

**PROPOSED SUBDIVISION, CONSENT USE AND DEPARTURES IN TERMS OF SECTIONS 15(2)(d),  
15(2)(o) and 15(2)(b) OF THE GEORGE MUNICIPALITY LAND USE PLANNING BYLAW, 2015**

**ERF 4245 (9 CYPRESS AVENUE, HEATHER PARK), GEORGE DISTRICT AND MUNICIPALITY**



**On behalf of: Kathleen Margaret Mackay**

**October 2021**

**COPYRIGHT RESERVED**

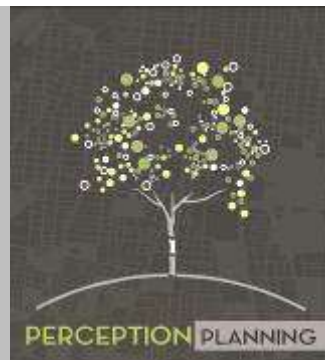
**STÉFAN DE KOCK**  
PERCEPTION Planning  
7 Imelda Court, 103 Meade Street, George  
PO Box 9995, George, 6530

Cell: 082 568 4719

Fax: 086 510 8357

E-mail: [perceptionplanning@gmail.com](mailto:perceptionplanning@gmail.com)

[www.behance.net/perceptionplanningSA](http://www.behance.net/perceptionplanningSA)



**PERCEPTION Planning**

URBAN & REGIONAL PLANNING - ENVIRONMENTAL PLANNING - HERITAGE IMPACT ASSESSMENT - URBAN DESIGN

**CONTENTS**

1	INTRODUCTION
1.1	The Application
1.2	Description of Property
1.3	Zoning and Land Use
1.4	Planning history and context
1.5	Access
1.6	Physical characteristics
2	PROPOSED DEVELOPMENT
2.1	Development description
2.2	Pre – Application Consultation
2.3	Municipal services and Infrastructure
3.	REGULATORY CONTEXT
3.1	Section 8 Zoning Scheme Regulations
3.1.1	Consent use: Second dwelling
4.	OTHER LEGISLATION
4.1	National Heritage Resources Act, 1999 (Act 25 of 1999)
4.2	National Environmental Management Act, 1998 (Act 107 of 1998)
5.	SPATIAL POLICY & PLANNING FRAMEWORKS
5.1	Western Cape Provincial Spatial Development Framework, 2014
5.2	George Municipal Spatial Development Framework, 2019
6	PLANNING MOTIVATION
6.1	Statutory Context
6.1.1	Spatial Planning Land Use Management Act, 2013
6.1.2	Western Cape Land Use Planning Act, 2014
6.1.3	George Municipality Land Use Planning Bylaw, 2015
6.2	Character of surrounding area
6.3	Potential direct impacts
6.4	Access and Parking
6.5	Provision of services
6.6	Need and Desirability
6.7	Public Interest
6.8	Statutory compliance
7	CONCLUSION

**ANNEXURES**

1.	Power of Attorney, Title Deed, SG Diagram
2.	Conveyancer's certificate
3.	Land Use Planning Application Form
4.	Locality Plan, Proposed Subdivision Plan
5.	Site Development Plan
6.	Photographs
7.	Subdivision approval dated 10 <sup>th</sup> December 2008
8.	Building plans
9.	Pre-Application Feedback

**FIGURES**

1.	Locality broader context
2.	Closer urban context
3.	Closer context: cadastral reference
4.	Overview – site context
5.	Zoning map: GLZS
6.	WC PSDF: Key spatial transitions
7.	WC PSDF: Provincial spatial policies
8.	Existing densification: Heather Park

**TABLE**

1.	Compliance: Section 8 Zoning Scheme
----	-------------------------------------

**REFERENCES and ACKNOWLEDGEMENTS**

1. Cape Town Archives
2. Cape Town Deeds Office
3. Department of Rural Development and Land Reform, Mowbray (NGSI)
4. Guideline on Need and Desirability, Department of Environmental Affairs, 2017

**ABBREVIATIONS**

CFM – Cape Farm Mapper, Western Cape Government  
 DEADP – Department of Environmental Affairs & Development Planning (Western Cape Government)  
 DEFF – Department of Environment, Forestry and Fisheries (National)  
 EA – Environmental Authorisation  
 GEP – Google Earth Pro ©  
 GIZS – George Integrated Zoning Scheme Bylaw, 2017  
 GMSDF – George Municipality Spatial Development Framework  
 HWC – Heritage Western Cape  
 LUPA - Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)  
 NEM:BA – National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004)  
 NEMA – National Environmental Management Act  
 NEMA – National Environmental Management Act, 1998 (Act 107 of 1998), as amended  
 NHRA – National Heritage Resources Act, 1999 (Act 25 of 1999)  
 PPP – Public Participation Process  
 SPLUMA - Spatial Planning and Land Use Management Act, 2013 (Act 3 of 2013)

**COVER:** Collage of imagery pertaining to the property (Author, 2021)

PROJECT SUMMARY	
Objective	Subdivision into Portion A and Remainder, Consent Use (Second Dwelling) and Departures (Building lines)
Property	Erf 4245 (Heather Park), George District and Municipality
Surveyor General Diagram	5583/1968
Registered Owner	Kathleen Margaret Mackay
Title Deed	T 10769/2017
Extent	2,119m <sup>2</sup>
Restrictive Title Deed Condition(s)	None
Bond Holder	None
Servitudes	No
Zoning Scheme	George Integrated Zoning Bylaw, 2017
Legislation	George Municipality: Land Use Planning Bylaw, 2015
Current Zoning	Single Residential Zone I
Current Land Use	Residential
Proposed Development	Subdivision, Consent Use, Departure
Proposed Land Use	Single Residential Zone I
NEMA Required	No
NHRA Required	No
Act 70 of 1970	No

## 1. INTRODUCTION

PERCEPTION Planning was appointed by the registered property owner, Kathleen Margaret Mackay, to compile and submit to George Municipality a land use planning application for subdivision, consent use and departure pertaining to Erf 4245 (Heather Park), George District and Municipality, in terms of Sections 15(2)(d), 15(2)(o) and 15(2)(b) of the George Municipality Land Use Planning Bylaw (P.N. 227/2015). A copy of the Power of Attorney, duly signed by the registered property owner, appointing the *Perception Planning* to lodge this application, is attached as part of **Annexure 1** hereto, together with copies of the relevant SD Diagram and current title deed. A conveyancer's certificate confirming that the title deed contains no restrictive title conditions is attached as **Annexure 2**. There is no bond registered over the property – see Annexure 1.

The cadastral land unit subject to this application is:

- Erf 4245 (Heather Park), George District and Municipality, measuring 2,119m<sup>2</sup>, registered to Kathleen Margaret Mackay and held under title deed T 10769/2017.

### 1.1 The Application

This land use application pertaining to Erf 4245, George District and Municipality submitted in terms of Sections 15(2)(d), 15(2)(o) and 15(2)(b) of the George Municipality Land Use Planning Bylaw (P.N. 227/2015) incorporate the components outlined below:

- **Subdivision** in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015, for the creation of two new portions, namely a Portion A (± 919m<sup>2</sup> in extent) and Remainder of Erf 4245 (± 1,200m<sup>2</sup> in extent).
- **Consent use**, in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015, for a Second Dwelling (± 113m<sup>2</sup>) on the proposed Remainder of Erf 4245, George;
- **Departures** in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-Law, 2015 for relaxation of building lines to accommodate existing structures as follow:
  - Northern building line of proposed Portion A from 2m to 0m to accommodate the existing existing servant's and store rooms;
  - Southern building line of proposed Remainder from 3m to 2.1m and 2.44m to accommodate the existing dwelling house;
  - Eastern building line of proposed Remainder from 3m to 1.74m to accommodate the existing building/proposed second dwelling.

The Land Use Planning Application form, duly completed and signed, is attached as **Annexure 3** while the locality plan and proposed subdivision plan are attached as part of **Annexure 4** to this report. A Site Development Plan is attached as **Annexure 5**.

### 1.2 Description of Property

Erf 4245 (2,119m<sup>2</sup> in extent) is situated within the predominantly residential suburb of Heather Park, about ±3 km west of the George Central Business District (CBD), as shown in **Figure 1** as well as the aforementioned locality plan (Annexure 4). The property is located along the southern side of Cypress Avenue and holds a roughly midblock location between Wattle and Airway Roads (**Figures 2,3**). The property is flat and contains a building complex comprising a dwelling house and (perceived) second dwelling (see Section 1.4 below) connected by an existing structure containing a servant's room and store room as illustrated in **Figure 4**. The dwelling house



was constructed roughly in the centre of the property with later extensions made to the rear. None of the structures are older than 60 years.



Figure 1: Study area location within a broader context (GEP, 2021, as edited)

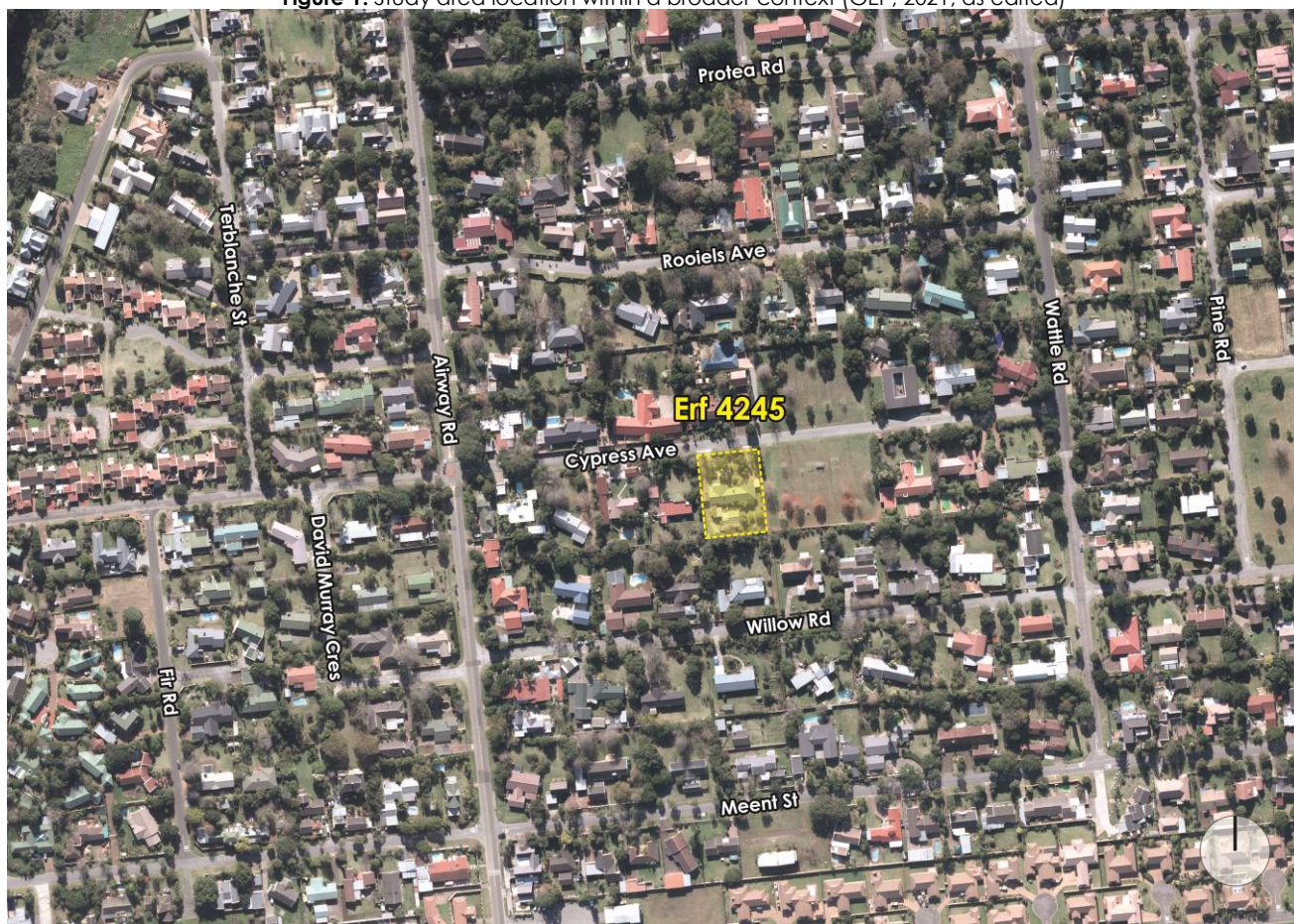


Figure 2: Property shown within closer urban context (CFM, 2021 as edited)



The existing building complex is surrounded by an established garden, two driveways and paving. Except for a single indigenous coral tree (*Erythrina lysistemon*) along the pavement directly north of the property boundary, no other indigenous trees are located on the property. Several fruit trees occur to the rear and will be retained.

