

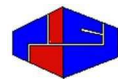
LAND USE APPLICATION

CONSENT USE – HOUSE SHOP



MAY 2024

ERF 8262, GEORGE



**PCDS A
ARCHITECTURAL
DESIGNERS**

Box 412, Pacaltsdorp, 6534

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SECTION 1

INTRODUCTION

1.1 BRIEF

PCDSA has been appointed by Ms. C.M. Cloete, registered owner of property at 24 Stuurman Street, to prepare and submit the required application documentation for approval of Land Use Consent on the Residential I zoned - erven 8262, Lavalia, George, in order to obtain Consent use to operate a House Shop from a portion of the existing dwelling.

Power of Attorney attached as ANNEXURE A.

1.2 PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

- a) A copy of the S.G. Diagram for Erven 8262, George is attached as ANNEXURE D to this report.
- b) A copy of the Title Deed information for Erven 8252, containing the details outlined below is contained in ANNEXURE E.

| | |
|-------------------------|---|
| Title Deed Description: | Erf 8262 George, in the George Municipality, Western Cape Province. |
| Title Deed Number: | T51269/1994 |
| Title Deed Restriction: | There are no Title Deed restrictions preventing the Proposal. |
| Bonds: | Unbonded |
| Property Size: | 555 m2 |
| Property owner: | Ms. Clotilde Maria Cloete |
| Servitudes: | No servitudes are registered on the property. |

1.3 PRE-APPLICATION CONSULTATION

- A Pre-Application consultation meeting was held on 31 May 2024 where the notice was discussed.
- **Notice #3126199** – Unauthorized Land Use (House Shop in Res 1 Zone I), the history and timeline of previous notices and statues of compliance was also discussed.
- It was noted that the proposed Consent Use – House shop application could be viable in respect of desirability criteria as set forth in legislative framework.

- It was determined that no additional impact studies would be required.

Pre-Application Consultation forms attached ANNEXURE C.

1.4 PROPOSED APPLICATION

Application is hereby made on behalf of Ms. C.M. Cloete for the following:

- 1.4.1 That in accordance with the George Integrated Zoning Scheme Bylaw (2023) and in terms of Section 15 (2)(0) of Land Use Planning Bylaw for Consent Use.
- a) The allowance of Consent Use of the Residential Zone I plot, for the operation a House Shop from the premises and portion of exiting outbuilding.
 - b) The continuance (extension) of existing rights in terms of Departure for Building line relaxation along Southern boundary from 1.5m to 0m.

The application form is attached as ANNEXURE B

SECTION 2

CONTEXTUAL ANALYSIS

2.1 LOCALITY

The application area is located on the corner Stuurman & Plaatjies Street, George East. Plot 8262, situated adjacent the Rosemore Sport Stadium, opposite the side entrance, approximately 600 m South from the Knysna Road.



LOCALITY OF ERF 8262

2.2 CURRENT LAND USE AND ZONING

I. Land use

The application area is primarily used for residential purposes.

II. Zoning

The subject property is currently zoned as “Single Residential” Zone I in terms of the George Integrated Zoning Scheme By Law.

III. Boundaries/Building Lines

Current structures comply with street building lines of 4.5 m from boundaries along Stuurman & Plaatjies streets. Side building lines of 1.5m have been maintained in respect of Main building on Southern & Eastern boundary with 0m building line along portion of Southern boundary, relaxed under previously approved Departure from Zoning scheme regulations Application.

2.3 SURROUNDING LAND USE AND CHARACTER OF THE AREA

- The application area is located within an area that is characterized by middle income, single residential uses with several properties being leveraged by owners as 2nd unit flatlet rentals as well as prolific student accommodation opportunities.
- The area constitutes an established low-density development with large erven averaging 600m² to more than 900m².
- There are very few buildings used as House Shops in the area, and which are far dispersed (more than 400m from proposed House Shop) as shown in Image 2.1

2.4 PROPERTY DEVELOPMENT

- The property has an even gradient, gently sloping to the North.
- The vegetation on the property consists of manicured lawns and flowerbeds.
- The Site is accessible from both Stuurman and Plaatjies street which boundaries have pedestrian and vehicular gates respectively.
- The improvements on the site consist of a Main Dwelling and Outbuilding, with outbuilding’s primary use as flatlet. Building plans for the house was approved in the late 1980’s

SECTION 3 PROPOSAL

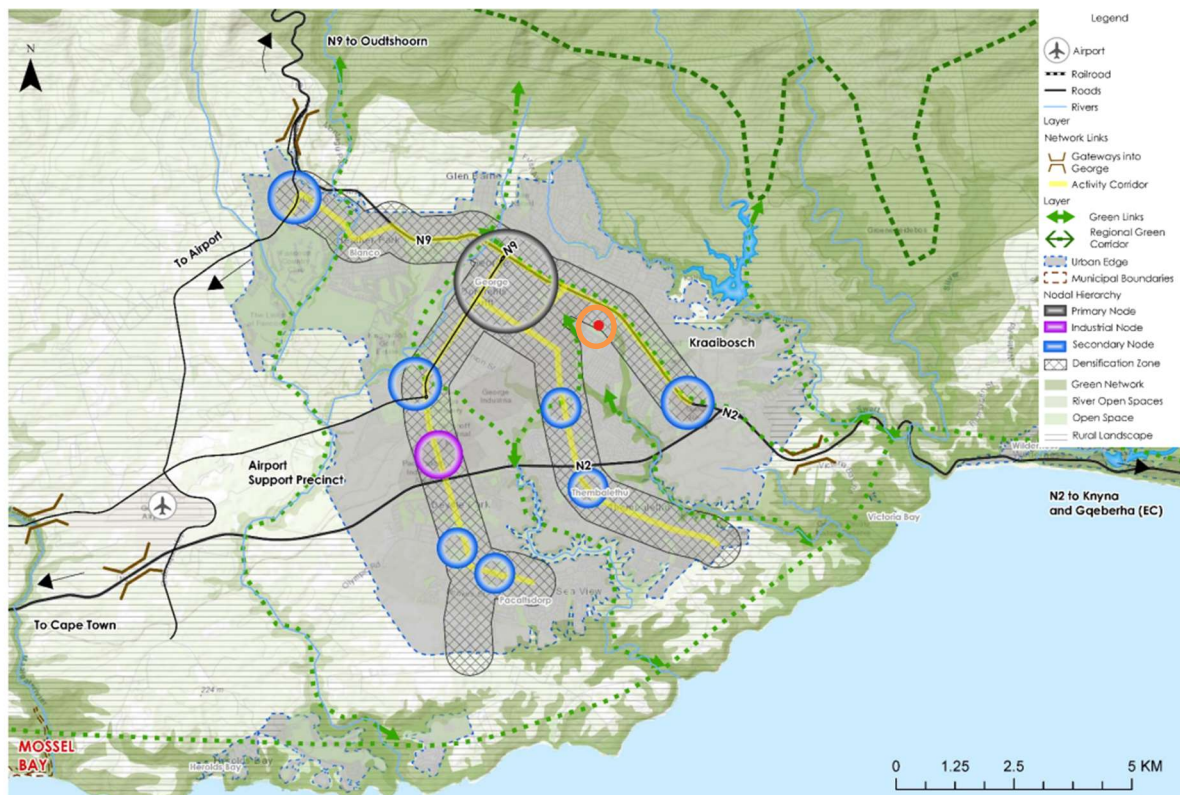
3.1 SCOPE

The owner of the property wishes to use a portion of the existing outbuilding as a House Shop to augment her current income as pensioner in efforts to cope with the high living cost in current economic environment.

