



The Municipal Manager
P O Box 19
George
6530

Reference: Erf 786 George

18 November 2024

Sir

**APPLICATION FOR REZONING, DEPARTURE (PARKING REQUIREMENTS) AND
REMOVAL OF RESTRICTIVE CONDITION OF TITLE: REMAINDER OF ERF 786
GEORGE**

Attached hereto, please find an application in terms of

- Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of the Remainder of Erf 786 George from Single Residential Zone I to Business Zone I.
- Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the parking requirements applicable to a business building on the Remainder of Erf 786 George from 4 parking bays per 100m² GLA to 3 parking bays per 100m² GLA.
- Section 15(2)(f) of the By-law on Land Use Planning for George Municipality, 2023 for the removal of condition B.3. from Title Deed T62052/2024, the title deed for the Remainder of Erf 786 George.

Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

Jan Vrolijk

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SACPLAN REG No. A/1386/2010

MOTIVATION REPORT
APPLICATION FOR REZONING, DEPARTURE (PARKING REQUIREMENTS) AND
REMOVAL OF RESTRICTIVE CONDITION OF TITLE
REMAINDER OF ERF 786 GEORGE

18 November 2024



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MOTIVATION REPORT
APPLICATION FOR REZONING, DEPARTURE (PARKING REQUIREMENTS) AND
REMOVAL OF RESTRICTIVE CONDITION OF TITLE
REMAINDER OF ERF 786 GEORGE

1. APPLICATION

- Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of the Remainder of Erf 786 George from Single Residential Zone I to Business Zone I.
- Application is made in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the parking requirements applicable to a business building on the Remainder of Erf 786 George from 4 parking bays per 100m² GLA to 3 parking bays per 100m² GLA.
- Application is made in terms of Section 15(2)(f) of the By-law on Land Use Planning for George Municipality, 2023 for the removal of condition B.3. from Title Deed T62052/2024, the title deed for the Remainder of Erf 786 George.

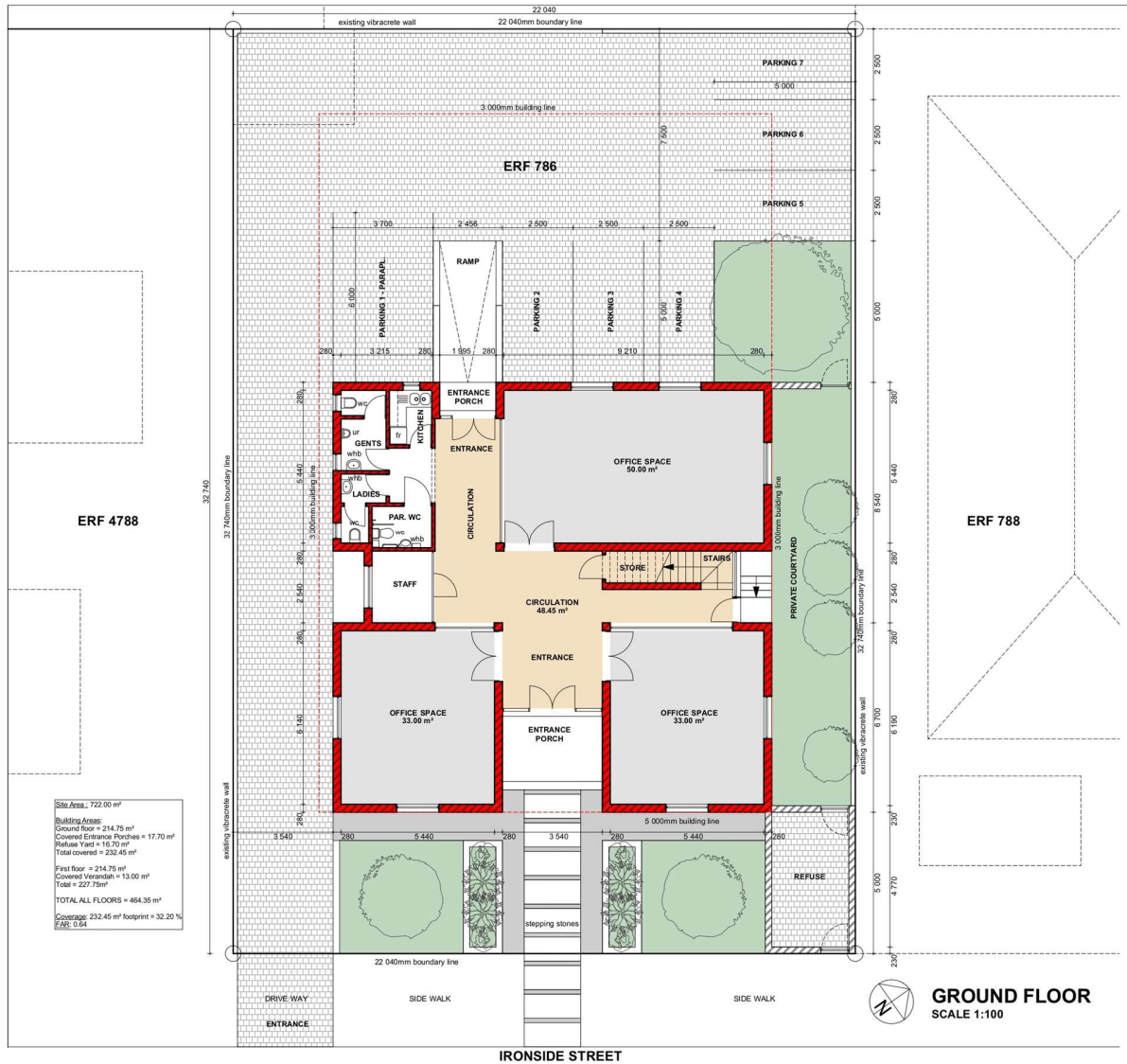
The completed application form for the proposed applications is attached hereto as **Annexure "A"**.

2. DEVELOPMENT PROPOSAL

The Remainder of Erf 786 George is at present zoned Single Residential Zone I and is developed with a dwelling house and an outbuilding.

It is the intention of the owner of the Remainder of Erf 786 George to demolish the dwelling house and to develop the erf with an office building as indicated on the site plan and floor plan below which is also attached hereto as **Annexure "B"**. In terms of the development proposal, it is proposed to develop the erf with a double-storey building with a total floor space of approximately 464m² of which 232m² will consist of leasable office floor space. The remaining floor area will be taken up, as indicated on the site plan, by entrance foyers, circulation areas, a

staircase, toilets and a staffroom. To allow for the erf to be developed with a business building the erf will have to be rezoned from Single Residential Zone I to Business Zone I.



In terms of the development proposal, seven parking bays is to be provided for the development which relates to 3 parking bays per 100m² gross leasable floor area which is less than the 4 parking bays required per 100m² gross leasable floor area as per the George Integrated Zoning Scheme By-law, 2023. Application will thus have to be made for relaxation of the parking requirements applicable to the proposed business building on the Remainder of Erf 786 George from 4 parking bays per 100m² GLA to 3 parking bays per 100m² GLA.

The title deed of the erf contains a condition which restricts the use of the erf to “residential” and a further condition which prescribes certain building lines. These conditions are in conflict with the development proposal and therefore will have to be removed.

It is as such the intention to obtain a Business Zone I zoning for the erf to allow for the erf to be developed with a business building in accordance with the site plan attached as **Annexure “B”**.

3. PRE-APPLICATION CONSULTATION

The pre-application consultation discussion of the proposal by the relevant officials of George Municipality took place on 24 October 2024. The completed pre-application consultation form with the municipal comments on the proposal is attached hereto as **Annexure “C”**. The signed pre-application consultation application form contains the following comments that need to be addressed in the application:

“Town Planning:

- *Erf 786, George is located in an area where businesses are encouraged (within the CBD area) in terms of the George Municipal Spatial Development Framework, 2023. In principle, the proposal is in line with the MSDF. The application must be motivated in terms of spatial policies of the area.*
- *Erf 786, George may be a heritage resource. The applicant must submit a Notice of Intent to Develop (NID) and / or an application in terms of Section 34 of the NHRA (if the building is older than 60 years) to Heritage Western Cape prior to submitting the formal application.*
- *The pre-application indicates that the building will have a total floor space of 232m² which is contrary to the information on the site plan. Clarity needs to be provided in this regard.*
- *The proposal must comply with development parameters as set out on the George Integrated Zoning Scheme By-law, 2023. Departure applications must be included in the application where necessary.*
- *Motivation to address the impact of the proposal on privacy and views of adjacent property owners / residents.*
- *A landscaping plan and greening will be required.*

- *Parking to be provided on site in terms of the George Integrated Zoning Scheme By-law, 2023.*

CES:

- *Applicant must consult with Engineering Services Departments prior to submitting a formal application Electro-technical:*

ETS:

- *DC's applicable.*
- *SSEG proposed to be registered with ETS prior to construction.*

The issues raised above are addressed in various points throughout this motivation report.

4. GENERAL INFORMATION REGARDING THE REMAINDER OF ERF 786 GEORGE

4.1 Locality

The Remainder of Erf 786 George is situated at 3A Ironside Street in the George CBD, three erven to the north of the junction of Ironsyde Street with Courtenay Street. The locality of the erf is indicated on the locality plan which is attached hereto as **Annexure "D"**.

4.2 Existing land use

The application erf is currently developed with a dwelling house. The dwelling house is to be demolished to make way for a business building which will be used as offices.

4.3 Extent

The Remainder of Erf 786 George is 721m² in extent.

4.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 20123 the zoning of the Remainder of Erf 786 George is Single Residential Zone I.

4.5 Surveyor General Diagram

The Surveyor General Diagram of the Remainder of Erf 786 George is attached hereto as **Annexure “E”**.

4.6 Title Deed

The Remainder of Erf 786 George is registered in the name of Phonic Properties (Pty) Ltd Registration number 2004/025542/07. A copy of the Title Deed of the erf is attached hereto as **Annexure “F”**.

The title deed of the erf contains the following condition which places a restriction on the proposed developments, hence the application for removal of this restrictive condition.

“A.3. The erf shall be subject to the following conditions, provided especially that where in the opinion of the Administrator, after consultation with the Townships Board and Local Authority, it is expedient that the restriction in any conditions should at any time be suspended or relaxed, he may authorise the necessary or relaxation subject to compliance with such conditions as he may impose.

- (a)
- (b) *The erf shall be used for residential purposes only.*
- (c)
- (d)
- (e) *No building or structure or any portion thereof, except boundary walls, fences, shall be erected nearer than 15 feet to the street line which forms the boundary of this erf, nor within 10 feet of the rear boundary or 5 feet of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority, an outbuilding not exceeding 10 feet in height, measured from the floor to the wall plate, and no*

portion of which will be used for human habitation , may be erected within the above prescribed rear space.”

The desirability of the removal of the title condition is being dealt with in point 5.4.9 of this motivation report.

4.7 Power of Attorney

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Soloman Isias Potgieter (ID 5603135127088) and Soloman Isias Potgieter (ID 8212175178089), the only two Director of Phonic Properties (Pty) Ltd Registration number 2004/025542/07, the registered owner of the Remainder of Erf 786 George, to prepare the applications referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure “G”**.

A copy of the Company Registration Certificate confirming that that Soloman Isias Potgieter (ID 5603135127088) and Soloman Isias Potgieter (ID 8212175178089) are the only two Director of Phonic Properties (Pty) Ltd Registration number 2004/025542/07 is attached hereto as **Annexure “H”**.

4.8 Bondholder’s Consent

The Remainder of Erf 786 George is not encumbered by a bond.

4.9 Conveyancer Certificate

A Conveyancer Certificate in respect of the Remainder of Erf 786 George is attached hereto as **Annexure “I”**. The Conveyancer Certificate confirms that there are conditions in the Title Deed of the application erf which places a restriction on the development of the erf as proposed in this application.

5. DESIRABILITY OF APPLICATION FOR REZONING, DEPARTURE (PARKING REQUIREMENTS) AND REMOVAL OF RESTRICTIVE CONDITION OF TITLE IN RESPECT OF THE RMAINDER OF ERF 786 GEORGE

5.1 Introduction

The term "desirability" in the land use planning context, may be defined as the degree of acceptability of the land uses on the land unit concerned. The desirability of the intended rezoning shall be discussed with reference to the aspects listed below.