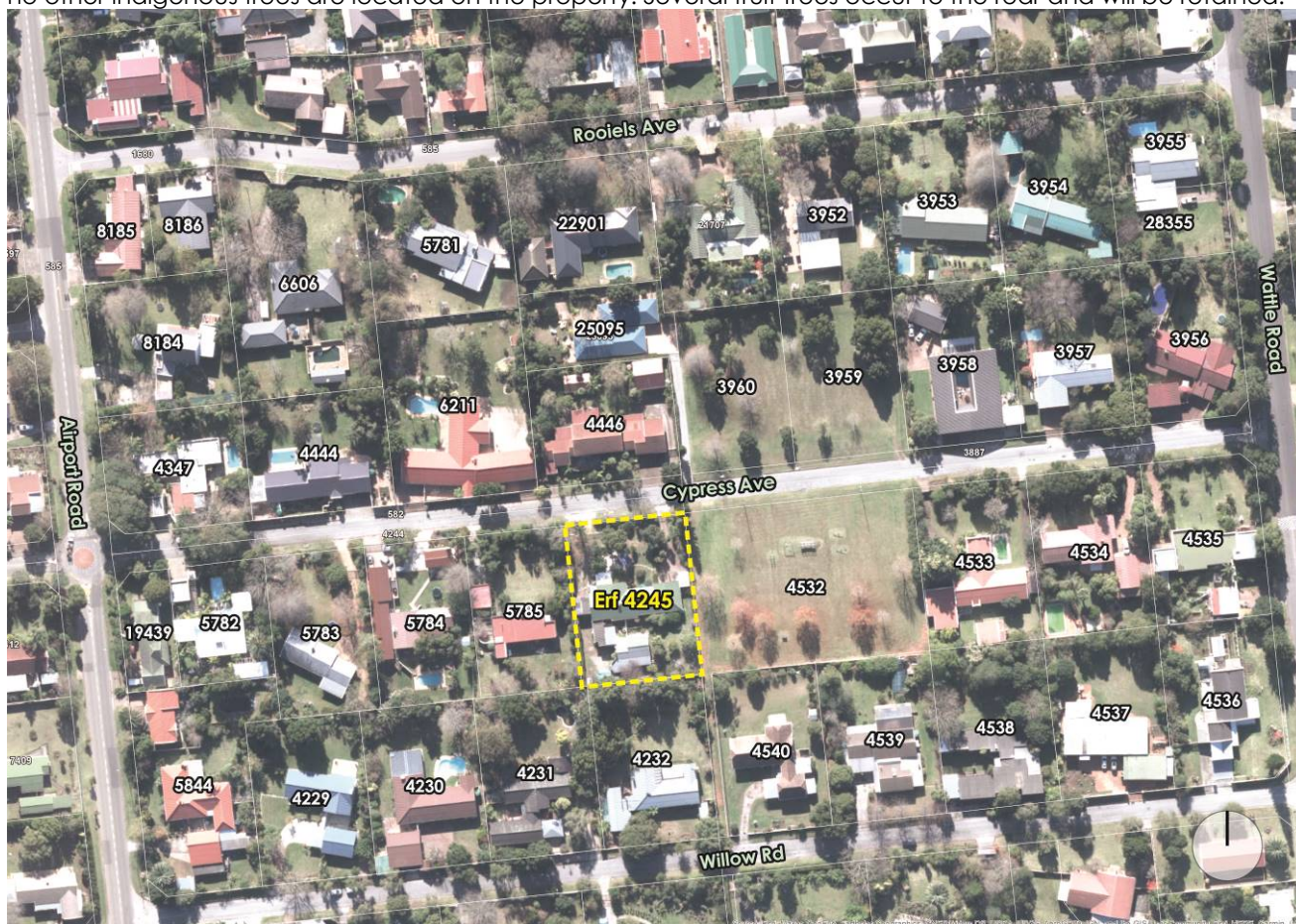


Figure 3: Registered even within proximity of Erf 4245, George as reference (CFM, 2021 as edited)



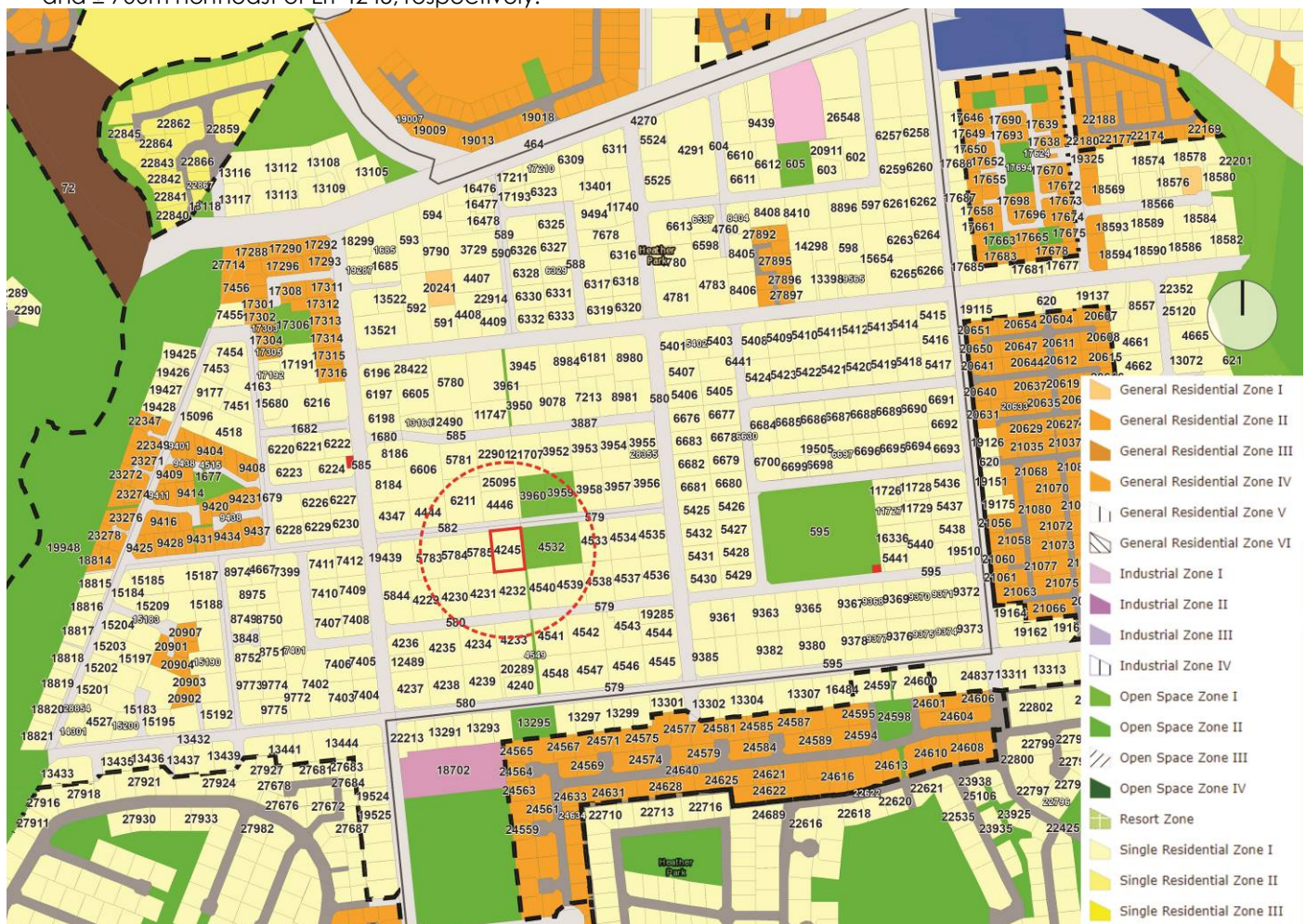
Figure 4: Annotated aerial image describing site-specific context (CFM, 2021 as edited)



Existing fencing along the cadastral boundaries to Erf 4245 include 1.8m high palisade fencing along the northern (street) boundary as well as the eastern boundary onto the adjoining public open space (i.e. Erf 4532). The northern (street) boundary fence is visually screened by a densely vegetated ( $\pm 1.8$ m high) hedge (cape honeysuckle). The rear (southern) boundary is defined by 1.8m high vibacrete fencing whilst the eastern (side) boundary is defined by a densely vegetated  $\pm 2.1$ m high hedge. Photographs of the property and its environs are attached as part of **Annexure 6** hereto.

### 1.3 Zoning and Land Use

As evident from an extract from the GIZS Erf 4245 is situated with an area characterised predominantly by single residential land use (**Figure 5**). The property is however bound to the east and northeast by a public open space comprised of three abutting erven (Erven 4532, 3959 & 3960) zoned Open Space Zone I (refer to Figure 5). Several group housing complexes have been approved by the municipality along the periphery of Heather Park in the past. Two properties zoned Community Zone II occur along periphery of the suburb,  $\pm 300$ m southwest and  $\pm 700$ m northeast of Erf 4245, respectively.



**Figure 5:** Erf 4245, George shown within context of extract from GIZS, 2017 (GM, 2021 as edited)

The property is zoned *Single Residential Zone I* in terms of the George Integrated Zoning Scheme By-law (GIZS, 2017). According to the landowner permission for a second dwelling was granted prior to 2017 (i.e. before implementation of the GIZS, 2017) though this could not be confirmed through a search of the relevant municipal planning file.

### 1.4 Planning history and context

A land use planning application lodged by GS Savage & Associates on behalf of the landowner for subdivision of Erf 4245, George into two portions (Portion A – 951m<sup>2</sup> and Remainder – 1,618m<sup>2</sup>, respectively) was approved on 10<sup>th</sup> December 2008. These rights were however never implemented and subsequently lapsed. Copies of said approval is attached as part of **Annexure 7**. The approved subdivision plan clearly denotes the position of a “Flat” to the rear of the primary building (denoted as “House”). This part of the building complex had therefore been used as a second dwelling in accordance with this perceived right in good faith for many years.

According to the landowner approved building plans of all existing structures on the property, the original copies of which were archived with Building Control, George Municipality. Following numerous interactions with Building Control staff during May 2019 it transpired that these approved building plans were lost. Subsequent searches by Planning and Development staff during 2020 also proved unsuccessful. The landowner has no copies of approved building plans and so have had to have new building plans drawn up at her expense.

It should be noted that, during a site visit dated 13<sup>th</sup> November 2020, it was found that at least three second dwellings occur within the building complex. We have however been informed by the landowner that only one second dwelling remain at this stage.

## 1.5 Access

Vehicular access to the property is via two entrances directly off Cypress Avenue as highlighted in Figure 4. The length of the cadastral boundary onto Cypress Avenue is  $\pm 39.8\text{m}$  and the separation distance between said entrances is  $\pm 22.8\text{m}$ . The western (primary) entrance and driveway provides access to the dwelling house and rear of the property is via a driveway adjoining the western cadastral boundary whilst the eastern (secondary) entrance and driveway provides access to the eastern portion of the dwelling house. Access control to said entrances is maintained via sliding gates.

## 1.6 Physical characteristics

Comprehensive details regarding existing soil conditions prevalent to the property is not known though broadly defined as being part of the Kaaimans Group and consisting of feldspathic quartzite, conglomerate, gritstone, phyllite, quartz-sericite and calc-silicate rocks<sup>1</sup>. The property is level, stable and do not contain any landfills. Existing vegetation consists of lawned areas interspersed by shrubs and trees as described in Section 1.2 above. In addition to existing fencing, established, densely vegetated hedging along the northern and western boundaries while mature trees occurring on adjoining properties along the southern cadastral boundary of Erf 4245 are of such a nature that overlooking to/from adjoining properties to the west and south are not possible. No natural streams or drainage lines occur on or within the direct proximity of the property.

## 2. PROPOSED DEVELOPMENT

### 2.1 Development description

The proposal comprises three components, the most significant of which is for subdivision of the property into two portions, namely a Portion A (essentially the southern portion of the property,  $\pm 919\text{m}^2$  in extent) and the Remainder of Erf 4245 (northern portion of the property,  $\pm 1200\text{m}^2$  in extent). Access to proposed Portion A would be via a 4m wide panhandle following the eastern cadastral boundary of the property.

To implement the above, two portions of the existing building complex would be demolished as follows (refer to Subdivision Plan and Site Development Plan, Annexures 4, 5):

- An existing single carport ( $\pm 14\text{m}^2$ ) to the eastern elevation of the dwelling house;
- Portion of the existing outbuilding (comprising a store room and servant's room, measuring  $\pm 7.5\text{m}^2$ ) presently connecting the dwelling house and (perceived) second dwelling to the rear.

As a consequence of the proposed subdivision, permission for encroachment of existing buildings onto resultant building lines are sought as follows (Subdivision Plan and Site Development Plan, Annexures 4, 5):

- Proposed Portion A: Relaxation of the northern building lines from 2m to 0m to accommodate the existing outbuilding (store and servant's rooms);
- Proposed Remainder: Relaxation of the southern building line from 3m to 2.1m and 2.44m to accommodate the existing dwelling house;
- Proposed Remainder: Relaxation of the eastern building line from 3m to 1.74m to accommodate the existing building/ proposed second dwelling.

Thirdly, permission is sought for a Second Dwelling ( $\pm 113\text{m}^2$ ) on the proposed Remainder of Erf 4245, to be accommodated within the existing dwelling house. The stated surface area includes the existing covered stoep. Sufficient space for parking existing directly in front of the proposed second dwelling exists. The existing (perceived) second dwelling situated to the rear of the existing dwelling house would thus become the primary dwelling to proposed Portion A as illustrated through the Site Development Plan (Annexure 5). Detailed building plans comprising floor plans, sections and elevations of the existing building complex and construction works required as part of the proposal is attached as part of **Annexure 8** to this report.

### 2.2 Pre-Application Consultation

The proposal was discussed with municipal officials through a Pre-Application Consultation on 29<sup>th</sup> June 2021 as required in terms of Section 37(1) of the George Municipality Land Use Planning Bylaw (P.N. 227/2015). Preliminary feedback provided by officials in relation to the proposal included the aspects below (sic):

#### “ETS:

- *Standard subdivision conditions will apply;*
- *The owner will be responsible to provide a new separate electrical supply to each of the erven at his cost.*

#### CES:

- *Access: All access must be inline with the GIZS 2017, no additional access will be permitted;*
- *All parking provision must be provided on site, no parking will be allowed within the road reserve;*

<sup>1</sup> Cape Farm Mapper, WCDoA, 2021



- Other normal development conditions will apply.

#### Town Planning:

- Please confirm access arrangement to Portion A and the Remainder;
- To indicate parking on Portion A and Remainder (for Main dwelling and Second dwelling);
- To clearly indicate the areas to be demolished;
- To clearly indicate the building line encroachments on the site layout plan with measurements;
- Please confirm the type of trees located in the proposed panhandle. Please note that if indigenous, comments from DEFF will be required;
- Kindly submit a Conveyancer's Certificate with the application."

The Pre-Application Form, completed and signed is attached to this report as **Annexure 9**. Aspects highlighted as part of the Pre-Application Consultation are addressed throughout this report.

### 2.3 Municipal Services and Infrastructure

Existing municipal services and infrastructure afforded to Erf 4245, George is proposed to be utilised to service proposed Portion A. Limited expansion of existing engineering services would therefore be needed. Relevant engineering service contributions will be made as required.

