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PROPOSED PERMANENT DEPARTURES FOR KEMP EIENDOMS TRUST

**ERF 2333 GEORGE, 71 CRADOCK STREET, GEORGE CBD
GEORGE MUNICIPALITY & DIVISION**



CONTENTS

1. BACKGROUND INFORMATION & PROPERTY DETAILS.....	3
2. APPLICATION	3
3. CONTEXTUAL INFORMANTS	3
4. DEVELOPMENT PROPOSAL	5
4.1 Public Interest	6
4.2 Municipal Engineering Services & Access	6
4.3 Environmental Considerations	7
4.4 Heritage Considerations	7
5. CONSIDERATION OF THE APPLICATION.....	8
5.1 STATUTORY INFORMANTS.....	8
5.1.1. SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA).....	8
5.1.2. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)	9
5.1.3. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2023.....	9
5.1.4. GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS)	9
5.2 SPATIAL PLANNING INFORMANTS	10
5.2.1. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023).....	10
5.3 NEED & DESIRABILITY	12
5.4 PRE-APPLICATION CONSULTATION	13
6. CONCLUDING	14

Annexures

1. POWER OF ATTORNEY
2. COPY OF TITLE DEED
3. BONDHOLDER'S CONSENT
4. COPY OF SURVEYOR-GENERAL DIAGRAM
5. CONVEYANCER'S CERTIFICATE
6. LOCALITY PLAN
7. SITE DEVELOPMENT PLAN
8. PRE-APPLICATION CONSULTATION (AUGUST 2024)

Aerial images:

<https://gis.elsenburg.com/apps/cfm/#>

<https://gis.george.gov.za/portal/apps/webappviewer/index.html?id=0283eccf869641e0a4362cb099290fca>

<https://www.google.com/earth/>

Authors of this report:

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PROPOSED PERMANENT DEPARTURES
ERF 2333 GEORGE, 71 CRADOCK STREET, GEORGE CBD
GEORGE MUNICIPALITY & DIVISION

1. BACKGROUND INFORMATION & PROPERTY DETAILS

Erf 2333 George is a developed property located in the George CBD. The property currently has a dwelling house with outbuildings on of which a section of the dwelling house (about 70m²) is used as a showroom. The showroom exceeds the allowable size for a home occupation and a permanent departure is required accordingly.

Marlize de Bruyn Planning was appointed to address the land use requirements for the proposed home occupation on Erf 2333 George. The power of attorney is attached as **Annexure 1**. The table below shows the property details:

Property Description:	Erf 2333 George
Physical Address:	71 Cradock Street, George CBD, George
Owner:	Kemp Eiendoms Trust
Title Deed No:	T39165/2023 (Annexure 2)
Bond:	Yes, Nedbank (Annexure 3)
Size of the property:	1095m ²
Zoning of the property	Single Residential Zone I
SG Diagram	Annexure 4

A Conveyancer's Certificate is attached hereto as **Annexure 5**. It confirms no restrictive conditions that limit this land use application.

2. APPLICATION

This land use application for Erf 2333 George entails the following:

- **Permanent departure** in terms of Section 15(2)(a) of the George Municipality: Land Use Planning By-law (2023) for:
 - relaxation of the southwestern side building line from 3.0m to 2.7m for the existing additions to the house (covered braai stoep);
 - home occupation of 70m² in lieu of 60m²;
 - Increase in length of existing outbuilding from 12m to 13.430m along the northeastern boundary.

3. CONTEXTUAL INFORMANTS

Erf 2333 George is located in George CBD in Cradock Street just one erf row southeast of the Nelson Mandela Boulevard (NMB) activity corridor. The property is also located within the CBD functional area and densification zone. A locality plan is attached hereto as **Annexure 6**.

Erf 2333 George is a 1095m² residential property in the George CBD, an area specifically characterised by mixed land uses. Erf 2333 George abuts the Engen fuel station to the southwest, higher density residential developments to the northwest & northeast, and obtains access from Cradock Street to the southeast. The area and property have flat topographies.

This area of the George CBD is known for its diversity of residential typologies and properties with mixed business-residential land uses. Erf 2333 George is already developed with a dwelling house and outbuildings. Erf 2333 George is currently zoned Single Residential Zone I (dwelling house). The property is located in the CBD in an area with a mixed zoning character including Business Zone I (business premises), Business Zone II (shop), Business Zone VI (service station), General Residential Zone II (group housing), General Residential Zone IV (flats), and Single Residential Zone I (dwelling house).



The property abuts group housing to the northwest, flats to the northeast, Cradock Street to the southeast, and a service station to the southwest.

The structures on the property are currently used for a dwelling house, showroom, and garage/outbuilding. The showroom is however larger than 60m² and not in line with the relevant development parameter. The property has a 5m street building line and 3m side and rear building lines under SRZI. No new development is proposed on the property, so no new encroachments are expected. The section of the house that is used for the home occupation, is slightly larger than 60m² (maximum for home occupation as a primary land use right) and a subsequent departure is required to increase the floor area to 70m². The property has no environmental features thereon. Of the three storage structures/containers shown in the 2022 images of the backyard, two have been removed, and the area has been tidied to make space for parking. The last container will be removed within the near future. For consistency, the 2022 aerial imagery will be used throughout this report, even though it still shows the containers. However, the 2024 aerial imagery from Google confirms that the backyard has been cleared as described.



