

Our Ref.: 1401/GEO/24
Your Ref.: Erf 3143, George

07 February 2025

The Municipal Manager
George Municipality
PO Box 19
GEORGE
6530

ATTENTION: MS. ILANÉ HUYSER

Dear Ms. Huyser,

PROPOSED REZONING: ERF 3143, GEORGE, GEORGE MUNICIPALITY AND DIVISION, WESTERN CAPE PROVINCE

1. The above matter refers.
2. Attached hereto find the following:
 - A copy of the required documentation;
3. We hope that you will be able to process the application as soon as possible.

Yours faithfully
DELPLAN Consulting



DELAREY VILJOEN Pr. Pln

<https://delplan.sharepoint.com/sites/Delplan/Shared Documents/General/Documents/PROJECTS/2024/1401-GEO-24/Korrespondensie/Cover letter.doc>

Cc: DELTA TRUST

PROPOSED REZONING OF ERF 3143, 107 MERRIMAN STREET, GEORGE MUNICIPALITY AND DIVISION



FOR: DELTA TRUST



URBAN & REGIONAL PLANNERS

DEVELOPMENT ENVIRONMENT LINK

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PROPOSED REZONING OF ERF 3143, 107 MERRIMAN STREET, GEORGE MUNICIPALITY AND DIVISION

1. INTRODUCTION

Erf 3143, George is currently developed with a main dwelling and an outbuilding. The property owner wishes to rezone the property. *DELPLAN Consulting* was appointed by the new registered owner of Erf 3413, George, referred hereafter as the “subject property”, to prepare and submit the required rezoning application. A copy of the Power of Attorney to submit this land use application is attached as **Annexure 1**.

1.1 Title Deed

The subject property is registered to Delta Trust according to the Title Deed T76159/2024. The title deed describes the property as 857m² extant. The title deed is hereafter attached as Annexure 2, and the accompanying SG Diagram is attached as Annexure 3. The title deed has been scrutinized, and it contains no restrictions that will prohibit the proposed rezoning, this is confirmed with the conveyancer’s certificate attached as Annexure 4.

1.2 Land Use Application

This land use application entails the following;

Rezoning in terms of Section 15(2) (a) of the George Municipality: Land Use Planning By-Law, 2023 from “Single Residential Zone I” to “Business Zone I” to allow business premises on the property.

2. CONTEXTUAL INFORMATION

2.1 The Locality of the Subject Property

The subject property is located within the George CBD at 107 Merriman Street in ward 28. Figure 1 indicates the subject property in relation to the surrounding area. Figure 2 provides a closer view of the subject property with its immediate surroundings.

2.2 Existing Land Uses and Character of the Area

The subject property is currently developed with a main dwelling and an outbuilding. The main dwelling is situated in the centre of the property, while the outbuilding is situated on the southwestern side of the subject property. The subject property is currently used for residential purposes. It is not anticipated that the proposed rezoning will have any negative impact on the surrounding area because no physical changes are being proposed to the external characteristics of buildings on the subject property. Both of the existing structures gain access off Merriman Street and will remain unchanged. The accessway to the subject property is a sufficient distance from any intersections.

The property is located within the George CBD. The purpose of the CBD's central business district (CBD) is to create a vibrant business sector. The property is currently zoned as Single Residential I but is bounded by a variety of business uses as can be seen in figures 3 and 4.



Figure 3: Photo of surrounding developments (taken southwards)



Figure 4: Photo of surrounding developments (taken northwards towards Hibernia Street)

Furthermore, the owner wishes to rezone the subject property from its current zoning, “Single Residential Zone I” to “Business Zone I” to get business rights for the subject property. It is not foreseen that the proposed rezoning will have any negative impact since the subject property is located within a business area. A heritage permit is also being applied for and will be supplied in due course. The owner is not proposing any physical additions to structures on the subject property; thus, the streetscape and the character will not be impacted negatively. The streetscape in any case no longer resembles that of residential uses as is clearly evident in figures 3 & 4. **Annexure 6** confirms the surrounding land uses

2.3 Zoning



Figure 5: Zoning for Erf 3143

The zoning of the subject property, according to the George Integrated Zoning Scheme By-Law, is “Single Residential Zone I”. Figure 5 indicates the zoning of the subject property as well as its immediate surroundings. As mentioned above, the subject property is bounded by different business uses and one of only a few remaining single residential uses in the area. The current zoning plan and proposed zoning plan is attached as **Annexure 7 and 8** respectively.

3. DEVELOPMENT PROPOSAL

3.1 Proposed Development

The property is currently developed with an existing building and an outbuilding. The owner wishes to rezone the property from Single Residential I to Business Zone I to get business rights for the property. The proposal does not entail any physical changes to the layout of existing buildings or any new developments on the property, just the interior changes and upgrades.

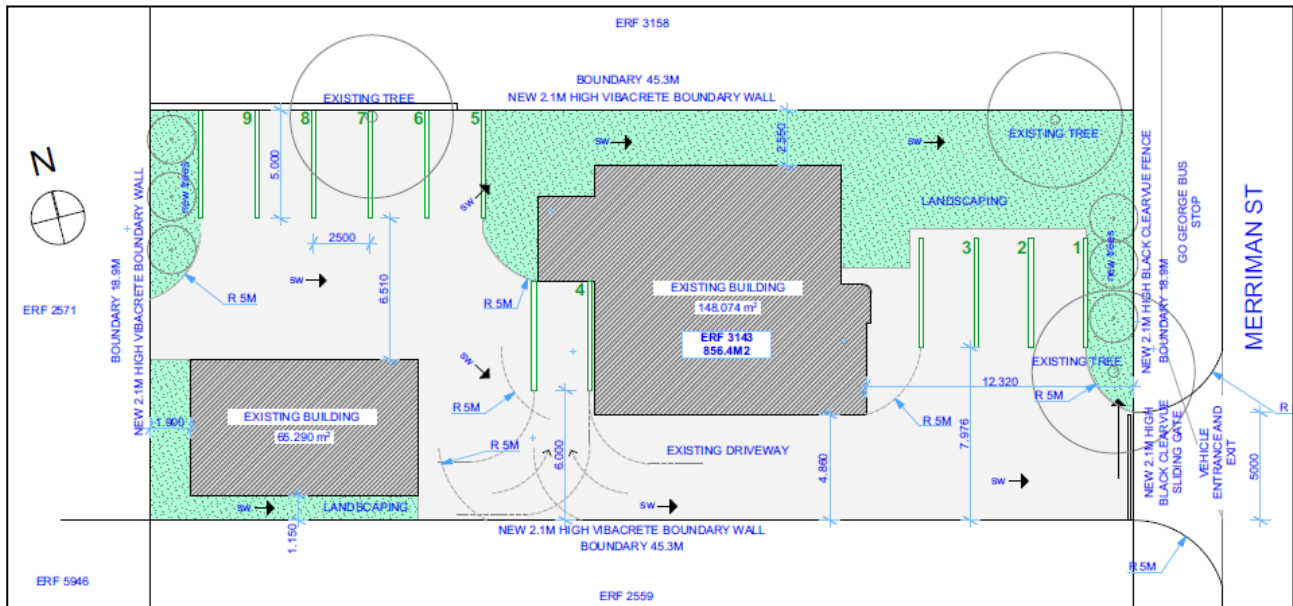


Figure 6: Extraction of the proposed site plan

Figure 6 illustrates the proposed development. The approval of the application will allow for the creation of a new business within George CBD which will enable the owner to utilise the property to its fullest potential. The subject property is located in an area that is already serviced by municipal engineering services. The proposed development will optimise the use of municipal engineering services. A site plan is hereby attached as **Annexure 9**.

3.2 Accessibility



Figure 7: Access to the subject property

The existing main dwelling and an outbuilding currently have the same access to the subject property, and it will remain unchanged. As indicated in the site plan (attached as **Annexure 9**), sufficient parking will be provided on-site, as can also be seen in the Site Plan, with 9 parking bays being provided in total. Figure 7 illustrates the access to the property off Merriman Street.

