use purpose of this facility is unchanged from previous approvals.

Annexure A: Site Locality Plan



Annexure B: G823-SDP 05-11-2024



ANNEXURE N:

Milkwood Tree Study



WIL24/1358/01

12 November 2024

Attention: Ruben van Schalkwyk
Marke Vreken Town Planners CC

BY Email

RE: REQUEST FOR A PROTECTED TREE STUDY FOR THE PROPOSAL ON ERF 196, GEORGE ROAD, WILDERNESS

Hiland Environmental, independent Environmental Assessment Practitioners (EAPs) have been requested by Marike Vreken Town Planners to assist in providing a protected tree study based on the proposal for erf 196, Goerge Road, Wilderness. This letter is in response to the Pre-application planning comments provided by George Municipality (29 October 2024).

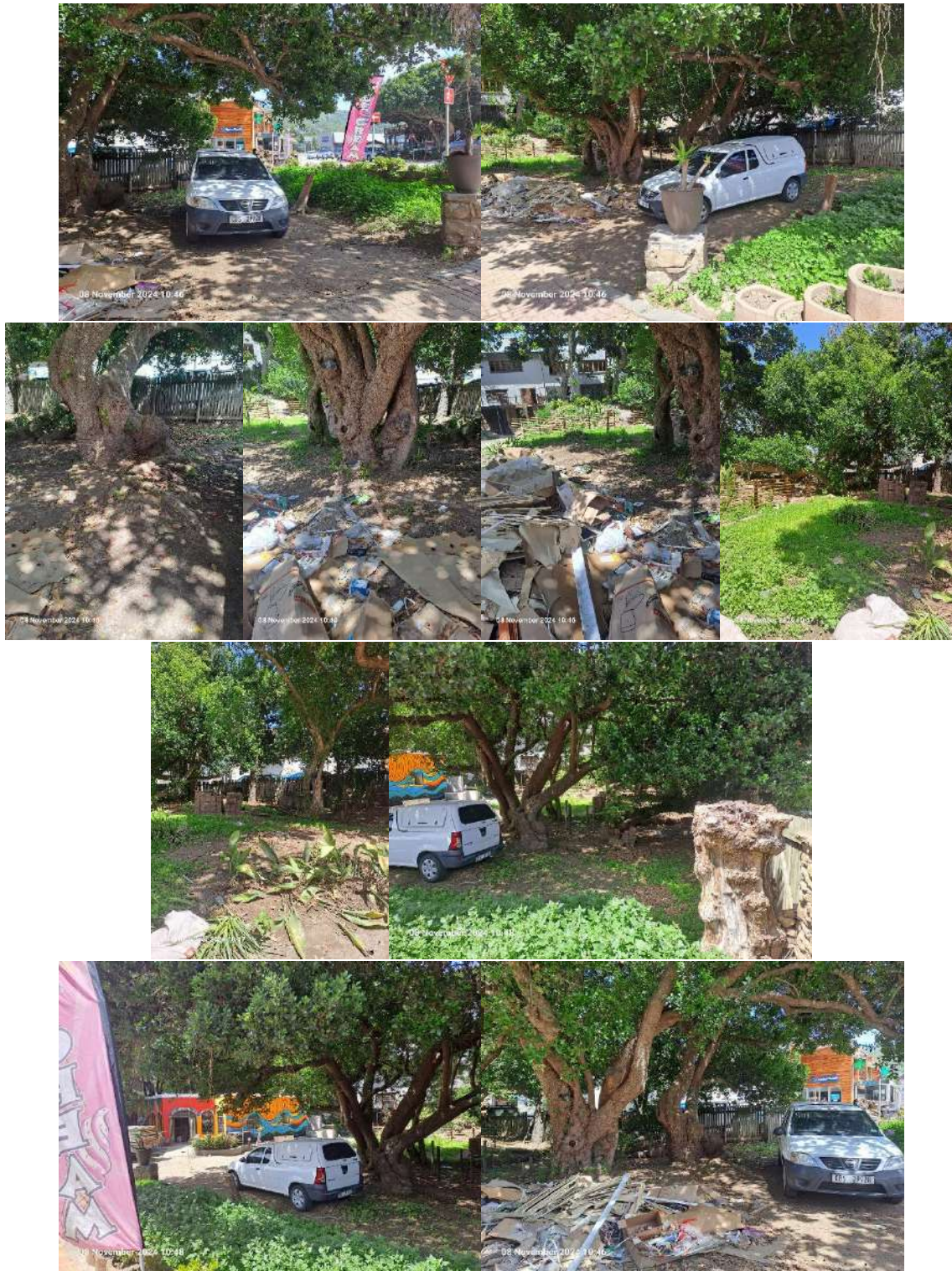
Erf 196, a Business Zone IV erf, is located along George Road, Wilderness. The proposal entails the conversion of the existing building on the erf to a restaurant and providing outside decking for seating and parking areas.