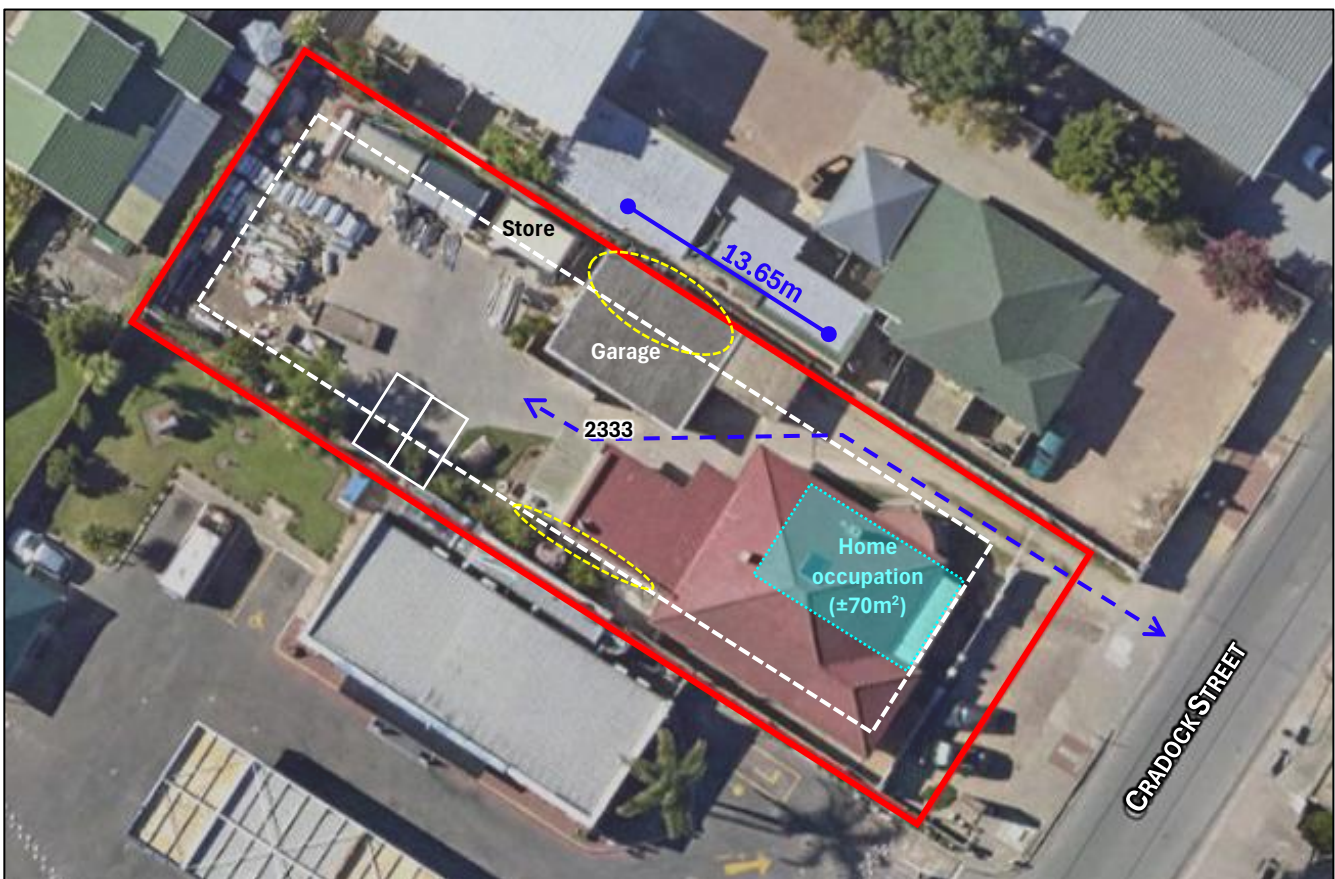
4. DEVELOPMENT PROPOSAL

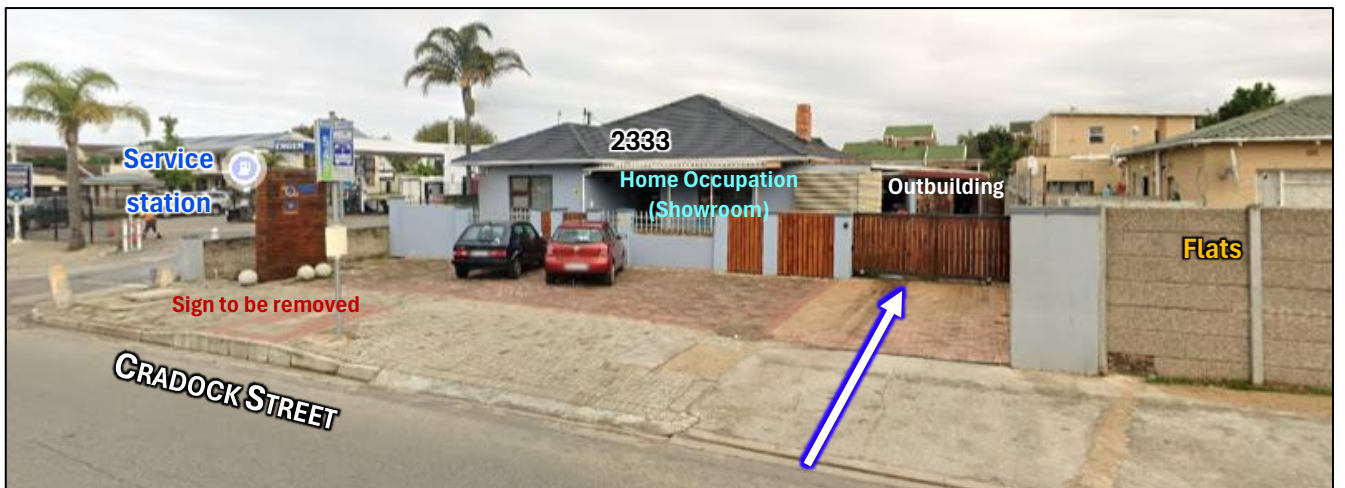
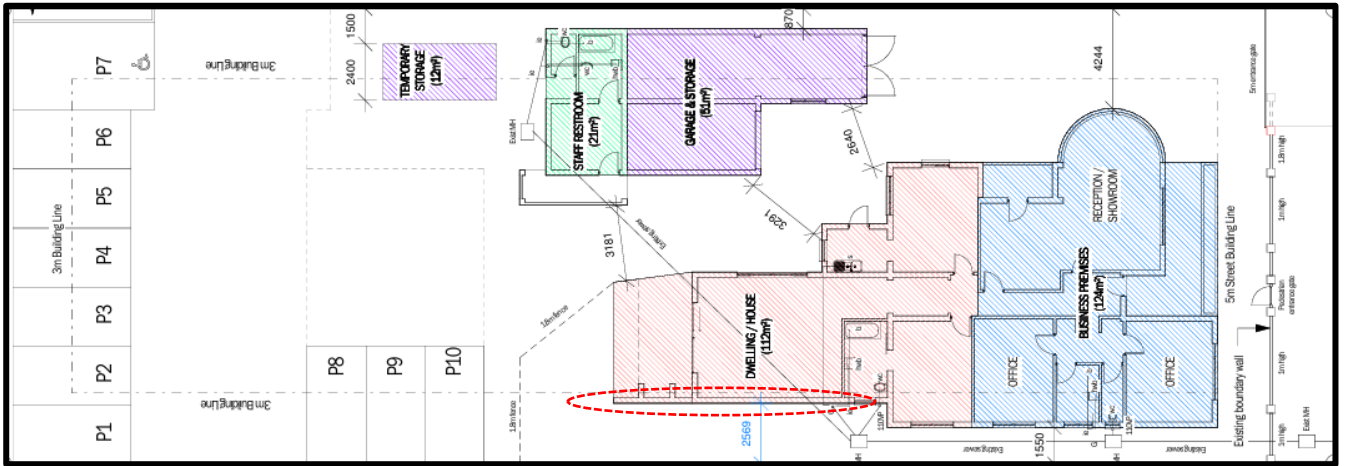
Erf 2333 George is located in the George CBD on Cradock Street, just southeast of the Nelson Mandela Boulevard activity corridor, and within the CBD functional area and densification zone. The property is currently zoned as Single Residential Zone I (SRZI). Existing structures on the property include a dwelling house and outbuilding. A section of the dwelling house is used for home occupation (showroom), which exceeds the 60m² limit permitted for home occupation.

Given the mixed-use character of the surrounding area, an increase in the home occupation area from 60m² to 70m² is proposed. This increase aligns with the nature of the area and is considered reasonable. Therefore, a permanent departure for the additional 10m² of home occupation space is requested. As seen on the floor plan (**Annexure 7**) only 39m² is directly used for the home occupation. 4m² is a coffee station, the foyer is 8m² and the front stoep is 17m². Any potential visitors to the home occupation (show room) have to go via the stoep and foyer. Therefore, these areas are included.

Additionally, a covered stoep was created for a braai at the rear of the property by the previous property owners without obtaining an approved building plan first. It encroaches the southwestern side boundary with 0.3m. This encroachment is not visible and is positioned ‘behind’ the fuel station’s shop, where it does not impact any neighbouring properties.

Alterations were also done to the outbuilding by enclosing the carport and extending the garage towards the street. Therefore, this outbuilding which also has a staff roof at the rear, is not 12.0m in total length but 13.430m. This land use application therefore includes the request to relax this development parameter. The section of the garage extended is 9.97m in length. Adding the staff room, pushes it over the 12.0m parameter. The increase in length did not add a full garage length. In other words, it did not create a tandem garage of ±12.0m. It created additional space for convenience and to better utilise the outbuilding for the property owner.





4.1 Public Interest

No negative impacts are anticipated on surrounding properties, as the proposed mixed land use aligns with the existing character of the CBD. The building line relaxations are minimal, not visually noticeable, and have been in place for many years. Since no new development is planned, the streetscape will remain unchanged, preserving the property's residential appearance.

4.2 Municipal Engineering Services & Access

The property has access to municipal water, water-borne sewerage, solid waste removal and electricity. This will not change.

The proposed home occupation will be approximately 70m². The parking requirements for home occupation is 1 bay per 25m² GLA. The total number of parking bays required on the property will thus be 3 bays under for the home occupation and 2 bays for the dwelling house, which is a total of 5 parking bays. The garage provides the required 2 parking bays for the dwelling house. The site plan (*Annexure 7*) shows 3 parking bays in the rear with ample manoeuvrability.

The access from Cradock Street will be widened to 5m to comply with the provision of the zoning by-law. The use of a portion of the property for home occupation purposes, is not a high intensity use with the limited space between the structures for vehicular access not seen as detrimental.

4.3 Environmental Considerations

The property has no natural features thereon, a flat topography, has been cleared of natural vegetation decades ago, is paved and landscaped, and within the urban edge and CBD. Thus, the proposed permanent departures for existing structures will not have a negative environmental impact in this location. It is expected that more landscaping will follow in relation to what is present on the property at this point in time.

4.4 Heritage Considerations

As seen on the 1957 aerial image to the right, the house and a section of the garage on Erf 2333 George is older than 60 years and protected in terms of the National Heritage Resources Act (25 of 1999). A partial change in use of the structures on the property (10m² more for home occupation) will not affect the heritage significance of the structures. Additions and alterations on the property were made by previous owners. The property owner is in discussion with a local heritage practitioner to address the matter.



5. CONSIDERATION OF THE APPLICATION

5.1 STATUTORY INFORMANTS

The criteria for the consideration of land use applications as per the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SLPUMA), the Western Cape Land Use Planning Act, (Act 3 of 2014) (LUPA) and the George Municipality: By-law on Municipal Land Use Planning (2023) builds on each other. SLPUMA introduced legislative and procedural changes to the management of land use planning in South Africa. The Western Cape Province followed with LUPA and thereafter George Municipality with the Municipal Land Use Planning By-law (2023). What is relevant to this land use application is discussed in the paragraphs to follow.

5.1.1. SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)

Section 7 of this Act sets out the five development principles that are applicable to spatial planning, land development and land use management and section 42 of SPLUMA then refers to the factors that must be considered by a municipal tribunal when considering a land use planning application, which include but are not limited to:

- Five SPLUMA development principles;
- Public interest;
- Constitutional transformation;
- Respective rights and obligations of all those affected;
- State and impact of engineering services, social infrastructure and open space requirements;
- Compliance with environmental legislation.

The five development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration are not all directly relevant to this land use application. The land use application for Erf 2333 George supports the relevant development principles of SPLUMA.

5.1.1.1. Five development principles

Spatial justice as described in Section 7(a) of SPLUMA is not relevant to this land use application.

Spatial sustainability as described in Section 7(b) of SPLUMA is not relevant as the natural environment will not be affected by this application.

- Prime and unique agricultural land is not affected by this land use application.
- Environmental matters are not relevant to this application.
- The effective and equitable functioning of land markets is not negatively affected by this land use application.
- All current and future costs to all parties for the provision of infrastructure and social services in land developments must be considered. The impact on infrastructure cannot be more than that of a dwelling house.
- Land development in locations that are sustainable and that limits urban sprawl, must be promoted. The proposed development is within the urban edge and CBD of George and contributes to this section of SPLUMA.

Efficiency as described in Section 7(c) of SPLUMA is supported. The efficient use of a property within the urban edge and CBD is proposed.

Spatial resilience as described in Section 7(d) of SPLUMA is not fully relevant to this land use application.

Good Administration as described in Section 7(e) of SPLUMA indicates the responsibilities of all involved in any land use matter.

5.1.2. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)

LUPA requires that local municipalities consider the following when deciding on land use applications:

- Applicable spatial development frameworks;
- Applicable structure plans;
- Land use planning principles referred to in Chapter VI (Section 59) which is an expansion of the five development principles of SPLUMA;
- Desirability of the proposed land use; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

The applicable spatial development frameworks are discussed in Paragraph 4.2 of this motivation report. The land use planning principles expands on the five development principles of SPLUMA which is discussed in foregoing paragraphs and desirability of the proposed land use is addressed in Paragraph 4.3 to follow.

Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans. Considering the aim of this land use application for Erf 2333 George, no conflict was found with the George Municipal Spatial Development Framework (GMSDF) – see Paragraph 4.2.1.

5.1.3. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2023

The general criteria for the consideration of applications in terms of this By-law are included in Section 65 which, inter alia, includes:

- Desirability of the proposed utilisation of land;
- Impact of the proposed land development on municipal engineering services;
- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans;
- Relevant municipal policies;
- Western Cape Provincial Spatial Development Framework;
- Section 42 of SPLUMA (public interest, constitutionality);
- Land use planning principles transposed from LUPA; and
- Provisions of the applicable zoning scheme.

The above is addressed elsewhere in this motivation report as relevant.

5.1.4. GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS)

Erf 2333 George is zoned Single Residential Zone I (dwelling house). Firstly, permanent departures are required for additions by previous property owners as described earlier in this report. The encroachment of the 3.0m side boundary (southwest) to 2.7m from the boundary, is for a covered braai area. A services station (shop) is located on the southwestern side which cannot be impacted on. If fuel safety is a consideration, the braai itself is about 30m from the underground fuel tanks with the service station building and the dwelling house in-between.

The covered braai area and the longer length of the outbuilding is not directly visible from the public street. The structures on the abutting properties to the sides, have a longer length than the 13.43m of the subject outbuilding. Also, the dwelling house of Erf 2333 George has a longer length than the outbuilding. It is therefore not out of character for this property or the area.

The dominant land use of the property will remain residential, and the secondary land use will be the home occupation of 70m². However, a permanent departure is required for the 70m² home occupation as the zoning scheme only allows 60m² home occupation as a primary right. The parking requirements for the land uses on the property will be as follows:

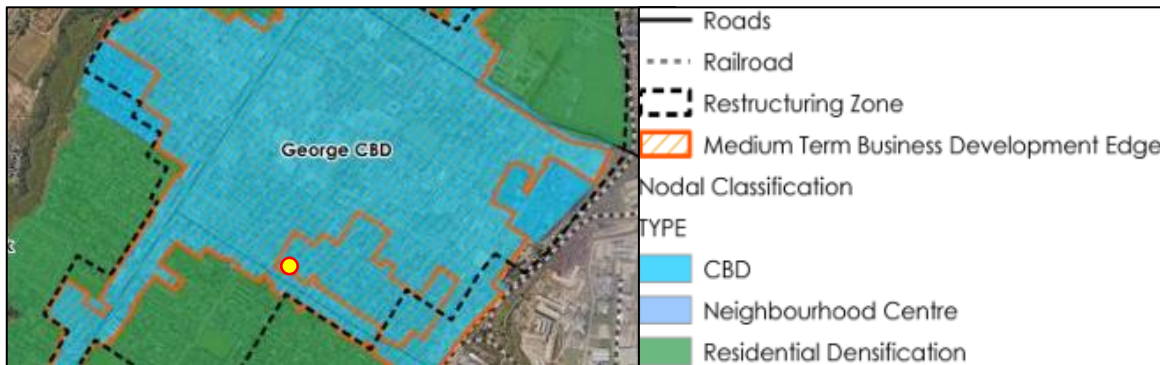
	NORMAL REQUIREMENTS		PROVIDED
HOME OCCUPATION (70m ²)	1 bay per 25m ² GLA	= 2.8	5
DWELLING HOUSE (166m ²)	2 bays per dwelling unit	= 2	2
TOTAL		5	5 bays

Under normal parking requirements, a maximum of 5 parking bays are required on the property. As shown on the site plan, 5 parking bays can easily be accommodated on the property of which one will be a disabled bay. The parking requirements will be met. The vehicular access from Cradock Street will remain where it is and will be 5.0m wide. The parking area will have more than sufficient space for vehicular manoeuvring. All relevant development parameters, including the provision of parking, will be complied with.