The previously approved Departure for Building line relaxation should also be extended to current application, as the Outbuilding concerned sits on 0m Southern building line.

3.2 GEORGE SPATIAL DEVELOPMENT FRAMEWORK

- The property is situated within an area that has been identified in the MSDF as Established Urban Residential.
- Densification of these areas are proposed by both George MSDP (2023) and Western Cape Spatial development framework.



Map 35: 2023 Spatial Concept for the George city area



Plot 8262 is located in Densification Zone

Image 1: Extract from George SDF

SECTION 4

DESIRABILITY CRITERIA

4.1 MOTIVATION

4.1.1 *Section 25 of the SPLUMA (2013)* holds that:

(1) A land use scheme must give effect to and be consistent with the municipal spatial development framework and determine the use and development of land within the municipal area to which it relates in order to promote:

- a) Economic growth;
- b) Social inclusion;
- c) Efficient land development; and
- d) Minimal impact on public health, the environment, and natural resources.

This Proposal is consistent with relevant aspects of *SPLUMA (2013)*

4.1.2 According to *Section 49 of the WCLUPA*, the basis of assessment of a land use application should include amongst other:

- a) the applicable spatial development frameworks.
- b) the applicable structure plans;
- c) the principles referred to in Chapter VI;
- d) the desirability of the proposed land use; and
- e) guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

This Proposal is consistent with relevant aspects of *Sec 49 WCLUPA (2014)*

4.1.3 The *George Integrated Zoning Scheme Bylaw (2023)*, describes “House Shop” as:

- a) the conducting of a retail trade from a dwelling house, second dwelling, shelter or outbuilding
- b) by one or more occupants who must reside on the property;
- c) provided that the dominant use of the property must remain for the living accommodation of the occupants.
- d) an allowed consent use activity for Residential Zoned properties, subject to conditions relevant policy directives

The Proposal complies with the requirements laid out in *GIZS Bylaw (2023)*

4.1.4 In terms of the **GM – Town Planning Policy on House Shops and Other Residential Based Concerns (Revised April 2021) Policy**, criteria for consideration (desirability) of House Shop consent use approval includes:

| Question | Yes | No | N/A | Comment (Please provide comment to elaborate on your answer) |
|---|----------|----------|-----|---|
| Does the owner of the shop own property? | <u>X</u> | | | |
| Does the owner of the shop reside on the property? | <u>X</u> | | | |
| Are there more than 3 unrelated persons occupying the dwelling house? | | <u>X</u> | | |
| Are there a group of not more than 5 unrelated persons, including domestic workers or boarders occupying the dwelling house? | | <u>X</u> | | Third party Operator of House shop is currently residing on premises in portion of Outbuilding. |
| Is the dominant use of the property for residential purposes? | <u>X</u> | | | |
| Does the house shop structure comply with the definition of “dwelling house”, “second dwelling” and “shelter” in terms of the George Integrated Zoning Scheme,2017? | <u>X</u> | | | The structure is a Brick walled outbuilding, with it plans approved in 1988. |
| Is the house shop bigger than the main house? | | <u>X</u> | | The floor area of the proposed house is 20m2, with that of main dwelling at 86m2 |
| Are the retail concerns that which comply with the land use description of a House Shop in terms of the George Integrated Zoning Scheme, 2017? | <u>X</u> | | | The proposed operation will sell fresh produce and daily staple food stuffs to neighbouring community |
| Are there industrial type activities being carried out on the property? | | <u>X</u> | | |
| Is liquor being sold at the shop? | | <u>X</u> | | |

| | | | | |
|--|----------|----------|--|---|
| Is the house shop situated 'mid-block'? | | <u>X</u> | | |
| Is the house shop on the corner of two roads? | <u>X</u> | | | Property is located on corner of Stuurman & Plaatjies Streets |
| Does the House Shop comply with health regulations relating to basic hygiene? (Which requires that they have access to a toilet and hand basin, and that they not sleep in the shop) | <u>X</u> | | | Appropriate ablution facilities has been installed, with Shelter area walled off from House shop operations |
| Is it a point of high accessibility? | <u>X</u> | | | Premises is opposite gate of Rosemore sports grounds. |
| Is it in a restructuring zone/ activity corridor in terms of the MSDF? | <u>X</u> | | | See excerpt from MSDF |
| Is there a condition in the title deed restricting the house shop on the property? | | <u>X</u> | | |
| Is the structure the house shop is in lawfully erected? | <u>X</u> | | | |
| Is the person or owner guilty of an offence in terms of section 86 of George Municipality Land Use Planning By-Law, 2023? | | <u>X</u> | | |
| Is the extent of the house shop larger than 6m ² ? | <u>X</u> | | | |
| Is the extent of the house shop larger than 20m ² ? | | <u>X</u> | | |
| Is the extent of the house shop larger than 40m ² ? | | <u>X</u> | | |
| Is the house shop situated in the front of the house? | <u>X</u> | | | |
| Is the house shop on a designated transport route? | <u>X</u> | | | |
| Is the house shop less than 500m from established activity corridors, activity streets, business nodes, main bus routes and established business sites? | <u>X</u> | | | As indicated on locality plans |
| Is the house shop located in a residential area? | <u>X</u> | | | |
| Is there a shop selling similar convenience | | <u>X</u> | | |

| | | | | |
|---|----------|----------|--|--|
| services within a 400m radius or 800m walking distance from the shop? | | | | |
| If situated in Thembaletu was the house established before 2017? | | <u>X</u> | | |
| Is the house shop an approved structure? (Approved building plan) | <u>X</u> | | | |
| Is it operated from structures that comply with the requirements for human occupancy in terms of the National Building Regulations and Building Standards Act, 1977? | <u>X</u> | | | |
| Is the house shop run from a temporary shipping container/ informal structure on a Single Residential Zone I property? | | <u>X</u> | | |
| Does the house shop have a similar appearance to the main house? | <u>X</u> | | | |
| Is the house shop located near to community facility clusters such as schools, crèches, house of worship, old age homes, hospitals, clinics, libraries or public open spaces? | <u>X</u> | | | |
| Is the house shop near an open space? | <u>X</u> | | | |
| Is the house shop near a tavern? For the purposes of the policy, a minimum impact radius of 100m will be applied when assessing the impact of traditional house shops and a 200m radius will apply for large house shops. | | <u>X</u> | | |
| Are there video games, gaming machines and pool tables within the house shop? | | <u>X</u> | | |
| Is there food prepared at the house shop? | | <u>X</u> | | |