3.3 Engineering Services

The property is located in an already developed and serviced residential area. The property owner will be held financially responsible for the capital contributions.

3.4 Pre-Application

A Pre-application meeting was conducted on 18 October 2024 (**Annexure 10**), the following comments were made:

Town Planning comments

- A detailed site layout plan indicating the proposed land use, access, parking and manoeuvrability and all related facilities for the proposed land use must be submitted by applicant.
Attached with this report.
- A heritage permit must be applied for and approved by HWC before any additions are made to the existing building on the property (whether minor or internal).
Heritage permit was applied for.
- Applicant is advised to ensure that all mature indigenous trees on the property are preserved. It must be noted that no indigenous tree may be cut, removed or pruned without approval of the competent authority.
Noted, the proposal does not include the removal of any trees.
- Noted that the property falls within the CBD Node, applicant to motivate in terms of zoning scheme, MSDF CBD LSDF and all other applicable policies.
Noted, included as such.
- The Go-George bus stop in front of the property must be noted, comment from this department will be required.
Noted.

CES comments

- Applicant to take note that access is restricted to Merriman Street.
- All parking to be provided on site in terms of the GIZS, 2023.
- No parking will be allowed within the road reserve and the owner will be held liable for all cost to ensure that road reserve is not utilise for parking purposes.
- Site access should conform to the 2023 GIZS clause 45 & 46, as well as the Road and Sidewalk By-law.
- Normal DC's, as per the DC policy & Town planning By-law, will be applicable.

- Water & sewer are available, subject to capacity confirmation for a service capacity.
- Developer to adhere to the applicable Stormwater By-law.

All comments are noted.

4. RELEVANT SPATIAL PLANNING POLICIES

This section briefly addresses the relevant spatial policy frameworks that provide guidance to development proposals in general and its applicability to this proposed development. These include:

4.1 George Municipal Spatial Development Framework (GMSDF) (2023)



Figure 8: Medium term business development edge

The spatial document does not address Erf 3143, George specifically or rezoning relating to this application. The property does fall within the medium-term business development edge where business uses are promoted as seen in figure 8. The MSDF also states that the George CBD is a high-intensity mixed-use area that is defined by a business edge, including offices and housing options. Furthermore, it states that the CBD is the core of the city, where development and revitalisation is promoted. The primary activity of the city is to create a vibrant mix of residential, services and offices.

It is argued that the proposal is considered to not be in conflict with the SDF. As can be seen in figure 9 there is sufficient public transport surrounding the property.



Figure 9: GoGeorge routes in the surrounding area

5. STATUTORY FRAMEWORKS

Following the most recent legislative and procedural changes that have become applicable to the management of land use planning in South Africa and consequently the Western Cape Province, it is considered necessary to summarise the implications of the current statutory framework within the context of this land-use planning application. Set out below are a set of principles and ethical conventions related to this application.

5.1 Spatial Planning and Land Use Management Act, 2013 (ACT 16 OF 2013) (SPLUMA)

The nature of this land use application only partially affects the five development principles of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA). Only the most relevant aspects are addressed below.

5.1.1 Development Principles

1) Spatial Justice

This principle refers to the need for improved access and use of land in order to readdress past spatial - and development imbalances as well as the need for SDF's and relevant planning policies, spatial planning mechanisms, land use management systems and land development procedures to address these imbalances.

-
- *No reference is made to the property in the SDF or relevant planning policies specifically. As previously stated, the property does fall within the CBD area as well as the medium term business development edge thus not contravening the SDF.*

2) Spatial Sustainability

This principle refers to the need for spatial planning and land use management systems to promote land development that is viable and feasible within a South African context, to ensure the protection of agricultural land and to maintain environmental management mechanisms. It furthermore relates to the need to promote effective/equitable land markets, whilst considering the cost implications of future development on infrastructure and social services as well as the need to limit urban sprawl and ensure viable communities.

- *This land-use application does not affect prime - or unique agricultural land, nor does it influence any environmental management mechanisms. The property is situated in an area that is overwhelmingly business orientated, this new development will therefore not negatively affect the efficient and equitable functioning of land markets.*

3) Spatial Efficiency

This principle relates to the need for optimal use of existing resources and infrastructure as well as decision-making that minimises negative financial, social, economic or environmental impacts and development application procedures that are efficient and streamlined.

- *As mentioned above, the proposed development is situated in an already serviced area. The proposed development will therefore utilise the existing resources and infrastructure.*

4) Spatial Resilience

This principle refers to the extent to which spatial plans, policies and land use management systems are flexible and accommodating to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

- *The development proposal does not undermine the aim of any relevant spatial plan. The aspects of spatial resilience are, however, not considered relevant to this application.*

5) Good Administration

This principle refers to the obligation of all spheres of government to ensure implementation of the above as efficiently, responsibly and transparently as possible.

-
- *The application as set forth, aligns with all relevant principles and frameworks. George Municipality should consider the application within the prescribed timeframes and follow due process in an efficient manner. Public participation must – and will be transparent regarding the relevant policies and legislation as procedures should be clear to inform and empower members of the public regarding new developments.*

5.1.2 Public Interest

The approval of this application will allow the property owners to rezone the property to a business zone. As mentioned above, it is not anticipated that the proposed development will have any negative impact on the streetscape or the character of the area since the property is surrounded by businesses. The subject property has a wall and vegetation, which will secure privacy between the neighbouring properties. No new development is being proposed to the external layout of the existing buildings. Therefore, the streetscape would remain unchanged.

5.1.3 Environmental Legislation

No listed activities as contemplated by the National Environmental Management Act, 1998 (as amended) (NEMA) are triggered by this application.

5.2 Land Use Planning Act (LUPA)

The development objectives entrenched in SPLUMA have been assimilated into the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) and sets out a basis for the adjudication of land use planning applications in the province. It requires that local municipalities have due regard to at least the following when doing so:

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

The land-use planning principles of LUPA (Section 59) are, in essence, the expansion of the five development principles of SPLUMA listed above. Spatial resilience and - justice have very few associations with this application. The principles of sustainability, efficiency and good administration

all have relative bearing with regards to this application and have been included in the framework analysis under subsection 5.1.1.

5.2.1 Compliance/Consistency with Spatial Policy Directives

Section 19(1) and (2) of LUPA states that the following:

“(1) If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or a land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan;

“(2) If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development does not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being consistent with that spatial development framework or structured plan.”

In view of the nature of this land use application and its location within George, this proposal is consistent with the GSDF.

5.2.2 Need and Desirability

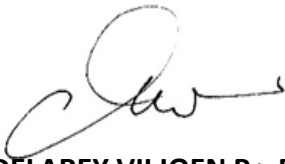
The concept of “*desirability*” in the land use planning context may be defined as the degree of acceptability of a proposed development on the land units concerned or the proposed rezoning of a property. This section expresses the desirability of the proposed rezoning taken in conjunction with the development principles and criteria set out through the statutory planning framework listed above, as well as the degree to which this proposal may be considered within the context of broader public interest. It is our view that the initial investigation into the desirability of the proposal reveals no obvious negative impacts.

The proposed application will not have a negative impact on the surrounding neighbours as the property is located in the CBD area and surrounded by a variety of businesses. Furthermore, the character of the area will remain unchanged since no additional development is being proposed. It is not anticipated that the approval of this application will have any negative impact on the aesthetic appearance of the property from the street, given that the existing buildings already fit in with the character of the area. In this case, the changes to the subject property cannot be seen from the street. The approval of this application will allow for the creation of a new business located within

George CBD, which is already in an area that is serviced by municipal engineering services. The subject property is also bounded by GoGeorge bus routes.

6. CONCLUSION

We believe that the abovementioned principles, considerations and guidelines for this land use application for Erf 3143, George satisfies the applicable legislation. As a result, it is trusted that this application can be finalised successfully.