5.2 SPATIAL PLANNING INFORMANTS

5.2.1. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023)

Erf 2333 George is not addressed specifically in the GMSDF. It is in a mixed-use area of the CBD (Category A node) within the George urban edge. The property also abuts the Medium-Term Business Development Edge, is wholly within the densification zone, the CBD functional area, primary node, and is one property away from the Nelson Mandela Road Activity Corridor.



The George CBD is a high intensity mixed use area defined by a business edge applicable to the core area, including office use and high-density housing options. Revitalization and urban design focussed on the public realm, including pedestrian linkages, planning aimed at improving safety and shared management must be considered in all developments in the CBD. Two use categories are demarcated:

- i. The core (business Edge) area includes mixed uses such as retail, commercial, offices, residential and other, but excludes industrial; and
- ii. areas allocated to high density residential development Map 23.



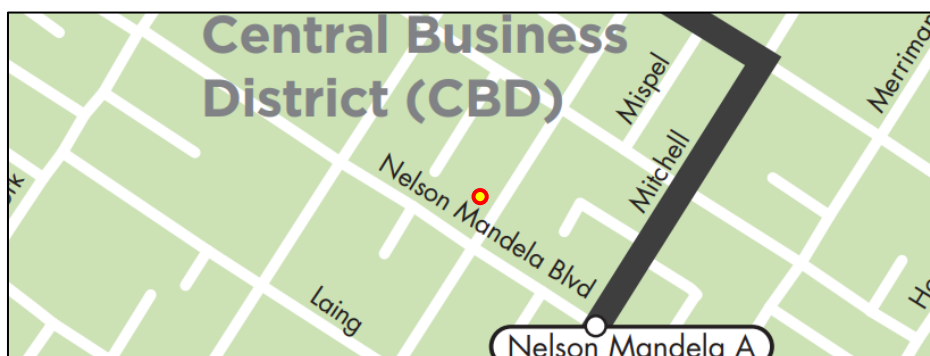
The SDF further states the following for the CBD (Category A node):

- *The Central Business district is the primary economic core of the city area, consisting of main businesses, commercial activities, corporate head offices, regional community services, transportation hubs and open spaces.*
- *Focusing on mixed land uses including high density residential.*
- *Development of flats advised to include retail components on ground floor.*
- *The CBD is subject to the restructuring zone together with the residential densification fringe, this fringe relates density in accordance with distance from public transport routes. Measured as walking distance from public transport route (80u/ha (or more to be motivated) for 150m, 60u/ha in 151-350m and 45u/ha for 351-500m.*

The SDF also states the following for the Nelson Mandela Road Activity Corridor:

- *Commercial Corridors refer to routes that form activity spines along which a mix of high-density urban uses should be encouraged, and public transport should be promoted.*
- *AMP to reflect roadside development environment.*
- *Fine grain access supported, or secondary access system provided.*
- *Activity (mixed use) corridor, along public transport route, with secondary access possibilities. Includes TOD opportunity, business/retail, industrial transition, tourism, higher density residential.*
- *Only existing offices (not extension of office use).*
- *Road design to support pedestrian orientated development and vehicle access should not be a priority for business use. Specifically aimed at supporting vibrant, existing street front activity.*

Erf 2333 George falls within the densification zone and abuts the business edge. So, a mixed use between residential and business is considered appropriate given its specific locality in the CBD. The property is less than 300m from the nearest public transport pickup point. The proposed backyard parking area directly supports a vibrant street front.



The following policies as set out in the SDF are supported by the proposed use of Erf 2333 George:

Policy A2:PG(d):

Promote appropriate classification of roads, access management and parking requirements that relate to a roadside development environment that supports the urban concept.

Policy B4:PG(a)&(b):

Protection of shared areas of economic activity and opportunity.

Policy B8:PG(a):

Encouraging integrated development (spatial integration - shared uses/access) with mixed typologies and densities in private/public development.

Policy C2.5:PG(b):

Promote walkability within the intensification zone (densification area and priority nodes).

Policy C2.6:PG(a):

Support Hierarchy of Nodes/Precincts and activity streets.

Policy F1:PG(a):

To celebrate built heritage assets in a manner that contributes to renewal, urban quality, and opportunity.

This land use application will contribute to the efficient use of a property within the George CBD and will support the mixed-use character of the direct and greater CBD area. The property is walking distance from public transport facilities and by placing the parking area at the rear of the property it directly supports and enhances the sense of place in Cradock Street. This report shows that the development proposal for Erf 2333 George, support with the aims of the GMSDF while retaining a residential character

5.3 NEED & DESIRABILITY

Need and desirability is the balancing of various factors.

Need

Need depends on the nature of a development proposal and is based on the principle of sustainability. This report has shown that the proposed departure for a 70m² home occupation on Erf 2333 George can have a positive impact on the character of the George CBD as a mixed-use area. It will also fulfil the property owner's need to live and operate their business from the same property. The permanent departures are to fulfil the need of the new property owner to submit as-built plans for the property.

Desirability

Desirability from a planning perspective is defined as the degree of acceptability of a proposed development on a property. The relevant factors include the physical characteristics of the property, existing planning in the area, character of the area, the locality and accessibility of the property as well as the provision of services. Another important consideration is the economic or financial impact which is only positive in this instance.

Physical characteristics of the properties

The physical characteristics of Erf 2333 George do not create conflict for the proposed application. The property is not within any environmentally restricting areas and no new development is proposed.

Existing planning in the area

As indicated earlier in this report, this land use application is not in conflict with the George Municipal Spatial Development Framework (GMSDF).

Character of the area

As discussed earlier in this report, the development proposal for Erf 2333 George will support the character of the area.

Provision of services

Existing municipal engineering services will continue to be used as provided at present.

Economic impact

This proposed mixed use of Erf 2333 George will form part of the economic network of the CBD.

Direct impact on surrounding properties

No neighbour will be overshadowed or overlooked considering no new development is proposed and the uses on the property will remain as it currently is.

It is our view that the need and desirability of the proposal for Erf 2333 George, showed no negative impacts.

5.4 PRE-APPLICATION CONSULTATION

The pre-application consultation is attached hereto as **Annexure 8** with the minutes discussed in the paragraphs to follow:

Town Planning:

- *Proposal for departure for home occupation can be considered.*

Noted

- *To specify parking schedule and sizes, access, manoeuvrability etc. on the site layout plan. In terms of the current site layout the feasibility of parking on site is not clear and seems to be unfeasible. All areas and dimensions to be shown on plan and to standard. Access to the back is problematic.*

See the site plan and the relevant paragraphs of this report. Ample parking and manoeuvring space is available. The reference to the access to the back being problematic, is not a problem for vehicles, even for the property owner's large bakkie.

- *To also indicate the type of land uses and associated areas designated for the uses.*

See the floor plans of Annexure 7.

- *Note that the property is of Heritage significance.*

Noted

- *To address the MSDF, LSDF, Zoning scheme etc.*

See the relevant paragraphs of this report.

- *No possibility to obtain land from Cradock Street.*

Noted.

CES:

- *Access: Restricted to Cradock Street, subject to the GIZS 2023 access table*

Addressed as relevant in this report

- *Parking: All parking to be provided on site in terms of the GIZS 2023 parking tables. No parking allowed within the road reserve. Movability of vehicle on site need to be confirm, which may require the input from Traffic engineer.*

Noted. Ample parking and movability provided.

- *DC's: Normal DC's, as per the DC policy, would be applicable.*

Noted.

6. CONCLUDING

The proposed increase of the floor area from 60m² to 70m² for the home occupation on Erf 2333 George is aligned with the mixed-use character of the George CBD and supports the efficient use of the property. This application aims to accommodate both business and residential uses without any new development, ensuring minimal impact on the streetscape and surrounding properties. The proposal complies with SPLUMA, LUPA, and the municipality's land use planning regulations. It enhances the local urban environment by supporting mixed-use development, maintaining heritage structures, and ensuring that as-built plans can be submitted. The provision of parking at the back of the property further supports the relevant design and streetscape principles that encourage a vibrant streetscape. The need and desirability factors indicate positive outcomes for the community and the property owner, contributing to the economic and social fabric of the area. Thus, the permanent departures application for Erf 2333 George is both necessary and desirable.

From this report, it is our opinion that the proposed land use application for Erf 2333 George as described in the foregoing paragraphs is consistent with all relevant considerations as prescribed by the planning legislation. It supports the recommended and desired vision of the CBD as a primary node and functional area.