| | | | | |
|---|----------|----------|--|---------------------------|
| Is there loud music being played at the house shop? | | <u>X</u> | | |
| Are vehicles parked in the street? | | <u>X</u> | | |
| Does the property owner or tenant receive indigent support? | <u>X</u> | | | |
| Is the house shop registered for tax with SARS? | <u>X</u> | | | |
| Is the house shop over the property boundary line/ street building line? | | <u>X</u> | | |
| How many people are engaged in retail activities? | | | | One Person |
| Is there gas and or gas containers, paraffin and other hazardous substances sold or stored on the property? | | <u>X</u> | | |
| Are cellular phone/telephone recharge vouchers sold at the house shop? | <u>X</u> | | | |
| Is there a sign on the property? | <u>X</u> | | | |
| What is the zoning of the property? | | | | Single Residential Zone 1 |

4.1.5 From the legislative framework above, the desirability criteria applicable to this application that have to be considered include:

- (i) Consistency with the Surrounding Area
- (ii) Locality and accessibility.
- (iii) Impact on Services.
- (iv) Socio-Economic Impact
- (v) Safety, Security, and Wellness of the members of the community.
- (vi) Impact on the natural environment & Climate change
- (vii) Impact on the developed environment and existing rights of neighbouring owners.
- (viii) Spatial justice, access, redress and inclusion.
- (ix) Statutory compliance

The proposal’s consistency with these criteria is demonstrated below.

The following aspects should be considered when this application is assessed:

4.2 CONSISTENCY WITH THE SURROUNDING AREA

- As described in Par 2.3, the Levalia suburb is characterized by low density single-use residential housing with few House Shops dispersed far apart (respectively 800m – 1.2km away from Erf 8262).
- The Proposed house shop will only cover 20m² of an existing double garage outbuilding, whilst the rest of property will still be **utilized for primary housing purposes**.
- The few House Shops are well established in the area and have operated successfully for more than a decade. The images below show some these buildings in Park Street.
- As the Proposed House Shop is located respectively 400m & 600m away from the nearest convenient food stores, the proposal is therefore clearly consistent with the existing character of the area.

4.3 LOCALITY AND ACCESSIBILITY

The proposed House Shop would meet the locality criterion in terms of the following:

- Situated on the corner of a street with high pedestrian traffic. Local sporting events attracts hundreds of spectators on weekly basis.
- Located across the gate of the Rosemore Sport Stadium, currently being upgraded with athletics track.
- Falls within the 500m walkable land use intensification zone along a principle public transport corridor, as identified in the MSDF.
- Falls far outside the minimum impact radius (200m) of nearest tavern as prescribed by George Municipality – Town Planning Policy on House Shops and Other Residential Based Concerns (Revised April 2021)

4.4 IMPACT ON SERVICES

The proposal will have no impact on bulk services provision whatsoever.

4.5 SOCIO-ECONOMIC IMPACT

- The applicant is a pensioner whose meagre income will be assisted by earning an additional income from the operation or renting out of the House Shop.
- Student accommodation is prevalent in the area as a source of beneficiation by residential property owners, earning a return on their property investments.
- The addition of a House Shop will assist the bustling student community who mostly hails from poor communities, and the retirees in the suburb with the provision of staple food products and fresh produce availability within walking distance.
- Extension of interest free short-term credit for these potential customers will also greatly assist with sense of community.

4.6 SAFETY, SECURITY & WELLNESS OF THE MEMBERS OF COMMUNITY

The proposal will have a positive impact on the safety and welfare on the members of the community, as the concept of walkability to access services and amenities along safe and secure routes would be enhanced and promoted. In addition to the owner's lodging on site, security installations eg. perimeter cameras, lockable gates & security lights will also improve safety in the area.

The weekly sporting events that occur at Rosemore Sports fields opposite Stuurman Street, attracts hundreds of spectators, mostly pedestrian, with vehicles parked along the southern pavement of Stuurman Street. Compared with the current level of inconvenience, noise and nuisance generated by these permanently scheduled activities, the operation of the Proposed House Shop will be unnoticeable and negligible.

- OPERATING HOURS

Limited operating hours (6h00 – 20h00) will be applicable to ensure cooperation with policing crime prevention efforts and prevention of possible criminal threats targeting vulnerable after hour businesses activities.

- GAMING, ENTERTAINMENT

No gaming machines, pool tables or any recreational activities forms part of the offerings by the proposed House shop.

- HEALTH REGULATIONS

In terms of the Garden Route District Municipality's requirements, the following health regulations will be complied with if food is to be sold or prepared from the premises (applicable to all house shops and shops), namely:

- (1) *that the premises comply with the general hygiene requirements for food premises and the transport of food regulations R962 of November 2012 promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972);*
- (2) *that a Certificate of Acceptability be obtained as required by regulations R962 of November 2012 promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972); and*
- (3) *that the premises comply with government notice R264 of 30 March 2012 relating to the smoking of tobacco products in public places as promulgated in terms of the Tobacco Products Control Act, 1993 (Act 83 of 1993) as amended.*

Food will not be prepared at the proposed House Shop; only pre-packaged food stuffs will be sold.

4.7 IMPACT ON THE NATURAL ENVIRONMENT & CLIMATE CHANGE

- It is foreseen that the proposal will not have any negative impact on the natural environment beyond that of the current primary use.
- The service would encourage accessibility to daily staple food stuff, within walking distance and thus increase the non-motorized mobility of residents in vicinity, reducing their CO2 footprint.

4.8 EFFECT ON THE BUILT ENVIRONMENT & EXISTING RIGHTS OF NEIGHBORING OWNERS.

The proposal will not have any impact whatsoever on the built environment, as a portion of an existing outbuilding will be used.

EXISTING RIGHTS

The proposal will not have any impact whatsoever on any existing land use rights in the area.

- The proposed House Shop operations will have no negative impact on any existing beneficial land use rights of neighboring properties, beyond the current primary use.
- The target market are pedestrians who resides in the area for convenient and emergency shopping of daily staple foods & perishable goods like bread, milk, fresh vegetables & fruit.
- 1 Parking Bay per 25m² size House Shop as required by GIZS by-law, clause 42 will be provided, it will be accessible from Stuurman Street.
- Existing outbuilding that will house shop is well away from neighbouring buildings with no possibility of direct sunlight being obscured by it, or long periods of shadow casts on any part of them.
- Owners of properties in the suburb, specifically along Stuurman Street, knowingly acquired properties along a busy Sport field and would have reconciled their living arrangements to the activity and inconvenience generated by it. The operations of House shop will not add to the existing disturbance.