DELAREY VIJOEN Pr. Pln

FEBRUARY 2025

ANNEXURE 1



POWER OF ATTORNEY

I, **Gideon Stefanus van Heerden**, the undersigned and trustee of Delta Trust, the registered owner of Erf 3143 , George Municipality and Division hereby instruct Delarey Viljoen of *DELPLAN Consulting* to submit the land use application with the local authority.


G S van Heerden

Date: 14.02.2025

Witnesses:

1. 
2. 

ANNEXURE 2

A Chimes & Van Wyk Inc
58 Cathedral Street
George
6529

Prepared by me


CONVEYANCER
ANDALEEN CHIMES (LPCM86025)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 2500 000,00	R. 2140,00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA / VERIFY
04 DEC 2024
Unathi Jongqo

DATA / CAPTURE
03 DEC 2024
Anitha Manyisana

T 000076159 / 2024

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

~~JANINE FOUCHÉ (LPCM60411)~~ RONELLE WILKINSON(97489)

WESTERN CAPE
appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

ANDRÉ CAMPHER
Identity Number 670222 5055 08 1
Married out of community of property

which said Power of Attorney was signed at GEORGE on 14 October 2024

And the appearer declared that his/her said principal had, on 11 September 2024, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**The Trustees for the time being of the
DELTA TRUST
Registration Number IT008757/1998**

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

ERF 3143 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE

IN EXTENT 857 (EIGHT HUNDRED AND FIFTY SEVEN) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T15753/1955 with
Diagram No. 5861/55 relating thereto and held by Deed of Transfer Number
T775/2009

SUBJECT to the conditions as referred to in Deed of Transfer dated 23 November
1920, No 16336.

|

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

ANDRÉ CAMPHER, Married as aforesaid

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

**The Trustees for the time being of DELTA TRUST
Registration Number IT008757/1998**


its Successors in Office or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 500 000,00 (TWO MILLION FIVE HUNDRED THOUSAND RAND) .

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS, at CAPE TOWN on 29 NOV 2024

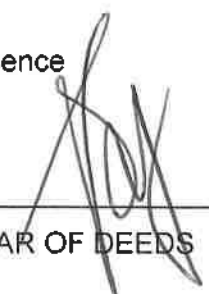
WESTERN CAPE

at
2024



q.q.

In my presence



REGISTRAR OF DEEDS

n

ANNEXURE 3

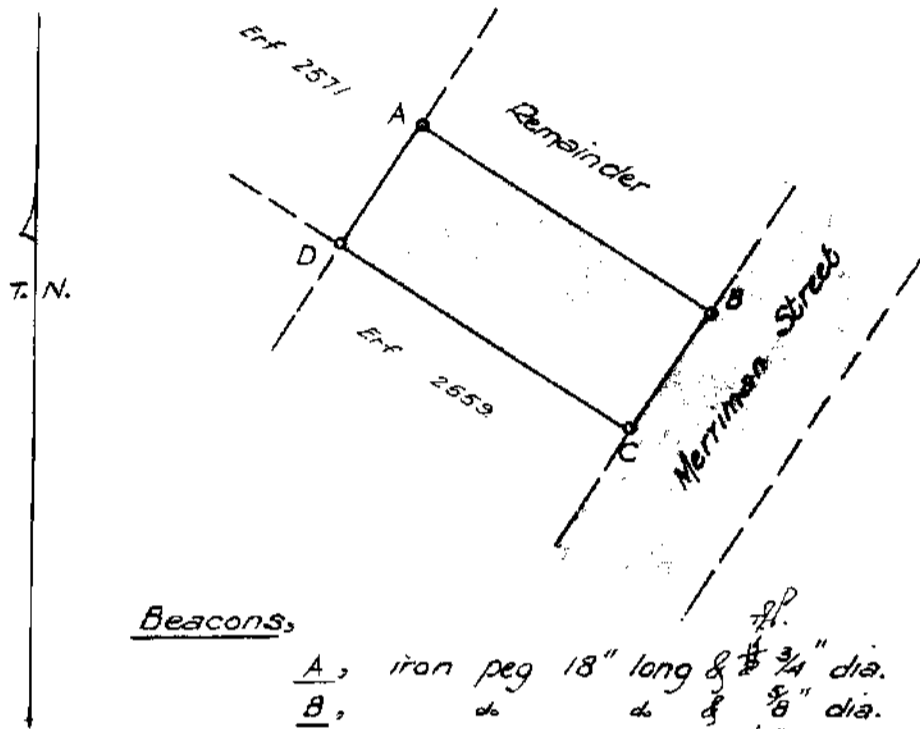
KENTINGA
S. G. No. 5861/55

SIDES Cape Feet		ANGLES OF DIRECTION		SYSTEM L. CO-ORDINATES	
				y	x
AB	144	A	90°		
BC	60	B	90		
CD	144	C	90		
DA	60	D	90		

S. G. No. 5861/55

Approved

[Signature]
Surveyor-General.



Beacons:

- A, iron peg 18" long & $\frac{3}{4}$ " dia.
- B, " " " & $\frac{5}{8}$ " dia.
- C & D, iron pegs 18" long & $\frac{1}{2}$ " dia.

Scale 1: 1000

The figure ABCD represents 8640 Sq. Feet of land being

Erf 3145 a portion of Erf 2570 George

Municipality and Situate in the Division of George Province of Cape of Good Hope.

Surveyed in May 1955 by me

[Signature]

Land Surveyor.

This diagram is annexed to D/T.N. 15753/1955

Registrar of Deeds.

The original diagram is No. 1414/1854 annexed to D./G. Geo.F. 18.11

S.G. File No. 5/8775/1944
S.R. No. E. 1427/55
BL 700/X.42.

B ✓

S
C

ANNEXURE 4

CONVEYANCER'S CERTIFICATE

REZONING IN TERMS OF SECTION 15(2)(a) OF THE GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW 2023

ERF 3143 GEORGE

APPLICATION DETAILS

- An application in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2023, for a Rezoning from Single Residential Zone I to Business Zone I to allow business premises on the property.

APPLICATION DATE

February 2025

I, the undersigned,

ANDALEEN CHIMES, a duly qualified and admitted Conveyancer, practising at A Chimes & Van Wyk Attorneys, Cathedral Street, George do hereby certify as follows:

1. I have perused the following title Deed and conducted a search behind the pivot of the said title deed at the Deeds Office, Cape Town:

T76159/2024 (current Title Deed)

in respect of:

ERF 3143 GEORGE

IN THE MUNICIPALITY AND DIVISION OF GEORGE

PROVINCE OF THE WESTERN CAPE

IN EXTENT: 857 (EIGHT HUNDRED AND FIFTY SEVEN) SQUARE METRES

HELD BY DEED OF TRANSFER NUMBER T76159/2024.