MARLIZE DE BRUYN Pr. Pln

November 2024

Resolution & Power of Attorney

Kemp Eiendoms Trust (IT851/04(B), the registered owner of *Erf 2333, George Municipality & Division* hereby resolves to authorise *Marlize de Bruyn and Denise Janse van Rensburg of Marlize de Bruyn Planning* to submit the required land use application for the property in terms of Section 15(2) of the George Municipality: Land Use Planning By-law, 2023 for the property



JW Scheepers

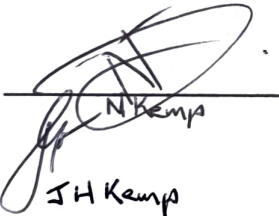
Date: 24/05/2024



Gary Kemp

27/05/2024

Date



N Kemp

JH Kemp

27 May 24

Date



Nadine Kemp

Witness _____

27/5/24

30/05/2024

Date



REPUBLIC OF SOUTH AFRICA

GEWYSIGDE / AMENDED

MAGTIGINGSBRIEF LETTERS OF AUTHORITY

Ingevolge Artikel 6(1) van die Wet op Beheer oor Trustgoed, 1988 (Wet 57 van 1988)
In terms of Section 6(1) of the Trust Property Control Act, 1988 (Act 57 of 1988)

No: IT 851/04 (B)

Hiermee word gesertifiseer dat /

This is to certify that

.....
JOHAN HENDRIK KEMP

.....
NOELINE KEMP

.....
JOHANNES WERNER SCHEEPERS

.....
GARY KEMP

.....
NADINE KEMP

.....
gemagtig word om op te tree as trustee(s) van die /
is/are hereby authorized to act as trustee(s) of the
KEMP EIENDOMS TRUST

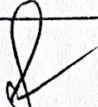
GEGEE onder my hand te op hede die dag van
GIVEN under my hand at BLOEMFONTEIN this day of year 2022

F. JANSEN
10 NOV 2022
Signature
SIC
ASSISTENT-MEESTER
ASSISTANT MASTER

Prepared by me

CONVEYANCER
JANINE FOUCHE
LPCM60411

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 2 900 000,00	R 2 014,00
Reason for Exemption	Category Exemption	Exemption i to. Sec/Reg Act/Proc

VERBIND MORTGAGED	
VIR FOR R 2 600 000,00	
B 000020160 / 2023	
15 SEP 2023	REGISTRAR/REGISTRAR

DATA / VERIFY
18 SEP 2023
Unathi Jonggo

T 000039165 / 2023

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

~~JANINE FOUCHE (60411)~~ RONELLE WILKINSON(97489)

appeared before me, the REGISTRAR OF DEEDS at CAPE TOWN, the said Appearer, being duly authorised thereto by a power of attorney granted to him by

CINDY CHARLENE DE JAGER
Identity Number 800602 0002 08 4
Married out of Community of Property

signed at GEORGE on 13 JULY 2023

And the Appearer declared that:

Whereas the Transferor had truly and legally sold the undermentioned property on 8 June 2023 by Private Treaty

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

DATA / CAPTURE
18 SEP 2023
Nomzamo Siyoko



The Trustees of KEMP EIENDOMS TRUST
Registration Number IT851/04 (B)

its successors in office or assigns, in full and free property

ERF 2333 GEORGE, IN THE MUNICIPALITY AND DIVISION OF GEORGE,
PROVINCE OF THE WESTERN CAPE

IN EXTENT 1095 (ONE THOUSAND AND NINETY FIVE) SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NUMBER T15145/1943 WITH
DIAGRAM NO. 1501/1943 RELATING THERETO AND HELD BY DEED OF
TRANSFER NO. T14414/2017

A. **SUBJECT** to the conditions referred to in Certificate of Consolidated Title No.
T15143/1943.

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

CINDY CHARLENE DE JAGER, Married as aforesaid

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

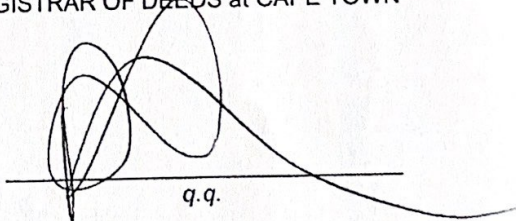
The Trustees of KEMP EIENDOMS TRUST

its successors in office or assigns, now is and henceforth shall be entitled thereto, conformably
to local customs; the State, however, reserving its rights, and finally acknowledging that the
purchase price is the amount of R2 900 000,00 (TWO MILLION NINE 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

15 SEP 2023


q.q.

In my presence


REGISTRAR OF DEEDS







04 November 2024

Bondholder's Consent Letter

Kemp Eiendoms Trust

1 Ada Avenue
Adamayview
Klerksdorp
2570

Dear Sir

OUR CLIENT: KEMP EIENDOMS TRUST
ACCOUNT NUMBER: 3000020481629
MORTGAGE BOND BY: KEMP EIENDOMS TRUST
OVER: ERF 2331 GEORGE

We refer to the above first mortgage bond registered in our favour.

Consent is granted for land use as per valuation comments :

- The application regarding residential use from 60% to 70% will not have a negative effect on the value as the main dwelling / structure was viewed as residential and was valued as such on the previous report
- The land use applications aim is understood to legalise the areas of the outbuilding and/or braai and will not have a negative effect on the value of the property
- Subject to Approval from Local Authority required, Municipality plans are required and Home Owners Cover to be updated

This consent shall not be construed as substituting, varying or novating any of your existing obligations to us nor shall it affect any security furnished by you in terms of your existing agreement save as provided for herein.

Authorised Signatory

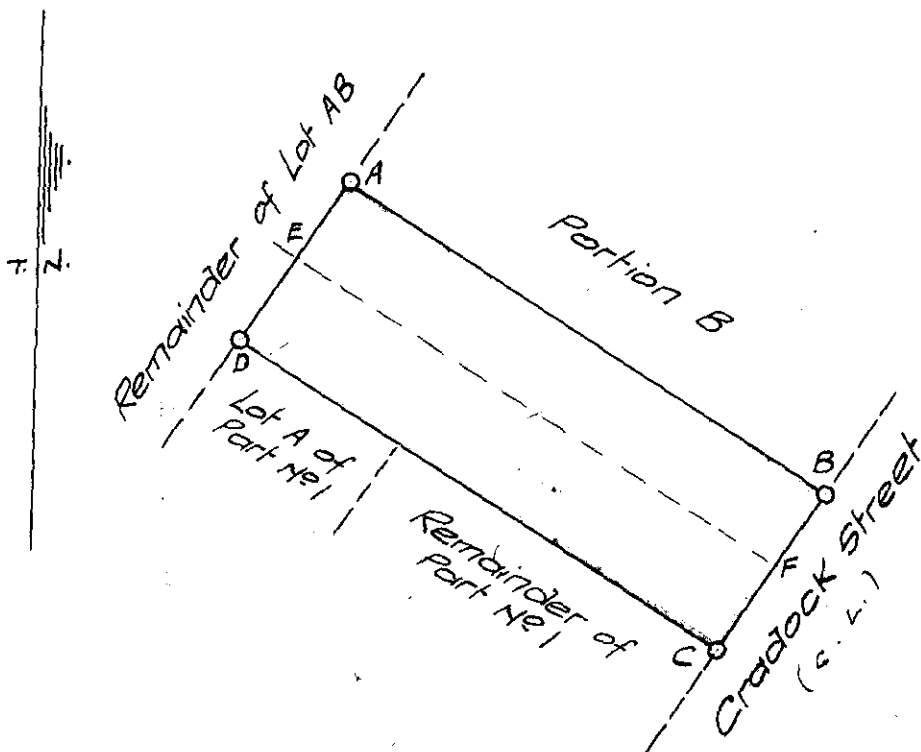
Authorised Signatory

SIDES Cape Feet		ANGLES	
AB	180.00	A	90.00
BC	61.34	B	90.00
CD	180.00	C	90.00
DA	61.34	D	90.00

S. G. No. 15/1943

Approved

R. E. Drumblton
Surveyor-General.
21-5-1943



Description of Beacons:

A.B = Iron pegs .18" x 1/2"
C.D = Iron pegs 1/2"



Scale 1:750

The figure A.B.C.D

represents

11,041

Square Feet of land being

* Portion A of Lot A.B

situate in the Municipality of George,
Division of George,

Province of Cape of Good Hope.

Surveyed in Nov! 1942 by me

R. E. Drumblton
Land Surveyor.

S

This diagram is annexed to dt.
No. 15445. d.d. 3. 12. 1943
i.f.c. J.J. Swosh.

Registrar of Deeds.

The original diagram is
No. 1500/1943 annexed to

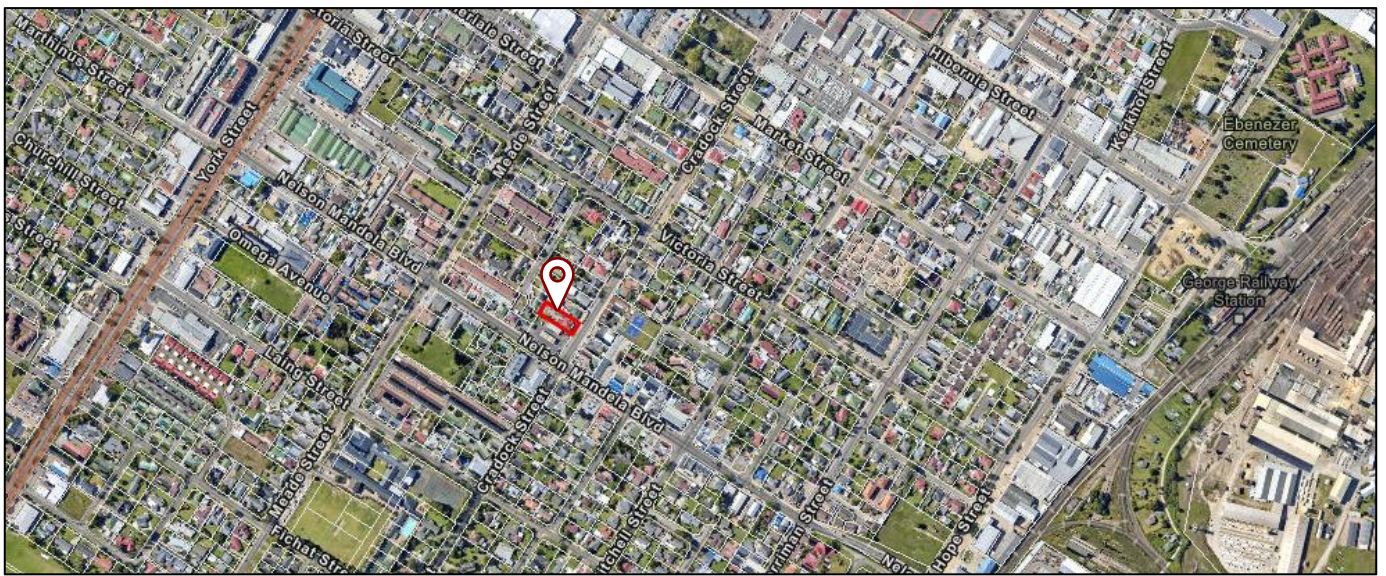
S. G. File No. S. 8775/77
S.R. No. E. 1469/42
George Tship St. 2.