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

It will be indicated in the following paragraphs that the proposal to rezone the erf to Business Zone I can be regarded as being desirable as far as the mentioned aspects are concerned. It will furthermore also be indicated in the following paragraphs that the application for relaxation of the parking requirements and the removal of the restrictive condition of title can also be regarded as being desirable.

5.2 Physical characteristics of the erf

5.2.1 Topography

The application erf has no visible slope. As the existing dwelling house is to be demolished and to be replaced by a business building, the existing topography of the erf will have to be taken into account in the design of the new business building. It is not foreseen that the existing

topography of the erf will place any restriction in the design and development of the business building to be erected on the erf.

The topography will therefore not have a negative impact on the proposed use of the erf for business purposes and therefore, does not restrict the proposed applications as applied for in this application.

5.2.2 Surface conditions

Little information concerning the soil conditions in the area is available. The soil condition of the application erf seems stable. The existing dwelling on the application erf and buildings in the vicinity do not appear to have construction anomalies relating to unstable soil conditions.

A geotechnical survey will however be undertaken before construction of the new business building to ensure that the structure to be erected on the erf can be accommodated within the geotechnical conditions/constraints that exists on the erf.

There is, as such, no reason why this application cannot be supported.

5.2.3 Vegetation

The erf is developed with a normal garden associated with a suburban dwelling unit. There is no indigenous vegetation on the erf.

All vegetation on the erf will however have to be removed to allow for the development as proposed. It is foreseen that it will be a condition of approval of the application that a Site Development Plan must be submitted for the development before construction might commence. A landscaping plan will most properly have to be submitted as part of the Site Development Plan submission. On completion of the building project the erf will thus have to be landscaped in accordance with an approved landscaping plan.

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

5.2.4 Other characteristics

The application erf is not affected by flood lines, fountains or other unique ecological habitats.

5.2.5 Conclusion

From the contents of the above-mentioned paragraphs, it is clear that there is no reason from a physical characteristics point of view why the proposed applications cannot be supported.

5.3 Proposed land use

The Remainder of Erf 786 George has been developed with a dwelling house with the normal outbuildings associated with a dwelling house. The dwelling house and all outbuildings on the erf are to be demolished to make way for a new business building as proposed in point 2 of this motivation report.

It is thus the intention, by virtue of this application, to obtain the necessary approval for the rezoning of the erf from Single Residential Zone I to Business Zone I to allow for the existing dwelling house on the erf to be demolished and to allow for a new business building to be developed on the erf.

As far as this application is concerned the erf will thus in future be used for business land use in compliance with the land use parameters for a Business Zone I zoned erf as per the George Integrated Zoning Scheme By-law, 2023.

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

5.4.1 Introduction

Different planning documents apply to the application and the desirability and compatibility of the application regarding each of these documents will subsequently be discussed.

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

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

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

Different development principles are identified under each of the 5 abovementioned principles which must be applied when a land use application is to be evaluated. The proposed application for rezoning of the erf to allow for it to be used for a land use as permitted in terms of the George Integrated Zoning Scheme, By-law, 2023 will subsequently be evaluated on each of the principles.

Spatial justice		
Criteria	Compliance	Planning Implication
Past spatial and other development imbalances must be redressed through improved access to and use of land.	Complies with.	This application will result in an existing residential erf situated within the Urban Edge and the CBD of George to be rezoned to Business Zone I to allow for a business building to be developed on the erf.
Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements,	Complies with.	George Municipality approved a Spatial Development Plan for George in 2023. The Spatial Development Framework contains development proposals which are aimed at improving the quality of life of all the

former homeland areas and areas characterised by widespread poverty and deprivation.		inhabitants of George, thus creating the opportunity for approval of this application.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all erven in respect of type of structure allowed, land uses and building lines. These parameters enable the development as proposed in this application.
Land use management systems must include all areas of a municipality and especially include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homelands areas.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all erven in respect of type of structure allowed, land uses and building lines. These parameters enable the development as proposed in this application.

Land development procedures must include provisions that accommodate access to secure tenure and incremental upgrading of informal areas.	Not applicable.	This provision does not apply to this application, as no informal residential development is involved.
A Municipal Planning Tribunal, considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of this application.	Not applicable.	As far as is known, the Eden Joint Planning Tribunal - George Municipality's discretion when considering applications is not affected by the value of land or property. Decision making is, as far as is known, based on the principles, as stated in Section 7 of the Spatial Planning and Land Use Act, 2013 (Act 16 of 2013).

Spatial sustainability		
Criteria	Compliance	Planning Implication

Promote land development that is within the fiscal, institutional and administrative means of the Republic.	Complies with.	The application erf is situated within the Urban Edge of George and is situated within the CBD of George.
Ensure that special consideration is given to the protection of prime and unique agricultural land.	Not applicable.	This provision does not apply to this application, as the application erf is situated within the Urban Edge of George.
Uphold consistency of land use measures in accordance with environmental management instruments.	Not applicable.	This provision does not apply to this application.
Promote and stimulate the effective and equitable functioning of land markets.	Complies with.	The proposed business zoning is in line with the mixed-use character of the surrounding area. The proposed development will thus not have a negative impact on surrounding property values and will contribute to the upgrading of the area, which could result in increasing property values in the vicinity.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Complies with.	All costs pertaining to the infrastructure required for the proposed development will be carried by the landowner.
Promote land development in locations that are sustainable and limit urban sprawl.	Complies with.	The application erf is situated within the Urban Edge of George. The proposed development will, therefore, not result in urban sprawl.
Result in communities that are viable.	Complies with.	The proposed rezoning of the erf will result in additional income for the Municipality, which in turn could be used to improve the quality of living of all the inhabitants.

Spatial efficiency		
Criteria	Compliance	Planning Implication

Land development optimises the use of existing resources and infrastructure.	Complies with.	The application erf is situated within an existing serviced area and the erf is already serviced. It is anticipated that the existing services on available to the erf should be adequate to service the proposed business building. If any upgrades to services are required to service the proposed business building, all costs pertaining to this infrastructure upgrade required for the proposed development will be carried by the landowner.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Complies with.	The municipality has procedures in place that are designed to minimise negative financial, social, economic or environmental impacts.
Development application procedures are efficient and streamlined and timeframes are adhered to by all parties.	Complies with.	George Municipality has adopted the George Municipality: Land Use Planning By-law, 2023 which prescribes procedures and time frames developers must comply with when submitting land use applications, and which officials must consider when considering applications. This application has been prepared in accordance with the stipulations of the George Municipality: Land Use Planning By-law, 2023 and the application will therefore be handled and considered in accordance with the time frames as prescribed.

Spatial resilience		
Criteria	Compliance	Planning Implication
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure	Complies with.	The application erf is situated within the Urban Edge of George, in an area indicated for development in the

<p>sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.</p>		<p>George Spatial Development Framework, 2023.</p>
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<p style="text-align: center;">Good administration</p>		
<p>Criteria</p>	<p>Compliance</p>	<p>Planning Implication</p>
<p>All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>Input was received from all spheres of government when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus followed in the preparation of the George Spatial Development Framework. As the development proposal can be deemed to comply with the contents of the George Spatial Development Framework, 2023, it can be stated that the proposal complies with this specific criterion.</p>
<p>All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>Input was received from all government departments and sectors when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus followed in the preparation of the George Spatial Development Framework. As it can be deemed that the development proposal complies with the contents of the George Spatial Development Framework, 2023, it can be stated that the proposal complies with this specific criterion.</p>

<p>The requirements of any law relating to land development and land use are met timeously.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>The George Municipality has adopted the George Municipality: Land Use Planning By-law, 2023 which prescribes procedures and timeframes which developers must adhere to when submitting land use applications and which officials needs to take into consideration when considering applications. This application has been prepared in keeping with the requirements as per the George Municipality: Land Use Planning By-law, 2023 and the application will from date of submission be dealt with and be considered within the timeframes prescribed in the by-law.</p>
<p>The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>This application will be advertised in accordance with the stipulations as contained in the George Municipality: Land Use Planning By-law, 2023. All parties will be given the opportunity to participate in the public participation process and will be afforded the opportunity to provide input on the application.</p>
<p>Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.</p>	<p>This is general principle that municipalities need to comply with.</p>	<p>The George Municipality: Land Use Planning By-law, 2023 contains clear procedures set in order to inform and empower members of the public. This application will be subjected to these procedures.</p>

As can be seen from the table above, it can be argued that the proposal can be regarded as being compatible with the 5 development principles of SPLUMA.

5.4.3 National Heritage Resources Act, 1999 (Act 25 of 1999)

On the aerial photo of 1957 the northern portion of Erf 768 George is vacant with a dwelling house located on the southern portion of the erf. At that stage the regulations did not allow for a second dwelling to be erected on the erf. Erf 786 George was subdivided in 1970 into Erf 4788 George and a vacant Remainder of Erf 786 George. The dwelling house on the Remainder of

Erf 786 George could thus only have been developed on the Remainder of Erf 786 George after 1970 which does not make it older than sixty years.

The National Heritage Resources Act, 1999 (Act 25 of 1999) is thus not applicable to this erf.

5.4.4 “Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)”

In terms of the above Act, it is expected of a municipality to consider the compatibility of any development proposal with existing provincial and municipal spatial development frameworks and as well as more detailed local spatial frameworks.

Section 19(1) and 19(2) of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) which is relevant to this application reads as follows:

*19(1) If a spatial development framework or structure plan specifically provides for the utilization or development of land as proposed in a land use application or a land development application, the proposed utilization or development is regarded as **complying** with that spatial development framework or structure plan.*

*19(2) If a spatial development framework or structure plan does not specifically provide for the utilization or development of land as proposed in a land use application or a land development application, but the proposed utilization does not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilization or development is regarded as being **consistent** with that spatial development framework or structure plan.”*

The compatibility of the development proposal with existing spatial development frameworks is addressed in points 5.4.5 to 5.4.7 of this report.

The development principles referred to in Section 59 of LUPA, which should also be considered when motivating an application, are directly in line with the principles of SPLUMA which have been discussed in detail in point 5.4.2 above. The comments in point 5.4.2 are thus also relevant as far as Section 59 of LUPA is concerned.

5.4.5 Western Cape Provincial Spatial Development Framework (WC PSDF)

The Western Cape Provincial Spatial Development Framework (WC PSDF) is one of the most important planning guidelines in the province. The framework not only provides for a new spatial development pattern for the province but also clearly indicates where development may take place and where it may not take place. The provisions of the development framework must therefore be considered with any development proposal.

In terms of the framework, a number of principles are mentioned, namely spatial justice, spatial sustainability, spatial resilience, spatial efficiency, accessibility and quality of life and good administration that spatial planning must comply with. The impact of the application on spatial justice, spatial sustainability, spatial resilience, spatial efficiency, has already been fully discussed in point 5.4.2 above and it has been shown that the proposed development complies with the relevant mentioned principles.

The framework furthermore sets certain guidelines which are relevant to this application. The guidelines which are relevant to this proposal will subsequently be referred to in order to indicate that the proposal does indeed comply with the guidelines of the WC-PSDF.

- The WC PSDF provides for a guideline which determines that towns should identify an urban edge, and that development should be limited to areas inside the urban edge. The George Municipality identified an urban edge, and the application erf falls within the identified urban edge. As such, the proposed rezoning will not result in "urban sprawl". The proposal therefore meets the requirement of this guideline set out in the WC PSDF.
- Another important guideline requires that any proposed development must be self-sufficient, as: *"the development needs of the present generations should be met without the ability of future generations to meet their own needs, being compromised."* The business building proposed in this application will be self-sufficient and will place no financial burden on present or future inhabitants of George. The proposed rezoning will make a positive contribution to improvement of the quality of living of the inhabitants of

George, as it will contribute to the property tax structure of the Municipality and create a few new employment opportunities.

The framework does not go to the detail level of individual erven and therefore does not contain further information, other than the abovementioned compliance with the urban edge and self-sufficiency, which could be used to determine whether this application falls within the stipulations of the framework.

5.4.6 George Spatial Development Framework, 2023 (GSDF)

The Remainder of Erf 786 George is located within the study area of the George Spatial Development Framework, 2023 (GSDF) and this framework therefore applies to this application. In terms of the GSDF, the application erf is located within the Urban Edge of George.