The erf supports protected trees (approximately eight (8) adult trees; milkwood and yellowwood trees) with their canopy cover covering a large area of the erf.

In order to avoid damage to the protected trees, the following is proposed.

The parking area proposed should make use of grass blocks or similar permeable paving to reduce the impact on the root zone of the mature trees. Extreme care will be required to not excavate into the root zone of the trees, but rather keep the ground levels as they are currently with the grass blocks placed above the current ground levels to rest above the ground level. Excavation around mature milkwood and yellowwood trees and compaction for parking will negatively impact on the trees and can result in them dying back over time. The current use of the area under the trees should be improved through the use of permeable paving as there is currently random parking and activities under the trees (photographs provided below).



Where seating and play areas are proposed under the protected trees, it would be recommended that these areas are on raised wooden decks so that the impact on the trees and compaction of the forest floor is reduced and that there is no change to the infiltration of water to the root zone area.



Proposed site plan showing the existing building and associated infrastructure and surveyed protected trees and canopy cover



Proposed site development plan (protected tree trunks indicated by the green circles)

Based on the site layout proposed, there is no intention to remove any of the protected yellowwood or milkwood trees. It is however likely that they may require pruning of lower branches which may, if the pruning does not fall within the allowable % pruning of protected trees in an urban area garden, require a NFA licence from Forestry. Currently it would appear that there has been regular pruning of lower branches in terms of the NFA exemption regulations.

Requirements –

- Department of Forestry’s (DFFE, Knysna) comments will be required on the proposal.
- A licence in terms of Section 15 of the National Forest Act (NFA) may be required for the larger pruning of the trees.

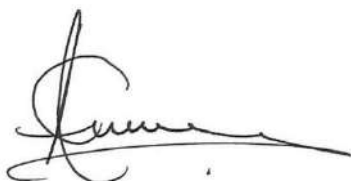
In terms of mitigation measures the following is recommended:

- Any structures proposed under the trees will need to be on a slightly raised wooden deck to avoid compaction of the root zone and damage to the trees.
- Parking under the trees will need to be done with care and long-term damage to the root zone must be avoided.
- Parking will need to be at natural ground level (no excavation in the root zone). Use of a permeable paver (like a grass block) is proposed so that there is no change to the water infiltration or compaction under the trees which would negatively impact on their root zone.
- The layout of parking should be confirmed on site based on where access is possible on site without requiring any excavation in the root zone of the trees. Parking should be designed to fit between the trees and no clearing trees to fit parking bays should be permitted.

- Pruning of lower branches is likely to be necessary, this must be done by a professional horticulturist (Tree Doctor) after the required NFA licence has been issued.
- Pruned branches must be sealed with tree-sealer and trees need to be fed and watered as required (to be advised by the Tree Doctor) to ensure their long-term continued health.

Please do not hesitate to contact this office should you require any additional information