4.9 CONSISTENCY WITH SPATIAL POLICY DIRECTIVE

This departure application is consistent with the approved spatial policy frameworks to the area which encourage densification, mixed uses, and the restriction of urban crawl.

4.10 STATUTORY COMPLIANCES

- BUSINESS LICENSE

Trading Permit as issued by the GR District Municipality is in place with copy attached as ANNEXTURE F. 3rd Party Lease Agreement in place, attached as ANNEXURE G

- SARS COMPLIANCE

Compliance with taxation regulations is in order. Copy of Tax Certificate of Good standing/ Compliance attached as ANNEXURE H.

- RECTIFICATION OF ILLEGAL HOUSE SHOPS AND 3RD PART RETAIL CONCERNS

Schedule of Prescribed Phased compliance is applicable to this Application and will be implemented accordingly. Compliance with Notice # 3126199 i.r.o Cessation of Trade was already actioned.

SECTION 5

CONCLUSION & RECOMMENDATION

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

- Land Use Consent, *in terms of Section 35 of the Western Cape Land Use Planning Act, 2014 (WCLUPA of 2014) read with Section 11 of the George Integrated Zoning Scheme By Law (2023), with specific reference to the Schedule 2: House Shop description and development parameters.*
- To allow for the operation of a House Shop, in terms of *GM – Town Planning Policy on House Shops and Other Residential Based Concerns (Revised April 2021)*, on ERF 8262, Lavalia, George.
- Extension of previously approved Right in respect of Departure for building line relaxation along Southern boundary from 1.5m to 0m to apply to this application.

is desirable and it is therefore recommended that the application be supported by the relevant authorities and approved by Council.

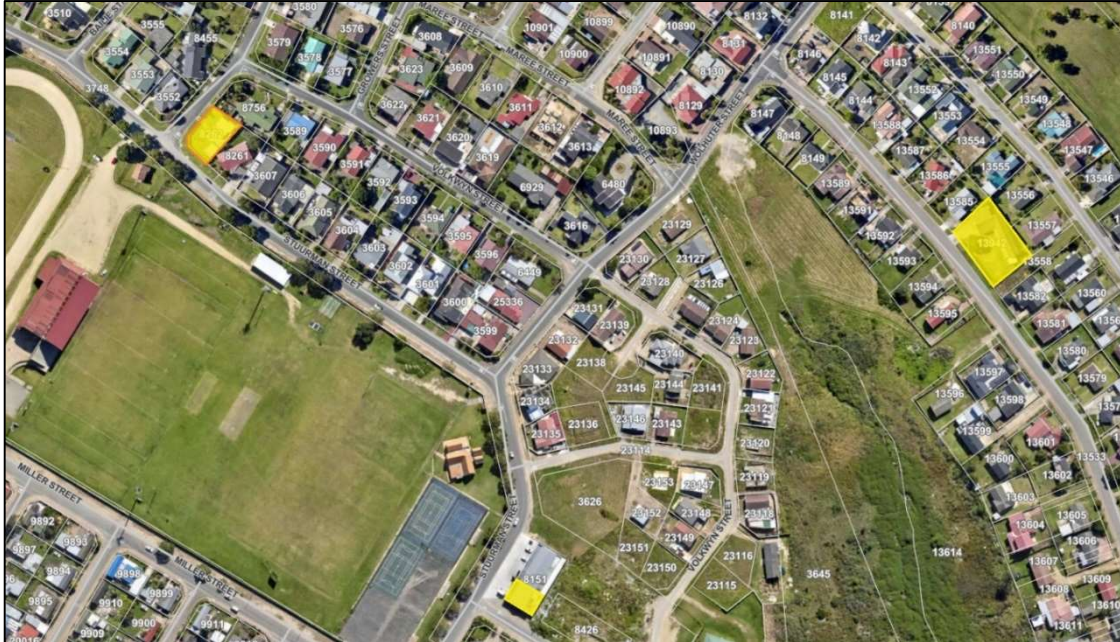


Image 2.1

House & Community shops are sparingly dispersed in relation with proposed House Shop, average 400m – 800m respectively



Image 2.2

Nearest Convenient Stores and Supermarkets in the area located +/- 500m from Proposed House Shop.



Image 3.1

House Shop - Park Street



Image 3.2

Convenience shop - Panorama Street



Image 3.3

Woolworths Convenience store - Panorama Street



Image 3.4

Pick 'n Pay Supermarket – Knysna Road

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 Ref No.: 3466612

Purpose of consultation: Application for Consent land Use – House shop & Departure from Zoning scheme guidelines i.r.o relaxation of building lines

Brief proposal: The owner of Erf 8282 wants to convert a portion of an existing outbuilding House Shop into a House Shop covering 20m2 floor space.

Property(ies) description: Erf 8262

Date: 30 October 2024

Attendees:

| | Name & Surname | Organisation | Contact Number | E-mail |
|---------------|-------------------|---------------------|----------------|--------------------------|
| Official | Khuliso Mukhovha | George Municipality | 044 801 9119 | kjmukhovha@george.gov.za |
| | Naudica Swanepoel | George Municipality | 044 801 9477 | nswanepoel@george.gov.za |
| | | | | |
| Pre-applicant | P. v Staden | PCDSA | 0643063823 | pcdsa@yahoo.com |

Documentation provided for discussion:

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

1. Notice # 3126199

2. Draft Motivation Report

3. Locality plan

4. Power of Attorney

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 | <input checked="" type="checkbox"/> |
|-----|-------------------------------------|

Comprehensive overview of proposal:

The owner of the property has been served with notice of contravention of Section 86 of the GM Land Use Planning By law (2023), Subsection (1)(a) in that they failed to comply with Sections 15(1) and 88(2). This pre-application consultation was requested to ascertain the extent of non-compliance in efforts advice Owner and to prepare application in compliance with Par 6(i), (ii) of Notice # 3126199.

The operator and owner desires to bring the full operations of their house shop in compliance with the Statutes and has appointed PCD Architectural Designers to approach and prepare application to municipality on their behalf in respect of:

1. Consent Land Use – House Shop (area between 20m2 to 40m2)
2. Continuance(extension) of existing Departure in respect of Relaxation Southern Building line.

A. The House Shop meet the requirements of the House Shop Policy in the following respects:

1. Location
2. Size
3. Third party living arrangements
4. All aspects of safety and prohibited activities
5. Desirability criteria
6. The relevant Land use legislative framework

B. We propose the Continuance (extension) of existing Departure i.r.o Building line relaxation: 1m to 0m on Southern Boundary to be applicable to this Consent use application.