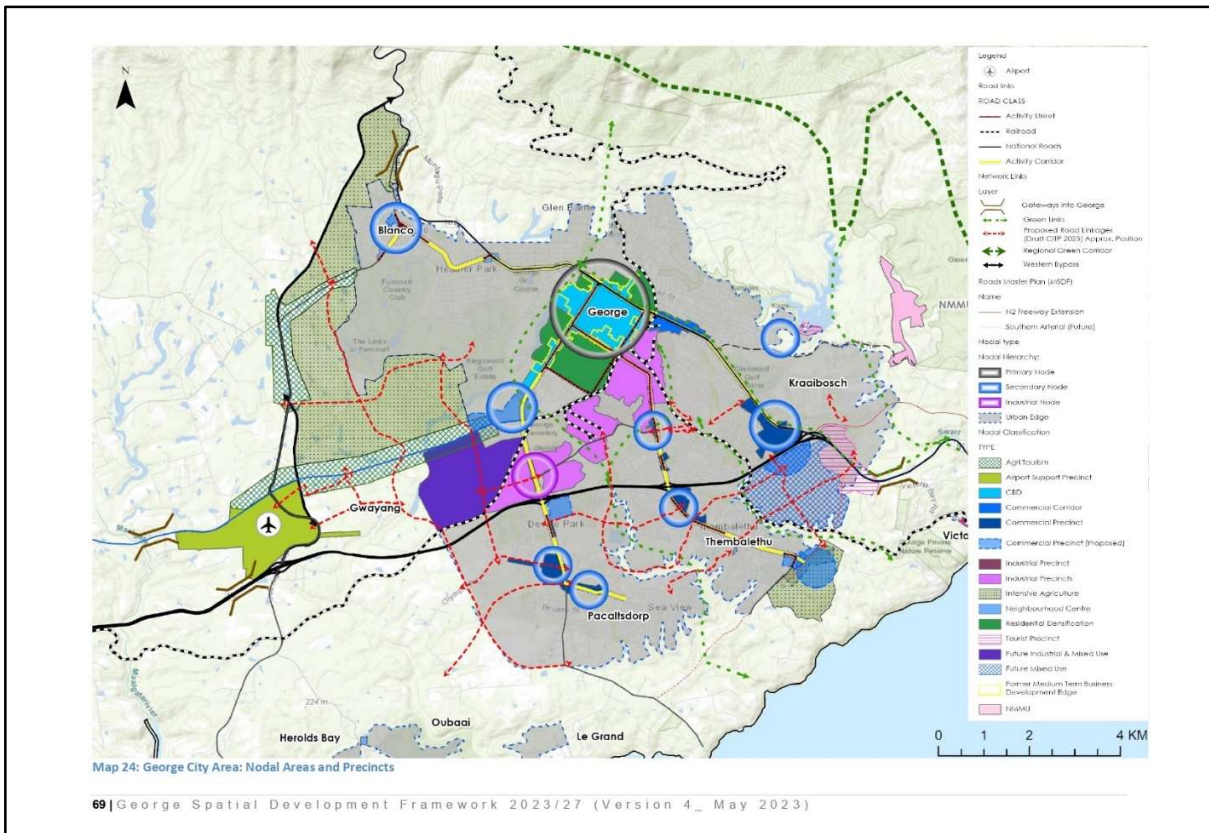
The Remainder of Erf 786 George is situated in the George CBD. In terms of Maps 23 and 24 of the GSDF the George CBD is classified as a Category A node, thus a high intensity mixed use area defined by a business edge applicable to this core area. A copy of Map 24 is attached hereto as **Annexure "J"**.

It is recommended in the GSDF that the *"Primary centre of the city of George, to be developed to accommodate a vibrant mix of residential, commercial, office and public facilities."*

It is furthermore stated in the GSDF that the George CBD district (Category A node) is the primary economic core of the city area, consisting of businesses, commercial activities, corporate head offices, regional community services, transportation hubs and open spaces, focusing on mixed land uses including high density residential.

In terms of the GSDF the CBD is also subject to the proposed restructuring zone together with the residential densification fringe. Redevelopment and regeneration of the CBD is furthermore promoted in terms of GSDF. Emphasis is furthermore placed in various paragraphs of the GSDF on economic growth and job creation.

The Remainder of Erf 786 George is located within this defined business core area.



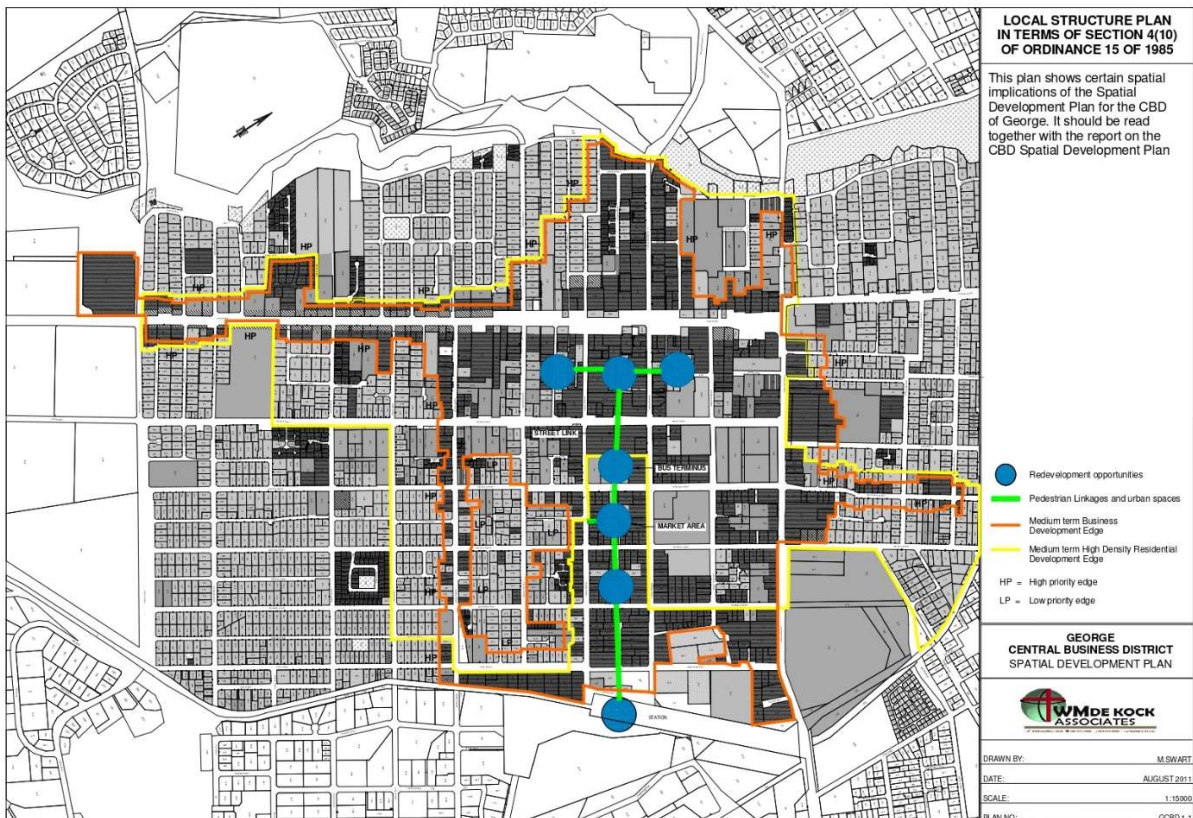
As indicated in this motivation report the Remainder of Erf 786 George is to be developed for business purposes as allowed for in terms of the George Integrated Zoning Scheme By-law, 2023. The use of the erf for business purposes will contribute towards strengthening the primary centre of the city of George, economic growth and job creation as proposed in the GSDF.

It can thus be argued that the proposal can be regarded to be compatible in and in keeping with the recommendations and proposals contained in the GSDF.

5.4.7 George CBD Local Spatial Development Framework, 2012

The application erf is situated at 3A Ironsyde Street, three erven to the north of the junction of Ironsyde Street with Courtenay Street., in the George CBD and thus falls within the “Low Priority Edge” of the “*Medium term Business Development Edge*” as indicated on the George Central Business District Spatial Development Plan, 2012.

The following plan, which is a copy of the mentioned plan, indicates the locality of the application erf in relation to the “*Medium Term Business Development Edge*”. A copy of this George Central Business District Spatial Development Plan 2012 is also attached hereto as **Annexure “K”**.



The purpose of the application is to rezone the application erf from Single Residential Zone I to Business Zone I to accommodate the future use of the application erf for business purposes.

The new building to be erected on the erf can furthermore be considered as intensification, without having a negative influence on the character of the area concerned.

From the contents of this point, it is clear that the rezoning as proposed in this application can be regarded as being in keeping and compatible with the George CBD Local Spatial Development Framework 2012 and can, therefore, be supported.

5.4.8 George Integrated Zoning Scheme By-Law, 2023

The Remainder of Erf 786 George is zoned Single Residential Zone I in terms of the George Integrated Zoning Scheme By-Law, 2023. In terms of this zoning, the erf may only be used for the purposes of a dwelling house.

The dwelling house is to be demolished and will be replaced with a business building. In terms of the stipulation in Subsection 20(3)(b) of the said By-Law the erf must therefore be rezoned “to the zone where the applicable land use is a primary right”.

The application erf will, therefore, have to be rezoned to Business Zone I. The objective of the “Business Zone I” use zone is described as follows in the Land Use Table in Schedule 1 of the George Integrated Zoning Scheme By-Law, 2017:

“The objective of this zone is to provide for intensive business and mixed-use development with relative few restrictions in order to promote urban vitality and economic growth.”

The primary land use right allowed on erven zoned Business Zone I is “*Business premises*”. The land use description of “*business premises*” is described as follows in the George Integrated Zoning Scheme By-Law, 2017:

“business premises” means a property from which business is conducted and-

- (a) *includes a shop, big box retail, liquor store, two electronic or mechanical playing devices, plant nursery, **office**, funeral parlour, financial institution and building for similar uses, place of assembly, place of leisure institution, hotel, hospital, conference facility, rooftop telecommunication station and multiple parking garage;*
- (b) *includes also the following land uses above ground floor only:*
 - (i) *flats,*
 - (ii) *caretaker’s quarters,*
 - (iii) *backpackers lodge,*
 - (iv) *youth hostel, as well as*

- (v) *boarding houses; and*
- (c) *does not include a place of entertainment, gambling place, motor repair garage, industry, noxious trade, risk activity, adult entertainment, adult services or adult shop.”*

The following table indicates the applicable development parameters in respect of the proposed business development on the Remainder of Erf 786 George in terms of Schedule II of the mentioned By-Law as well as the compliance of the proposal with the different parameters:

Development Parameter	Description	Adherence
Coverage	100%	Adhered to.
Floor factor	3	Adhered to.
Height	<i>The highest point of a building may not exceed 15 metres to the top of the roof.</i>	Adhered to.
Building line	All boundaries: 0 metres	Adhered to.
Parking	4 Parking bays per 100m ² GLA.	3 parking bays per 100m² GLA – Applied for.
Loading	Building 0m ² to 1 000m ² : None	Not required due to scale of development
Refuse room	Required	Will be provided

5.4.9 Title Deed

Although the title deed of a property is not a planning document, it sometimes still contains conditions which may have an essential impact on the development potential of a property.

The title deed of the Remainder of Erf 786 George was scrutinised, and it was found that it contains the following condition prohibiting the rezoning as proposed.

“A.3. The erf shall be subject to the following conditions, provided especially that where in the opinion of the Administrator, after consultation with the Townships Board and Local Authority, it is expedient that the restriction in any conditions should at any time be suspended or relaxed, he may authorise the necessary or relaxation subject to compliance with such conditions as he may impose.

- (a)
- (b) *The erf shall be used for residential purposes only.*
- (c)
- (d)
- (e) *No building or structure or any portion thereof, except boundary walls, fences, shall be erected nearer than 15 feet to the street line which forms the boundary of this erf, nor within 10 feet of the rear boundary or 5 feet of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority, an outbuilding not exceeding 10 feet in height, measured from the floor to the wall plate, and no portion of which will be used for human habitation , may be erected within the above prescribed rear space.”*

Condition A.3, which restricts the use of the erf for residential purposes only and which also prescribes certain building lines which are in conflict with the building lines applicable to a business building will have to be removed to allow for the erf to be developed with as business building as proposed in this application.