NTD 81-700
B 11,041 **C**

[Handwritten signature]



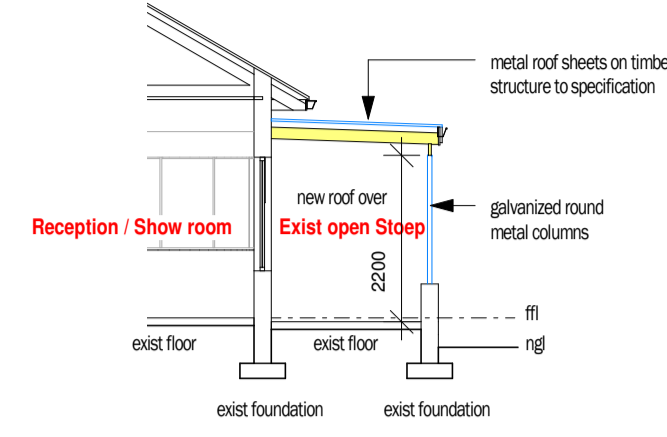
[Vertical handwritten notes on the right margin]



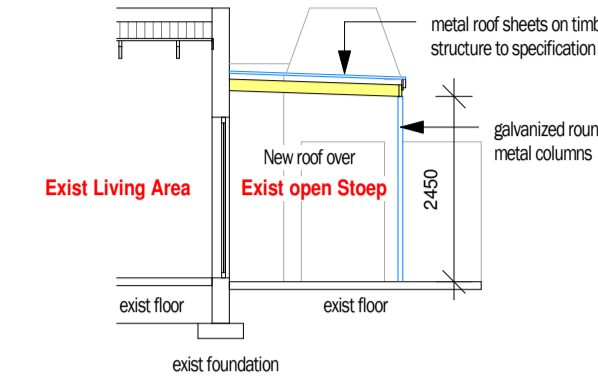
Copyright ©

ERF 2333
71 CRADOCK STREET, GEORGE CBD
GEORGE MUNICIPALITY & DIVISION

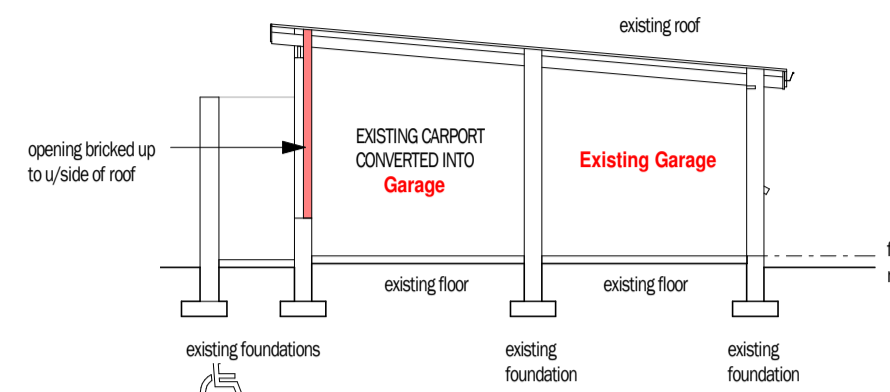
For scale refer to figured dimensions. Measurements always to be checked by Professional Land Surveyor.



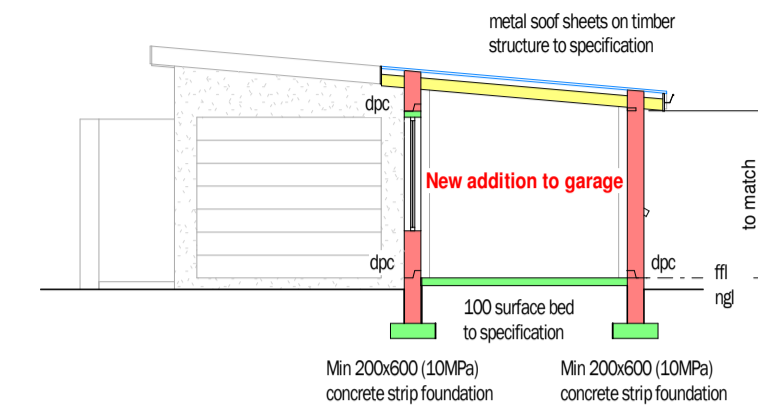
A SECTION A
1 : 100



B SECTION B
1 : 100



C SECTION C
1 : 100



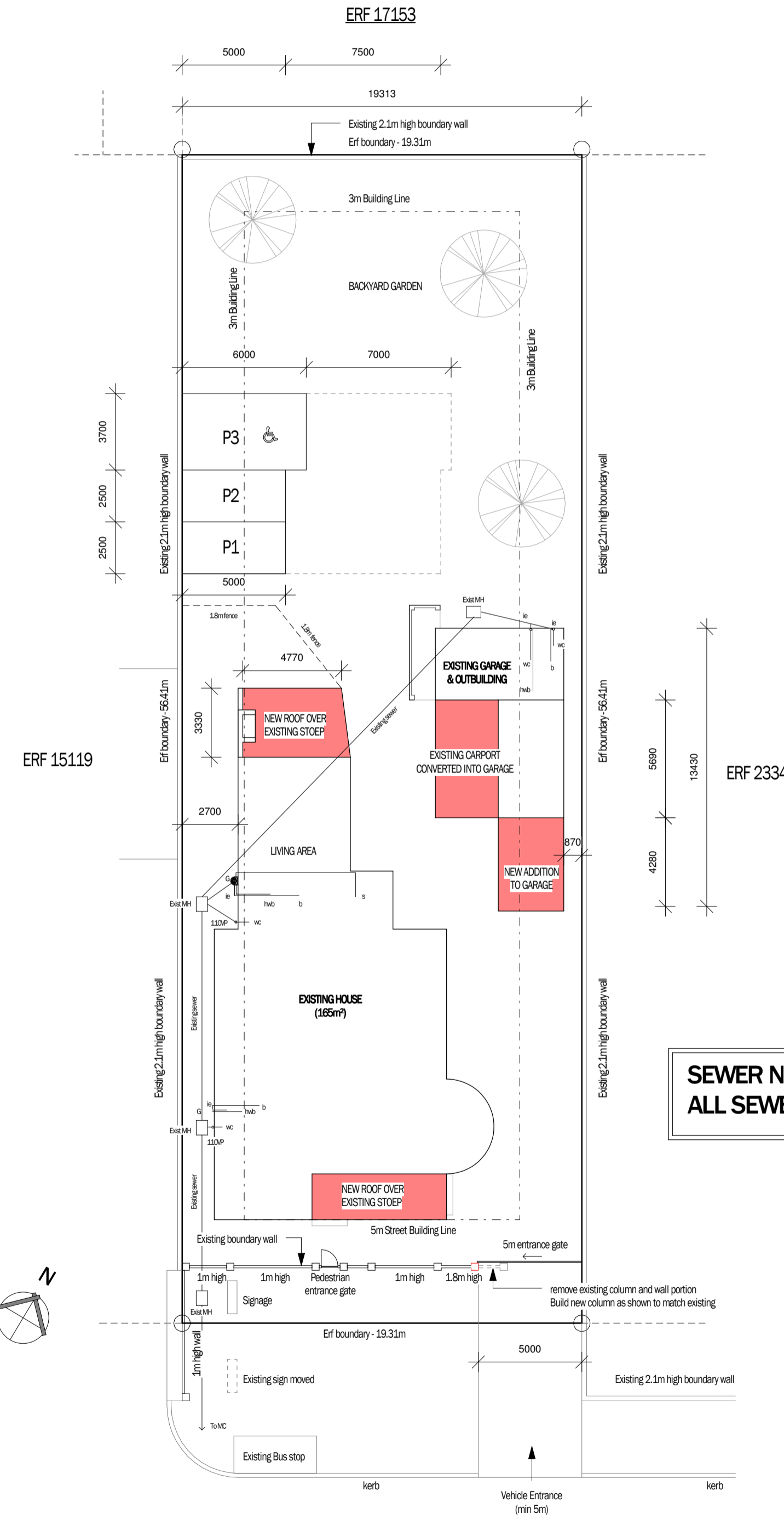
3 SECTION D
1 : 100

General Notes:

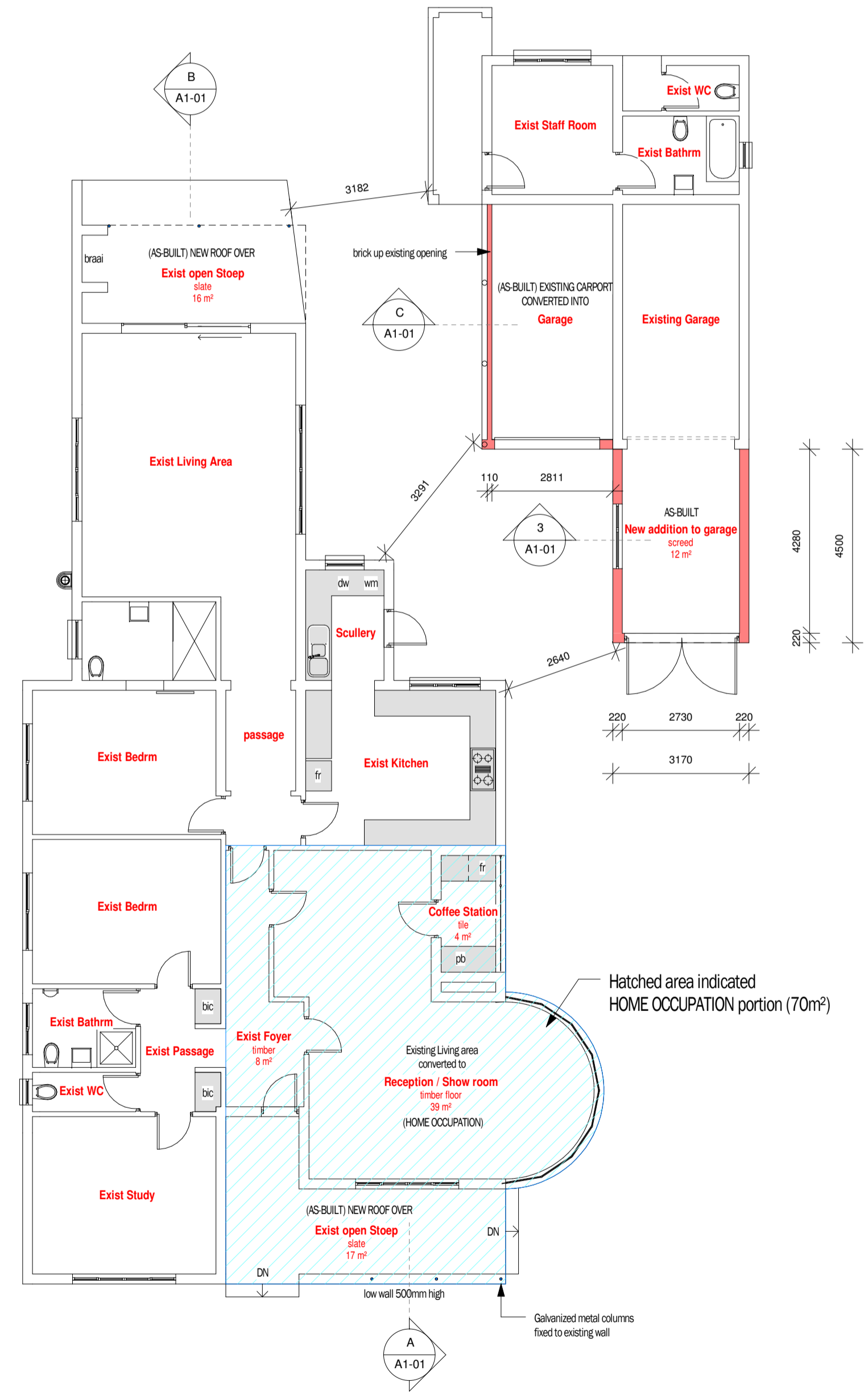
- * Habitable rooms to have min 10% light & 5% ventilation per floor area.
- * Roof overhangs - 200mm (Max 1m.)
- * All dimensions are metric and in mm.
- * All work must be done in accordance with NBR & SANS10400 & 1545
- * SANS10400 IA NOT REQUIRED.
- * All outer walls are 270mm plastered brick cavity walls unless stated otherwise.
- * All interior walls are 110mm plastered brick cavity walls unless stated otherwise.
- * All foundations are reinforced concrete to engineers specifications. Refer to geotechnical report for foundation details.
- * All concrete roof structures as per engineer's specifications & details.
- * All aluminum windows and doors as per schedule and supplier's spec
- * Glazing must comply with SANS1037. Aluminium to comply with AAAMSA.
- * All electrical & plumbing installation to be carried out by registered contractors as per NBR & SANS regulations.
- * All plumbing pipes to be 110mm uPVC (brown) / 50mm uPVC (green)
- * Minimum invert level @ 450mm / Gradient 1:5 - 60 / R/E max every 25m.
- * Gully @ 50mm AFGL (paving) / 150mm ANGL (ground)
- * 1 x 110 Open vent to extend to min 100mm above roof level.
- * Sewer shaft (if applicable): min 400x200.
- * All stairs: Treads: Min 250mm. Risers: Max 200mm. Max 3 winders.
- * All railing & balustrading as indicated. Min 1m height & no openings >100mm. All as per SANS10400.
- * Vehicular entrances: Min 2.7m & Max 4m width / min 10m to intersection.
- * Swimming pool. Fence min 1200mm with self closing gate.
- * The Contractor to ensure that the installation of a sleeve for future fire connection is to be installed as indicated on the plans from the sidewalk to the structure.
- * LP Gas: Max 38 kg allowed on premises without a Flammable Substance Certificate in terms of section 37(1) of the Community Fire Safety By-Law.
- * A Gas installation certificate of compliance to be provided prior the request of a Occupancy certificate. Gas installation to comply with SANS 10087-1:2008
- * Boundary walls to be finish to the satisfaction of the adjacent owner
- * No structure or any portion thereof to encroach the property boundary
- * Rainwater not to discharge onto neighboring property
- * Drainage installations under building work must be installed in terms of Part P of SANS 10400 (4.13-4)
- * Drainage installations under building work must be protected in terms of Part P of SANS 10400 (4.22.2)
- * Drainage installation to comply with SANS 10400 Part P
- * Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4.21).
- * SANS 10021 prescribed type of waterproofing to be done for any part of a building below natural or finished ground level or as specified by engineer.
- * These plans are for municipal submission (not construction) & should be read in conjunction with the engineer's plan for construction. Contact the designer or engineer if there are any uncertainties.
- * Any changes to this plan should be discussed with the designer before construction of such change.