Vehicular access to proposed Portion A would be via a new 4m wide panhandle running concurrently with the current eastern cadastral boundary with access off Cypress Avenue. Minor shrubs currently occurring along the eastern cadastral boundary would need to be removed for this purpose.

Existing entrances to Erf 4245, separated by  $\pm 22.8\text{m}$ , are proposed to be retained as shown with the Site Development Plan (Annexure 5). Existing kerbs are proposed to be adjusted to remove an existing on-site parking area, maintain existing entrances, and accommodate the proposed entrance to proposed Portion A. More than sufficient on-site parking will be provided as shown with the Site Development Plan.

## 3. REGULATORY CONTEXT

### 3.1 George Integrated Zoning Scheme Bylaw, 2017 (GIZS)

In terms of the GIZS the property is presently zoned as "Single Residential Zone I" (SRZI) the primary use of which is for a Dwelling House, which in turn is defined as "a building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling house" and may include, *inter alia*, a storeroom and garaging, a second dwelling with floor area not exceeding  $60\text{m}^2$ , home occupation, letting to lodgers, etc.

Table 1 below provides a summary of the proposal's compliance to development parameters applicable to SRZI in terms of the GIZS.

Development parameter	Proposed Portion A (*)	Proposed Remainder (**)	Proposed	Departure Required
Coverage	$325\text{m}^2 / 50\%$	$500\text{m}^2 / 40\%$	$14\% / 24\%$	No
Street Building line	4m	5m	5m	No
Side/ Rear Building line	2m/ 2m	3m/ 3m	See Section 2.1	Yes
Parking	Dwelling House – 2	Dwelling House – 2 Second Dwelling – 1	Complies, see SDP	No

**Table 1:** Summary outlining compliance with applicable development parameters, GIZS

(\*) Erf size  $501\text{m}^2$  -  $1,000\text{m}^2$

(\*\*) Erf size greater than  $1,000\text{m}^2$

#### Further applicable development parameters:

- For land units exceeding  $650\text{m}^2$ , a garage or carport may not be closer than 5 metres from the street boundary, notwithstanding the street building line - The single garage proposed along the western boundary of the Proposed Remainder would be setback 5,7m from the Cypress Street boundary and will not exceed 2.5m in height;
- Minimum width of a panhandle access may not be less than 4 metres wide – The width of the proposed panhandle access is 4m, which complies to the requirements of the GIZS;
- Where the total length of any street boundary of a site exceeds 30 metres in length, one additional carriageway crossing may be permitted, provided that no two carriageway crossings are closer than 12 metres to each other – A separation distance of  $\pm 22.8\text{m}$  between the two existing driveways to the property (to become the Proposed Remainder) will be maintained.

#### 3.1.1 Consent Use: Second Dwelling

The GIZS defines a "Second Dwelling" as, "another dwelling unit which may, in terms of this By-law, be erected on a land unit where a dwelling house is also permitted; and such second dwelling may be a separate structure or attached to an outbuilding or may be contained in the same structure as the dwelling house."

**Development parameters applicable:**

- The total floor space of a second dwelling unit may not exceed 150 m<sup>2</sup>, which includes the floor space of all ancillary buildings – The total floor area of the proposed second dwelling, including a covered stoep would be ± 113m<sup>2</sup>;
- A second dwelling must be constructed in a style that is similar to the architecture of the main dwelling house – The proposed second dwelling forms part of the existing dwelling house and therefore complies to this parameter;
- A second dwelling that is contained within the same building as a dwelling house must be designed so that the building appears to be a single dwelling house – See above.

**4. OTHER LEGISLATION****4.1 National Heritage Resources Act, 1999 (Act 25 of 1999)**

This land use application does not trigger any development activities listed in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999).

**4.2 National Environmental Management Act, 1998 (Act 107 of 1998)**

This land use application does not trigger any development activities listed in terms of the NEMA EIA Regulations.

**5. SPATIAL PLANNING POLICY AND FRAMEWORKS**

The following broader spatial planning frameworks and policies are considered pertinent to this particular land use application:

**5.1 Western Cape Provincial Spatial Development Framework, 2014**

The WC PSDF *inter alia* outlines the intended provincial approach towards addressing key spatial challenges experienced in the province. The province's policy responses to these challenges are categorised in accordance with three spatial themes, namely Resources (Sustainable use of spatial assets and resources), Space economy (Opening up of opportunities within the space economy) and Settlement (Developing integrated and sustainable settlements). A summary of important transitions promoted through the WC PSDF are described in **Figure 6**.

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

**Figure 6:** Summary of key spatial transitions envisaged through the WC PSDF, 2014 (WCG, DEADP, 2014:32)

While changes to the assigned roles and responsibilities of provincial and municipal spatial planning, as brought about by case law and consequent statutory and policy frameworks are clear, these roles should collectively focus on the creation and preservation of the province's resources through the promotion of creating sustainable urban environments. Although provincial inputs with relation to spatial planning are largely limited to provincial planning, it is considered that the development aligns with at least the following provincial spatial policies, which relate to the three themes mentioned above:

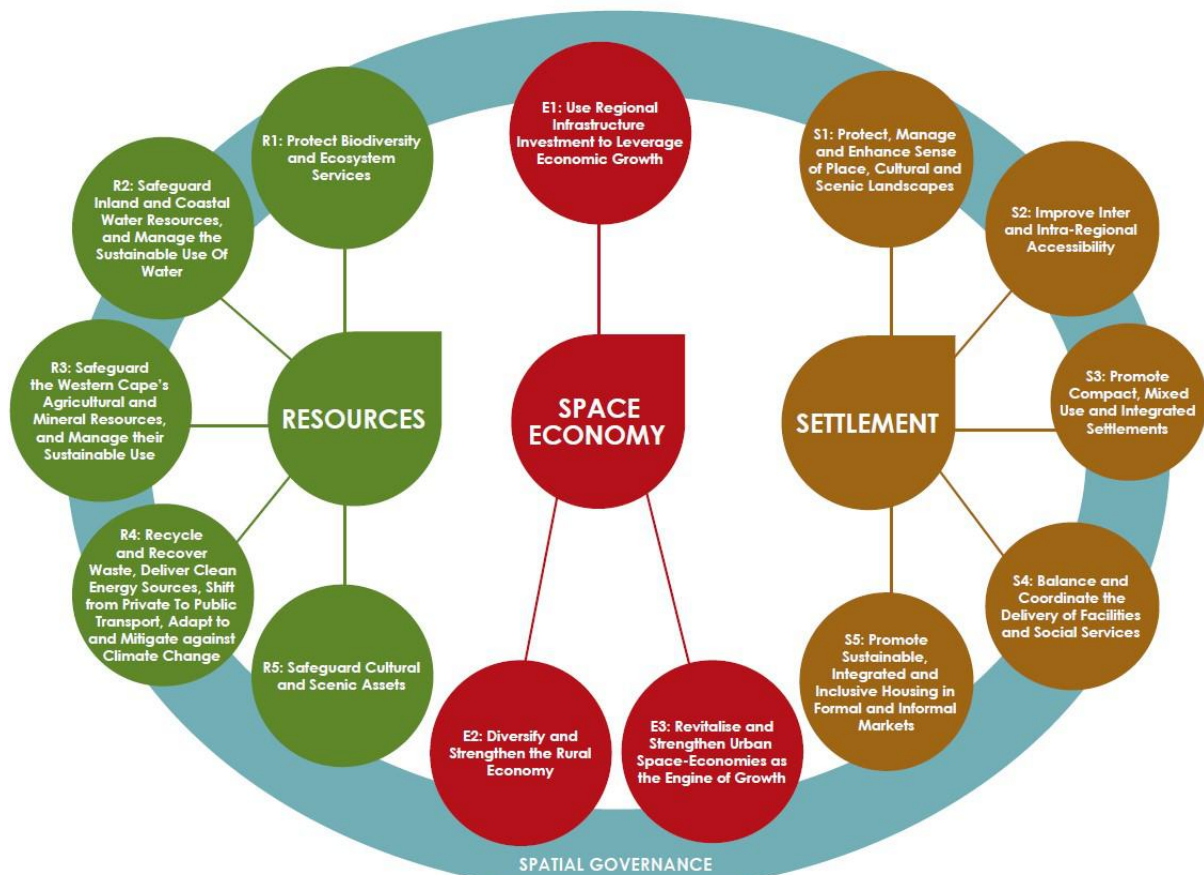


Figure 7: Summary of Provincial spatial policies, WC PSDF, 2014 (WCG, DEADP, 2014:36)

## 5.2 George Municipal Spatial Development Framework, 2019 (GMSDF)

The GMSDF shows Erf 4245, George as a residential property situated within the urban edge but does not make further specific reference to the area. However, spatial policies and objectives contained in the GMSDF emphasises the importance of appropriate forms of densification within in the current urban edge and contributing to a more efficient use of urban land, municipal infrastructure, facilities and amenities. Some of these policies considered pertinent to this land use application are as follow:

### Policy C

*"Maintain a compact settlement form to achieve better efficiency in service delivery and resource use, and to facilitate inclusion and integration."*  
(GM 2019:62)

### Policy C3

*"Restructure settlement patterns through densification of the urban areas in the George city area in order to reduce land consumption, deliver services and facilities to households more cost effectively, and to establish the thresholds for viable public transport systems."*  
(GM 2019:66)

### Policy F

*"Manage the growth of urban settlement in George to ensure the optimum and efficient use of existing infrastructure and resources and in turn, secure the Municipality's fiscal sustainability and resilience, while preventing further loss of natural and agricultural assets."*  
(GM 2019:97)

### Policy F1

*"Maintain the urban edge as the development boundary where identified for settlements in the Greater George Area including the George City Area."*  
(GM 2019:97)

**Planning statement:**

The proposal implies an appropriate form of densification through the creation an additional residential land unit within the urban edge as well as more efficient use of existing built form without negatively impacting on the residential character of the area, surrounding streetscape setting and without requiring significant expansion of existing engineering services and infrastructure. Development contributions that will be required will assist in ensuring that existing reticulation networks are maintained and ensure ongoing maintenance, upgrading may continue to be done to enhance capacity.

As further expanded upon elsewhere in this report the proposal is therefore consistent with the relevant spatial policies and objectives contained in the GMSDF and thus in accordance with the requirements outlined in Section 19 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014).

## 6. PLANNING MOTIVATION

### 6.1 Statutory Context

Following recent legislative and procedural changes that directly impact on land use planning in South Africa and consequently, the Western Cape Province, it is considered necessary to summarise the implications of the current statutory framework within the context of this land use planning application. Set out below are sets of principles and ethical conventions pertinent to this application.

#### 6.1.1 SPLUMA [The Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)]

Section 7 of this Act sets out five development principles that are applicable to spatial planning, land development and land use management, as outlined below together with respective planning responses insofar as these are applicable to the proposed development.

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

**Planning statement:**

While from a broader perspective this proposal would not necessarily readdress past spatial and development imbalances the creation of an additional land unit is likely to create additional work opportunities within the local economy and be consistent with the requirements of relevant spatial planning policy and frameworks as discussed in Section 5 of this report.

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

**Planning statement:**

Implementation of the proposal would imply intensified use of an existing residential property situated within the urban edge within an urban area characterised by residential-orientated land use. The property is established and has been altered through built form, lawned and paved areas and therefore the proposal would not have a negative impact from an environmental perspective. The proposal would create an additional land unit within a popular residential area of high demand and not negatively affect the effective and equitable functioning of the local land market.

Possible future costs with relation to the provision of engineering infrastructure and social services to serve the proposal are not considered significant but will nevertheless effectively be addressed through payment by the developer of the relevant development contributions as may be required by George Municipality. SPLUMA promotes land development in locations, which such as in this case, are sustainable and would limit urban sprawl.

The proposal would not negatively impact on the community of George and/or the suburb of Heather Park as further addressed elsewhere in this report (also refer to Sections 6.6 & 6.7).

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

**Planning statement:**

The proposal as outlined in this report will tie into existing engineering services and infrastructure with available capacity (see Section 2.3 of this report) and furthermore make use of existing built form thus efficiently and sustainably making use of available resources. It is therefore submitted that the proposal



would not have negative impacts from economic, social or environmental perspectives but that it would in fact be consistent with the proper planning and sustainable development of the area,

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

**Planning statement:**

*The proposal complies to the relevant principles (notably the WC PSDF and GMSDF) as Erf 4245, George is situated within an established suburb the overall development density of which is of such a nature that it allows for appropriate forms of densification.*

- **Good administration** refers, inter alia, to the obligation on all spheres of government to ensure implementation of the above efficiently, responsibly and transparently.

Section 42 of SPLUMA refers to the factors that must be considered by a municipal tribunal when adjudicating a land use planning application, which include (but are not limited to):

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

*The degree to which the proposal would contribute to broader public interest within the context of pertinent spatial planning policies and frameworks is articulated throughout Section 5 of this report.*

#### 6.1.2 **LUPA (Land Use Planning Act, 2014 (Act 3 of 2014))**

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

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

The land use planning principles of LUPA (Section 59) is in essence the expansion of the five development principles of SPLUMA listed above. With regards to this application, no further assertions are to be added.