REGISTERED in the name of:

**The Trustees for the time being of the
DELTA TRUST**

Registration Number IT008757/1998

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

SIGNED at GEORGE on 14 February 2025

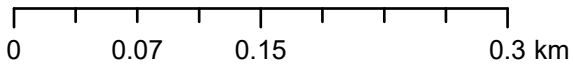
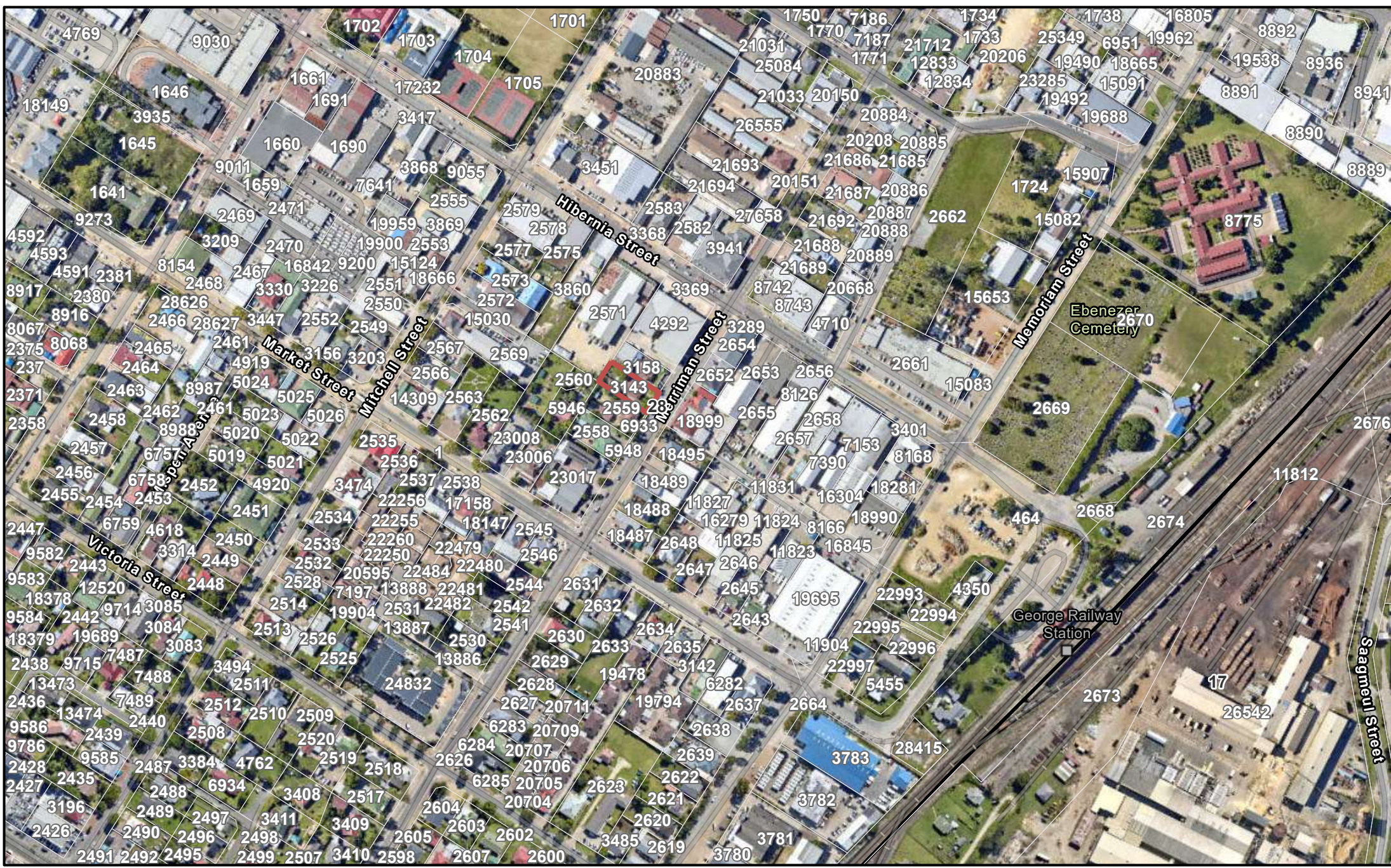


CONVEYANCER

ANNEXURE 5



Locality Plan



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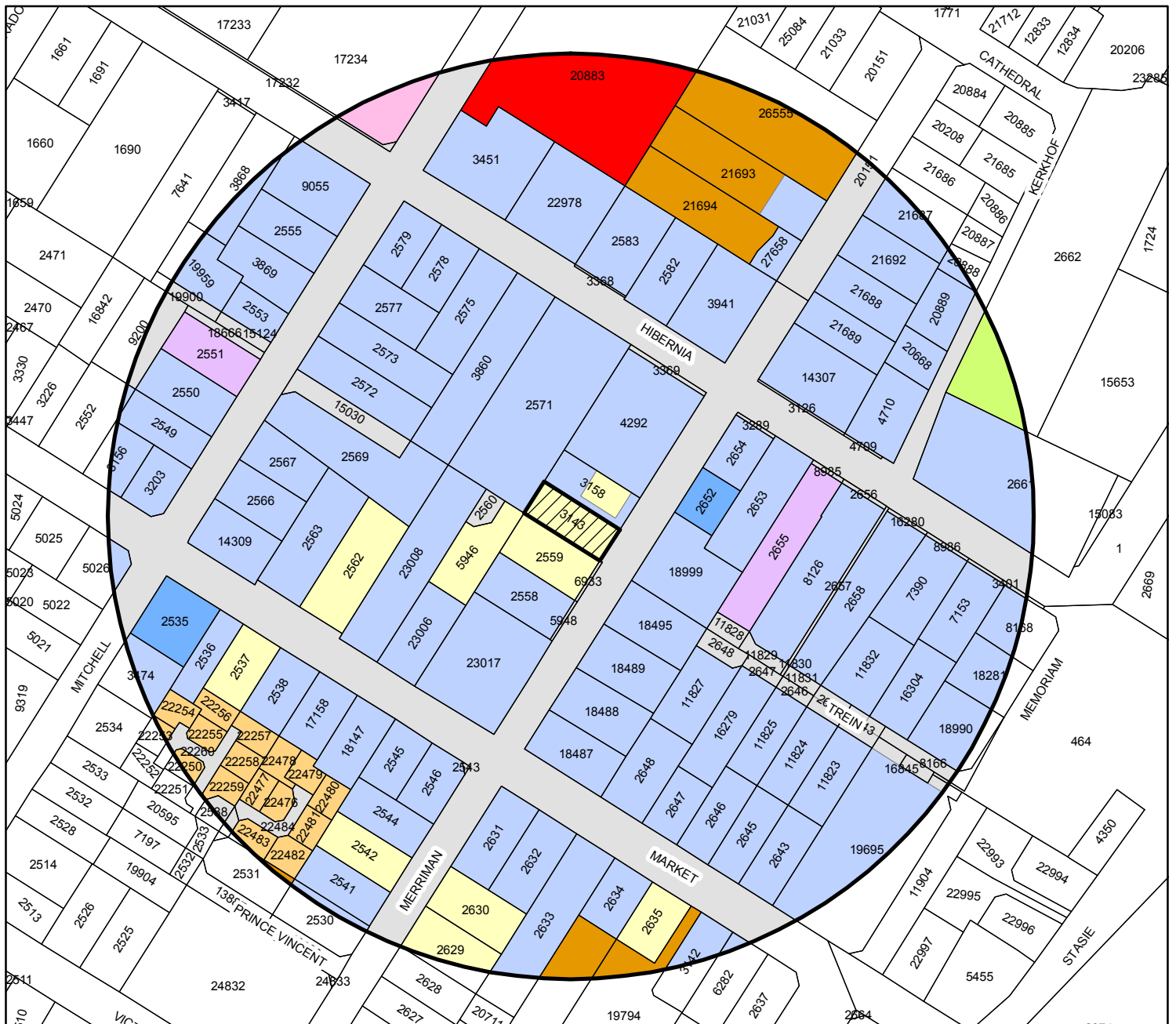
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Disclaimer
 George Municipality makes no warranties as to the correctness of the information supplied. Persons relying on this information do so entirely at their own risk.