The conditions deal with aspects, which, as indicated in points 5.4.6 to 5.4.8 of this motivation report, have been adequately dealt with in the George Spatial Development Framework, 2023, the George Central Business District Spatial Development Plan, 2012 and are regulated in the George Integrated Zoning Scheme By-Law, 2023. Before the advent of Spatial Development Frameworks and zoning schemes, it was common practice to control land use and land use parameters by means of such conditions being included in the title deed of individual erven. Title deeds were thus used as “zoning schemes”. The mentioned conditions were laid down by the

Administrator in terms of Ordinance 33 of 1934, with the approval of the subdivision of the township the Remainder of Erf 786 George is located in. It is assumed that there was no applicable zoning scheme at that time and thus the mentioned land use restrictions were included in the title deeds of the erven.

Ever since zoning schemes were introduced, it is common practise that land use and land use restrictions are regulated by means of zoning schemes. George Municipality has recently accepted the George Integrated Zoning Scheme By-Law, 2023. The stipulations in this By-Law represent the latest thinking as far as land use management and land development parameters are concerned. There is, therefore, no reason why land use and land development parameters should be regulated by means of title deeds anymore.

In terms of Section 39 (5) of Part 7 of the Western Cape Land Use Planning Act, 2014, (Act 3 of 2014), the municipality must have regard to at least the following when considering an application for removal of a restrictive condition:

- the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;
- the personal benefits which accrue to the holder of rights in terms of the restrictive condition;
- the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is removed, suspended or amended;
- the social benefit of the restrictive condition remaining in place in its existing form;
- the social benefit of the removal, suspension or amendment of the restrictive condition; and
- whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.

The mentioned conditions have not been registered in favour of any other person or entity. The conditions have been imposed as restrictions on the erf. The only person who could benefit from or be prejudiced by the conditions is the current owner of the erf. No third party is affected by the mentioned conditions.

The question could be asked whether some of the adjacent erven could possibly be prejudiced by the removal of the restrictive condition. The desirability of the proposed rezoning and removal of the restrictive condition of title in respect of the application erf is motivated in point 5 of this report, where it is indicated that no adjoining property or property owner is negatively influenced by the proposal as set out in this report.

In so far as the aspects addressed in the Act, it can be indicated unequivocally that:

- in its present form, the mentioned restrictive condition holds no financial value for the owner of the erf or for any other entity;
- the restrictive condition has no personal advantage for the owner of the erf, but restricts the rights of the owner;
- the owner of the erf will gain personal advantage as a result of the removal of the restrictive condition, as he will be able to develop the erf to its full potential;
- the non-removal of the restrictive condition or the removal of the restrictive condition will hold no social advantages;
- the removal of the restrictive condition will not detract from the existing rights of the erf owner.

The mentioned restrictive condition prevents the approval of the development proposal as contemplated in this application. The proposed removal of the restrictive condition will enable the owner to develop the application erf to its maximum potential, without the development having a negative influence on adjacent development.

Subsequent to the approval of the application, the owner will appoint lawyers to deal with the endorsement of the title deed. A copy of the endorsed title deed will be submitted to the municipality.

From the above information it is clear that the application for the removal of the restrictive condition of title complies with the mentioned Planning Polices and Planning Guidelines and can be considered desirable.

5.4.10 Conclusion

From the above information it is clear that the application for rezoning and removal of the restrictive conditions of title complies with the mentioned Planning Polices and Planning Guidelines and can be considered desirable.

5.5 Compatibility of the proposal with the character of the area

The application erf is situated in the heart of the CBD of George. The area surrounding the application erf, on both sides of Ironsyde and Courtenay Street, is characterized by mixed business land uses development.

The proposed use of the Remainder of Erf 786 George for business purposes will contribute to the further diversification of the existing business activities in this area.

The rezoning as proposed in this application will, therefore, be compatible with the existing, as well as the future character of the surrounding area.

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

The application erf is situated within the Urban Edge and the CBD of George. All the vegetation on the application erf will have to be removed to accommodate the existing illegal land use that is conducted from the erf.

It is foreseen that it will be a condition of approval of the application that a Site Development Plan must be submitted for the development before construction might commence. A landscaping plan will most properly have to be submitted as part of the Site Development Plan submission. On completion of the building project the erf will thus have to be landscaped in accordance with an approved landscaping plan.

5.7 Potential of the erf

The Remainder of Erf 786 George is zoned Single Residential Zone I in terms of the George Integrated Zoning Scheme By-Law, 2023. In terms of this zoning, the erf may be used for the purposes of a dwelling house, which includes a second dwelling not exceeding 175m² in extent.

The application erf is surrounded by mixed land uses and is situated in the George CBD. It is also situated in an area designated as a “500m walkable land use intensification zone” as well as in close proximity to the “Go George” public transportation route. The erf, therefore, has the potential to be developed at a higher intensity, hence the application to rezone the erf for business purposes.

The rezoning of the application erf, as proposed in this application, will therefore result in increasing the development potential of the erf.

5.8 Access to the erf

The application erf is situated in Ironsyde Street, three erven to the north of Courtenay Street, in the northern portion of the George CBD. The erf is easily accessible from the George CBD as well as surrounding areas.

As indicated on the site plan attached hereto as **Annexure “B”** the proposed development will obtain access from Ironsyde Street via a 3.540-metre-wide access point located along the southern boundary of the erf. Visibility in both directions in Ironsyde Street is good.

5.9 Provision of parking bays

The parking requirements applicable to different land uses are set out in a table in Section 42 of the George Integrated Zoning Scheme By-Law, 2017. Four parking bays per 100m² gross leasable area are required in respect of the type of business development that is proposed for this erf.

In terms of the development proposal, it is proposed to develop the erf with a double-storey building with a total floor space of approximately 464m² of which 232m² will consist of leasable

office floor space. The remaining floor area will be taken up, as indicated on the site plan, by entrance foyers, circulation areas, a staircase, toilets and a staffroom.

In terms of the development proposal, seven parking bays is to be provided for the development which relates to 3 parking bays per 100m² gross leasable floor area which is less than the 4 parking bays required per 100m² gross leasable floor area as per the George Integrated Zoning Scheme By-law, 2023. Application is therefore made for a permanent departure from the parking requirement applicable to a business building as per Section 42(2) of the George Integrated Zoning Scheme 2023, from 4 parking bays per 100m² GLA to 3 parking bays per 100m² GLA to allow the parking bays as indicated on the site plan and floor layout plan attached hereto as **Annexure “B”**.

The following motivation is provided in support of the application for relaxation of the parking requirements:

- In the table “Minimum off-street parking requirements” in Section 42 of the George Integrated Zoning Scheme By-Law, 2023, different parking requirements, which vary according to the area where the application erf is situated, are proposed. The table refers to “*Normal Areas, PT1 Areas and PT2 Areas*”, with “*PT*” referring to “*Public Transport*”. The philosophy behind the differentiation in parking requirement in the table is that the larger the availability of public transport, the lower the parking requirement. It is indicated that the “*PT1 Areas and PT2 Areas*” must be indicated on the zoning map accompanying the By-Law. The plan indicating the areas is not available yet. The differentiated parking requirements can, therefore, not be implemented without a specific application for relaxation of the parking requirement. It has, however, been indicated by officials responsible for the determination of the parking requirements that it is generally accepted that the “*PT1*” parking requirements apply along bus routes. In terms of the “*PT1*” parking requirements, 3 parking bays per 100m² GLA must be provided in respect of office development.

The application erf is situated in approximately 100 metres to the north of the main bus route along Courtenay Street. The application erf is thus within walking distance from a main public transportation route in the CBD of George. It is therefore clear that the locality

of the application erf conforms with the requirement to be considered being situated within a “PT1” area and that the parking ratio of 3 parking bays per 100m² GLA can be applied in respect of the proposed use of the dwelling house on the erf for business purposes.

- The purpose of a public transportation service is to curb the use of private vehicles, which will result in optimal use of the public transportation service. By lowering the parking requirement, the public is encouraged to use public transport. The relaxation of the parking requirement, therefore, has a direct impact on the success of the public transportation service. Due to the locality of the application erf, any owner / tenant can conveniently use the public transportation service to access the facilities on the application erf.
- The fact that the application erf is located within walking distance from the within walking distance from a main public transportation route in the CBD of George, will enhance the accessibility to areas which are not within walking distance of the application erf, such as the Garden Route Mall development area. This fact also creates the opportunity to relax the parking requirement on the application erf.
- Due to the location of the application erf is within walking distance from a main public transportation route in the CBD of George, the erf is also easily accessible to general laborers to be employed on the property.

In view of the above, it is argued that there is no reason why the application for the permanent departure of the parking requirements cannot be approved.

5.10 Provision of services

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

The proposed rezoning of the application erf will, therefore, not have a negative impact on the provision of services to the surrounding area. The proposal will result in more effective utilisation

of existing municipal services, which is one of the objectives of the Western Cape Provincial Spatial Development Framework.

6. CONCLUSION

Application is made in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of the Remainder of Erf 786 George from Single Residential Zone I to Business Zone I.

Application is also made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the certain departures (parking relaxation and additional entrances) on the Remainder of Erf 786 George.

Application is also made in terms of Section 15(2)(f) of the By-law on Land Use Planning for George Municipality, 2023 for the removal of restrictive conditions of title from the title deed of the Remainder of Erf 786 George.

As indicated in this report the proposed applications in respect of the application erf are compatible with all existing planning documents, spatial plans, legislation and policy documents applicable to the application.

The proposal will not have a negative impact on the environment, development, public facilities, traffic circulation or Municipal services in the surrounding area.

The application can therefore be considered desirable and is submitted for consideration in terms of the relevant stipulations of the Land Use Planning By-Law for the George Municipality, 2023.

ANNEXURE "A" - APPLICATION FORM



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

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

PART A: APPLICANT DETAILS

First name(s)	Johannes George		
Surname	Vrolijk		
SACPLAN Reg No. (if applicable)	A/1386/2010		
Company name (if applicable)	Jan Vrolijk Town Planner / Stadsbeplanner		
Postal Address	P O Box 710		
	George	Postal Code	6530
Email	janvrolijk@jvtownplanner.co.za		
Tel	044 873 3011	Fax	086 510 4383
		Cell	082 464 7871

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

Registered owner	Phonics Properties (Pty) Ltd		
Address	P O Box 72798		
	Lynnwoodrif	Postal code	0040
E-mail	sollie@pmagroup.co.za		
Tel	012 809 3990	Fax	086 309 6729
		Cell	086 614 8909

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

Property Description [Erf / Erven / Portion(s) and	Remainder of Erf 786 George
---	-----------------------------

Farm number(s), allotment area.]								
Physical Address		3 Ironsyde Street, George CBD						
GPS Coordinates		Town/City		George				
Current Zoning		Single Residential Zone I	Extent	721m²		Are there existing buildings?	Y	N
Current Land Use		Residential						
Title Deed number & date		T62052/2024						
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		K Mukhovha	Reference number	3452524		Date of consultation	24 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: **FIRNZAJJ**
 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:

- **An application in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of the remainder of Erf 786 George from Single Residential Zone I to Business Zone I.**
- **An application in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the parking requirements applicable to a business building on the Remainder of Erf 786 George from 4 parking bays per 100m² GLA to 3 parking bays per 100m² GLA.**
- **An application in terms of Section 15(2)(f) of the By-law on Land Use Planning for George Municipality, 2023 for the removal of condition B.3. from Title Deed T62052/2024, the title deed for the Remainder of Erf 786 George.**

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

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

Is the following compulsory information attached?

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

Minimum and additional requirements:

Y	N	N/A	Conveyancer's Certificate	Y	N	N/A	Land Use Plan / Zoning plan
Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)	Y	N	N/A	Phasing Plan

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

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

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y	N/A	Specific Environmental Management Act(s) (SEMA) (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	If required, do you want to follow an integrated application procedure in terms of section 44(1) of the Land-Use Planning By-law for George Municipality?			