#### **Consistency and Compliance with LUPA, 2014 (Act 3 of 2014)**

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

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

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

**Planning statement:**

*Again, it is our contention that, given the location of Erf 4245, George within an established residential suburb the overall density of which allows for appropriate forms of densification and furthermore, given the nature of the proposal that would repurpose existing built form and tying into existing engineering infrastructure and services thus efficiently and sustainably making use of available resources, the proposed development would be **consistent** with the spatial objectives outlined in the GMSDF, 2019.*

#### 6.1.3 **George Municipality Land Use Planning Bylaw, 2015**

Section 65 of said Bylaw outlines general criteria for the consideration of land use planning applications to George Municipality. The municipality must, inter alia, consider the following criteria when evaluating the desirability of land use planning applications submitted in terms of Section 15(2) of this Bylaw:

- Desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses;
- Impact of the proposed land development on municipal engineering services;
- The relevant integrated development plan, including the municipal spatial development framework;
- The integrated development plan and spatial development framework of the district municipality, where applicable;



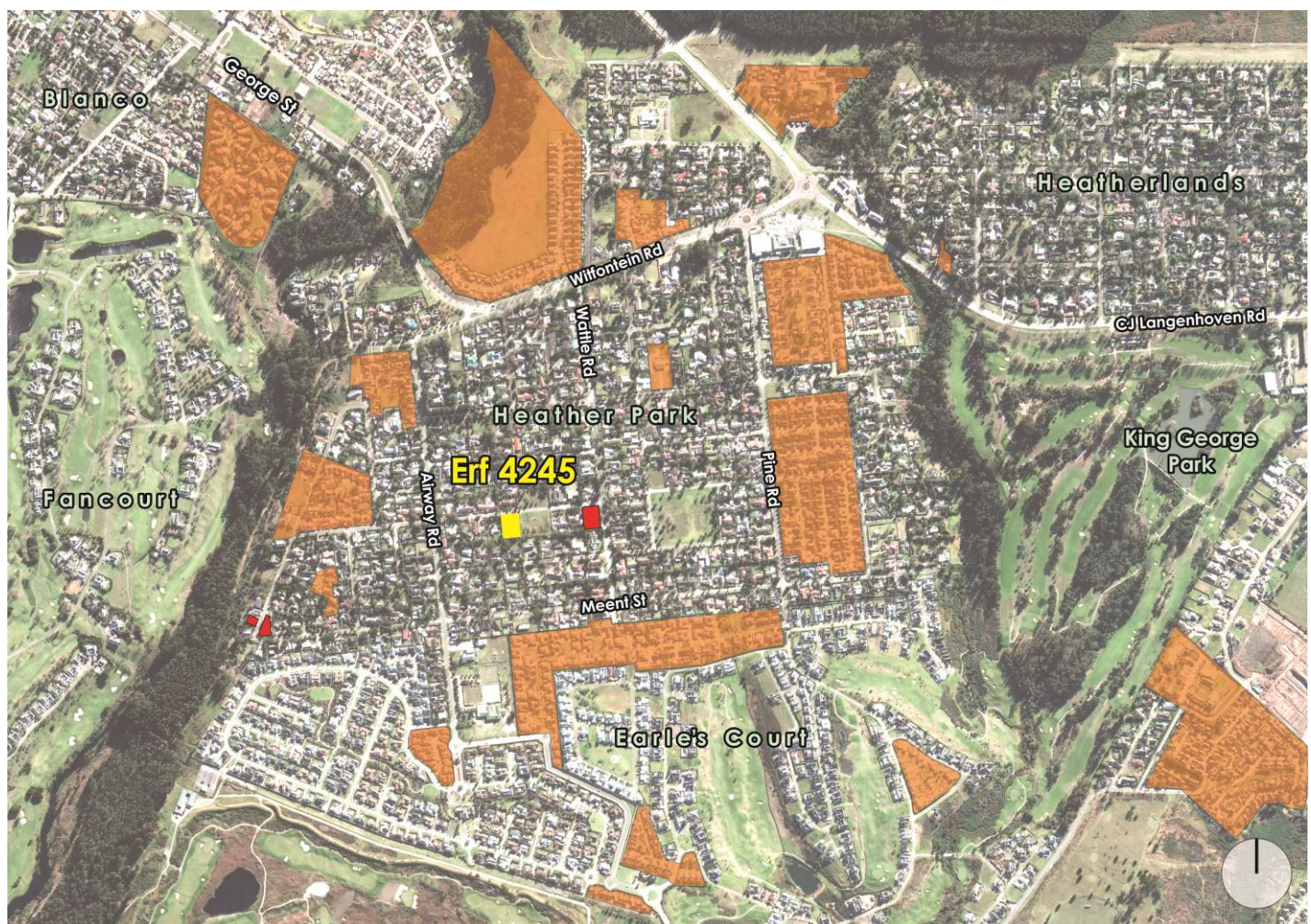
- Applicable local spatial development frameworks adopted by the Municipality;
- The provincial spatial development framework;
- Policies, principles and the planning and development norms and criteria set by the national and provincial government;
- Aspects referred to in section 42 of the Spatial Planning and Land Use Management Act;
- Principles referred to in Chapter VI of the Land Use Planning Act;
- Provisions of the relevant zoning scheme.

**Planning statement:**

*The above criteria have been addressed throughout this land use planning application.*

## 6.2 Character of the surrounding area

Erf 4245, George is situated within the predominantly residential suburb of Heather Park which was traditionally characterised by low density single residential development. However, over the last c. two decades various forms of densification have been permitted within Heather Park and its direct environs, all of which have a bearing on this application. Generally, the sizes of single residential properties within the direct proximity of Erf 4245, George vary between  $\pm 1,900\text{m}^2$  -  $2,000\text{m}^2$  though several subdivision applications have either been approved or are currently under consideration, some of which are highlighted red in Figure 7. Furthermore, a substantial number of town housing complexes (Residential Zone II) have been permitted within Heather Park and surrounding areas, most of which are highlighted orange in **Figure 8**.



**Figure 8:** Location of Erf 4245, George (yellow) shown in relation to existing town housing complexes (orange) and some approved and ongoing subdivisions (red) within its direct proximity (GM, 2021 as edited)

Current Council policy dictates the minimum permissible erf size in Heather Park to be  $800\text{m}^2$ . The proposal would create two new land units measuring  $\pm 1,200\text{m}^2$  (Remainder) and  $\pm 919\text{m}^2$  in extent, thus complying to said established policy requirement. It is reiterated that a similar land use application for subdivision of Erf 4245, George into two portions, measuring  $1,618\text{m}^2$  and  $951\text{m}^2$ , respectively, was approved by Council during the course of 2008 (Annexure 7). This approval would have predated the subsequent approval of several forms of densification within Heather Park.

<sup>2</sup> These sizes do not correlate with the current extent of Erf 4245, George as denoted on the relevant SG Diagram and/or title deed and thus appear to have been an error.

### 6.3 Potential direct impacts

Physical impacts associated with implementation of the proposed development is likely to include the removal of minor shrubs as part of the establishment of a new 4m wide panhandle access along the eastern property boundary of Erf 4245. The existing street kerb will be opened to create a new entrance. Existing densely vegetated hedging along the northern (street) boundary will be retained. Considering the above it is anticipated that the proposal would have a limited visual impact from Cypress Avenue as well as from Erf 4532, the public open space direct to the east.

The existing dwelling house on which is proposed to become the Remainder, together with its north-facing garden onto Cypress Road will be retained. As the proposed second dwelling will be contained within the existing building/ dwelling house, no associated visual encroachment onto Cypress Avenue or said public open space adjoining to the east would occur. Access to the new second dwelling would be through the existing secondary driveway.

Minor construction works associated with implementing the proposal would include demolition of an existing carport and small section of existing dwelling house to physically separate the existing building complex. The existing structure which will become the dwelling house on proposed Portion A will be retained. No construction works are envisaged at this time. It is however acknowledged that a new owner of Portion A may choose to construct a new dwelling, which may require submission of building plans for approval in future.

As mentioned in Section 1.6, the northern (street), southern (rear) and western (side) boundaries of the property are defined by dense vegetation which preclude overlooking onto adjoining properties. Densely vegetated ( $\pm 2.1$ m high) hedging along the western boundary is proposed to be retained. Dense vegetation consisting of mature trees and shrubs defining the southern boundary of Erf 4245 are mostly situated on adjoining properties. The nature of this vegetation is therefore such that overlooking from Erf 4245, George would be minimal.

It is therefore submitted that the impact of the proposal on the streetscape along Cypress Avenue would be negligible. The proposal would not give rise to overlooking, overshadowing or invasion of privacy of adjoining residential properties.

### 6.4 Access and Parking

Vehicular access to proposed Portion A would be via a new 4m wide panhandle parallel to the eastern cadastral boundary with access off Cypress Avenue. The two existing driveways to Erf 4245 would remain as is and serve the dwelling house and second dwelling to the proposed Remainder, respectively. Sufficient on-site parking will be provided for the two dwelling houses as well as the second dwelling in accordance with the requirements of the GLZS.

Additional traffic movements likely to be generated as part of the proposal would be for a single family and would not result in a traffic hazard or compromise traffic safety along Cypress Avenue.

### 6.5 Provision of services

Existing municipal services and infrastructure afforded to Erf 4245, George is proposed to be utilised to service the proposed Portion A. Limited expansion of existing engineering services would therefore be needed. Relevant engineering service contributions will be made when required.

### 6.6 Need and Desirability

From a planning perspective the statutory context for the concept of "need and desirability" may be found within legislation such as the former Land Use Planning Ordinance, 1985 (Ord 15 of 1985) though it is also entrenched with for example the more recent Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) as well as the National Environmental Management Act, 1998 (Act 107 of 1998).

"Need and Desirability" refer to, inter alia, the nature, scale and location of a development being proposed as well as the sensible use of land. Essentially "need" refers to "time" whereas "desirability" to "place" (i.e. is this the opportune time and right place for locating the type of land use/ activity being proposed?)(DoE, 2017: 9).

Desirability therefore relates to the degree to which a proposal may be considered acceptable on a specific property having regard to factors such as physical characteristics, surrounding planning character and context, economic considerations, sense of place, streetscape, potential impacts on adjoining residents and property, accessibility, and provision of engineering services.

#### Need:

The proposal (subdivision and consent use, second dwelling) would make provision for appropriate densification within a residential suburb traditionally characterised by low density urban development but which has seen various forms of appropriate densification during recent years. The proposal would effectively create an additional land unit within the urban edge within an area where there is a high demand (i.e. need) for residential properties.



**Physical characteristics:**

Erf 4245, George is level, known to be geologically stable and not considered sensitive from an environmental perspective. The proposal would not require removal of any significant trees nor would permission in terms of the National Forests Act, 1998 (Act 80 of 1998) be required. All existing vegetation, including trees, shrubs as well as hedging along the northern and western cadastral boundaries would be retained.

**Existing planning context:**

As outlined elsewhere in this report the proposal is consistent with spatial policies and objectives in relation to densification pertinent within existing urban areas of George (i.e. inside the urban edge). Erf 4245, George forms part of an established residential suburb of Heather Park, the overall density of which allows for appropriate forms of densification and furthermore. The proposal is well above the minimum permissible subdivision size of 800m<sup>2</sup> which applies to Heather Park.

**Economic perspective:**

The proposal would create a new residential opportunity within a residential area characterised by high demand and low supply. The new property is likely to attract further investment and therefore contribute positively to the sustained long term development of the area. The overall (physical) impact associated with the proposal is considered negligible and would tend to uplift rather than detract from the residential amenities of the area and/or properties within its direct proximity.

**6.7 Public Interest**

The principle of public interest refers to the welfare or well-being of the general public and society and has a statutory basis within, inter alia, the Constitution and SPLUMA. The impact of this proposal within this context is limited in that anticipated impacts are mostly confined to existing built form – for example the new second dwelling will be confined within an existing building requiring no external changes. Similarly, the dwelling house to the proposed Portion A is an existing structure and construction works required to give effect to the proposal as outlined in this application would be minimal – i.e. demolition of two small sections of the existing building complex. While it is acknowledged that the new owner of proposed Portion A may want to construct a new dwelling house, impacts associated with such (possible) future works are considered reasonable and would need to be dealt with through a future building plan application.

Potential visual impacts associated with the proposal as may be perceived from the streetscape along Cypress Avenue and the adjoining public open space (Erf 4532) would be minimal and not detract from the overall residential character of the area. As such it is our contention that the proposal would not militate against public interest.

**6.8 Statutory compliance**

With the exception of the need to depart from building lines which result as a consequence of the proposed subdivision (i.e. southern building line of proposed Remainder and northern building line of proposed Portion A), the proposed development complies to the development parameters outlined in the GZS. The proposal is consistent with spatial planning policy and objections contained in the GMSDF and complies to Council policy with relation to minimum permissible erf sizes in Heather Park (i.e. min 800m<sup>2</sup>).

We have been informed that land use compliance issues noted during a site visit dated 13<sup>th</sup> November 2020 (refer to Section 1.4) has been rectified and the landowner awaits the favourable outcome of this application. It is therefore submitted that the proposal would comply from this perspective.

**7. CONCLUSION**

Following from the above it is considered that the following land use planning application, as discussed herein, meet and complies with statutory policies and requirements outlined in the Spatial Planning Land Use Management Act, 2013, Western Cape Land Use Planning Act, 2014, George Municipality Land Use Planning Bylaw, 2015 as well as other regulatory requirements discussed and that the proposal may therefore be supported by George Municipality:

- a.) **Subdivision** in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015, for the creation of two new portions, namely a Portion A (± 919m<sup>2</sup> in extent) and Remainder of Erf 4245 (± 1,200m<sup>2</sup> in extent);
- b.) **Consent use**, in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015, for a Second Dwelling (± 113m<sup>2</sup>) on the proposed Remainder of Erf 4245, George;
- c.) **Departures** in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-Law, 2015 for relaxation of building lines to accommodate existing structures as follow:
  - Northern building line of proposed Portion A from 2m to 0m to accommodate the existing servant's and store rooms;
  - Southern building line of proposed Remainder from 3m to 2.1m and 2.44m to accommodate the existing dwelling house;



- Eastern building line of proposed Remainder from 3m to 1.74m to accommodate the existing building/ proposed second dwelling.