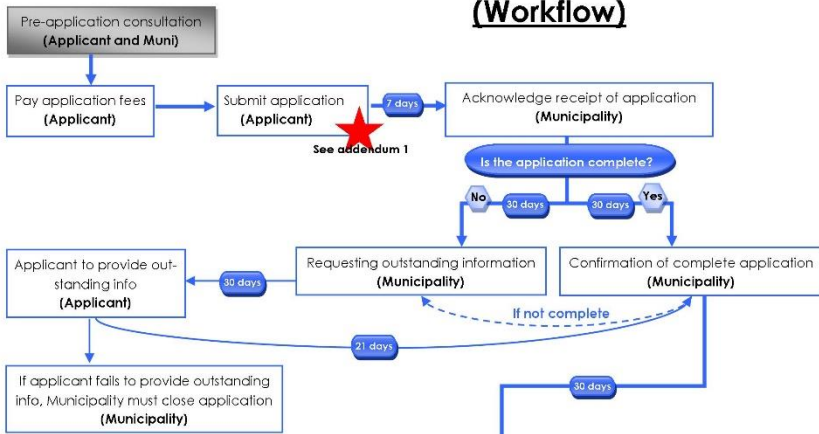
PART B: APPLICATION PROCESS

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

Draft By-Law on Municipal Land Use Planning

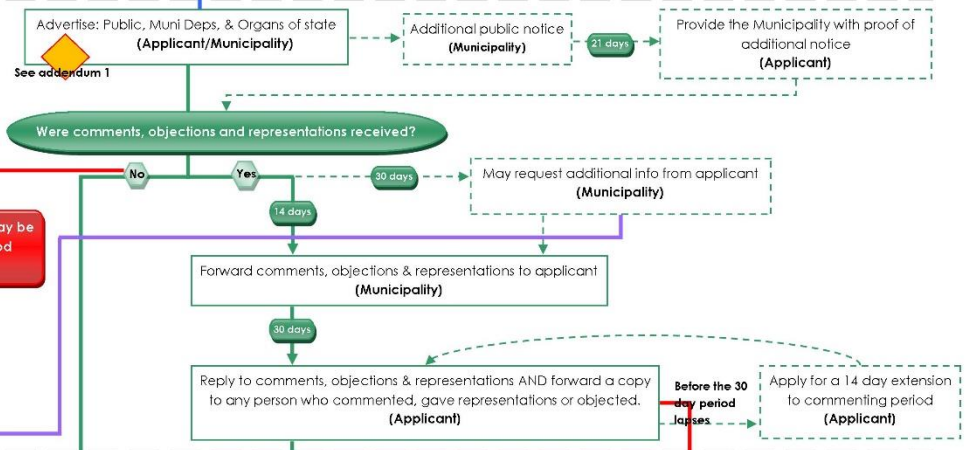
(Workflow)

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
 - (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

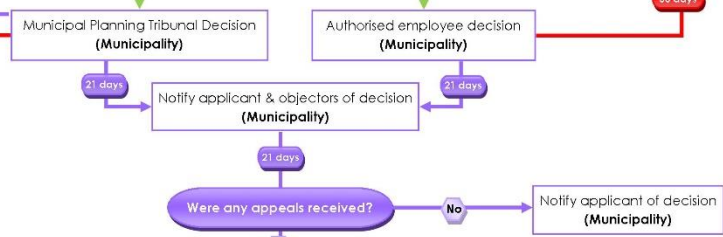
ADVERTISING



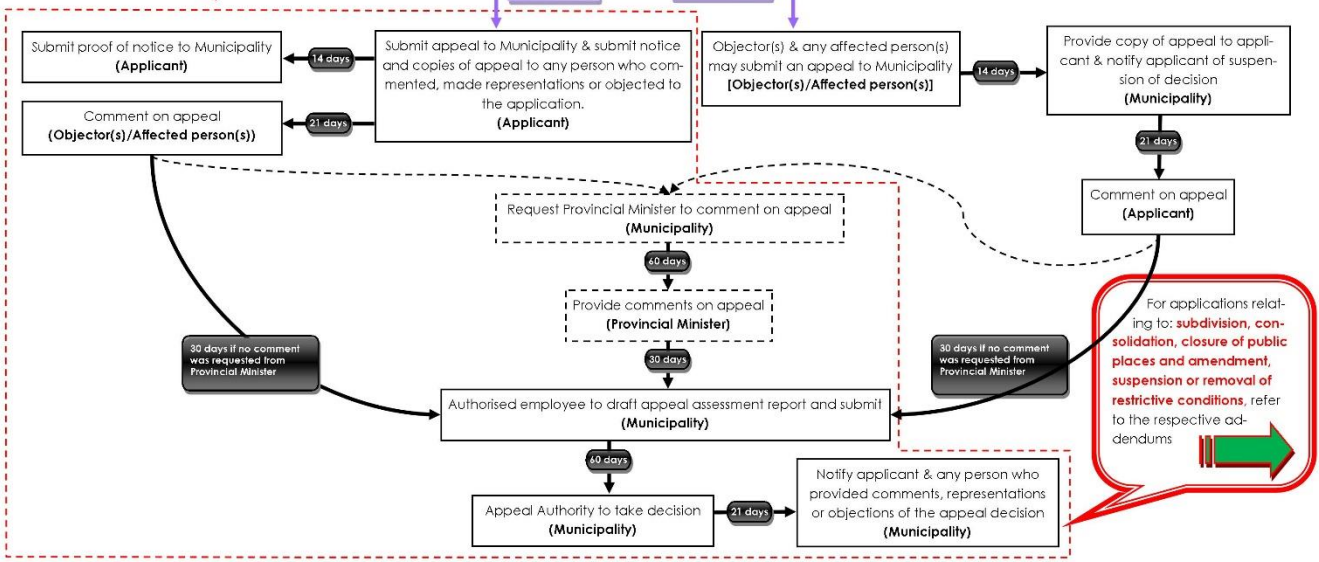
ASSESSMENT



DECISION



APPEAL



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 |
| ✓ | 2(b) | a permanent departure from the development parameters of the zoning scheme; | R 4 260,00 |
| ✓ | 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 9 100,00 |
| | 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): | | | TBC |

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 MSDF and Policy on House-shop |
| Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)] | | | X | Conveyancer certificate required to confirm. |
| Any other Municipal by-law that may be relevant to application? (If yes, specify) | | X | | |
| Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? <u>George Integrated Zoning Scheme, 2023</u> What is the current zoning of the property? <u>Single Residential Zone I</u> What is the proposed zoning of the property? <u>Single Residential Zone I with Consent Use for House shop</u> Does the proposal fall within the provisions/parameters of the zoning scheme? <u>No</u> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <u>Building line relaxation</u> | | | | |