Specifications:

- FOUNDATIONS AND FLOORS: (Existing)**
- * RC Concrete raft foundation as per SANS10400-H. Min 10Mpa @ 28 days.
 - * Floor finish, on 100mm concrete slabs, on 250 micron Green Polythene waterproofing membrane (SABS 952) with 600mm sealed overlap as per manufacturer, on 50mm sand layer, on approved filling in max 150mm layers.
- WALLS: (Existing Garage)**
- * 110 / 220mm clay brick walls, plastered & painted to match existing.
 - * BRICKWORK every 5th layer in walls. Every 3rd layer in foundation walls and every layer above windows and doors.
- ROOF: (AS BUILT roof over existing open stoep)**
- * Roof pitch at 3° and flush overhangs.
 - * Corrugated profile metal roof sheets on 76x50 SS-SAP purlins @ 1050 c/c on 152x38 SS-SAP rafters @ 760 c/c max, on galvanized round metal columns, on 220 brick wall.
- RAINFALL GOODS:**
- * 12x150mm NUTEC fascias and 200x80mm NUTEC barge boards.
 - Color: Charcoal
 - * PVC to match existing
 - Colour: Charcoal
- DOORS, WINDOWS & BALUSTRADES:**
- * Garage Door: Timber Side hung type door.
- WINDOW SILLS:**
- * All existing
- PAVING:**
- * All existing
- GENERAL:**
- * ALL ADDITIONS ARE AS-BUILT EXISTING.



1 SITE PLAN
1 : 200



2 GROUND FLOOR PLAN
1 : 100

AREA SCHEDULE	
ERF 2333, George	
ERF SIZE: 1090m²	
Current Zoning: Single Res 1	
COVERED AREA:	
Existing House:	202m²
Existing Outbuilding:	57m²
Total:	259m²
New roof over existing open stoep:	31m²
New garage addition:	14m²
Total:	45m²
Total: Exist + New:	304m²
Coverage:	40% (max 500m²)
	27.89% (304m²)
PARKING SCHEDULE	
Dwelling / House:	2 Bays (Garage)
Home Occupation: (70m²)	3 Bays (1/25m²)

owner / designer

LONGHOUSE
DESIGN | STUDIO

1 Seventh Ave, Deerness, George, 6529
charloppeman@hotmail.com
082 619 3236

client

SACAP PR22101 | SABD 0412 | SAAT 2686

KEMP ENDOMTS TRUST

project

AS-BUILT additions on Erf 2333, George.