**PERCEPTION Planning**

**26<sup>th</sup> October 2021 (updated 10<sup>th</sup> November 2021)**



**STEFAN DE KOCK**

Hons: TRP(SA) EIA Mgmt(IRL) Pr Pln PHP

## POWER OF ATTORNEY

I, **Kathleen Margaret Mackay** (SA ID 3808150041088), the undersigned, in my capacity as registered owner of the property **Erf 4245 (Heather Park), George Division and Municipality, Western Cape**, hereby nominate Stéfán de Kock of *PERCEPTION Planning*, with power of substitution, to be my agent in name, place and stead, (as set out in their quotation dated 24<sup>th</sup> February 2020) to sign on our behalf and submit to the appropriate authorities applications the following, which mandate shall, without limiting the generality of the a foregoing, include:

- Subdivision in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015, for the creation of two new portions, namely a Portion A ( $\pm 919\text{m}^2$  in extent) and Remainder of Erf 4245 ( $\pm 1,200\text{m}^2$  in extent).
- Consent use, in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015, for a Second Dwelling ( $\pm 113\text{m}^2$ ) on the proposed Remainder of Erf 4245, George;
- Departures in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-Law, 2015 for relaxation of building lines to accommodate existing structures as follow:
  - Northern building line of proposed Portion A from 2m to 0m to accommodate the existing outbuilding;
  - Southern building line of proposed Remainder from 3m to 2.1m and 2.44m to accommodate the existing dwelling house;
  - Eastern building line of proposed Remainder from 3m to 1.74m to accommodate the existing building/ proposed second dwelling.

Signed at George on 25<sup>th</sup> October 2021.

K Mackay

Registered owner

[Signature]

Witness

[Signature]

Witness

84 OK Friedlander, Shandling  
and Volks

DOCUMENT NO CASTLEDEX  
D0009132138

VERBIND		MORTGAGED	
VIR FOR R 130 000,80			
SEELREG DUTY R	B	46387196	<i>[Signature]</i>
FOOI FEE R	75,80	10 07 96	
REKLEAAR: DIA. AVAAR		REGISTRATEUR/REGISTRAR	
GPOEHEER: ENTERED		16/7	
BESTAATFIER: NIE		18-7 L MURIE	
		T 51208196	

## DEED OF TRANSFER.

(By virtue of a Power of Attorney).

JANKLOWITZ, KERBEL & SCHÄRGES  
CONVEYANCERS  
PORT ELIZABETH

Prepared by me:

*[Signature]*  
Conveyancer

JANKLOWITZ, C.R.

BE IT HEREBY MADE KNOWN:

THAT AARON SHANDLING

conveyancer, appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, he being duly authorised thereto by a Power of Attorney executed at PORT ELIZABETH on the 11 day of MAY 1996 granted to him by:

THE EXECUTOR IN THE ESTATE OF THE LATE  
DOREEN MARGUERITE STREETER  
Estate Number 1256/95

AND the appearer q.q. declared that:

WHEREAS in terms of the Will dated 24 December 1992 of the late DOREEN MARGUERITE STREETER who died on the 24th January 1995 the land hereinafter described was bequeathed to the transferee subject to Clause 6 of the will more fully set out hereunder;

NOW, THEREFORE, he the said appearer, in his aforesaid capacity did by these presents cede and transfer in full and free property to and on behalf of:

**GRAHAM IAN FORREST MACKAY**

Identity Number 471023 5012 08 5

Married out of community of property

His heirs, executors, trustees or assigns;

ERF 4245 GEORGE, in the Municipality and Division of George, Province of the Western Cape;

IN EXTENT 2 119 (Two Thousand One Hundred and Nineteen) square metres

FIRST REGISTERED by Certificate of Consolidated Title T.25930/1969 with Diagram No. 5583/1968 relating thereto and held by Deed of Transfer T.4177/1989

- A. **SUBJECT** to the conditions contained in Deed of Transfer No. T 6015/1932;
- B. **SUBJECT FURTHER** to the special conditions contained in Deed of Grant issued in favour of the Council of the Municipality of George on 15 June 1922 (George Quitrents volume 15 No. 15) under Division 10 of Act 15 of 1887, namely:

That all rights to minerals, mineral products, mineral oils and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the State, together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorised in that behalf.

2./The...



The land is subject to such further rights as the public or the Government now may or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining or exploitation of minerals, mineral stones, precious or base metals on or under the land hereby granted, which rights shall not be impaired or in any way affected by the Title Deed.

- C. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T 6015/1932 which reads as follows:

The Transferor reserves the right to construct, use and maintain across the above property any pipe line for water leading, sewerage, drainage and poles or structures for the conduct of any electric or other light or power.

The "Transferor" being the Council of the Municipality of George.

- C. **SUBJECT FURTHER** to the conditions contained in clause 6 of the Will of the Deceased reading as follows:-

"All bequests in terms of this Will shall be excluded from community of property ....."

4./WHEREFORE



3 **WHEREFORE** the appearer q q renouncing all the right, title and interest the Estate heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of and disentitled thereto and that by virtue of these presents the said **TRANSFEE**

His heirs, executors, trustees or assigns;

now is and henceforth shall be entitled thereto, conformably to local custom the State, however, reserving its rights;

**AND FINALLY** acknowledging the property to be valued for Estate purposes at R210 000,00.

**IN WITNESS WHEREOF** I, the said Registrar of Deeds together with the appearer q q 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 the *10<sup>th</sup> July* 1996.  
^

In my presence:

  
**REGISTRAR OF DEEDS**

*prandling*  
q.q.

Prepared by me

Conveyancer  
LUTHEG W M**GEKANSELLEER  
CANCELLED**

BC 000010766-1201

01 MAR 2017

REGISTRAR/REGISTRAR

DOCUMENT NO

CASTLEDEX

D0008132139

SEELREG  
DUTY

260,50

FOOI  
FEE

75,50

REKENAR-DATA-ALF-INGECOMPTED-DATA CAPTURE

OPERATIONENTERED

OPERATIONDATE

OPERATIONOPERATOR

OPERATIONDATE

OPERATIONDATE

OPERATIONDATE

RAUBENHEIMERS INC.  
60 CATHEDRAL STREET  
GEORGE  
6530  
P O BOX 21, GEORGE, 6530

B

46387196

**MORTGAGE BOND No. B****KNOW ALL MEN WHOM IT MAY CONCERN THAT:****MICHELLE VAN WYK**

a Conveyancer appeared before me the REGISTRAR OF DEEDS at CAPE TOWN he being authorized thereto by a Power of Attorney duly attested and this day exhibited to me and filed in this office and granted to him at GEORGE on 14 May 1996 by

**GRAHAM IAN FORREST MACKAY**

Identity Number 471023 5012 08 5

Married out of community of property

(hereinafter referred to as "the Mortgagor")

AND the Appearer declared that whereas a loan of R130 000,00 (ONE HUNDRED AND THIRTY THOUSAND RAND) ("the initial sum")

has been granted to the Mortgagor by

**FIRST NATIONAL BANK OF SOUTHERN AFRICA LIMITED**

(No. 05/01225/06)

("the Bank")

provided, inter alia, that this Mortgage Bond is registered.

## CONVEYANCER'S CERTIFICATE

I, the undersigned

**ZENARIAH MARTIN (LPCM 96698)**

a duly qualified and admitted Conveyancer, practicing at:

**STADLER & SWART INCORPORATED**

**Office 2, 1<sup>st</sup> Floor, Heritage Square, Cnr. Gladstone & Vrede Streets, Durbanville, Cape Town**

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:

**T 10769/2017 [Current Title Deed];**

**T 6015/1932;**

**Deed of Grant dated 15 June 1922 (George Quitrants Volume 15 No. 15);\***

In respect of:

**ERF 4245 GEORGE**

**IN THE MUNICIPALITY AND DIVISION OF GEORGE**

**WESTERN CAPE PROVINCE**

**IN EXTENT: 2119 (TWO THOUSAND ONE HUNDRED AND NINETEEN) SQUARE METERS**

**HELD BY DEED OF TRANSFER NUMBER T10769/2017**

REGISTERED in the name of

**KATHLEEN MARGARET MACKAY**

**Identity Number 380815 0041 08 8**

**Unmarried**

2. I hereby record that the pivot search was "incomplete" owing to the following circumstances:

**2.1 Deed of Grant dated 15 June 1922 (George Quitrants Volume 15 No. 15) is an unserviceable deed as pages within the deed have been damaged/destroyed;**



3. Notwithstanding the disclosure of clause 2, the abovementioned Title Deed/s contain the following restrictive conditions:

**T10769/2017**

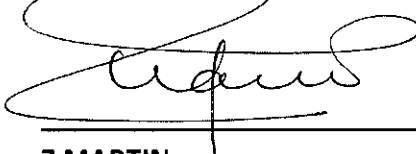
- 3.1 "C. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T6015/1932 which reads as follows:

The Transferor reserves the right to construct, use and maintain across the above property any pipe line for water leading, sewerage, drainage and poles or structures for the conduct of any electric or other light or power.

The "Transferor" being the Council of the Municipality of George".

4. I confirm that, to my knowledge, the restrictive condition referred to above places no direct restriction on the following:
- Subdivision in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015, for the creation of 2 erven, namely a Portion A (±960m<sup>2</sup> in extent) and Remainder of Erf 4245 (±1159m<sup>2</sup> in extent);
  - Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015, to allow for a Second Dwelling on the Remainder of Erf 4245;
  - Departures in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-Law, 2015 for relaxation of relevant building lines so as to accommodate existing structures.
5. The abovementioned Title Deed/s contain no further restrictive conditions.

SIGNED at CAPE TOWN on this 23<sup>rd</sup> day of AUGUST 2021

A handwritten signature in black ink, appearing to read 'Z Martin', is written over a horizontal line.

**Z MARTIN**  
**CONVEYANCER**

## CONVEYANCER'S CERTIFICATE

I, the undersigned

**ZENARIAH MARTIN (LPCM 96698)**

a duly qualified and admitted Conveyancer, practicing at:

**STADLER & SWART INCORPORATED**

**Office 2, 1<sup>st</sup> Floor, Heritage Square, Cnr. Gladstone & Vrede Streets, Durbanville, Cape Town**

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:

**T 10769/2017 [Current Title Deed];**

**T 6015/1932;**

**Deed of Grant dated 15 June 1922 (George Quitrants Volume 15 No. 15);\***

In respect of:

**ERF 4245 GEORGE**

**IN THE MUNICIPALITY AND DIVISION OF GEORGE**

**WESTERN CAPE PROVINCE**

**IN EXTENT: 2119 (TWO THOUSAND ONE HUNDRED AND NINETEEN) SQUARE METERS**

**HELD BY DEED OF TRANSFER NUMBER T10769/2017**

REGISTERED in the name of

**KATHLEEN MARGARET MACKAY**

**Identity Number 380815 0041 08 8**

**Unmarried**

2. I hereby record that the pivot search was "incomplete" owing to the following circumstances:

**2.1 Deed of Grant dated 15 June 1922 (George Quitrants Volume 15 No. 15) is an unserviceable deed as pages within the deed have been damaged/destroyed;**

3. Notwithstanding the disclosure of clause 2, the abovementioned Title Deed/s contain the following restrictive conditions:

**T10769/2017**

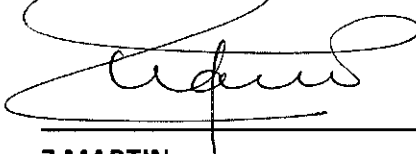
- 3.1 "C. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T6015/1932 which reads as follows:

The Transferor reserves the right to construct, use and maintain across the above property any pipe line for water leading, sewerage, drainage and poles or structures for the conduct of any electric or other light or power.

The "Transferor" being the Council of the Municipality of George".

4. I confirm that, to my knowledge, the restrictive condition referred to above places no direct restriction on the following:
- Subdivision in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015, for the creation of 2 erven, namely a Portion A (±960m<sup>2</sup> in extent) and Remainder of Erf 4245 (±1159m<sup>2</sup> in extent);
  - Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015, to allow for a Second Dwelling on the Remainder of Erf 4245;
  - Departures in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-Law, 2015 for relaxation of relevant building lines so as to accommodate existing structures.
5. The abovementioned Title Deed/s contain no further restrictive conditions.

SIGNED at CAPE TOWN on this 23<sup>rd</sup> day of AUGUST 2021

A handwritten signature in black ink, appearing to read 'Z Martin', is written over a horizontal line.

**Z MARTIN**  
**CONVEYANCER**



## 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)	Stéfan				
Surname	De Kock				
SACPLAN Reg No. (if applicable)	A/1599/2012				
Company name (if applicable)	Perception Planning				
Postal Address	PO Box 9995				
	George	Postal Code	6530		
Email	<a href="mailto:perceptionplanning@gmail.com">perceptionplanning@gmail.com</a>				
Tel	N/A	Fax	086 510 8357	Cell	082 568 4719

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

Registered owner	Kathleen Margaret Mackay (SA ID 3808150041088)				
Address	9 Cypress Avenue, Heather Park				
	George	Postal code	6529		
E-mail	<a href="mailto:katymac2@gmail.com">katymac2@gmail.com</a>				
Tel	N/A	Fax	N/A	Cell	084 3808 858

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

Property Description	Erf 4245, George
----------------------	------------------



[Erf / Erven / Portion(s) and Farm number(s), allotment area.]											
Physical Address	9 Cypress Avenue (Heather Park)										
GPS Coordinates	33° 57' 24.31" S 22° 25' 33.68" E				Town/City		George				
Current Zoning	Single Residential Zone I		Extent		2,119m²		Are there existing buildings?		Y	N	
Current Land Use	Dwelling House and Second Dwelling										
Title Deed number & date	T 10769/2017										
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
<b>PART D: PRE-APPLICATION CONSULTATION</b>											
Has there been any pre-application consultation?			Y	N	If Yes, please complete the information below and attach the minutes.						
Official's name	Ilané Huyser		Reference number		#1905983		Date of consultation		11 <sup>th</sup> June 2021		
<b>PART E: LAND USE APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY &amp; APPLICATION FEES PAYABLE</b>											

**\*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:**

The application for .... entails the following:

#### **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?*

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

*Minimum and additional requirements:*

<b>Y</b>	<b>N</b>	<b>N/A</b>	Conveyancer's Certificate	<b>Y</b>	<b>N</b>	<b>N/A</b>	Land Use Plan / Zoning plan
<b>Y</b>	<b>N</b>	<b>N/A</b>	Proposed Subdivision Plan (including street names and numbers)	<b>Y</b>	<b>N</b>	<b>N/A</b>	Phasing Plan
<b>Y</b>	<b>N</b>	<b>N/A</b>	Consolidation Plan	<b>Y</b>	<b>N</b>	<b>N/A</b>	Copy of original approval letter (if applicable)
<b>Y</b>	<b>N</b>	<b>N/A</b>	Site Development Plan	<b>Y</b>	<b>N</b>	<b>N/A</b>	Landscaping / Tree Plan
<b>Y</b>	<b>N</b>	<b>N/A</b>	Abutting owner's consent	<b>Y</b>	<b>N</b>	<b>N/A</b>	Home Owners' Association consent

Y	N	N/A	<del>Copy of Environmental Impact Assessment (EIA) /</del> <del>Heritage Impact Assessment (HIA) /</del> <del>Traffic Impact Assessment (TIA) /</del> <del>Traffic Impact Statement (TIS) /</del> <del>Major Hazard Impact Assessment (MHIA) /</del> <del>Environmental Authorisation (EA) /</del> <del>Record of Decision (ROD)</del> (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 <b>2 copies</b>
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	Other (specify)

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

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

**27<sup>th</sup> October 2021**

Full name:

**Stéfán de Kock**

Professional capacity:

**Professional Planner**

SACPLAN Reg. Nr:

**A/1599/2012**





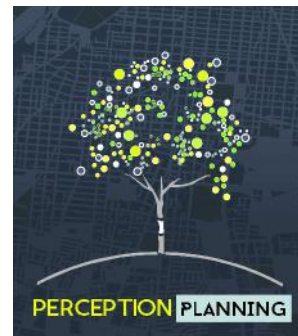
**Description:**

**LOCALITY PLAN**  
**ERF 4245, 9 CYPRESS AVENUE, GEORGE**

SdK/George/4245Cypress/GIS/Ligging

**DRAWN BY: PERCEPTION PLANNING**

**OCTOBER 2021**

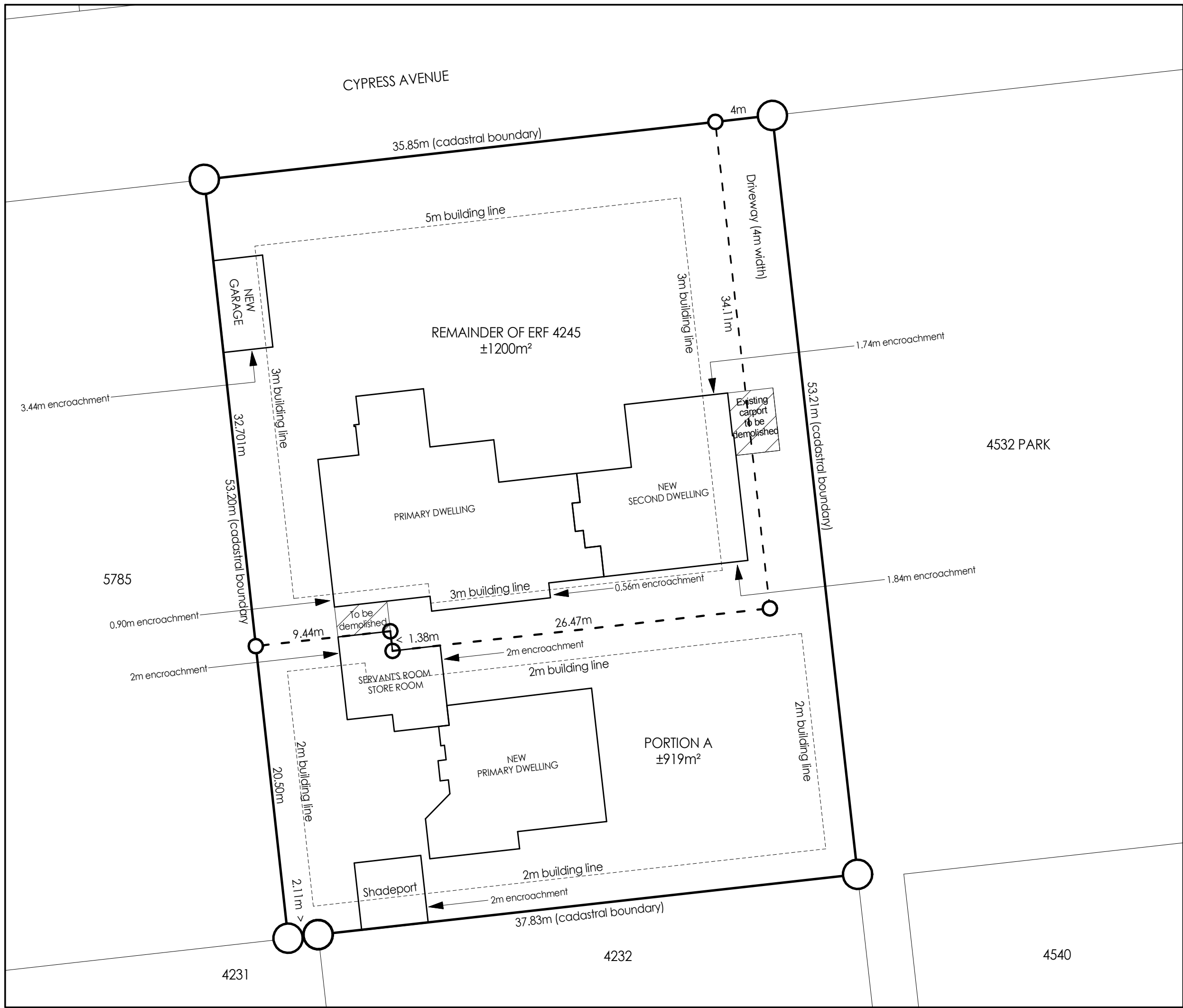


**URBAN PLANNING**  
**ENVIRONMENTAL PLANNING**  
**HERITAGE IMPACT ASSESSMENT**  
 Mobile: 082 568 4719 Fax: 086 510 8357  
 Email: perceptionplanning@gmail.com  
 PO Box 9995, George, 6530  
 behance.net/perceptionplanning

COPYRIGHT RESERVED



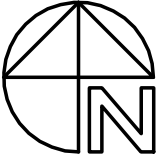
**A4 Scale:**  
**1:5 000**



Description: SUBDIVISION PLAN  
ERF 4245 (9 CYPRESS AVENUE, HEATHER PARK),  
GEORGE"

Notes:  
Proposed Subdivision of Erf 4245, George in  
terms of Section 15(2)(d) of the George  
Municipality: Land Use Planning By-Law,  
2015, in two newly-created portions,  
namely:  
  
Portion A (± 919m² in extent); and  
Remainder (± 1200m² in extent)

SK/GEO/4245Cypress/DWG/SKF/SUB1

A3 Scale:  1:250



PERCEPTION PLANNING

URBAN PLANNING  
ENVIRONMENTAL PLANNING  
HERITAGE IMPACT ASSESSMENT

Mobile: 082 568 4719  
Fax: 086 510 8357  
Email: [perceptionplanning@gmail.com](mailto:perceptionplanning@gmail.com)  
PO Box 9995, George, 6530  
[behance.net/perceptionplanning](http://behance.net/perceptionplanning)

DRAWN BY: PERCEPTION PLANNING

COPYRIGHT RESERVED







PHOTO KEY DIAGRAM







**Photo 1:** West-facing view along Cypress Avenue taken showing public open space in foreground. Erf 4245 to left.



**Photo 2:** Erf 4245 curtilage onto Cypress Avenue, note two existing entrances, densely-vegetated hedging.



**Photo 3:** East-facing view along Cypress Avenue taken from western entrance to Erf 4245 (foreground, right).





**Photo 4:** East-facing view along Cypress Avenue providing slightly broader context.



**Photo 5:** East-facing view along Cypress Avenue – public open spaces Erven 3960, 3959 (left) and Erf 4232 (right).



**Photo 6:** South-facing view of existing dwelling house. Lefthand side of building proposed to be utilised as second dwelling





**Photo 7:** Rear elevation to building complex. Former garage in middle, foreground. Section proposed to be demolished highlighted in yellow.



**Photos 8,9,10 (left-to-right):** Hedging along northern and western cadastral boundaries, Existing main driveway onto Cypress Avenue



**Photo 11:** Position of proposed new driveway/ panhandle to subdivided portion in relation to existing secondary entrance off Cypress Avenue.





**Photo 12:** Front garden.



**Photo 13:** Rear garden showing (presumed) second dwelling (left) and dwelling house (right).



**Photos 8,9,10 (left-to-right):** Secondary entrance, Existing carport proposed to be demolished, Mid-section to building complex to be demolished shown in yellow.



Copies:

Senior Manager: Financial Services  
Senior Manager: Civil and Technical Services  
Senior Manager: Electrotechnical Services  
Senior Manager: Planning and Development  
Surveyor-General, Private Bag X9028, CAPE TOWN, 8000

E-mail: [michellej@george.org.za](mailto:michellej@george.org.za)  
Erf 4245, George

Ms. M Joseph

044 - 801 9171

10 December 2008

GS Savage & Ass  
PO Box 752  
GEORGE  
6530

REGISTERED MAIL

SUBDIVISION: ERF 4245, GEORGE

The abovementioned application refers.

Approval, under delegation, is hereby granted for the subdivision of Erf 4245, George into two portions (Portion A = 951m<sup>2</sup> and Remainder = 1618m<sup>2</sup>) in terms of Section 25(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), as indicated on the attached plan which bears Council's stamp.

The abovementioned approval is subject to the following conditions, as well as the conditions contained in Annexure "A", imposed in terms of Section 42(1) of Ordinance 15 of 1985:

- (i) that the approval will lapse in accordance with the Ordinance if the conditions are not complied with to the satisfaction of this Municipality;
  - (ii) that the conditions imposed by the Department: Civil Engineering Services (George Municipality) be adhered to;
1. Capital contributions are payable by the developer for each new equivalent portion created as per standard tariffs for George, applicable on transfer of a portion or the approval of building plans, whichever occurs first.
  2. Any, and all, costs directly related to the development remain the developers' responsibility.
  3. An additional amount of R 850-00 (excl VAT) is payable, per incident, should any road surface need to be repaired during the provision of a municipal connection. This amount is subject to annual escalation.
  4. Any existing service damaged during the development of the erf is to be repaired at the developers' expense, and in accordance with municipal standards.



5. Portion A and remainder must be provided with separate water and sewer connections.
6. The internal water reticulation of Portion a may not cross the remainder.
7. The internal water reticulation of the Remainder may not cross portion A.
7. Alternatively for sewer, a services agreement between the relevant owners must be drawn for the maintenance of a shared sewer system.
8. Stormwater drainage from the Remainder must be accommodated over Portion A.
9. All civil services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. All drawings and plans are to be submitted to the Department Civil Engineering Services (hard copy and electronically) for approval prior to any construction work taking place. All work is to be carried out under the supervision of the consulting engineer who is to provide the Department Civil Engineering Services with a certificate on completion, and as-built plans in electronic format. All costs will be for the developer.
10. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required. Entrances to properties are to be positioned so that no street trees need to be removed. Should it be necessary to remove a street tree, a permit is to be obtained from Department Water Affairs and Forestry (indigenous trees) or Parks and Gardens (other planted trees).

(iii) that the conditions imposed by the Department Electrotechnical Services (George Municipality) be adhered to;

1. Capital contributions are payable by the developer for each new equivalent portion created as per standard tariffs for George, applicable on transfer of a portion or the approval of building plans, whichever occurs first.
2. Any, and all, costs directly related to the development remain the
3. Portion A and remainder must be provided with separate electricity connections.
4. The internal electrical reticulation of Portion a may not cross the remainder. The internal electrical reticulation of the Remainder may not cross portion A.

Notwithstanding Council's decision you have the right of appeal against the conditions of approval in terms of Section 44 of Ordinance 15 of 1985, which right must be exercised and submitted in writing within 21 days from date of registration (date stamp on envelope) of this letter. The appeal must be directed to The Director: Land Development Planning, Private Bag X9066, Cape Town, 8000 with a copy endorsed and submitted in writing to the George Municipality within the aforementioned time.

Yours faithfully

SB ERASMUS

PROPOSED SUBDIVISION OF ERF 4245 GEORGE  
SITUATE IN THE MUNICIPALITY AND  
ADMINISTRATIVE DISTRICT OF GEORGE  
PROVINCE OF THE WESTERN CAPE

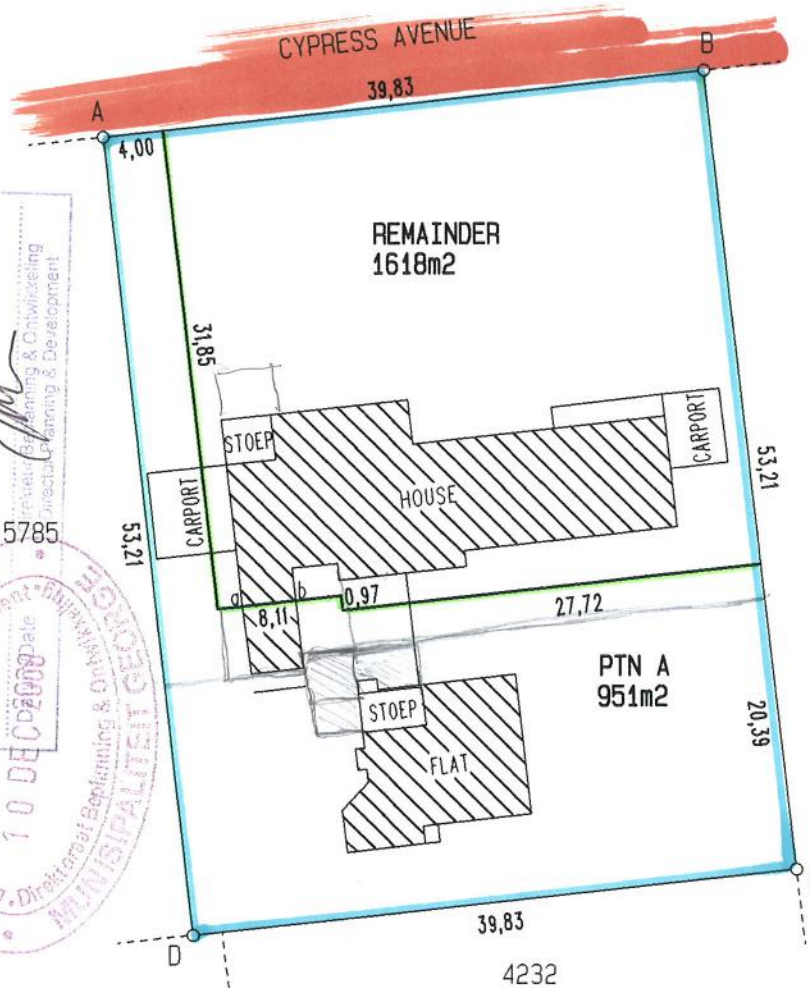
MUNICIPALITEIT GEORGE MUNICIPALITY  
Hierdie ontwerp is goedgekeur deur die raad van die munisipaliteit van George op 15 van 1985 en is goedgekeur deur die raad van die munisipaliteit van George op 15 van 1985.

in die belang van die gemeenskap en die ontwikkeling van die gebied.