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

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

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

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

SECTION D:

SERVICE REQUIREMENTS

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

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

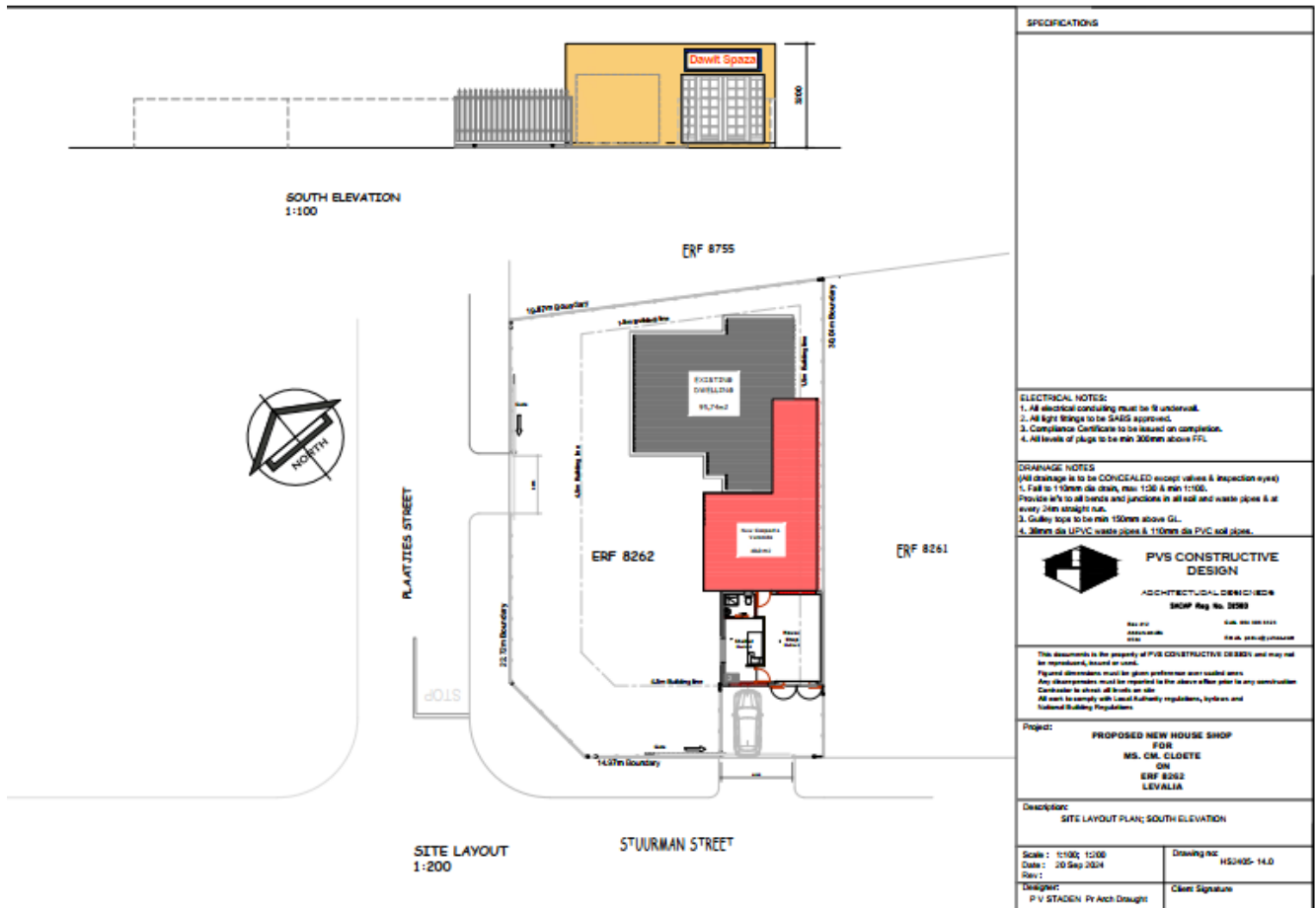
| COMPULSORY INFORMATION REQUIRED: | | | | | |
|---|---|---|---|---|--|
| Y | N | Power of Attorney / Owner's consent if applicant is not owner (if applicable) | Y | N | S.G. noting sheet extract / Erf diagram / General Plan |
| Y | N | Motivation report / letter | Y | N | Full copy of the Title Deed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

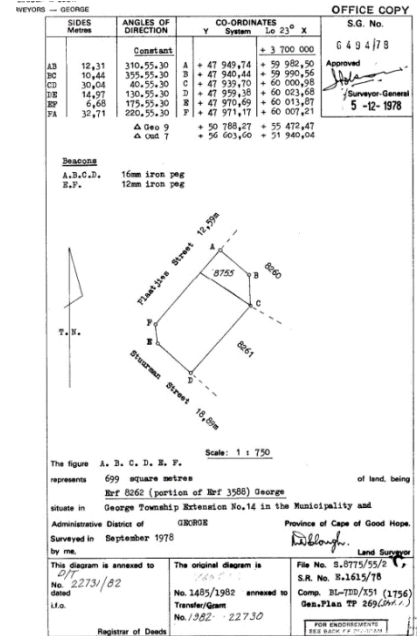
MINIMUM AND ADDITIONAL REQUIREMENTS:

| | | | | | |
|---|---|--|---|---|---|
| Y | N | Site Development Plan | Y | N | Conveyancer's Certificate |
| Y | N | Land Use Plan | Y | N | Proposed Zoning plan |
| Y | N | Phasing Plan | Y | N | Consolidation Plan |
| Y | N | Abutting owner's consent | Y | N | Landscaping / Tree Plan |
| Y | N | Proposed Subdivision Plan (including street names and numbers) | Y | N | Copy of original approval letter |
| Y | N | Services Report or indication of all municipal services / registered servitudes | Y | N | Home Owners' Association consent |
| Y | N | Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant) | Y | N | 1 : 50 / 1:100 Flood line determination (plan / report) |
| Y | N | Other (specify) | Y | N | Required number of documentation copies |

PART E: DISCUSSION

- The application was submitted with a layout plan, locality plan, and SG diagram as indicated below.





Town Planning

- It is noted that a notice of non-compliance was received, which initiated the proposed land use application.
- Motivate compliance with the George Municipality House Shop Policy (2021) in terms of location, distance from other house shops, parking etc.
- Parking to be indicated in terms of the requirements of the George Integrated Zoning Scheme By-law, 2023.
- Parking along Stuurman Street may not comply with the provisions of the George Integrated Zoning Scheme. Please indicate dimensions between the building structure and property boundary. The developer may consider providing parking along Plaatjies Street.
- Please confirm if the shelter constitutes a second dwelling or one non-interleading room. The applicant will be required to solicit comments from the District Municipality regarding health issues relating to the shop that is linked with a bedroom.