Kind regards,

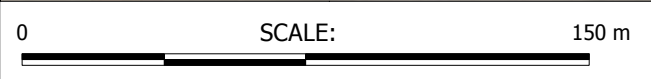
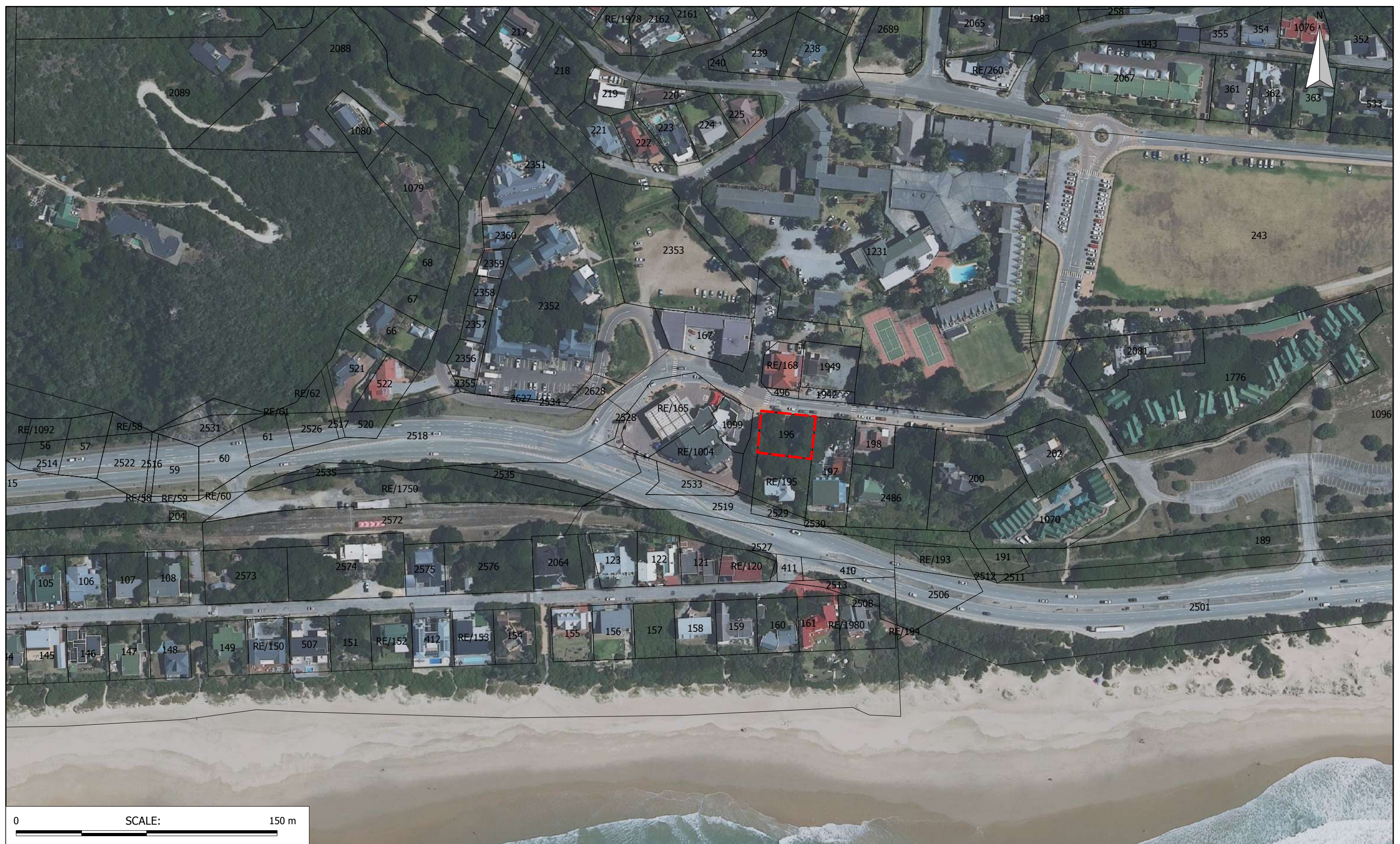
A handwritten signature in black ink, appearing to read 'Cathy Avierinos', with a long horizontal flourish extending to the right.

Cathy Avierinos

For Hilland Environmental

PLAN 1:

Locality Plan



WILDERNESS ERF 196

LOCALITY PLAN



Projection: Transverse Mercator
 Centre Lon: 22°34'30" E
 Centre Lat: 33°59'39" S
 Created: 2024/10/11
 Scale: 1:2000

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Marike Vreken
 Urban & Environmental Planners


21 Trotter Street, P.O. Box 2180
 KNYSNA, 6670



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PLAN 2:








Site Development Plans

LEGEND

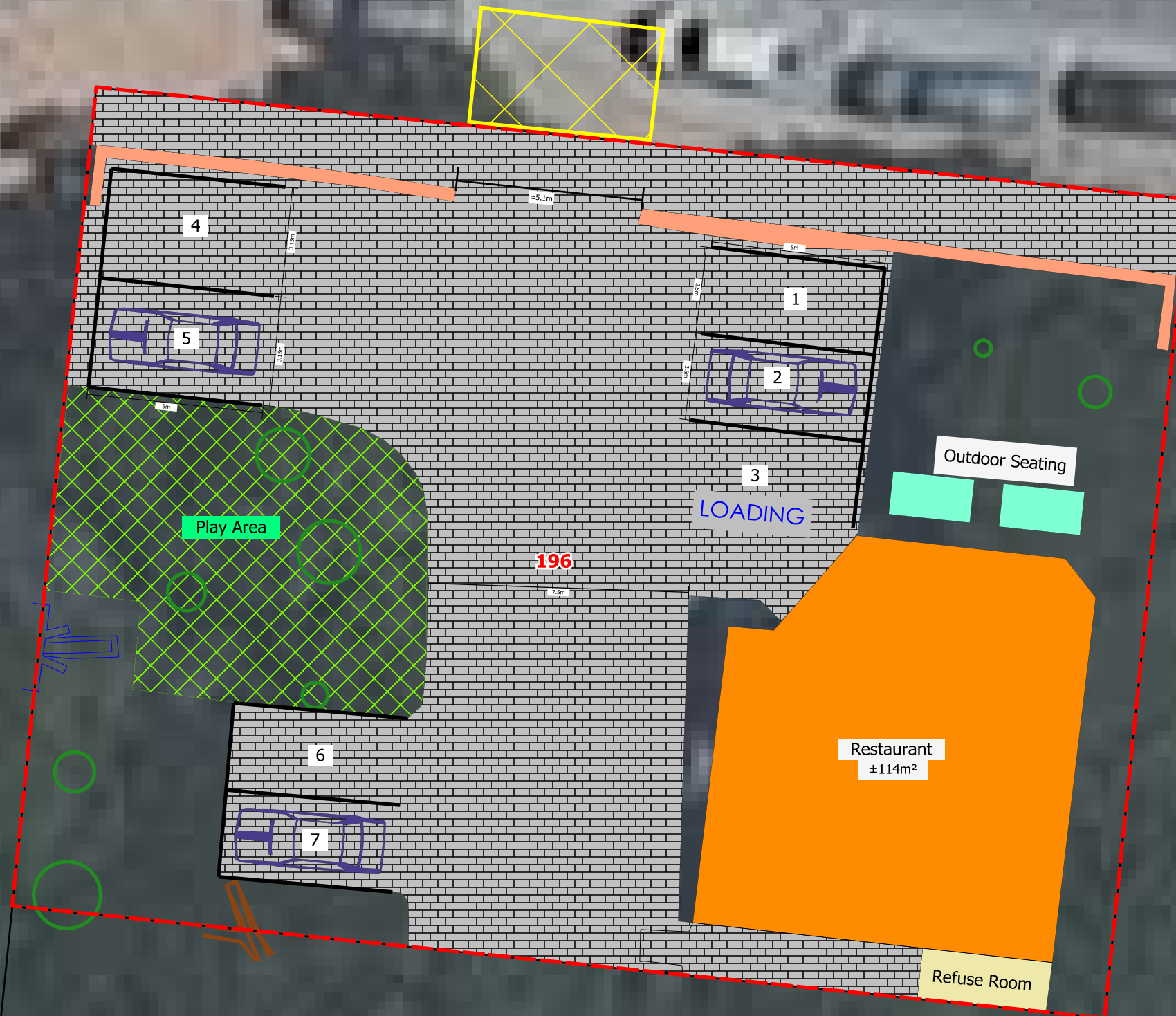
-  The Property

- Environment**
-  Milkwood Trees (Trunks)
-  Milkwood Trees (Branch)

- Access & Parking**
-  Parking Bays
- * 4x bays per 100 m² GLA
- * 7 Parking Bays Provided Including Loading Bay
-  Combined Access & Exits (±5.1m)

- Structures**
-  Outdoor Seats
-  Paving
-  Play Area ±80m²
-  Refuse Room ±5m²
-  Restaurant (Existing) ±112m² in extent
- * ±112m² in extent
-  Retaining Wall
-  Stormwater

- Coverage: ±16%
- Floor Factor: 0.16
- GLA: ±101m²



0 SCALE: 10 m

WILDERNESS ERF 196

SITE DEVELOPMENT PLAN






Projection: Transverse Mercator
 Centre Lon: 22°34'32" E
 Centre Lat: 33°59'39" S
 Plan No: PR2465/SDP/03
 Created: 2024/11/08
 Scale: 1:150