SECTION I: DECLARATION

I hereby wish to confirm the following:

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

Applicant's signature:



Date:

18 November 2024

Full name:

Johannes George Vrolijk

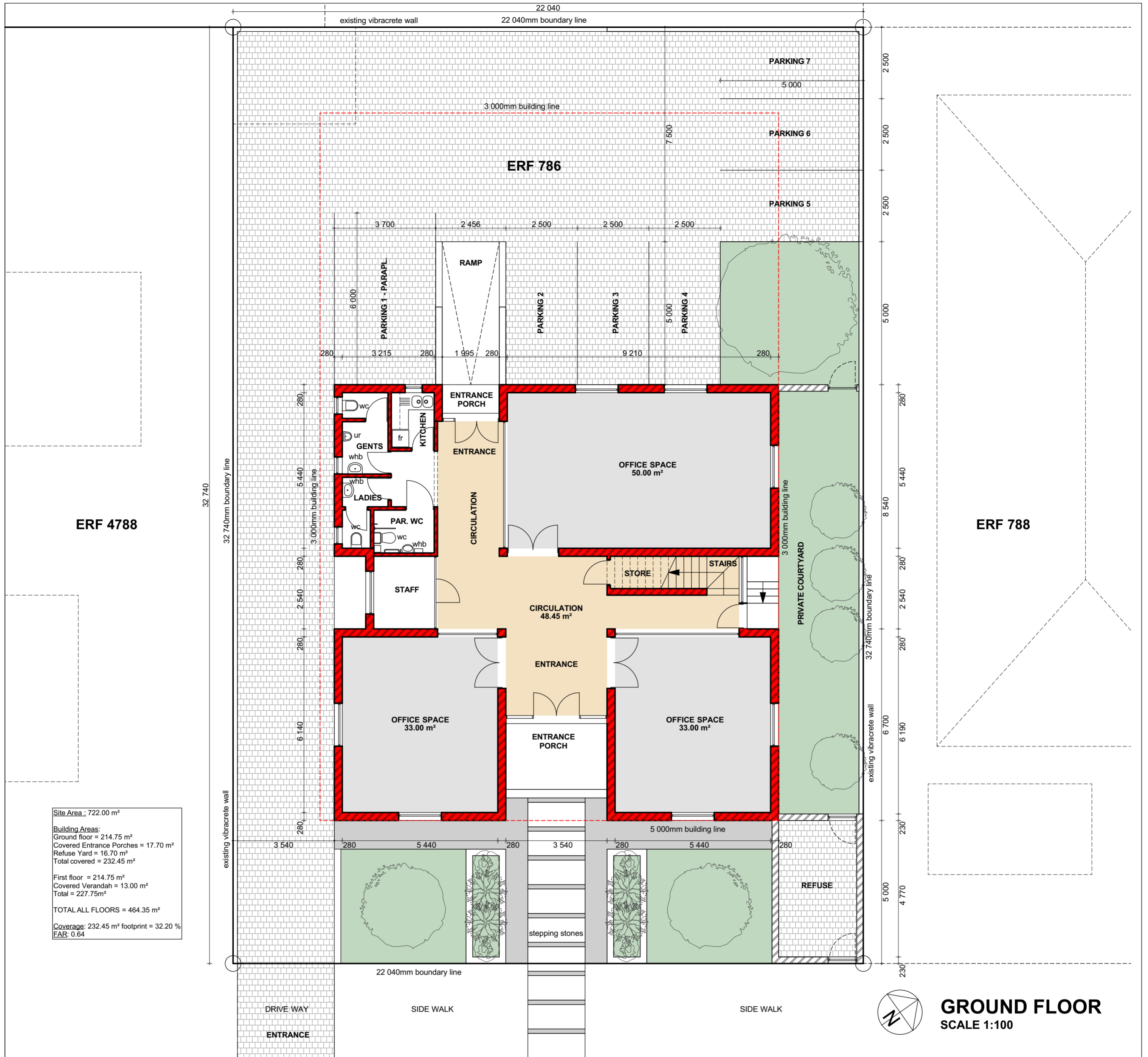
Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

A/1386/2010

ANNEXURE "B" – SITE PLAN



Site Area: 722.00 m²
 Building Areas:
 Ground floor = 214.75 m²
 Covered Entrance Porches = 17.70 m²
 Refuse Yard = 16.70 m²
 Total covered = 232.45 m²
 First floor = 214.75 m²
 Covered Verandah = 13.00 m²
 Total = 227.75 m²
 TOTAL ALL FLOORS = 464.35 m²
 Coverages: 232.45 m² footprint = 32.20 %
 FAR: 0.64

GROUND FLOOR
 SCALE 1:100

ERF 786 IRONSIDE STREET

Business Zone IV (BZIV):

Primary use - Offices

PARKING REQUIREMENTS:

Land Use Offices

Normal Areas	PT1 Areas	PT2 Areas
4 bays per 100 m ² GLA	3 bays per 100 m ² GLA	2 bays per 100 m ² GLA

"GLA" means gross leasable area being the total floor space designed for, or capable of, occupancy or control by tenants, measured from the centre line of the joint partitions to the inside finished surface of the outside walls, but excludes public toilets, internal walkways, lift shafts, service ducts, interior parking and loading bays;

Areas (GLA):
 Ground floor (GLA) = 116.00m²
 First floor (GLA) = 116.00m²
 Total = 232.00m²
Required:
 3/100m² GLA = 7 parkings
Actual: 7 parkings

ACCESS TO PROPERTY:

No access may be closer than 10 metres from an intersection. Vehicle entrances and exit ways to and from a property must conform to the following requirements:
 (a) motor vehicle carriageway crossings must be limited to one per site per proclaimed street, public street or private road abutting the site;
 (b) despite paragraph (a), where the total length of any street boundary of a site is 30 metres in length or more, one additional carriageway crossing may be permitted, provided that no two carriageway crossings are closer than 12 metres to each other;
 (c) the minimum and maximum widths of motor vehicle carriageway crossings must be in accordance with the table, titled "Width of motor vehicle carriageway crossings" as measured on the street boundary, where a single carriageway crossing means the crossing may only be used as either an entrance or an exit only, not both, and a combined carriageway crossing means that the crossing can be used for both an entrance and an exit;
 (d) the minimum width of a panhandle access may not be less than 4 metres wide unless otherwise determined by the Municipality.

PARKING LAYOUT REQUIREMENTS:

A standard 90-degree parking bay for a motor vehicle shall measure at least 2,5 metres in width and 5,0 metres in length with 7,5 metres manoeuvring space or otherwise determined by the Municipality

PHYSICALLY DISABLED ACCESSIBLE PARKING:

Total no of parking bays

Required number of bays accessible to the physically disabled
1
2
3
4

For every additional 100 bays

1 additional parking bay

- parking bays must be a minimum of 3.7 metres in width and 6 metres in length or according to such other measures as may be approved by the South African Bureau of Standards;
 (b) parking and access aisles shall be situated on and accessed from a surface that is not steeper than 1:50;
 (c) parking bays must be located within 50 metres of an accessible building or site entrances, and must be located to provide convenient access to kerb ramps;
 (d) each parking bay reserved for physically disabled persons must be identified by a vertical sign incorporating the international symbol for access by persons with disabilities in accordance with the standards of the South African Bureau of Standards and marked on the parking surface with the international symbol for disabled accessibility and shall be at least 1000mm x 1000mm in size;
 (e) additional signage indicating the parking bay as reserved for exclusive use by persons with physical disabilities may be required by the Municipality;
 (f) if five or fewer parking bays are provided, at least one bay must be reserved exclusively for persons with physical disabilities; and
 (g) entry and routing to any parking space designated for persons with disabilities shall be provided with a clear height of at least 2.4 metres and shall allow for the entry of vehicles suitable for use by wheelchair users, particularly those that have a hoist to carry the wheelchair on top of the car.
 (5) Parking for persons with physical disabilities must count towards fulfilling off-street parking requirements.

Land use description: "office" means property used for the conducting of an enterprise primarily concerned with administrative, clerical, financial or professional duties, and includes—

- (a) medical consulting rooms;
- (b) a clinic;
- (c) a veterinary clinic;
- (d) an ancillary cafeteria

Development parameters

- The following development parameters apply:
 (a) **Floor factor**
 The floor factor may not exceed 1.
 (b) **Coverage**
 Coverage may not exceed 60%.
 (c) **Street centre line setback**
 The Municipality may require that all buildings or structures on the land unit are set back at least 6,5 metres from the centre line of the abutting street or streets.
 (d) **Height**
 (i) The highest point of a building may not exceed 12 metres from average ground level to the top of the roof.
 (ii) The general provisions regarding earth banks and retaining structures in this by-law apply.

(e) Building lines

- (i) The street building line is at least 5 metres.
- (ii) The side and rear building lines are at least 3 metres.
- (iii) Notwithstanding subparagraph (ii), the side building lines for properties smaller than 650 m² must be 0 metres for the first 12 metres measured perpendicular from street boundary; 0 metres for 60% of total remaining linear distance along all side and rear boundaries around the land unit; and 3 metres for the remainder.
- (iv) The general building line encroachments in this by-law apply.

(f) Garages and carports

A garage or carport is permitted within the common boundary building line to a maximum height of 4 metres.

(g) Parking and access

Parking and access must be provided on the land unit in accordance with this by-law, except in a case where the Municipality has approved alternative parking supply under subsection 43(1).

(h) Loading

Loading bays must be provided on the land unit in accordance with this by-law.

(i) Screening

The Municipality may require screening in accordance with this by-law.

(j) Canopy or balcony projection

Canopy and balcony projections for "business premises" apply.

(k) Refuse room

The Municipality may require a refuse room to be provided on the land unit in accordance with this by-law.

(l) Development charges

The Municipality may impose development charges in accordance with the provisions of Section 52.

Building height:
 NGL to FFL Ground floor = 425mm
 FFL Ground floor to FFL First floor = 3 060mm
 FFL First floor to Wallplate = 3 060mm
 Roof Ridge height from wallplate = 1 400mm
 Total height from NGL to Roof ridge = 7 945mm

FIRE:

- In a single-storey or double-storey building with a population of less than 25 persons on either floor, the travel distance along a common path of travel shall not exceed 35 m. A secondary means of escape shall be provided where the common path of travel exceeds 35 m.
- In a building of two or three storeys in height, such escape route shall not be required to include any emergency route, provided that a building
- 1) of two storeys in height where the population of the upper storey is more than 25 persons, or
- 2) of three storeys in height;
- shall be provided with not less than two such escape routes.
- Any dead-end corridor shall not exceed 10 m in length.
- Where the population of any room is not more than 25 persons, the clear width of any exit door shall be not less than 750 mm. Where two or more exit doors are required, they shall be positioned as far apart as is practicable, but not closer than 5 m from each other.
- Finishes of emergency routes shall be in accordance with the requirements of 4.14 and 4.15.
- The last component of any emergency route shall discharge at ground level directly into a street or public place or into an open-air space leading to a street or public place.

OFFICE (G1)

Personnel
 Public and visitors Males:

Fixtures

See table 6
 1 toilet pan
 1 washbasin
 1 toilet pan
 1 washbasin

Females:

Table 6 — Provision of sanitary fixtures for personnel

Population*	Number of sanitary fixtures to be installed					
	Males			Females		
	Toilet pans	Urinals	Wash-hand basins	Toilet pans	Urinals	Wash-hand basins
< 15	1	1	1	2	1	1
< 30	1	2	2	3	2	2
< 60	2	3	3	5	3	3
< 90	3	5	4	7	4	4
< 120	3	6	5	9	5	5
> 120	Add 1 sanitary fixture to the above for every 100 persons			Add 1 sanitary fixture to the above for every 50 persons		Add 1 sanitary fixture to the above for every 100 persons

NOTE: If the facilities provided in a shopping complex can be conveniently situated so that they are available to the personnel and the public and visitors, it might not be necessary to provide separate facilities for the personnel in individual shops. The minimum number of facilities provided should then be the total required in accordance with this table for the total number of personnel in the shops within the complex who make use of these facilities.

* Population is the number of personnel only of a particular sex in an occupancy. The total number of personnel will, in some cases, be the total population obtained from Regulation A21, the public and visitors being very few in number. In other cases the proportion of personnel to the public and visitors will have to be established. The total number of personnel in a shopping complex, or in any particular shop, may be taken as 10% of the total population for such complex or shop calculated in terms of Regulation A21.