Civil Engineering Services

- Access to the property is restricted to Plaatjies and/or Stuurman Street, with only one access point per street permitted, as per the George Integrated Zoning Scheme (2023).
- All parking must be provided on-site in accordance with the parking requirements specified in the George Integrated Zoning Scheme (2023) – Parking table. No parking is allowed within the road reserve, and owner may be held liable for any costs associated with preventing parking on the road reserve.
- Development Charges will be applied in accordance with the DC policy and George Municipality Land Use Planning By-law 2023.
- Water and sewer services are available, but they are subject to confirmation of capacity through a service capacity study.
- Stormwater must comply with the relevant Stormwater By-Law. The developer to note the positions of stormwater inlets. No development/parking will be allowed to be constructed over the infrastructure.

PART F: SUMMARY / WAY FORWARD

Applicant may proceed with the preparation and submission of the proposed application(s).

OFFICIAL: KHULISO MUKHOVHA

PRE-APPLICANT: P. VAN STADEN



SIGNED:

DATE: 5 NOVEMBER 2024



SIGNED:

DATE: 30 OCT 2024

OFFICIAL: NAUDICA SWANEPOEL



SIGNED:

DATE: 5 NOVEMBER 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.*



ERF 8262, GEORGE, P:0 (CAPE TOWN)

Deeds Office Property Erf

2 Waterford Mews, Century City, Cape Town, 7441
Tel: +27 87 330 7577 - NCR Reg No: NCRCB30
Website: <https://www.searchworks.co.za>

SEARCH INFORMATION

Summary

| | |
|--------------------|-----------------------------------|
| Search Type | DEEDS OFFICE PROPERTY ERF |
| Search Description | ERF 8262, GEORGE, P:0 (CAPE TOWN) |
| Reference | JENNIFER |
| Date | 16/10/2024 |

ERF INFORMATION

Summary

| | |
|-----------------------|-----------------------|
| Deeds Office | CAPE TOWN |
| Property Type | ERF |
| Township | GEORGE |
| Erf Number | 8262 |
| Portion Number | 0 |
| Remainder | YES |
| Previous Description | - |
| Registration Division | GEORGE RD |
| Municipality | GEORGE MUN |
| Province | WESTERN CAPE |
| Diagram Deed | T22731/1982 |
| Size | 555.0000 SQM |
| LPI Code | C02700020000826200000 |
| Street Address | - |

OWNER SUMMARY

| Owner Name | ID / Reg. Number | Purchase Price | Purchase Date |
|-----------------------|------------------|----------------|---------------|
| CLOETE CLOTILDE MARIA | 6309190085083 | R90000.00 | 17/01/1994 |

OWNER INFORMATION

Owner 1 of 1

| | |
|-------------------------|-----------------------|
| Owner Name | CLOETE CLOTILDE MARIA |
| ID / Reg. Number | 6309190085083 |
| Owner Type | PERSON |
| Title Deed | T51269/1994 |
| Purchase Date | 17/01/1994 |
| Registration Date | 22/07/1994 |
| Purchase Price | R90000.00 |
| Multiple Owners | NO |
| Multiple Properties | - |
| Share | - |
| Microfilm Reference No. | 2002 068 3 :38:27 |

ENDORSEMENT(S)

| Document Number | Microfilm Reference Number | Institution | Value |
|-----------------|----------------------------|---|-------------|
| B48558/2002 | 2002 068 3 :37:96 | SOUTH AFRICAN HOME LOANS GUARANTEE TRUST | R100 000,00 |
| I-6321/2011AT | 20111014 11:37:54 | 348/2010 | R0,00 |
| I-8370/2003AT | 20181101 10:04:13 | 3976/2003 | R0,00 |

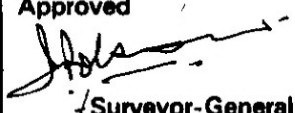
HISTORY INFORMATION

| Document Number | Microfilm Reference Number | Owner | Value |
|-----------------|----------------------------|-----------------------|------------|
| B52716/1994 | 2002 068 3 :38:26 | SAAMBOU BANK | R99 904,00 |
| T38956/1982 | 1986 011 5 :06:63 | WILLIAMS ADAM | R0,00 |
| T1844/1986 | 1994 059 7 :07:73 | ABRAHAMS ISGAAK 10000 | R10 000,00 |

REPORT INFORMATION

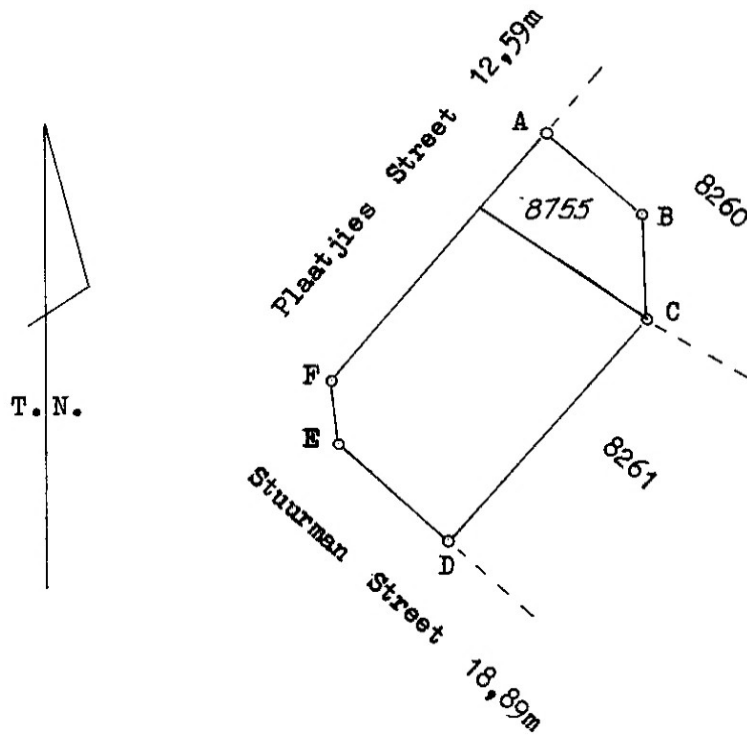
| | | |
|---------------------|---------------------------|---|
| Date of Information | 16/10/2024 10:28 |  |
| Print Date | 29/10/2024 17:28 | |
| Generated By | JENNIFER JUNIES | |
| Reference | JENNIFER | |
| Report Type | DEEDS OFFICE PROPERTY ERF | |