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LEGEND

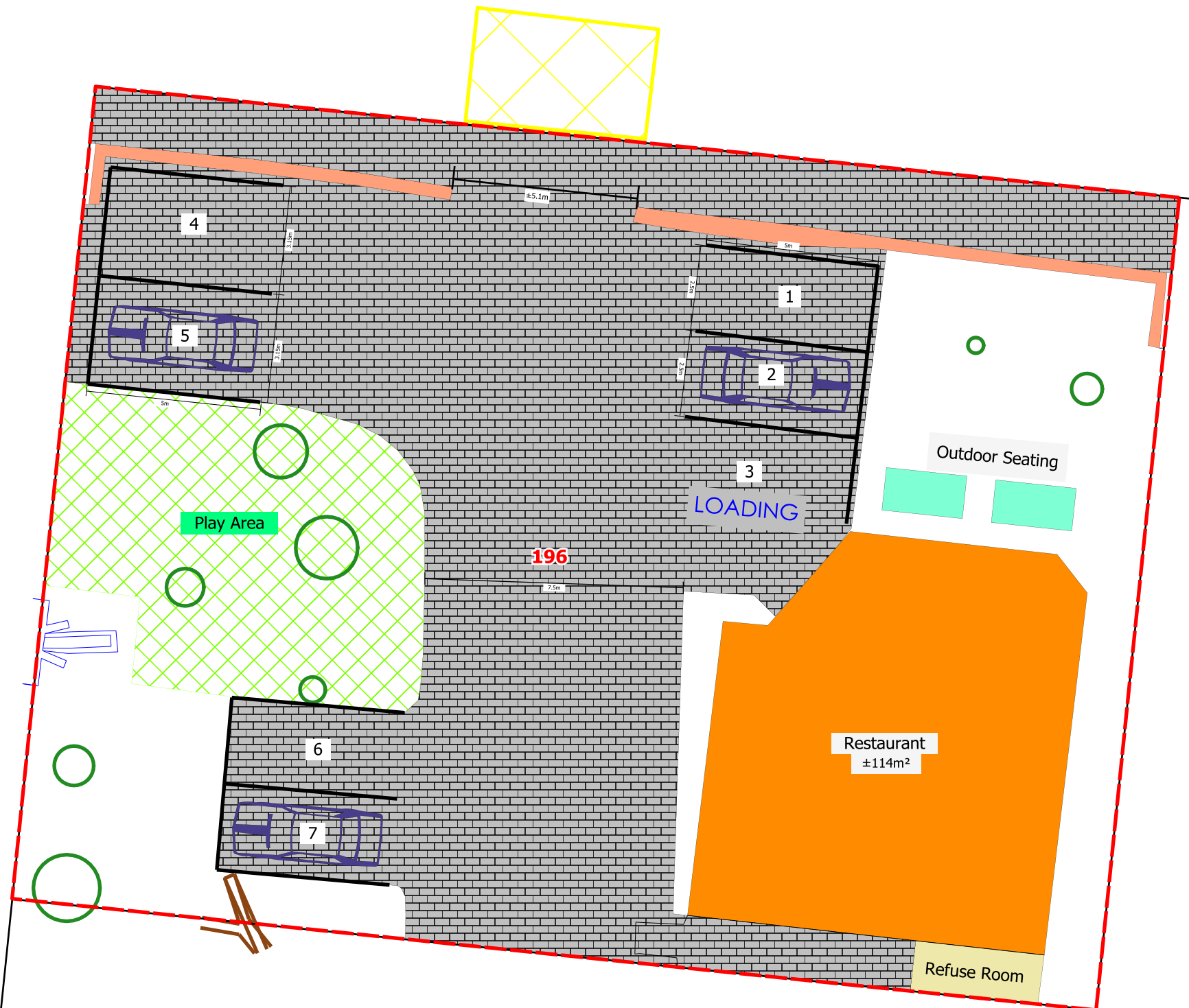
-  The Property

- Environment**
-  Milkwood Trees (Trunks)
-  Milkwood Trees (Branch)

- Access & Parking**
-  Parking Bays
- * 4x bays per 100 m² GLA
- * 7 Parking Bays Provided Including Loading Bay
-  Combined Access & Exits (±5.1m)

- Structures**
-  Outdoor Seats
-  Paving
-  Play Area ±80m²
-  Refuse Room ±5m²
-  Restaurant (Existing) ±112m² in extent
- * ±112m² in extent
-  Retaining Wall
-  Stormwater

- Coverage: ±16%
- Floor Factor: 0.16
- GLA: ±101m²



WILDERNESS ERF 196

SITE DEVELOPMENT PLAN



Projection: Transverse Mercator
 Centre Lon: 22°34'32" E
 Centre Lat: 33°59'39" S
 Plan No: PR2465/SDP/03
 Created: 2024/11/08
 Scale: 1:150



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PLAN 3:

Land Use Plan

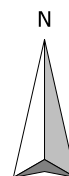
LEGEND

-  The Property
-  Business
-  General Accommodation
-  Mixed Use
-  Open Space & Public Parking
-  Petrol Station
-  Single Residential
-  Tourist Accommodation
-  Utility




**WILDERNESS ERF 169,
DIVISION GEORGE MUNICIPALITY**

LAND USE PLAN





Projection: Transverse Mercator
Centre Lon: 22°34'34" E
Centre Lat: 33°59'39" S
Created: 2024/11/06
Scale: 1:1800

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Marike Vreken
Stads & Omgewingsbeplanners
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