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

ANNEXURE 6



LAND USE

- Dwelling house
- Group housing
- Flats
- School
- Business
- Workshop
- Cemetery
- Industrial workshop
- Municipal
- Road

LEGEND:



A4 Scale:
1:3,000

PROJECT:

Proposed rezoning
for Delta Trust

PROJEK:

DESCRIPTION:

Erf 3143, George

BESKRYWING:

TITLE:

Proposed landuse plan

TITEL:

1401/GEO/24/GIS/LandUse

DESIGNED: SG
ONTWERP:

DRAWN: MV
GETEKEN:

DATE: FEB 2025
DATUM:

PLAN NO: ANNEXURE
PLAN NR:

Tel: 044 873 4566, Email: planning@delplan.co.za
www.delplan.co.za



URBAN & REGIONAL PLANNERS

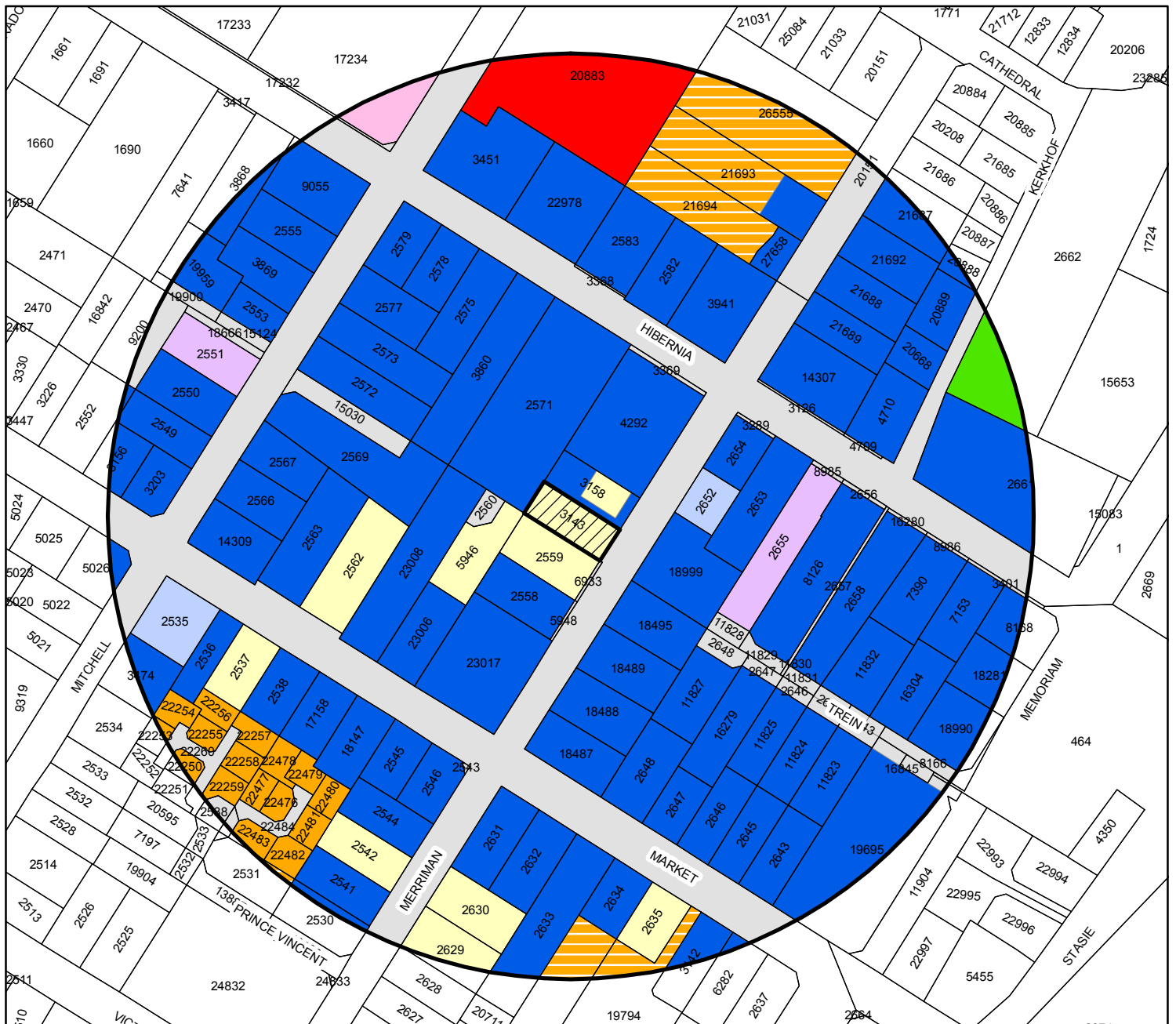
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KOPIEREG:

Die kopiereg van hierdie tekening behoort aan DELplan Consulting. Moenie daarvan afskaal nie, maar verwys na afstande soos aangedui. Alle afmetings moet deur 'n professionele Landmeter nagegaan en bevestig word. Enige teenstrydighede moet asseblief dadelik aan DELplan rapporteer word.

ANNEXURE 7



CURRENT ZONING

- Single Residential Zone I
 Business Zone I
 Business Zone IV
 Industrial Zone I
 Utility Zone
- General Residential Zone II
 Open Space Zone II
- General Residential Zone IV
 Community Zone I
 Transport Zone II

LEGEND:



A4 Scale:
1:3,000

PROJECT:

Proposed rezoning
for Delta Trust

PROJEK:

DESCRIPTION:

Erf 3143, George

BESKRYWING:

TITLE:

Current zoning plan

TITEL:

1401/GEO/24/GIS/CZoning

DESIGNED: SG
ONTWERP:

DRAWN: MV
GETEKEN:

DATE: FEB 2025
DATUM:

PLAN NO: ANNEXURE
PLAN NR:

Tel: 044 873 4566, Email: planning@delplan.co.za
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URBAN & REGIONAL PLANNERS

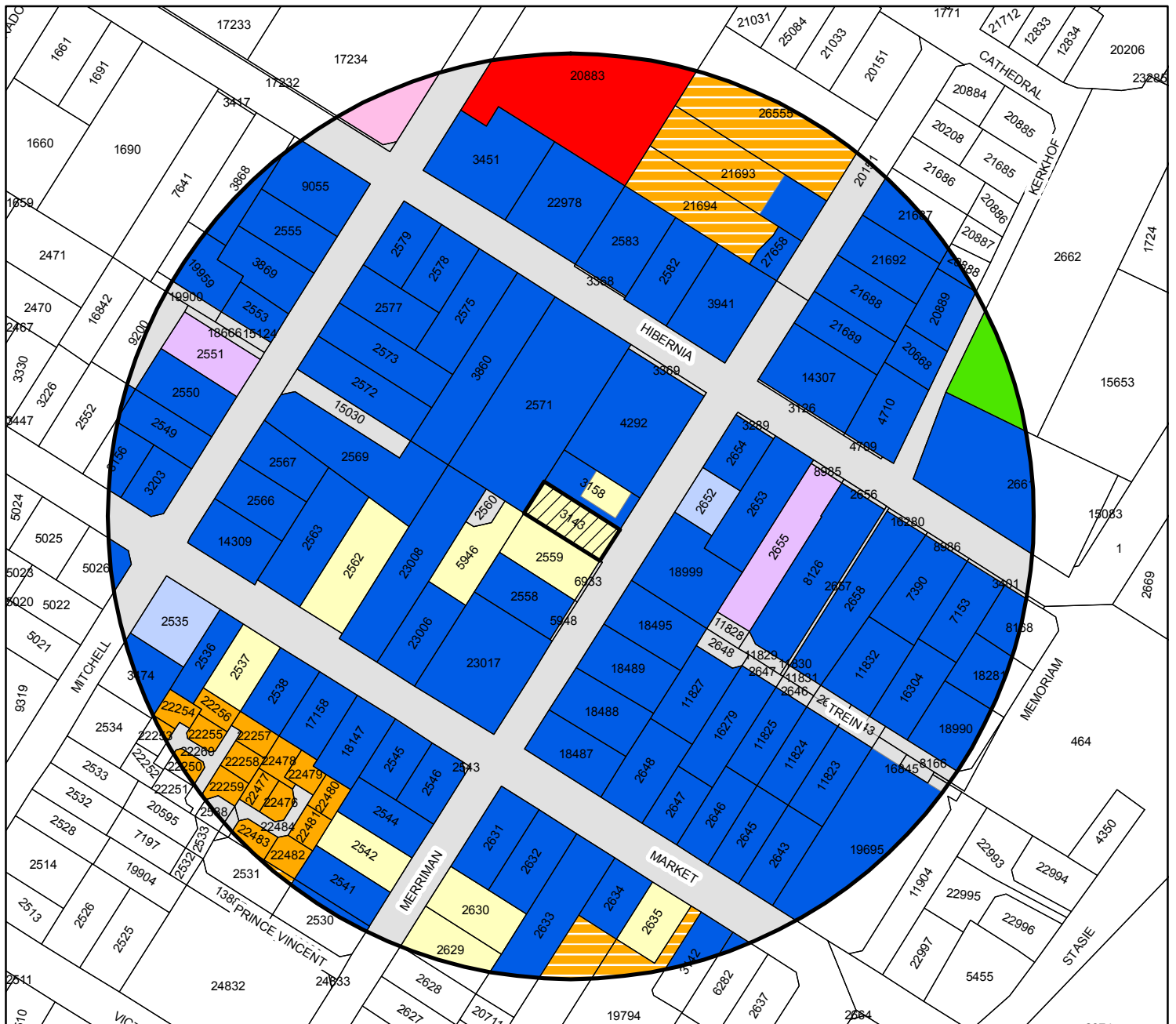
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ANNEXURE 8