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| SIDES Metres | ANGLES OF DIRECTION | CO-ORDINATES | | | S.G. No. | |
|-----------------|------------------------|--------------|--------|-------------|---|-------------|
| | | Y | System | Lo 23° X | | |
| | <u>Constant</u> | | | + 3 700 000 | 6 4 9 4 / 7 8 Approved  Surveyor-General 5 -12- 1978 | |
| AB | 12,31 | 310.55.30 | A | + 47 949,74 | | + 59 982,50 |
| BC | 10,44 | 355.55.30 | B | + 47 940,44 | | + 59 990,56 |
| CD | 30,04 | 40.55.30 | C | + 47 939,70 | | + 60 000,98 |
| DE | 14,97 | 130.55.30 | D | + 47 959,38 | | + 60 023,68 |
| EF | 6,68 | 175.55.30 | E | + 47 970,69 | | + 60 013,87 |
| FA | 32,71 | 220.55.30 | F | + 47 971,17 | | + 60 007,21 |
| | | Δ Geo 9 | | + 50 788,27 | | + 55 472,47 |
| | | Δ Oud 7 | | + 56 603,60 | + 51 940,04 | |

Beacons

A.B.C.D. 16mm iron peg
E.F. 12mm iron peg



Scale: 1 : 750

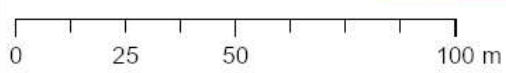
The figure A. B. C. D. E. F.
represents 699 square metres of land, being
Erf 8262 (portion of Erf 3588) George
situate in George Township Extension No.14 in the Municipality and
Administrative District of GEORGE Province of Cape of Good Hope.
Surveyed in September 1978
by me, *D. Blough* Land Surveyor

| | | |
|---|---|---|
| This diagram is annexed to <i>D/T</i> No. 22731/82 dated i.f.o. | The original diagram is <i>1665/82</i> No. 1485/1982 annexed to Transfer/Grant No. 1982-22730 | File No. S.8775/55/2 S.R. No. E.1615/78 Comp. BL-7DD/X51 (1756) Gen. Plan TP 269 (Sub. 1.) |
| Registrar of Deeds | FOR ENDORSEMENTS SEE BACK OF DIAGRAM | |



GIZS Layout - Lavalia

- Legend**
- Registered Properties (Deeds Office)
 - Sectional Schemes
 - Integrated Zoning Scheme (GIZSB)**
 - Estate Housing
 - Non conforming use
 - Agricultural Zone I
 - Agricultural Zone II
 - Agriculture Zone III
 - Business Zone I
 - Business Zone II
 - Business Zone III
 - Business Zone IV
 - Business Zone V
 - Business Zone VI
 - Community Zone I
 - Community Zone II
 - Community Zone III
 - General Residential Zone I
 - General Residential Zone II
 - General Residential Zone III
 - General Residential Zone IV
 - General Residential Zone V
 - General Residential Zone VI
 - Industrial Zone I
 - Industrial Zone II
 - Industrial Zone III
 - Industrial Zone IV
 - Open Space Zone I
 - Open Space Zone II
 - Open Space Zone III
 - Open Space Zone IV
 - Resort Zone
 - Single Residential Zone I
 - Single Residential Zone II
 - Single Residential Zone III
 - Special Planning Area Overlay Zone
 - Subdivisional Area Overlay Zone
 - Transport Usage Zone II
 - Transport Zone I
 - Transport Zone II
 - Transport Zone III
 - Undetermined Use Zone
 - Utility Zone
 - Streets



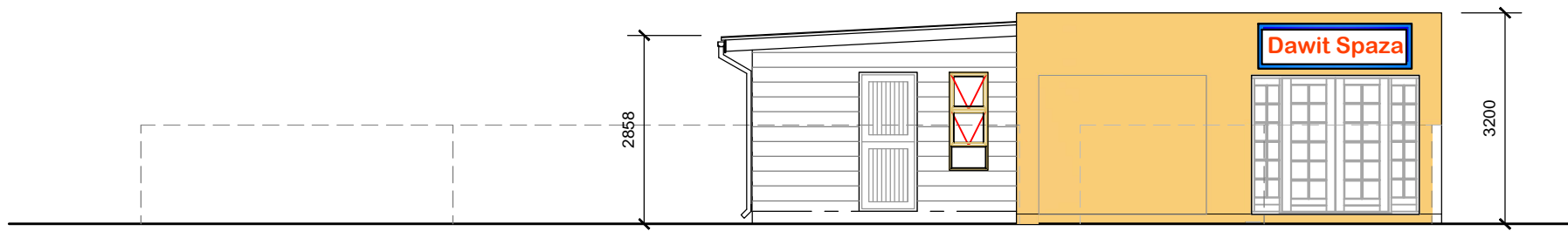
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Scale: 1:1,513

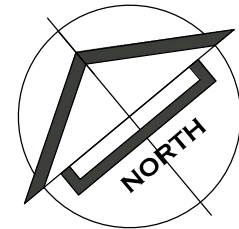


Disclaimer
George Municipality makes no warranties as to the correctness of the information supplied. Persons relying on this information do so entirely at their own risk.

George Municipality will not be liable for any claims whatsoever, whether for damages or otherwise, which may arise as a result of inaccuracies in the information supplied.



**SOUTH ELEVATION
1:100**



PLAATJIES STREET

STOP

**SITE LAYOUT
1:200**



STURMAN STREET

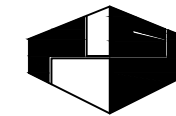
SPECIFICATIONS

ELECTRICAL NOTES:

1. All electrical conduiting must be fit underwall.
2. All light fittings to be SABS approved.
3. Compliance Certificate to be issued on completion.
4. All levels of plugs to be min 300mm above FFL

DRAINAGE NOTES

- (All drainage is to be CONCEALED except valves & inspection eyes)
1. Fall to 110mm dia drain, max 1:30 & min 1:100. Provide ie's to all bends and junctions in all soil and waste pipes & at every 24m straight run.
 3. Gully tops to be min 150mm above GL.
 4. 38mm dia UPVC waste pipes & 110mm dia PVC soil pipes.



**PVS CONSTRUCTIVE
DESIGN**

ARCHITECTURAL DESIGNERS

SACAP Reg No. D1583

Box 412
Andersonville
6534

Cell. 064 306 3823

Email. pcdsa@yahoo.com

This documents is the property of PVS CONSTRUCTIVE DESIGN and may not be reproduced, issued or used.
Figured dimensions must be given preference over scaled ones
Any discrepancies must be reported to the above office prior to any construction Contractor to check all levels on site
All work to comply with Local Authority regulations, by-laws and National Building Regulations

Project:

PROPOSED NEW HOUSE SHOP
FOR
MS. CM. CLOETE
ON
ERF 8262
LEVALIA

Description:

SITE LAYOUT PLAN; SOUTH ELEVATION

Scale : 1:100; 1:200
Date : 05 Nov 2024
Rev :

Drawing no:
HS2405- 14.1

Designer:
P V STADEN Pr Arch Draught

Client Signature