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NO.	DATE	REVISIONS

DRAWING STATUS
CONCEPT DRAWINGS
 PROJECT TITLE
NEW OFFICES ON ERF 786, GEORGE

OWNER: THE PMA GROUP
 DRAWING DESCRIPTION
PROPOSED SITE DEVELOPMENT PLAN

SCALE	AS SHOWN
DATE	OCT. 2024
ISSUED	04-10-2024
DRAWN BY	Y Hamilton
BLDNG CLASS	G1
OWNER:	SIGN:
	PROF:

ATRIO DESIGNS PSAT 20994
YOLANDA HAMILTON
 PROJECT NO: **AT-121** DRAWING NO: **C-001** REVISION: **01**

ANNEXURE "C" - PRE-APPLICATION CONSULTATION FORM

LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

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

PART A: PARTICULARS

Reference number: **Collab Ref No.: 3452524**

Purpose of consultation: **‘n Aansoek om hersonering en afwyking (parkering).**

Brief proposal: **Die doel van die aansoek is om die erf vanaf Enkel Residensiële Sone I na Sakesone I te hersoneer en afwyking van die parkeervereistes te verkry.**

Property(ies) description: **Erf 786, George**

Date: **16 Oktober 2024**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Khuliso Mukhovha	George Municipality	044 801 9477	kjmukhovha@george.gov.za
	Naudica Swanepoel	George Municipality	044 801 9477	nswanepoel@george.gov.za
Pre-applicant	Jan Vrolijk	Jan Vrolijk Town Planner		

Documentation provided for discussion:

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

Titelakte van erf

Lugfoto liggingsplan

L G Diagram

Voorgestelde terreinplan

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

YES	NO
-----	----

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

ONTWIKKELINGSVOORSTEL

Dit is die voorneme om die bestaande woonhuis op die erf te sloop en die erf daarna 'n sakegebou, wat vir kantore aangewend gaan word, op die erf op te rig ooreenkomstig die aangehegde terreinplan.

Die sakegebou sal oor 'n oppervlakte 232m² beskik. Die erf is tans Enkel Residensiële Sone I gesoneer en om dit vir die doel aan te wend sal die erf Sakesone I gehersoneer moet word.

In terme van normale vereistes van 4 parkeerplekke per 100m² sake vloeroppervlakte moet daar 9 parkeerplekke vir die voorgestelde ontwikkeling voorsien word. Soos op die terreinplan aangetoon word kan daar egter net 7 parkeerplekke op die erf voorsien word. die parkering sluit 'n gestremde parkeerplek in. Aansoek sal dus gedoen moet word vir die verslapping van die parkeervereistes vanaf 4 parkeerplekke per 100m² sake vloeroppervlakte na 3 parkeerplekke per 100m² sake vloeroppervlakte.

AANSOEK

- Aansoek sal dus in terme van Artikel 15(2)(a) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2015 gedoen moet word vir die hersonering van Erf 768 George vanaf Enkel Residensiële Sone I na Sakesone I.
- Aansoek sal dus in terme van Artikel 15(2)(a) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2015 gedoen moet word vir die verslapping van die parkeervereistes vanaf 4 parkeerplekke per 100m² sake vloeroppervlakte na 3 parkeerplekke per 100m² sake vloeroppervlakte

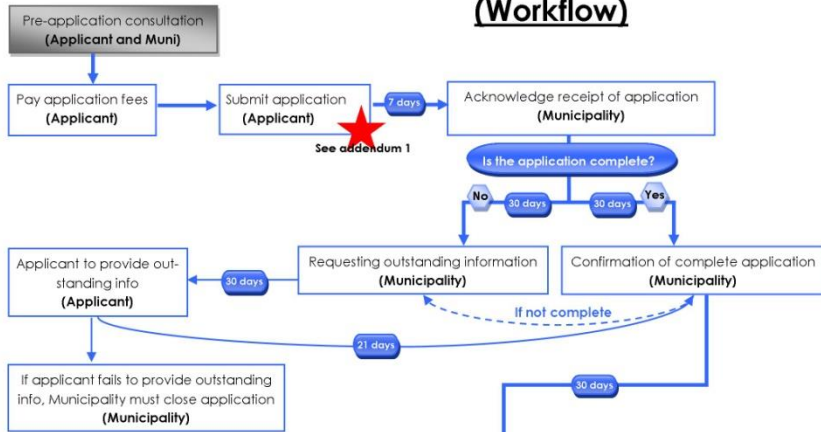
PART B: APPLICATION PROCESS

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

Draft By-Law on Municipal Land Use Planning

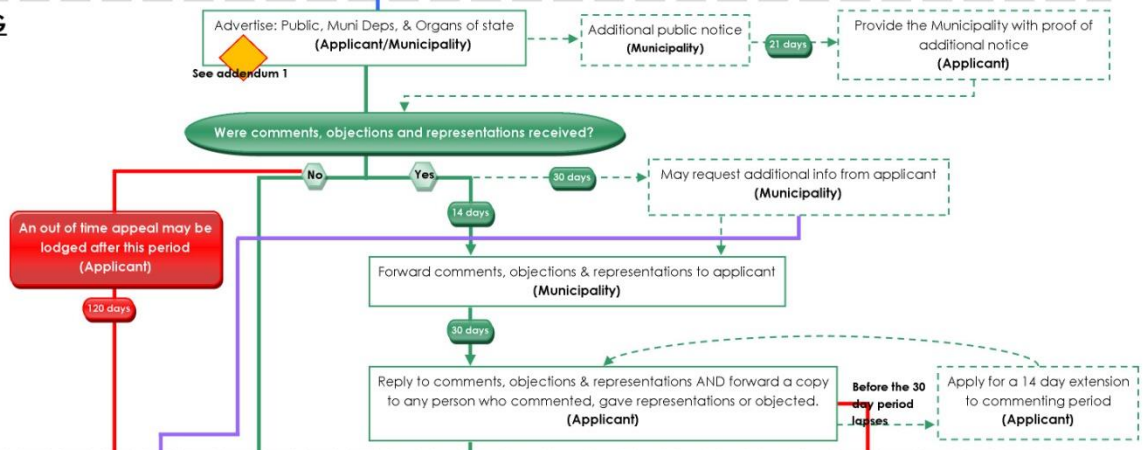
(Workflow)

SUBMISSION



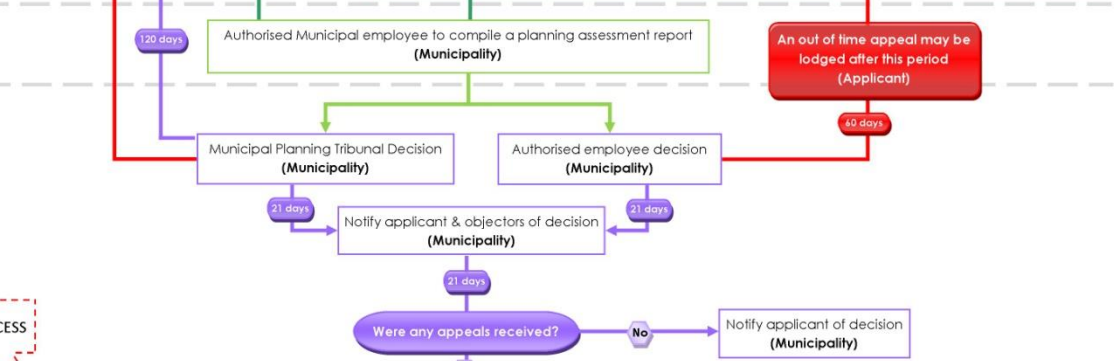
- Types of applications that can be submitted in terms of Section 15 (2)**
- (a) Rezoning of land
 - (b) Permanent departure
 - (c) Temporary departure
 - (d) Subdivision of land
 - (e) Consolidation of land
 - (f) Amendment, suspension or removal of restrictive conditions
 - (g) Permission required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

ADVERTISING



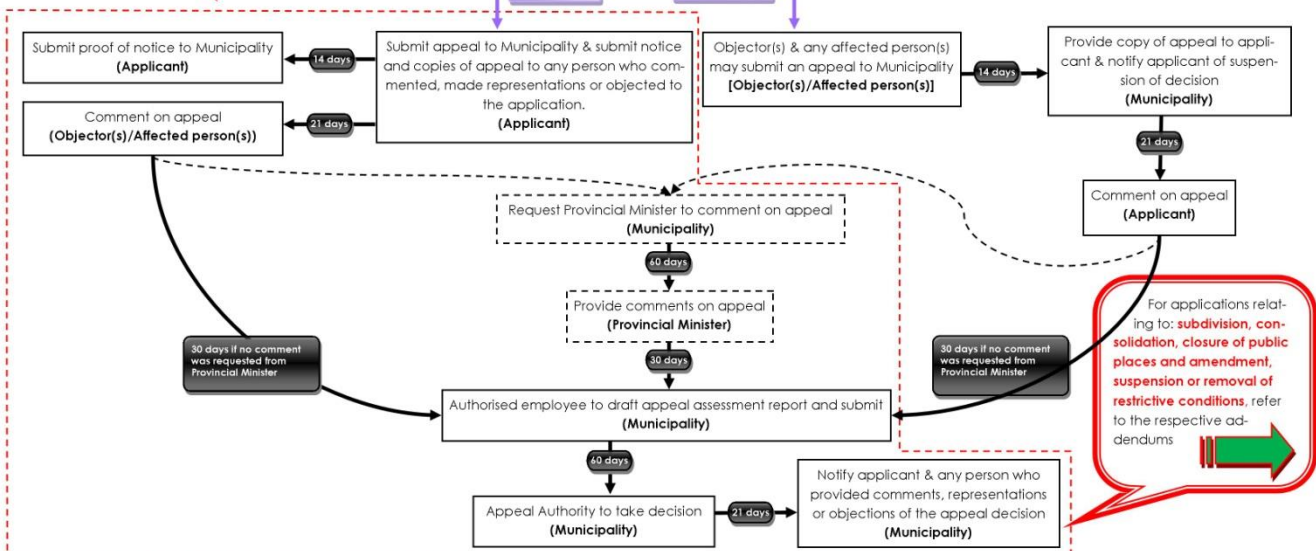
ASSESSMENT

DECISION



APPEAL PROCESS

APPEAL



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

PART C: QUESTIONNAIRES

**SECTION A:
DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES**

Tick if relevant		What land use planning applications are required?	Application fees payable
x	2(a)	a rezoning of land;	R 10 710, 00
x	2(b)	a permanent departure from the development parameters of the zoning scheme;	R 7 930, 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
	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):			TBD

PLEASE NOTE: * Application fees are estimated on the information discussed and are subject to change with submission of the formal application and/or yearly application fee increase.

SECTION B:

PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?	X		George Ruimtelike Ontwikkelingsraamwerk 2023 en die George Sentrale Sakegebied Plaaslike Ruimtelike Ontwikkelingsraamwerk	Sal bepaal word
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]			X	Conveyancer certificate required 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? Die George Geintegreerde Soneringskema Verordening, 2023 What is the current zoning of the property? Enkel Residensiële Sone I What is the proposed zoning of the property? Sakesone I Does the proposal fall within the provisions/parameters of the zoning scheme? Ja Are additional applications required to deviate from the zoning scheme? (if yes, specify) Ja, parkeervereistes				

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	N.v.t.	N.v.t.