issue

Municipal submission - Not for construction

drawing name

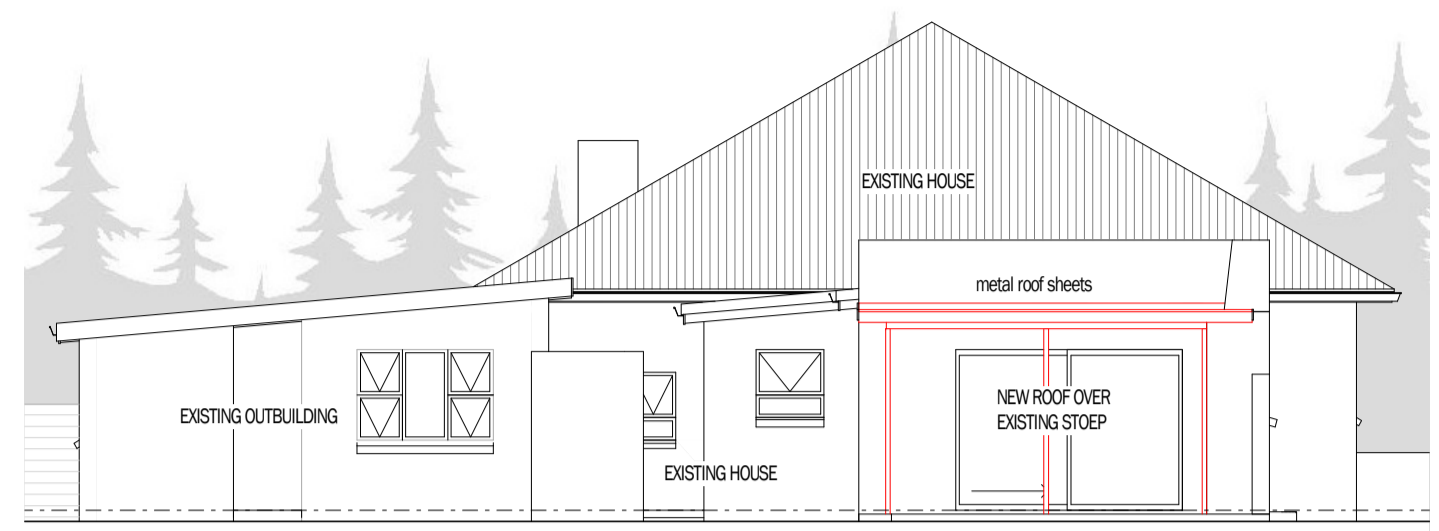
SITE PLAN, FLOOR PLAN, SECTIONS

date / datum

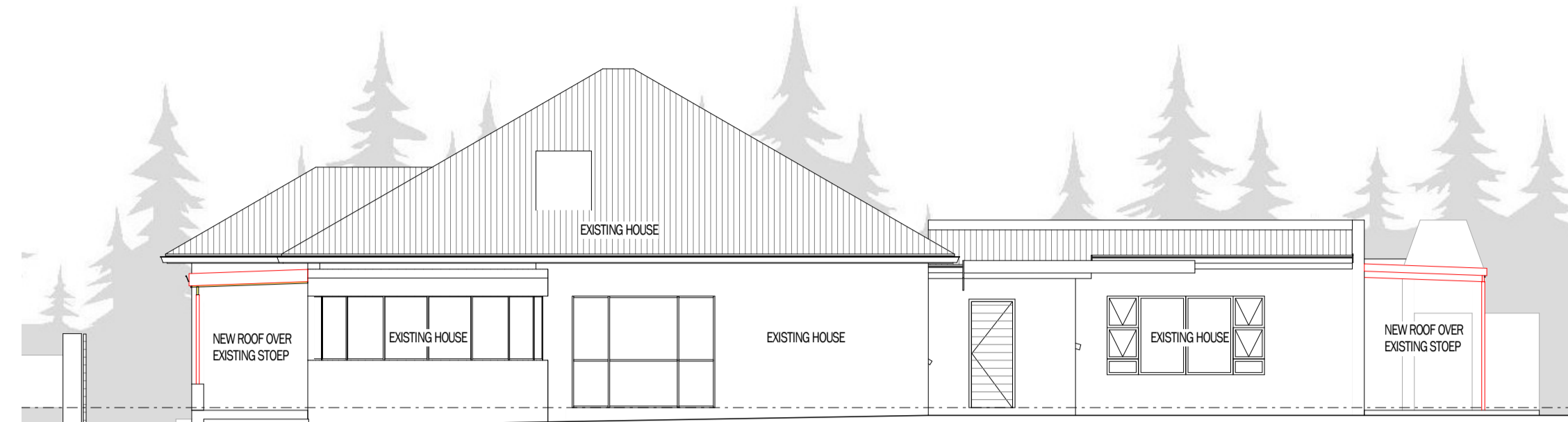
04.11.2024

sheet

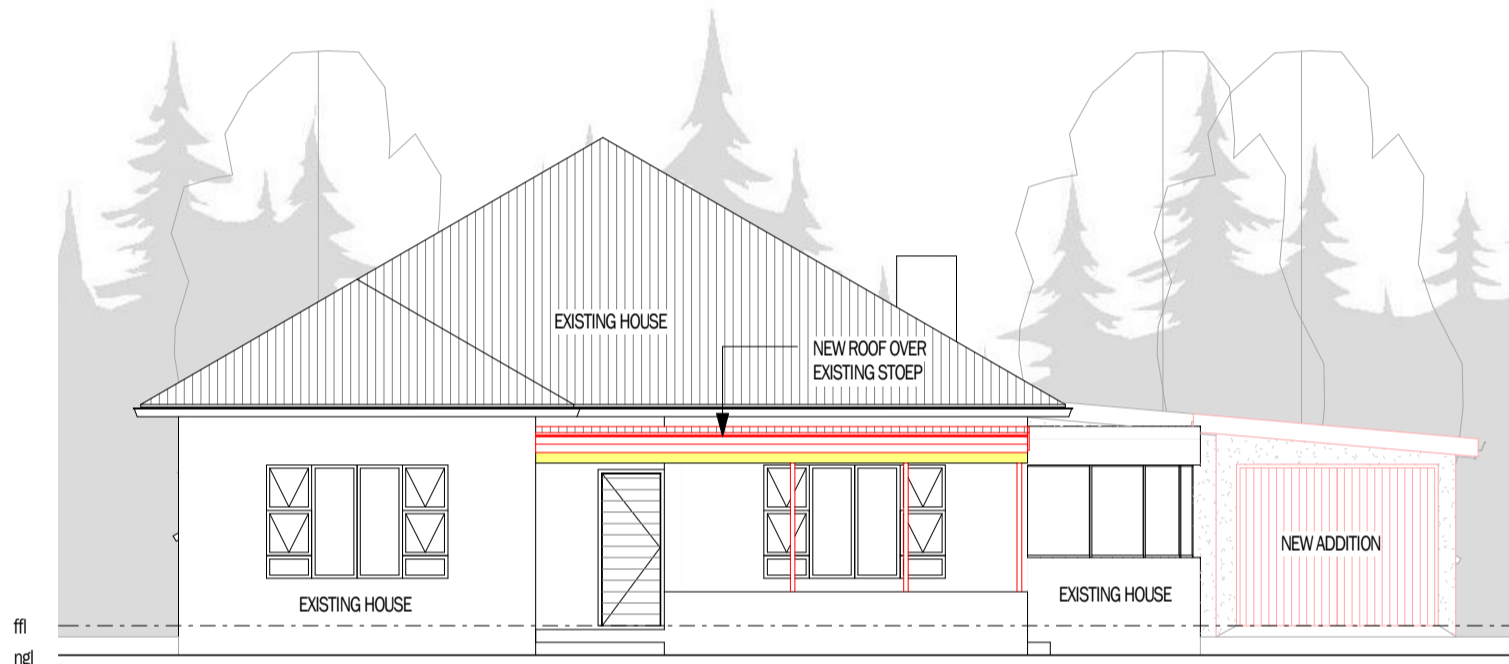
A1.01



1 NORTH ELEVATION
1 : 100



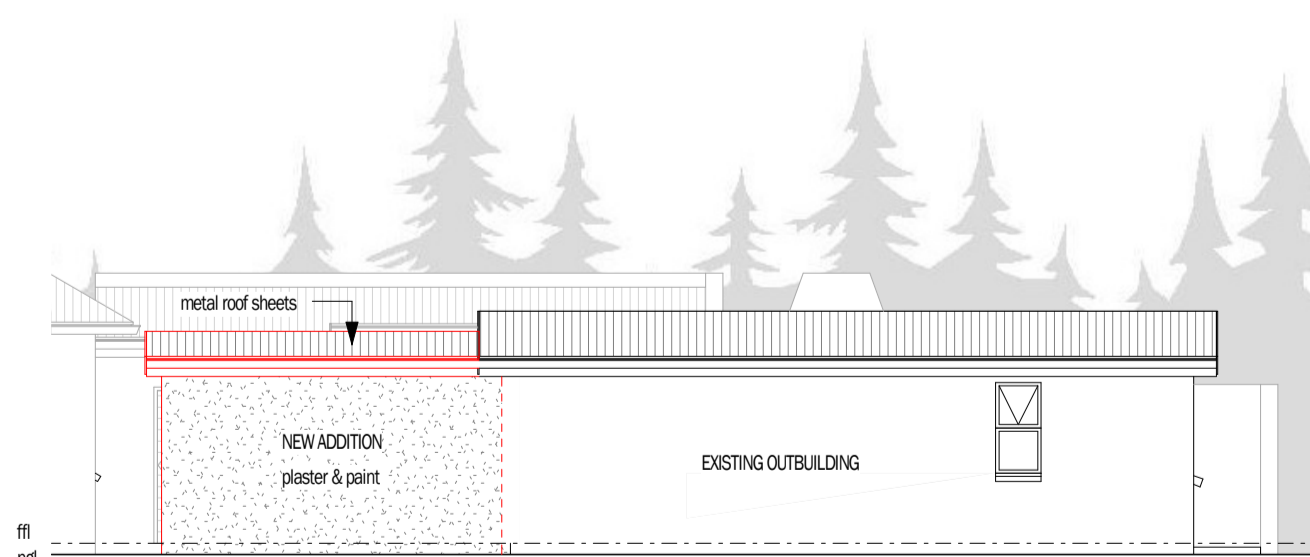
2 EAST ELEVATION
1 : 100



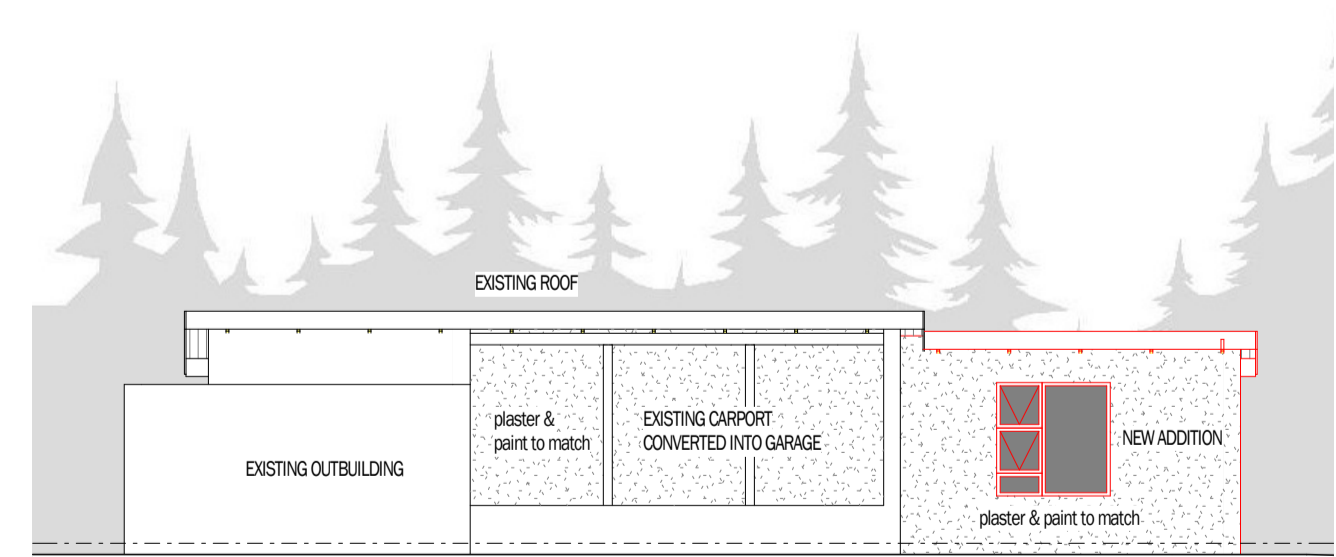
4 SOUTH ELEVATION
1 : 100



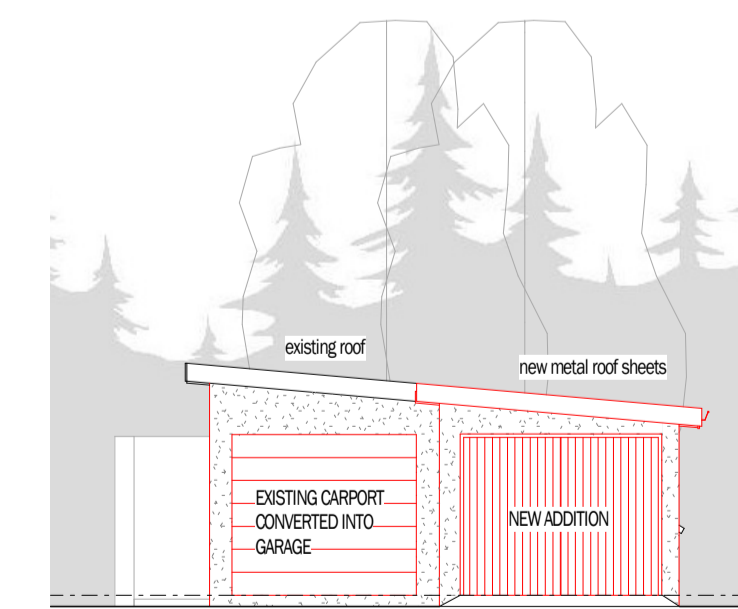
5 WEST ELEVATION
1 : 100



3 EAST ELEVATION (Outbuilding)
1 : 100



6 WEST ELEVATION (Outbuilding)
1 : 100



7 SOUTH ELEVATION (Outbuilding)
1 : 100

General Notes:

- * Habitable rooms to have min 10% light & 5% ventilation per floor area.
- * Roof overhangs - 200mm - (Max 1m.)
- * All dimensions are metric and in mm.
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- * SANS10400 XA NOT REQUIRED.
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- * Vehicular entrance: Min 2,7m & Max 4m width / min 10m to intersection.
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- RAINWATER GOODS:**
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 - Color: Charcoal
 - * PVC to match existing
 - Colour: Charcoal
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- * Garage Door: Timber Side hung type door.
- WINDOW SILLS:**
- * All existing
- PAVING:**
- * All existing.
- GENERAL:**
- * ALL ADDITIONS ARE AS-BUILT EXISTING.

owner _____ designer _____

LONGHOUSE DESIGN | STUDIO
 2 Seventh Ave, Dorewood, George, 6529
 charloppeman@outlook.com
 082 619 3236

SACAP PR21081 | SABD 0412 | SAAT 2686

client _____

KEMP BENDOMS TRUST

project AS-BUILT additions on Erf 2333, George.

issue Municipal submission - Not for construction

drawing name ELEVATIONS

date / datum 04.11.2024 sheet A1.02



Planning and Development
 E-mail: town.planning.application@george.gov.za
 Tel: +27 (0)44 801 9477

YES	NO
-----	----

LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

Pre-application consultation is an advisory session and is required prior to submission of an application for rezoning, consent use, temporary departure and subdivision. It does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.

PART A: PARTICULARS

Reference number: Collab no 3385945

Purpose of consultation: To discuss proposed land use application

Brief proposal: To be determined

Property(ies) description: Erf 2333 George

Date: 7 August 2024

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Robert Janse van Rensburg	George Municipality	044 801 1300	rhjansevanrensburg@george.gov.za
Pre-applicant	Marlize de Bruyn	MdB Planning	0766340150	marlize@mdbplanning.co.za

Documentation provided for discussion:

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

Copy of title deed, locality, site plan, perspective, building plans of current structure

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

Comprehensive overview of proposal:

Two pre-applications have been submitted for Erf 2333 George discussing the rezoning of the property. This property is zoned Single Residential Zone I. The needs of the owner have changed regarding this property and following further discussions, it is now proposed that the use of a part of the property as a showroom be addressed through home occupation. The property owner's daughter is residing on the property and operates the showroom.

The attached plan shows that 70m² of the dwelling house is used as showroom which includes the large stoep and entrance. A land use application for permanent departure for this increase to 70m² from 60m² is needed. At the same time a building line relaxation will be included for a covered braai stoep added to the rear of the dwelling house by the previous property owners.