PROPOSED ZONING

- Single Residential Zone I
 Business Zone I
 Industrial Zone I
 Utility Zone
- General Residential Zone II
 Business Zone IV
 Open Space Zone II
- General Residential Zone IV
 Community Zone I
 Transport Zone II

LEGEND:



A4 Scale:
1:3,000

PROJECT:

Proposed rezoning
for Delta Trust

PROJEK:

DESCRIPTION:

Erf 3143, George

BESKRYWING:

TITLE:

Proposed zoning plan

TITEL:

1401/GEO/24/GIS/PZoning

DESIGNED: SG
ONTWERP:

DRAWN: MV
GETEKEN:

DATE: FEB 2025
DATUM:

PLAN NO: ANNEXURE
PLAN NR:

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KOPIEREG:

Die kopiereg van hierdie tekening behoort aan DELplan Consulting. Moenie daarvan afskaal nie, maar verwys na afstande soos aangedui. Alle afmetings moet deur 'n professionele Landmeter nagegaan en bevestig word. Enige teenstrydighede moet asseblief dadelik aan DELplan rapporteer word.



ANNEXURE 9

All dimensions and levels to be checked on site before any work is put in hand.
 All discrepancies and ambiguities are to be reported to the architect in writing to be clarified.
 Do not scale dimensions

Copyright reserved.

Revision:	Date:	Discription:
1	2024-11-05	SDP
2	2024-11-19	SDP
3	2025-01-29	SDP
4	2025-02-12	SDP

Signatures:

Owner: 	Architect: 
--	--

CLIENT:

DELTA TRUST

Jacques Malan
 SACAP PrArch 21280
 060 509 8314
 jm@dlaoffice.co.za



ERF 3143, MERRIMAN ST, GEORGE
 REZONING APPLICATION

DRAWING DESCRIPTION:

Site

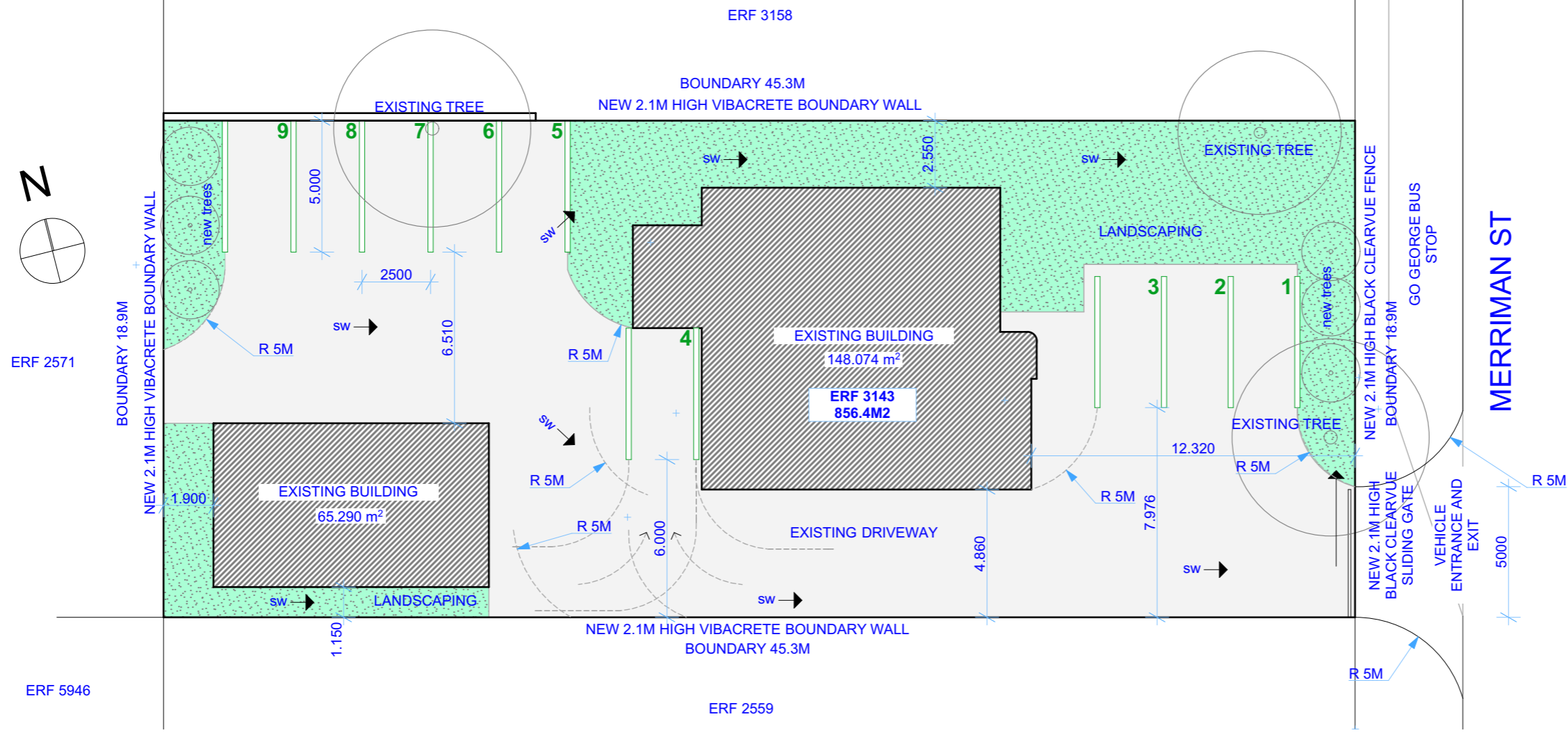
SITE DEVELOPMENT PLAN

DRAWN BY: JM	CHECKED:
DRAWING SCALE: AS SHOWN	DATE 2025/02/13

REVISION NUMBER: 4	PROJECT NUMBER: 2441
------------------------------	-------------------------

DRAWING NUMBER:
1-01

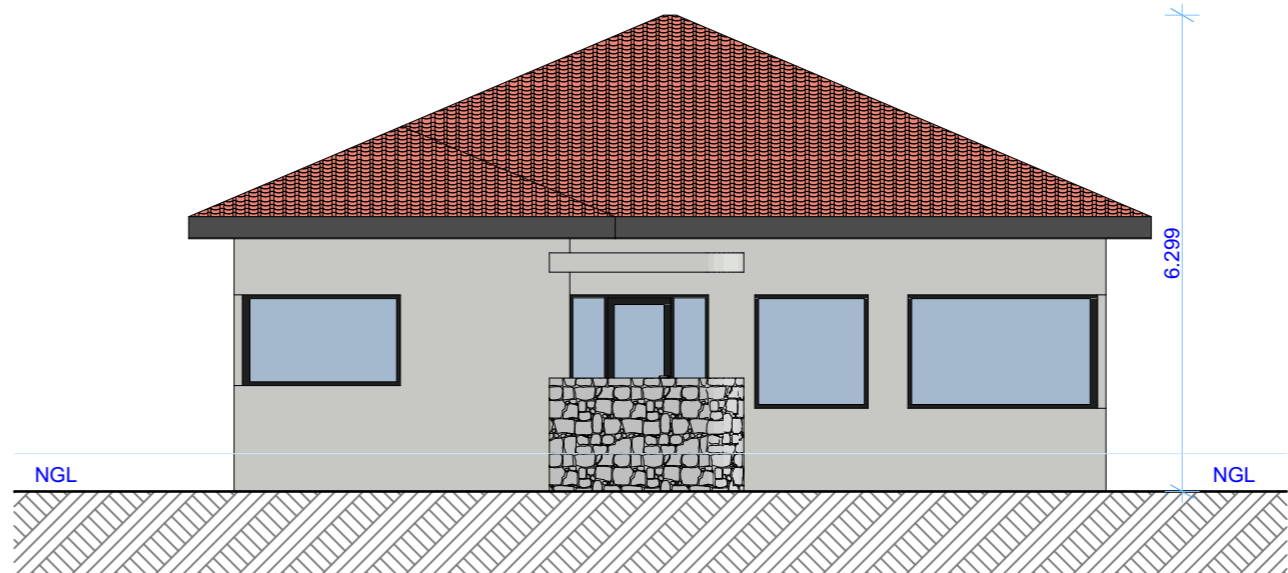
ORIGINAL DRAWING SIZE: A3



SITE DEVELOPMENT PLAN
 Scale 1:200



OUTBUILDING ELEVATION
 Scale 1:100



STREET ELEVATION
 Scale 1:100

ALL EXISTING STEEL FRAME WINDOWS
 TO BE REPLACED WITH ALUMINIUM
 WINDOWS AS PER WINDOW SCHEDULE
 ATTACHED

DEVELOPMENT DATA:

EXISTING MAIN BUILDING	148M2
EXISTING OUTBUILDING	65M2
TOTAL EXISTING	213M2
PARKING REQUIRED 4/100M2=9	
PARKING PROVIDED	9

ANNEXURE 10



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

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: **3454507**

Purpose of consultation: **To consult a Municipal town planner on their opinion on the said development**

Brief proposal: **Application for Proposed Rezoning from Single Residential Zone I to Business Zone I.**

Property description: **Erf 3143, George**

Date: **16 October 2024**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Ilané Huyser	George Municipality	044 801 9477	ihuyser@george.gov.za
Official	Fakazile Vava	George Municipality	044 801 9477	fvava@george.gov.za
Pre-applicant	Delarey Viljoen	DELPLAN Consulting	044 873 4566	planning@delplan.co.za

Documentation provided for discussion:

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

Locality (in text)

Title Deed

SG Diagram

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)

Comprehensive overview of proposal:

YES	NO
-----	----

Erf 3143, George is situated along Merriman Street in the George CBD. According to the title deed the property measures 857m². The image below indicates the subject property.



Figure 1: Locality

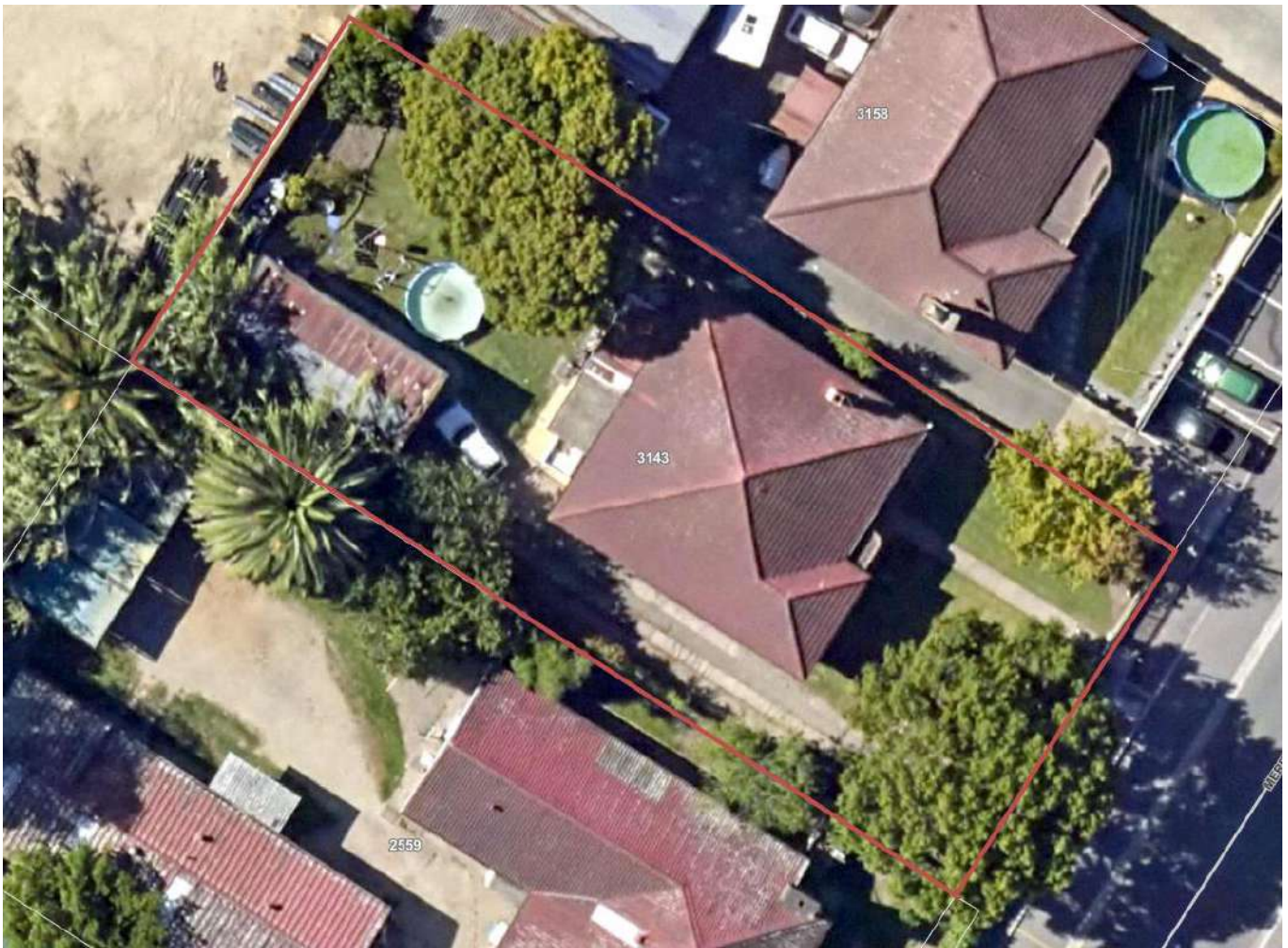


Figure 2: Enlarged aerial photograph

The erf is currently zoned for a dwelling house (Single Residential Zone I), the new owner now wishes to rezone the property to "Business Zone I" to allow a business premises. As can be seen in the aerial photography there is a dwelling house with outbuildings currently on the property. The house has heritage significance thus the permission from Heritage Western Cape will be obtained. The owner aims to utilise the existing house, only refurbishing it for the new proposed use. Access will be off Merriman Street, and all parking will be provided on-site.



Figure 3: Spatial layer overlay



Figure 4: Zoning

The property falls within the Medium-Term Business Development Edge as well as the Densification Zone and Restructuring Zone as seen in figure 3, thus the proposed use could be supported. As can be seen in figure 4, the majority of surrounding properties are already zoned for business use with the subject property being one of few remaining “*Single Residential I*” Zonings.

The application would thus entail the following:

Rezoning in terms of Section 15(2) (a) of the George Municipality: Land Use Planning By-Law (2023) from “*Single Residential Zone I*” to “*Business Zone I*” to allow a business premises on the property. Possible departure will also be applied for.