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

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

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
				Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW)
Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		X		National Department of Labour (DL)
Will the proposal affect any Eskom owned land and/or servitudes?		X		Eskom
Will the proposal affect any Telkom owned land and/or servitudes?		X		Telkom
Will the proposal affect any Transnet owned land and/or servitudes?		X		Transnet
Is the property subject to a land / restitution claims?		X		National Department of Rural Development & Land Reform
Will the proposal require comments from SANParks and/or CapeNature?		X		SANParks / CapeNature
Will the proposal require comments from DEFF?		X		Department of Environment, Forestry and Fishery
Is the property subject to any existing mineral rights?		X		National Department of Mineral Resources
Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? (strikethrough irrelevant)		X		Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

SECTION D:

SERVICE REQUIREMENTS

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM: (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:

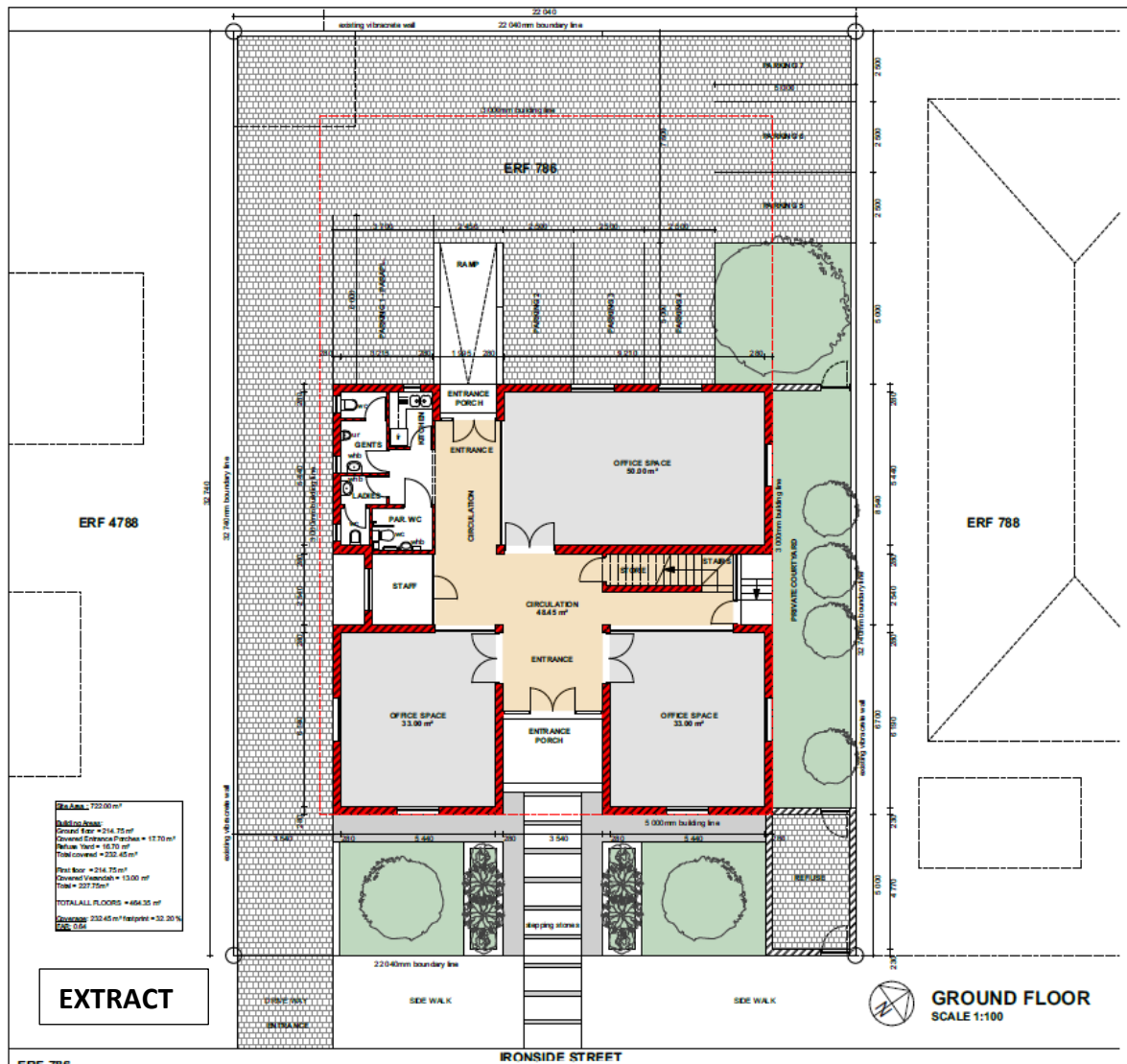
Y	N	Power of Attorney / Owner's consent if applicant is not owner (if applicable)	Y	N	S.G. noting sheet extract / Erf diagram / General Plan
Y	N	Motivation report / letter	Y	N	Full copy of the Title Deed
Y	N	Locality Plan	Y	N	Site Layout Plan
Y	N	Proof of payment of fees	Y	N	Bondholder's consent

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

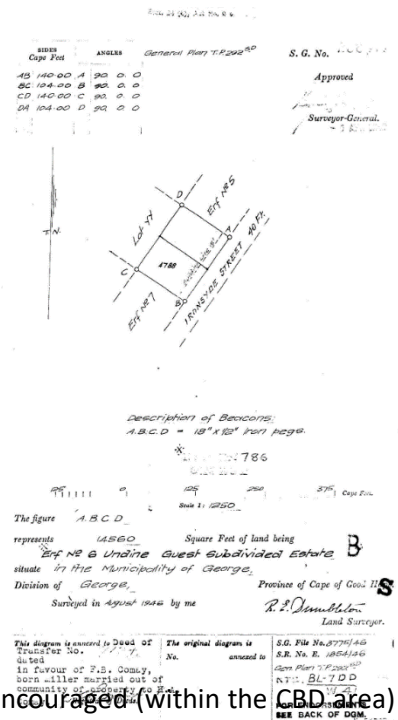
PART E: DISCUSSION

- The pre-application was submitted with the SG diagram, locality plan and site plan as indicated below.



EXTRACT

GROUND FLOOR
SCALE 1:100



Town Planning

- Erf 786, George is located in an area where businesses are encouraged (within the CBD area) in terms of the George Municipal Spatial Development Framework, 2023. In principle, the proposal is in line with the MSDF. The application must be motivated in terms of spatial policies of the area.

- Erf 786, George may be a heritage resource. The applicant must submit a Notice of Intent to Develop (NID) and / or an application in terms of Section 34 of the NHRA (if the building is older than 60 years) to Heritage Western Cape prior to submitting the formal application.
- The pre-application indicates that the building will have a total floor space of 232m² which is contrary to the information on the site plan. Clarity needs to be provided in this regard.
- The proposal must comply with development parameters as set out on the George Integrated Zoning Scheme By-law, 2023. Departure applications must be included in the application where necessary.
- Motivation to address the impact of the proposal on privacy and views of adjacent property owners / residents.
- A landscaping plan and greening will be required.
- Parking to be provided on site in terms of the George Integrated Zoning Scheme By-law, 2023.

Electro-technical:

- DC's applicable.
- SSEG proposed to be registered with ETS prior to construction.

Civil Engineering Services:

Note:

- ***Applicant must consult with Engineering Services Departments prior to submitting a formal application***

PART F: SUMMARY / WAY FORWARD

- The applicant may proceed with the application subject to comments in Part E above.

OFFICIAL: KHULISO MUKHOVHA

SIGNED: 

DATE: 24 OCTOBER 2024

PRE-APPLICANT: JOHANNES GEORGE VROLIJK

SIGNED: 

DATE: 10 Oktober 2024

OFFICIAL: NAUDICA SWANEPOEL

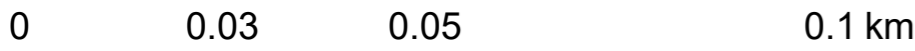
SIGNED: 

DATE: 24 OCTOBER 2024

**Please note that the above comments are subject to the documents and information available to us at the time of the pre-application meeting and we reserve our rights to elaborate on this matter further and/or request more information/documents should it be deemed necessary.*

ANNEXURE "D" - LOCALITY PLAN

Erf 786 George - Locality plan



Date: 9/18/2024 2:44 PM

Scale: 1:933



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.

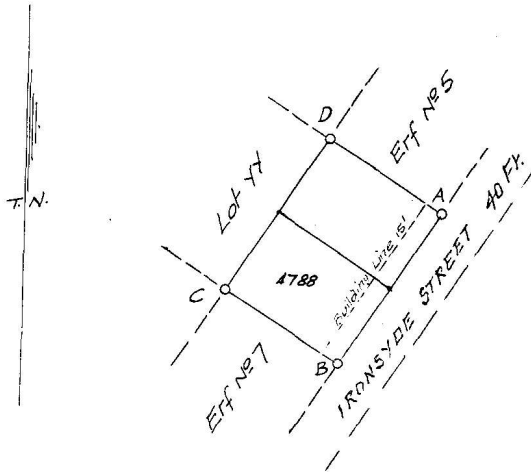
ANNEXURE "E" - SURVEYOR GENERAL DIAGRAM

SIDES Cape Feet	ANGLES	General Plan T.P. 292 ^{SD}
AB 140.00 A	90. 0. 0	
BC 104.00 B	90. 0. 0	
CD 140.00 C	90. 0. 0	
DA 104.00 D	90. 0. 0	

S. G. No. 20071

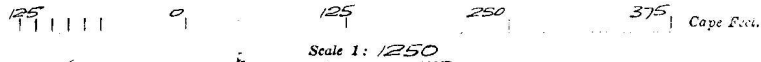
Approved

Surveyor-General.



Description of Beacons:
 A.B.C.D = 18" x 12" Iron pegs.

* 1788
 1788



The figure A.B.C.D

represents 14560 Square Feet of land being

Erf No 6 Undine Guest subdivided Estate

situate in the Municipality of George,

Division of George,

Province of Cape of Good Hope.

Surveyed in August 1946 by me

R. L. Drumblaton
 Land Surveyor.

This diagram is annexed to Deed of Transfer No. 1788 dated in favour of F.B. Comay, born Miller married out of community of property to H.A. Comay. Registrar of Deeds.

The original diagram is No. annexed to

S.G. File No. 3775/46
 S.R. No. E. 1854/46
 Gen. Plan T.P. 292^{SD}
 N.T. BL-7DD
 W. 41

FOR ENDORSEMENTS
 SEE BACK OF DGM.

ANNEXURE "F" - TITLE DEED

Box 1489

LEACH ATTORNEYS
1 PRES STEYN STREET
WESTDENE
BLOEMFONTEIN
9301

Prepared by me

CONVEYANCER
FRANCO JOHAN WASSERMAN (LPCM
NO. 60974)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 2.500.000,00	R. 2140,00
Reason for exemption	Category Exemption	Exemption i t.o. Sec/Reg Act/Proc

DATA / VERIFY
10 OCT 2024
Nomzamo Siyoko

T 000062052 / 2024

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

Carla Batt LPCM 86715

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

KAJOHN ARUN
Born on 7 July 1975
Unmarried

which said Power of Attorney was signed at George on 30 August 2024

DATA / CAPTURE
10 -10- 2024
ATHI DAMOYI

And the appearer declared that his/her said principal had, on 31 July 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:

PHONIC PROPERTIES PROPRIETARY LIMITED
Registration Number 2004/025542/07

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

REMAINDER OF ERF 786 GEORGE IN THE MUNICIPALITY AND DIVISON
GEORGE WESTERN CAPE PROVINCE

IN EXTENT 721 (SEVEN HUNDRED AND TWENTY ONE) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T 7154/1949 with
Diagram No. 2360/1947 relating thereto and held by Deed of Transfer Number
T12957/2024

- A. SUBJECT to the conditions as referred to in Deed of Transfer number T9935/1929.
- B. SUBJECT FURTHER to the undermentioned conditions as mentioned in Deed of Transfer Number T7154/1949 and imposed by the Administrator in terms of Ordinance Number 33 of 1934, namely:
 - 1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the Regulations published under Provincial Administration Notice Number 401 dated 17th October 1935, and by the Memorandum which accompanied the said Regulations.
 - 2. The owner of this erf shall without compensation be obliged to allow the sewage and drainage including stormwater of any other erf or erven to be conveyed across this erf if deemed necessary by the Local Authority, and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time in order to construct, maintain, alter, remove or inspect any sewer, manhole, channel, conduit or other works pertaining thereto.
 - 3. This erf shall be subject to the following conditions, provided especially that where in the opinion of the Administrator, after consultation with the Township Board and Local Authority, it is expedient that the restriction in any conditions should at any time be suspended or relaxed, he may authorise the necessary or relaxation subject to compliance with such conditions as he may impose.
 - (a)
 - (b) This erf shall be used for residential purposes only.
 - (c)
 - (d)

(e) No building or structure or any portion thereof, except boundary walls, fences, shall be erected nearer than 15 feet to the street line which forms a boundary of this erf, nor within 10 feet of the rear boundary or 5 feet of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority, an outbuilding not exceeding 10 feet in height, measured from the floor to the wall plate, and no portion of which will be used for human habitation, may be erected within the above prescribed rear space."

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

KAJOHN ARUN, Unmarried

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

PHONIC PROPERTIES PROPRIETARY LIMITED
Registration Number 2004/025542/07

its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 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 7 OCT 2024



q.q.