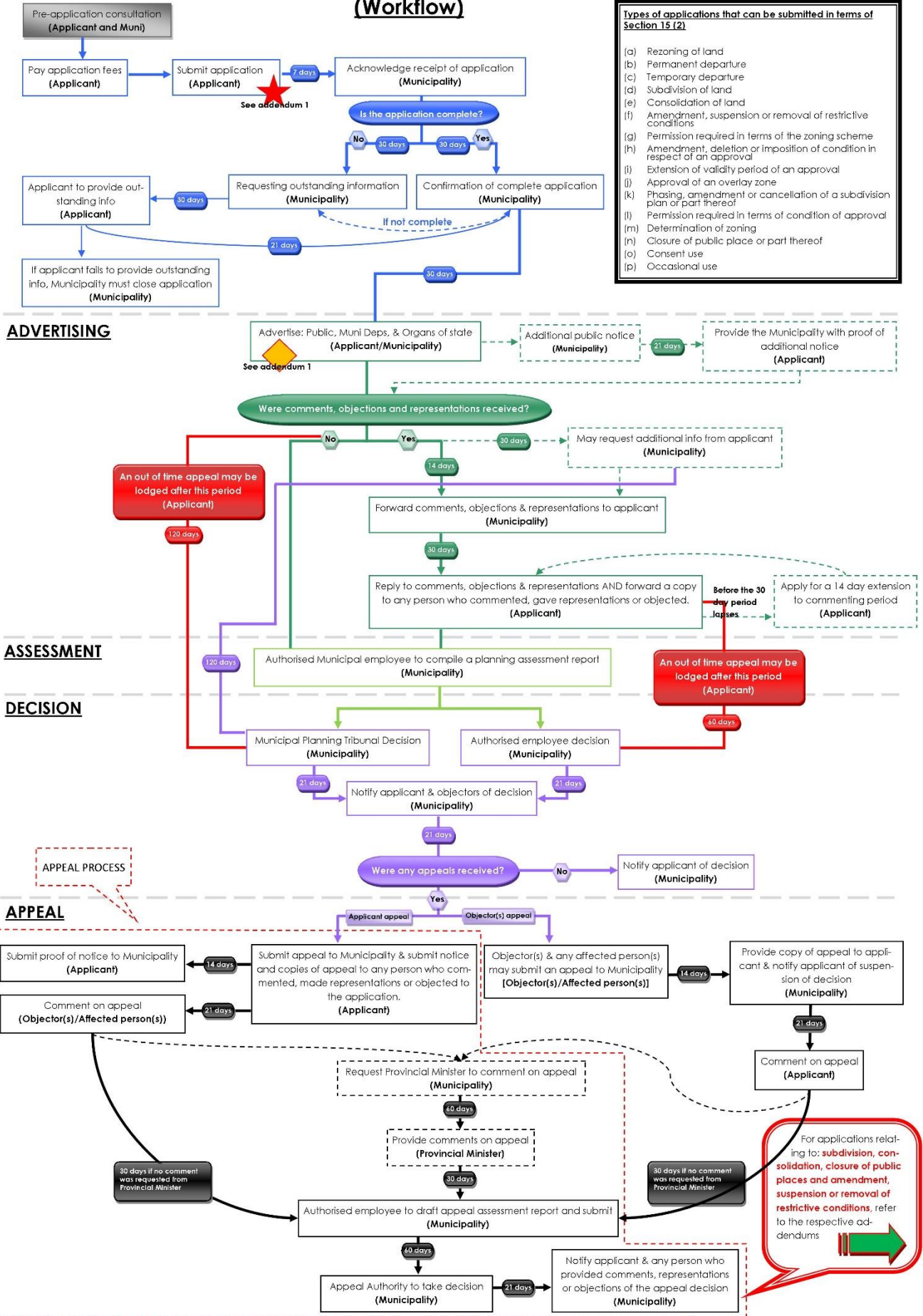
Information is also being obtained at present regarding the possible lease or purchase of a portion of road reserve (Cradock Street) abutting Erf 2333 George.

PART B: APPLICATION PROCESS (WILL FULLY APPLY ONLY ONCE LUPA REGULATIONS ARE IN FORCE)

SUBMISSION

**Draft By-Law on Municipal Land Use Planning
(Workflow)**

- 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 PROCESS

APPEAL

For applications relating to: subdivision, consolidation, closure of public places and amendment, suspension or removal of restrictive conditions, refer to the respective addendums

SECTION A:

DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES

Tick if relevant	What land use planning applications are required?	Application fees payable
	2(a) a rezoning of land;	R
X	2(b) a permanent departure from the development parameters of the zoning scheme;	R
	2(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e) a consolidation of land that is not exempted in terms of section 24;	R
	2(f) a removal, suspension, or amendment of restrictive conditions in respect of a land unit;	R
	2(g) a permission required in terms of the zoning scheme;	R
	2(h) an amendment, deletion, or imposition of conditions in respect of an existing approval;	R
	2(i) an extension of the validity period of an approval;	R
	2(j) an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l) a permission required in terms of a condition of approval;	R
	2(m) A determination of a zoning;	R
	2(n) A closure of a public place or part thereof;	R
	2(o) a consent use contemplated in the zoning scheme;	R
	2(p) an occasional use of land;	R
	2(q) to disestablish a home owner's association;	R
	2(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
Tick if relevant	What prescribed notice and advertisement procedures will be required?	Advertising fees payable
Y	N Serving of notices (i.e. registered letters etc.)	R
Y	N Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.)	R
Y	N Additional publication of notices (i.e. Site notice, public meeting, local radio, website, letters of consent etc.)	R
Y	N Placing of final notice (i.e. Provincial Gazette etc.)	R
TOTAL APPLICATION FEE* (VAT excluded):		To be confirmed

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	
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]			X	Conveyancer certificate to confirm
Any other Municipal by-law that may be relevant to application? (If yes, specify)			X	
<p>Zoning Scheme Regulation considerations:</p> <p>Which zoning scheme regulations apply to this site? <u> GIZSB 2023 </u></p> <p>What is the current zoning of the property? <u> SRZI </u></p> <p>What is the proposed zoning of the property? <u> SRZI </u></p> <p>Does the proposal fall within the provisions/parameters of the zoning scheme? <u> No </u></p> <p>Are additional applications required to deviate from the zoning scheme? (if yes, specify) <u> Increase in area of home occupation & building line relaxation </u></p>				

QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents?			X	
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?			X	

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?		X		Western Cape Provincial Department of Agriculture
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		X		National Department of Agriculture
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		X		Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strikethrough irrelevant)		X		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		X		South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC)
Will the proposal have an impact on any National or Provincial roads?		X		National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Infrastructure (RNM)

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
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 DFFE?		X		Department of Environment, Forestry and Fishery
Is the property subject to any existing mineral rights?		X		National Department of Mineral Resources
Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? (strikethrough irrelevant)		X		Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

SECTION D:

SERVICE REQUIREMENTS

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM: (list internal department)
Electricity supply:			X	Directorate: Electro-technical Services
Water supply:			X	Directorate: Civil Engineering Services
Sewerage and waste water:			X	Directorate: Civil Engineering Services
Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services

Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

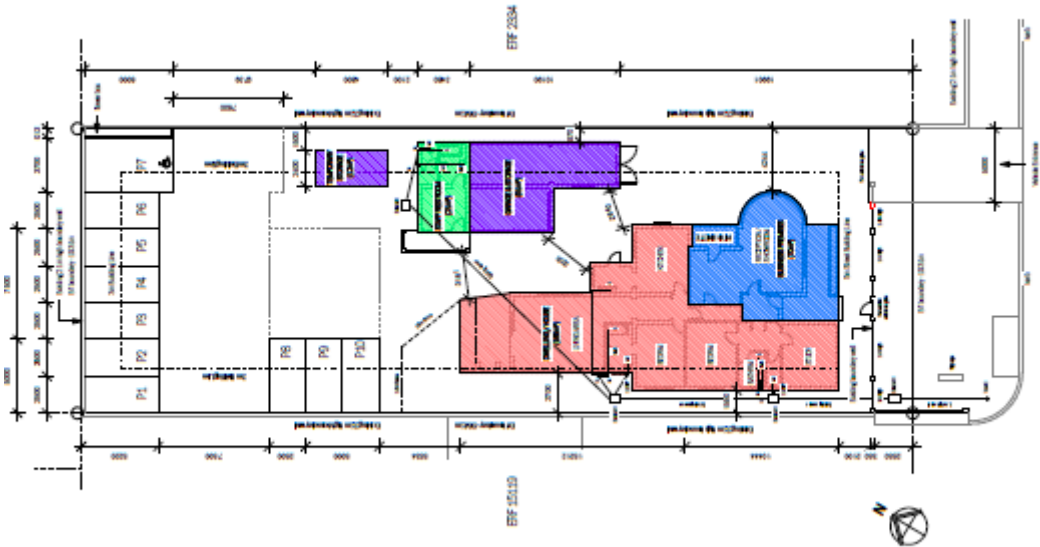
PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

COMPULSORY INFORMATION REQUIRED:					
Y	N	Power of Attorney / Owner's consent if applicant is not owner (if applicable)	Y	N	S.G. noting sheet extract / Erf diagram / General Plan
Y	N	Motivation report / letter	Y	N	Full copy of the Title Deed
Y	N	Locality Plan	Y	N	Site Layout Plan
Y	N	Proof of payment of fees	Y	N	Bondholder's consent (conveyancer certificate to confirm)
MINIMUM AND ADDITIONAL REQUIREMENTS:					
Y	N	Site Development Plan	Y	N	Conveyancer's Certificate
Y	N	Land Use Plan	Y	N	Proposed Zoning plan
Y	N	Phasing Plan	Y	N	Consolidation Plan
Y	N	Abutting owner's consent	Y	N	Landscaping / Tree Plan
Y	N	Proposed Subdivision Plan (including street names and numbers)	Y	N	Copy of original approval letter
Y	N	Services Report or indication of all municipal services / registered servitudes	Y	N	Home Owners' Association consent
Y	N	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)	Y	N	1 : 50 / 1:100 Flood line determination (plan / report)

Y	N	Other (specify)		Y	N	Required number of documentation copies
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PART E: DISCUSSION

The Pre-Application dated 5 June, 31 July, and 7 Aug 2024 refers. The proposed plan that accompanied the pre-application is illustrated below:



Town Planning:

- Proposal for departure for home occupation can be considered,
- To specify parking schedule and sizes, access, manoeuvrability etc. on the site layout plan. In terms of the current site layout the feasibility of parking on site is not clear and seems to be unfeasible. All areas and dimensions to be shown on plan and to standard. Access to the back is problematic.
- To also indicate the type of land uses and associated areas designated for the uses.
- Note that the property is of Heritage significance.
- To address the MSDF, LSDF, Zoning scheme etc.
- No possibility to obtain land from Cradock Street.

CES

- **Access:** Restricted to Cradock Street, subject to the GIZS 2023 access table
- **Parking:** All parking to be provided on site in terms of the GIZS 2023 parking tables. No parking allowed within the road reserve. Movability of vehicle on site need to be confirm, which may require the input from Traffic engineer.

PART F: SUMMARY / WAY FORWARD

See comments in Part E.

OFFICIAL: __Robert Janse van Rensburg__
(Acting Senior Town Planner)

PRE-APPLICANT: _____ **Marlize de Bruyn** _____
(FULL NAME)



SIGNED:

SIGNED:

DATE: _____ 27-08-2024 _____

DATE: _____ **7 August 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 deemed necessary.*