PART C: QUESTIONNAIRES

SECTION A:

DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES

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

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	Conveyance 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?</p> <p>George Integrated Zoning Scheme By-law, 2023</p> <p>What is the current zoning of the property?</p> <p>Single Residential Zone I</p> <p>What is the proposed zoning of the property?</p> <p>Business Zone I</p> <p>Does the proposal fall within the provisions/parameters of the zoning scheme?</p> <p>Yes</p> <p>Are additional applications required to deviate from the zoning scheme? (if yes, specify)</p> <p>No</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) (striketrough irrelevant)		X		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?	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)

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 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 wastewater:			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 to confirm)

MINIMUM AND ADDITIONAL REQUIREMENTS:

Y	N	Site Development Plan	Y	N	Conveyancer's Certificate
Y		Land Use Plan	Y		Proposed Zoning plan
Y	N	Phasing Plan	Y	N	Consolidation Plan
Y	N	Abutting owner's consent	Y	N	Landscaping / Tree Plan
	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	Homeowners' Association consent
Y		Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)	Y	N	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	Other (specify)	Y	N	Required number of documentation copies

PART E: DISCUSSION

Pre-application as discussed on 16 October 2024 for the proposed rezoning of Erf 3143, George from Single Residential Zone I into Business Zone I. Applicant was present for the pre-app meeting and provided the following site layout plan:



Town Planning comments

- A detailed site layout plan indicating the proposed land use, access, parking and manoeuvrability and all related facilities for the proposed land use must be submitted by applicant.
- A heritage permit must be applied for and approved by HWC before any additions are made to the existing building on the property (whether minor or internal).
- Applicant is advised to ensure that all mature indigenous trees on the property are preserved. It must be noted that no indigenous tree may be cut, removed or pruned without approval of the competent authority.
- Noted that the property falls within the CBD Node, applicant to motivate in terms of zoning scheme, MSDF CBD LSDF and all other applicable policies.
- The Go-George bus stop in front of the property must be noted, comment from this department will be required.

CES comments

- Applicant to take note that access is restricted to Merriman Street.
- All parking to be provided on site in terms of the GIZS, 2023.
- No parking will be allowed within the road reserve and the owner will be held liable for all cost to ensure that road reserve is not utilise for parking purposes.
- Site access should conform to the 2023 GIZS clause 45 & 46, as well as the Road and Sidewalk By-law.
- Normal DC's, as per the DC policy & Town planning By-law, will be applicable.
- Water & sewer are available, subject to capacity confirmation for a service capacity.
- Developer to adhere to the applicable Stormwater By-law.

PART F: SUMMARY / WAY FORWARD

Refer to comments above.

OFFICIAL:  _____

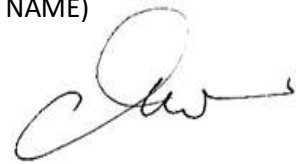
Fakazile Vava (Town Planner)

SIGNED:  _____

Ilané Huyser (Senior Town Planner)

DATE: 2024.10.23

RE-APPLICANT: **Delarey Viljoen Pr. Pln**
(FULL NAME)



SIGNED:

DATE: 14/10/2024

**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.*

ANNEXURE 11



Application Form for Application(s) Submitted in terms of the Land Use Planning By-Law for George Municipality

NOTE: Please complete this form by using: Font: Calibri; Size: 11

PART A: APPLICANT DETAILS

First name(s)	Delarey				
Surname	Viljoen				
SACPLAN Reg No. (if applicable)	A/1021/1998				
Company name (if applicable)	DELPLAN CONSULTING				
Postal Address	PO BOX 9956				
	GEORGE	Postal Code	6530		
Email	planning@delplan.co.za				
Tel	044 873 4566	Fax	044 873 4566	Cell	082 808 9624

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

Registered owner	Delta Trust				
Address	107 Merriman Street				
	George	Postal code	6529		
E-mail	desire@fmcgeorge.ca.za				
Tel		Fax		Cell	083 299 8899

PART C: PROPERTY DETAILS (in accordance with Title Deed)									
Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	3143								
Physical Address	107 Merriman Street George								
GPS Coordinates	33.964040°S 22.464801°E			Town/City		George			
Current Zoning	Single Residential Zone I		Extent	857m ²		Are there existing buildings?		Y	N
Current Land Use	Dwelling House								
Title Deed number & date	T76159/2024								
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).						
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies).						
Is the property encumbered by a bond?	Y	N	If Yes, list Bondholder(s)?						
Has the Municipality already decided on the application(s)?	Y	N	If yes, list reference number(s)?						
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use?				Y	N	
Are there any pending court case / order relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?				Y	N	
PART D: PRE-APPLICATION CONSULTATION									
Has there been any pre-application consultation?	Y	N	If Yes, please complete the information below and attach the minutes.						

Official's name	Ilané Huyser Fakazile Vava	Reference number	3454507	Date of consultation	16 October 2024
-----------------	-------------------------------	------------------	---------	----------------------	-----------------

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

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

BANKING DETAILS

Name: **George Municipality**
Bank: **First National Bank (FNB)**
Branch no.: **210554**
Account no.: **62869623150**
Type: **Public Sector Cheque Account**
Swift Code: **FIRZAJJ**
VAT Registration Nr: **4630193664**
E-MAIL: **msbrits@george.gov.za**
***Payment reference:** Erven ____, George/Wilderness/Hoekwil...

PART F: DETAILS OF PROPOSAL

Brief description of proposed development / intent of application:

The owner wishes to rezone the property from "Single Residential Zone I" to "Business Zone I". The wants to convert the existing building in the new proposed offices. No additional development are being proposed.

PART G: ATTACHMENTS & SUPPORTING INFORMATION FOR LAND USE PLANNING APPLICATIONS

Please complete the following checklist and attach all the information relevant to the proposal. Failure to submit all information required will result in the application being deemed incomplete.

Is the following compulsory information attached?

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

Minimum and additional requirements:

Y	N	N/A	Conveyancer's Certificate	Y	N	N/A	Land Use Plan / Zoning plan
---	---	-----	---------------------------	---	---	-----	-----------------------------

Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)	Y	N	N/A	Phasing Plan
Y	N	N/A	Consolidation Plan	Y	N	N/A	Copy of original approval letter (if applicable)
Y	N	N/A	Site Development Plan	Y	N	N/A	Landscaping / Tree Plan
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)	Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	Y	N	N/A	Required number of documentation copies 2 copies
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	Other (specify)

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

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y	N/A	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)			
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc. N/A	Y	N/A	Other (specify)

Y	N	<i>If required, do you want to follow an integrated application procedure in terms of section 44(1) of the Land-Use Planning By-law for George Municipality?</i>
---	---	--

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. *That the information contained in this application form and accompanying documentation is complete and correct.*
2. *The Municipality has not already decided on the application.*
3. *I'm aware that it is an offense in terms of section 86(1)(d) to supply particulars, information or answers in an application, knowing it to be false, incorrect or misleading or not believing them to be correct.*
4. *I am properly authorized to make this application on behalf of the owner and (where applicable) copies of such full relevant Powers of Attorney/Consent are attached hereto.*
5. *I have been appointed to submit this application on behalf of the owner and it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to me as the authorised agent and the owner will regularly consult with the agent in this regard (where applicable).*
6. *That this submission includes all necessary land use planning applications required to enable the development proposed herein.*
7. *I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/amendment/suspension forms part of this submission.*
8. *I am aware of the status of the existing bulk services and infrastructure in the subject area and that I am liable for any possible development charges which may be payable as a result of the proposed development.*
9. *I acknowledge that in terms of the Protection of Personal Information Act (POPIA) all correspondence will be communicated directly and only to myself (the applicant). No information will be given to any third party and/or landowner (if the landowner is not the applicant). I herewith take responsibility to convey all correspondence to the relevant parties.*

Applicant's signature: _____

Date: _____

Full name: _____

Professional capacity: _____

SACPLAN Reg. Nr: _____