In my presence


REGISTRAR OF DEEDS





ANNEXURE "G" - POWER OF ATTORNEY

POWER OF ATTORNEY

We, the undersigned

Soloman Isias Potgieter (ID 5603135127088) and Soloman Isias Potgieter (ID 8212175178089)

the only Directors of

Phonic Properties (Pty) Ltd Registration number 2004/025542/07

the registered owner of

Remainder of Erf 786 George

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

- *An application in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of the Remainder of Erf 786 George from Single Residential Zone I to Business Zone I.*
- *An application in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the parking requirements applicable to a business building on the Remainder of Erf 786 George from 4 parking bays per 100m² GLA to 3 parking bays per 100m² GLA.*
- *An application in terms of Section 15(2)(f) of the By-law on Land Use Planning for George Municipality, 2023 for the removal of condition B.3. from Title Deed T62052/2024, the title deed for the Remainder of Erf 786 George.*

Signed at George on 18 November 2024

Soloman Isias Potgieter (ID 5603135127088)



Soloman Isias Potgieter (ID 8212175178089)



ANNEXURE "H" - COMPANY REGISTRATION CERTIFICATE

ANNEXURE "I" - CONVEYANCER CERTIFICATE

CONVEYANCER'S CERTIFICATE

IN TERMS OF SECTION 38(1)(n) OF THE GEORGE MUNICIPALITY: LAND USE PLANNING BY LAW, 2023

REMAINDER OF ERF 786 GEORGE

APPLICATION DETAILS

- An application in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2023 for the rezoning of the remainder of Erf 786 George from Single Residential Zone I to Business Zone I.
- An application in terms of Section 15(2)(b) of the By-law on Land Use Planning for George Municipality, 2023 for the relaxation of the parking requirements applicable to a business building on the Remainder of Erf 786 George from 4 parking bays per 100m² GLA to 3 parking bays per 100m² GLA.
- An application in terms of Section 15(2)(f) of the By-law on Land Use Planning for George Municipality, 2023 for the removal of condition B.3. from Title Deed T62052/2024, the title deed for the Remainder of Erf 786 George.

APPLICATION DATE

November 2024

I, the undersigned

ANDALEEN CHIMES a duly qualified and admitted Conveyancer, practicing at A Chimes & Van Wyk Attorneys, Cathedral Street, George

do hereby certify as follows:

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

T62052/2024 (current Title Deed)

in respect of:

**REMAINDER OF ERF 786 GEORGE
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT: 721 (SEVEN TWO ONE) SQUARE METRE

HELD BY DEED OF TRANSFER NUMBER T62052/2024

REGISTERED in the name of

PHONIC PROPERTIES (PTY) LTD REGISTRATION NUMBER 2004/025542/07

2. I have appraised myself with the details of the abovementioned Land Development Application.
3. The abovementioned Title Deed contains the following restrictive conditions which will affect the contemplated Land Use in terms of the abovementioned Land Development Application.

“A.3. The erf shall be subject to the following conditions, provided especially that where in the opinion of the Administrator, after consultation with the Townships Board and Local Authority, it is expedient that the restriction in any conditions should at any time be suspended or relaxed, he may authorise the necessary or relaxation subject to compliance with such conditions as he may impose.

- (a)
- (b) *The erf shall be used for residential purposes only.*
- (c)
- (d)
- (e) *No building or structure or any portion thereof, except boundary walls, fences, shall be erected nearer than 15 feet to the street line which forms the boundary of this erf, nor within 10 feet of the rear boundary or 5 feet of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority, an outbuilding not exceeding 10 feet in height, measured from the floor to the wall plate,*

and no portion of which will be used for human habitation , may be erected within the above prescribed rear space.”

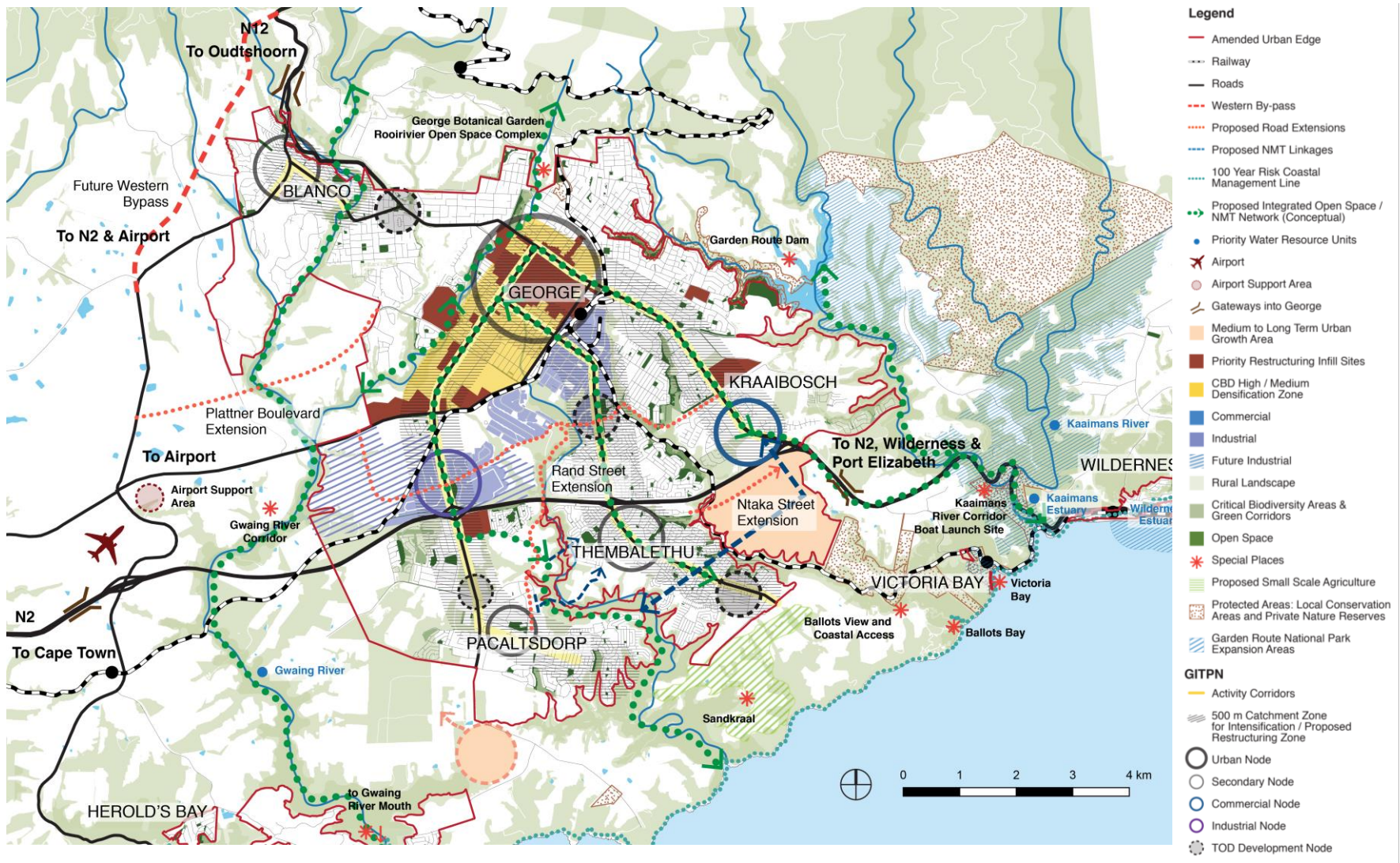
4. There is no bond registered over the property.

SIGNED at GEORGE on 18 November 2024

A handwritten signature in black ink, appearing to read 'Guis'.

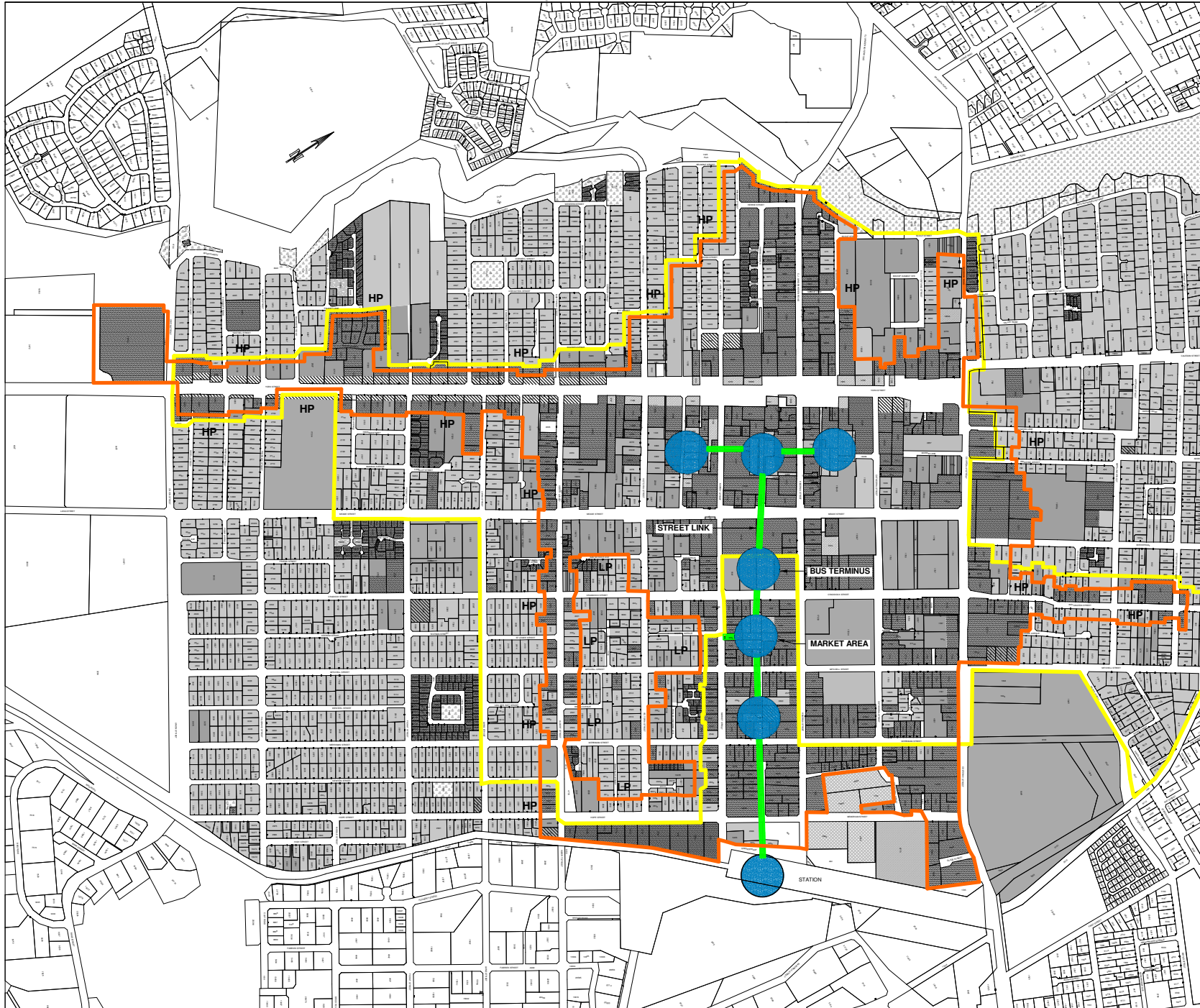
CONVEYANCER

ANNEXURE "J" - PUBLIC TRANSPORT PRIORITY NODES & CORRIDORS



Map 36: Composite Spatial Development Framework for the George City Area

ANNEXURE "K" - GEORGE CBD SPATIAL DEVELOPMENT PLAN 2012



**LOCAL STRUCTURE PLAN
IN TERMS OF SECTION 4(10)
OF ORDINANCE 15 OF 1985**

This plan shows certain spatial implications of the Spatial Development Plan for the CBD of George. It should be read together with the report on the CBD Spatial Development Plan

-  Redevelopment opportunities
-  Pedestrian Linkages and urban spaces
-  Medium term Business Development Edge
-  Medium term High Density Residential Development Edge
- HP = High priority edge
- LP = Low priority edge

**GEORGE
CENTRAL BUSINESS DISTRICT
SPATIAL DEVELOPMENT PLAN**



DRAWN BY: M.SWART
 DATE: AUGUST 2011
 SCALE: 1:15000
 PLAN NO: GCBD 1.1