5785



SCALE 1: 500



Note : All dimensions approximate  
a-b represents a party wall

The figure ABCD represents ERF 4245  
GEORGE which is to be subdivided into  
PORTION A and a remainder as shown.

ERF 4245 GEORGE	OWNER: G MACKAY
Dgm No 5583/68	AREA: 2119 sqm
Deed No T	ZONING: RESIDENTIAL 1

SEPTEMBER 2007

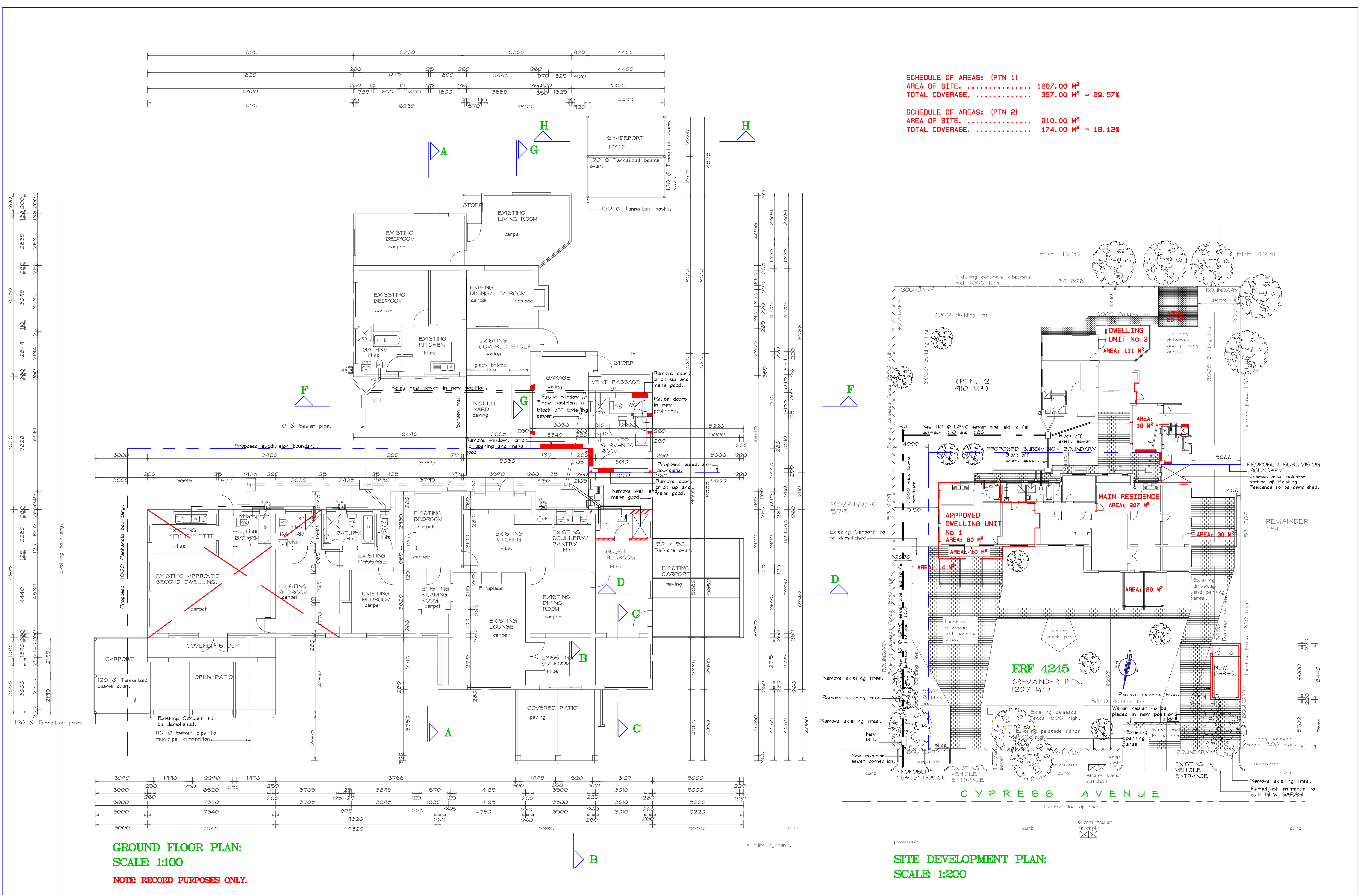
G S SAVAGE PLS 0543

Professional Land Surveyor, Township Planner  
46 Albert Street, P O Box 752, GEORGE 6530  
Tel. (044) 8742414, (Fax) 8740335

FRAMED IN TERMS OF SECT 24(1)  
OF ORDINANCE 15 OF 1985

REF. MACKAY	CF. 1741/MA
-------------	-------------





<b>CLIENT:</b>  MS KATHY MACKAY	<b>DESCRIPTION:</b> PROPOSED SUB DIVISION AND SURVEY DRAWING OF EXIST. RESIDENCE ON ERF 4245, CYPRESS AVENUE, HEATHER PARK, GEORGE	<b>DATE:</b> - 11-05-2021 <b>SCALE:</b> - 1:200; 1:100 <b>DRAWN:</b> - G.P. HENNING Pr. S. Arch. T. smiar(SA) <b>AREA:</b> - SEE SCHEDULE	<b>GENERAL NOTES.</b> 1. ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE LOCAL AUTHORITY. 2. CONTRACTORS MUST CHECK ALL DIMENSIONS, LEVELS AND HEIGHTS ON SITE AND FULLY FAMILIARISE THEMSELVES WITH THE FULL EXTENT AND NATURE OF THE WORK BEFORE TENDERING OR COMMENCING ANY WORK. 3. SHOWN DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS. 4. CONTRACTORS MUST CHECK THE SETTING OF THE BUILDING ON SITE WITH THE OWNER BEFORE ANY SETTING OUT WORK OR EXCAVATIONS ARE COMMENCED. 5. ELECTRICAL CONTRACTORS MUST CHECK AND VERIFY THE ELECTRICAL LAYOUT WITH THE OWNER ON SITE BEFORE TENDERING OR COMMENCING ANY WORK. 6. WHERE FOUNDATION WALLS ACTING AS RETAINING WALLS EXCEED 1000 IN HEIGHT SUCH WALLS ARE TO BE 330 MM THICK. 7. TIMBER FRAME CONTRUCTIONS ARE TO BE ERECTED IN STRICT ACCORDANCE WITH S.A.B.S. 082. 8. ALL CAVITY WALLS ARE TO BE SUPPLIED WITH D.P.C. AROUND ALL ALL OPENINGS, DOORS, WINDOWS, ABOVE ALL CONCRETE BEAMS AND SLABS AND MUST BE PROVIDED WITH WEEPHOLES AT CENTERS NOT EXCEEDING 1000. 9. THIS PLAN AND THE COPYRIGHT THEREOF BELONGS TO GIDEON HENNING DRAUGHTING SERVICES AND MAY NOT BE USED, COPIED OR REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN CONSENT OF THE AUTHOR. 10. THE CONTRACTOR MUST PROVIDE THE OWNER WITH A SAFETY PLAN OF THE PROPOSED WORKS AND ALL WORK TO BE CARRIED OUT MUST CONFORM TO ALL NATIONAL OCCUPATIONAL HEALTH, SAFETY AND CONSTRUCTION REGULATIONS AS AMENDED.	<b>GIDEON HENNING DRAUGHTING SERVICES.</b> 80 CRADOCK STREET P.O. BOX 72 GEORGE 6530 Reg. N°. 870077 (18 Nov. 2001) TEL. 044 - FAX. 8744585	<b>DRWG. No.</b>  20-17-1A
--	---	---	---	---	----------------------------------

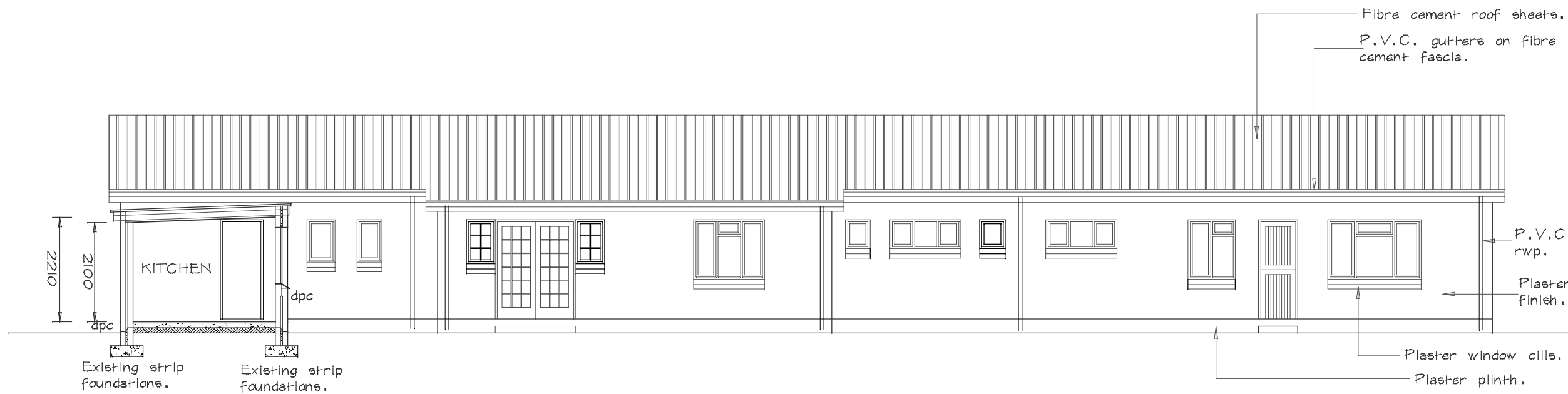




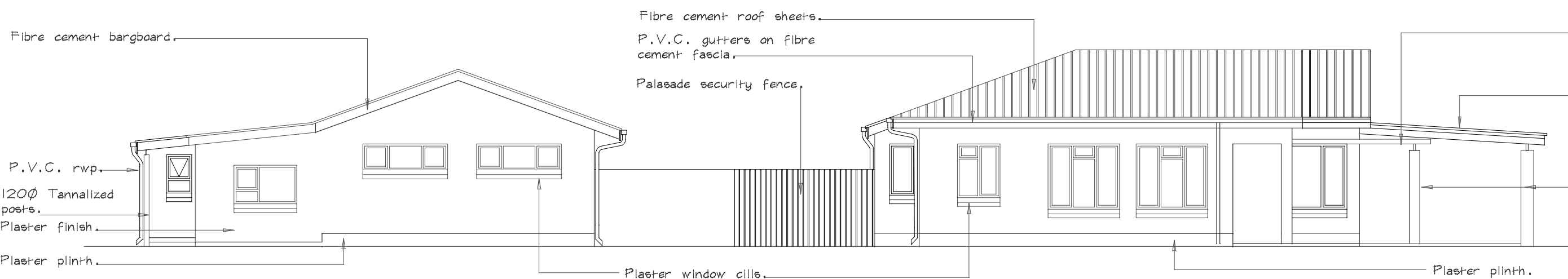
SOUTH ELEVATION: (OUTBUILDING)



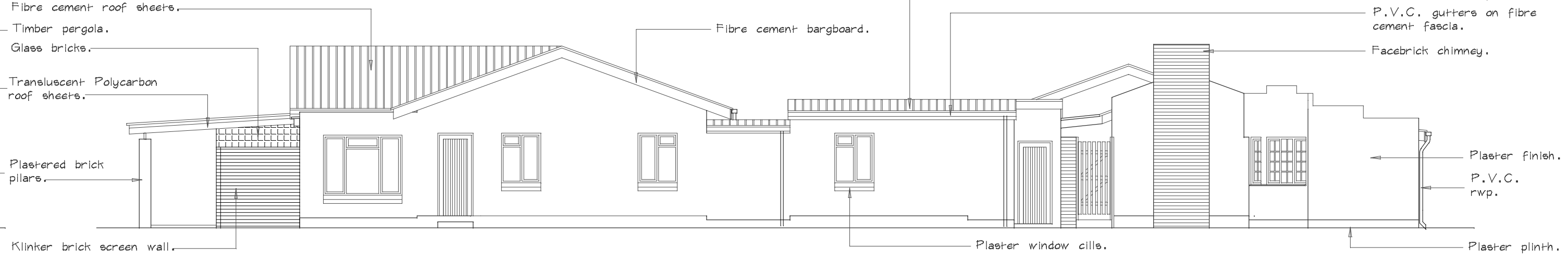
NORTH ELEVATION:



SOUTH ELEVATION:

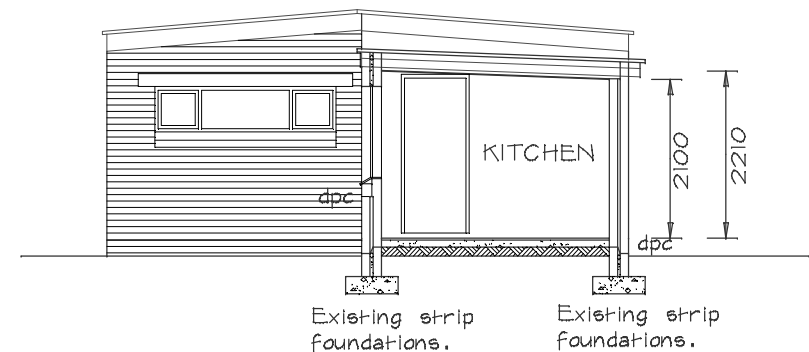


EAST ELEVATION:



WEST ELEVATION:

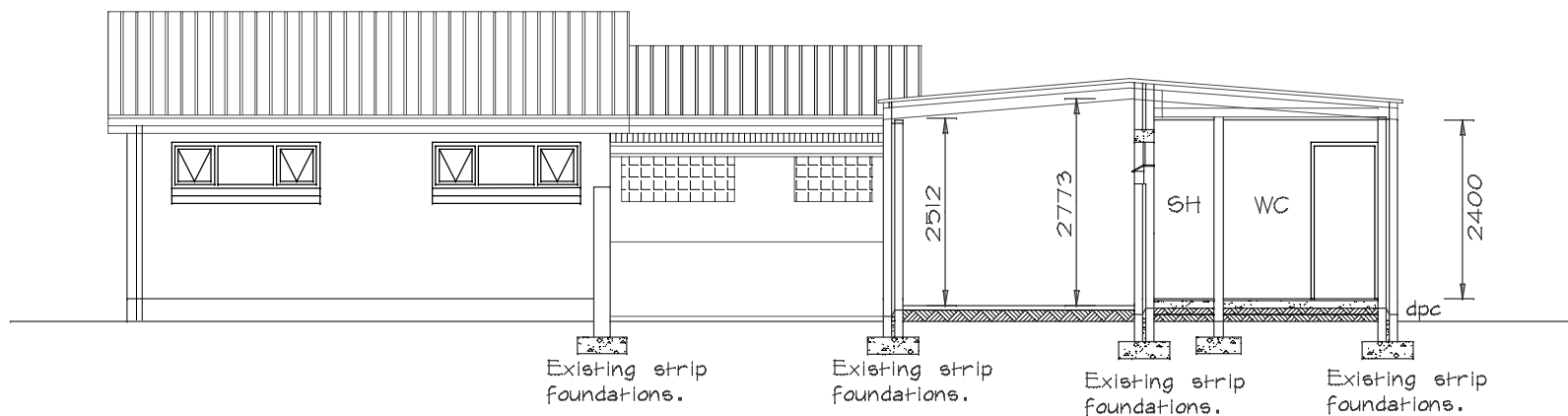
EXISTING ROOF CONSTRUCTION: LEAN-TO  
Fibre cement roof sheets on 76 x 50 purlins at 1000 max c-c  
on 114 x 50 rafters at 1200 max c-c fixed to existing  
wall and on 114 x 38 wall plates, 6mm Nutec ceiling on  
38 x 38 bracing at 400 max c-c and finished off with  
Nutec cornice and coverstrips.  
EAVES OVERHANG: 150  
ROOF PITCH: 6°



SECTION: E-E  
SCALE 1:100

EXISTING FLOOR CONSTRUCTION: (CONCRETE ON FILL).  
Floor finish as indicated on plan on 25 cement screed  
on 100 concrete on 250 micron dpc. on well consolidated  
filling in max. 150 layers. All finished off with  
timber skirtings.

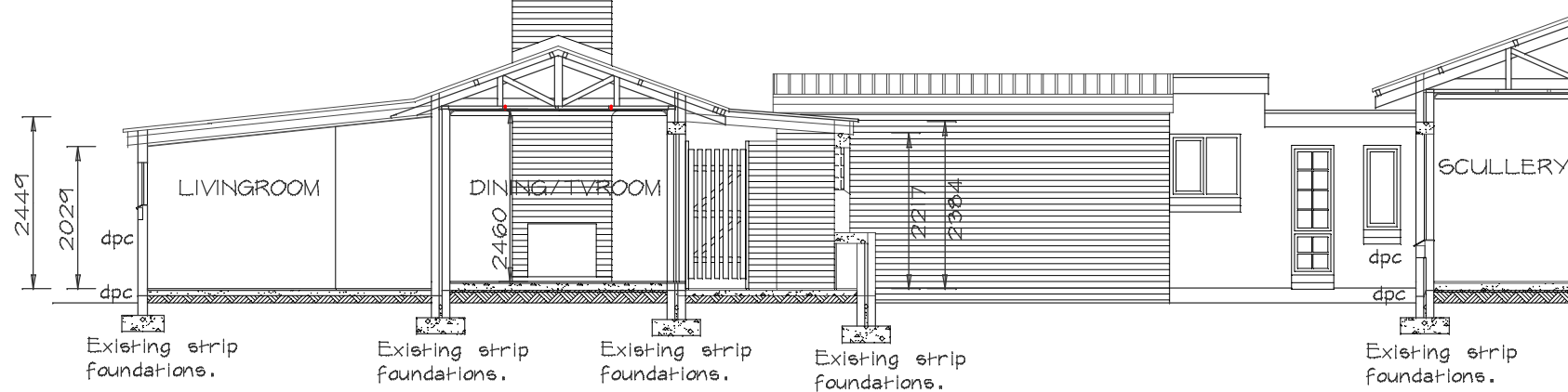
EXISTING ROOF CONSTRUCTION: LEAN-TO  
Fibre cement roof sheets on 76 x 50 purlins at 1000 max c-c  
on 114 x 50 rafters at 1200 max c-c fixed to existing  
wall and on 114 x 38 wall plates, 6mm Nutec ceiling on  
38 x 38 bracing at 400 max c-c and finished off with  
Nutec cornice and coverstrips.  
EAVES OVERHANG: 0  
ROOF PITCH: 5°



SECTIONAL ELEVATION: F-F  
SCALE 1:100

EXISTING FLOOR CONSTRUCTION: (CONCRETE ON FILL).  
Floor finish as indicated on plan on 25 cement screed  
on 100 concrete on 250 micron dpc. on well consolidated  
filling in max. 150 layers. All finished off with  
timber skirtings.

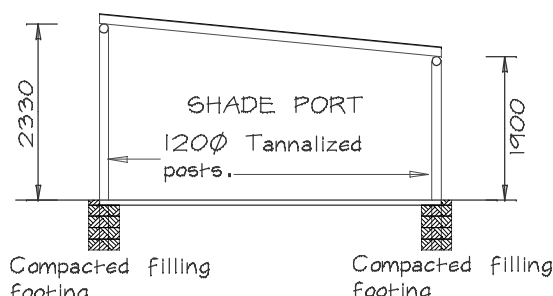
EXISTING ROOF CONSTRUCTION: LEAN-TO  
I.B.R. roof sheets on 76 x 50 purlins at 1000 max c-c  
on 114 x 50 rafters at 1200 max c-c fixed to existing  
wall and on 114 x 38 wall plates, 6mm Nutec ceiling on  
38 x 38 bracing at 400 max c-c and finished off with  
Nutec cornice and coverstrips.  
EAVES OVERHANG: 150  
ROOF PITCH: 6°



SECTIONAL ELEVATION: G-G  
SCALE 1:100

EXISTING FLOOR CONSTRUCTION: (CONCRETE ON FILL).  
Floor finish as indicated on plan on 25 cement screed  
on 100 concrete on 250 micron dpc. on well consolidated  
filling in max. 150 layers. All finished off with  
timber skirtings.

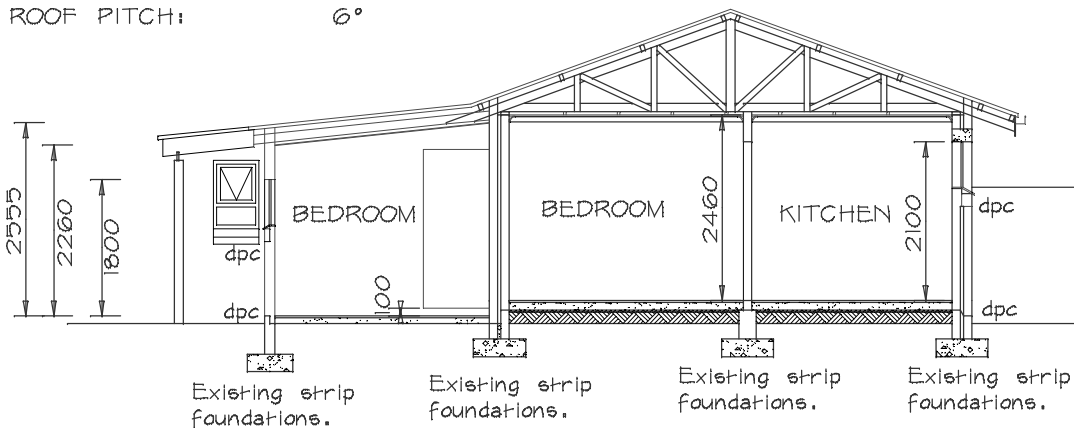
EXISTING ROOF CONSTRUCTION: SHADEPORT  
50% Shade cloth on 120Ø tannalized rafters  
on 120Ø tannalized posts.  
EAVES OVERHANG: 0  
ROOF PITCH: 6°



SECTION: H-H  
SCALE 1:100

EXISTING FLOOR CONSTRUCTION:  
Cement paving on well compacted filling.

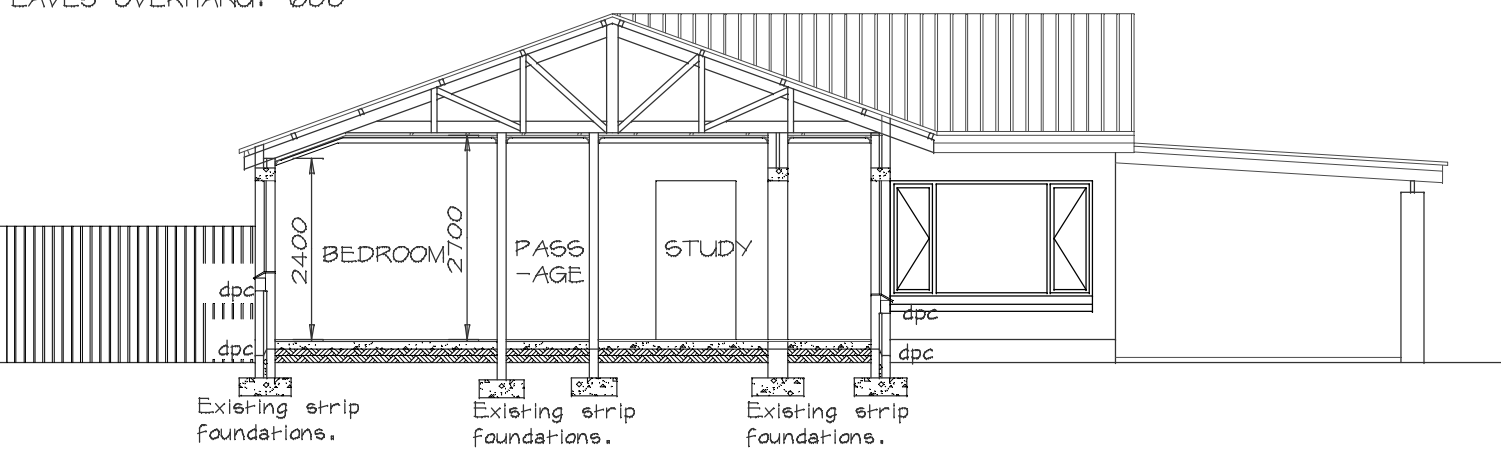
EXISTING ROOF CONSTRUCTION: LEAN-TO  
I.B.R. roof sheets on 76 x 50 purlins at 1000 max c-c  
on 114 x 50 rafters at 1200 max c-c fixed to existing  
wall and on 114 x 38 wall plates, 6mm Nutec ceiling on  
38 x 38 bracing at 400 max c-c and finished off with  
Nutec cornice and coverstrips.  
EAVES OVERHANG: 150  
ROOF PITCH: 6°



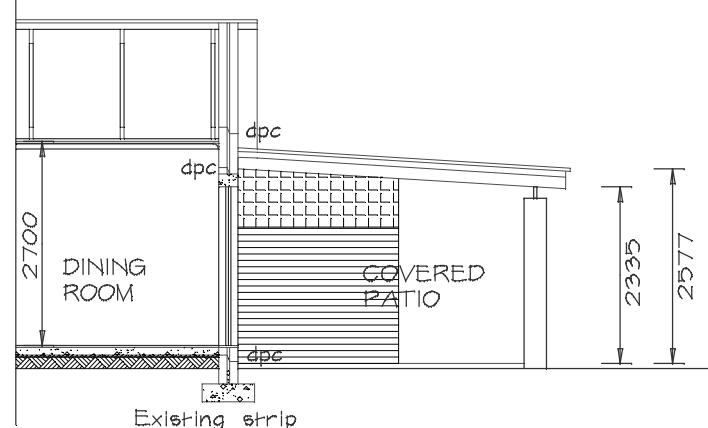
SECTION: A-A  
SCALE 1:100

EXISTING FLOOR CONSTRUCTION: (CONCRETE ON FILL).  
Floor finish as indicated on plan on 25 cement screed  
on 100 concrete on 250 micron dpc. on well consolidated  
filling in max. 150 layers. All finished off with  
timber skirtings.

EXISTING ROOF CONSTRUCTION: (FIBRE CEMENT ROOF).  
Fibre cement roof sheets as indicated on plan on 76 x 50 purlins  
at 1140 max. c-c on trusses at 1200 max. c-c by specialists and  
on 115 x 38 wall plates, Rhinoboard ceiling on 38 x 38 bracing  
at 400 max. c-c. All finished off with Nutec cornice and PVC coverstrips.  
ROOF PITCH: 20°  
EAVES OVERHANG: 600



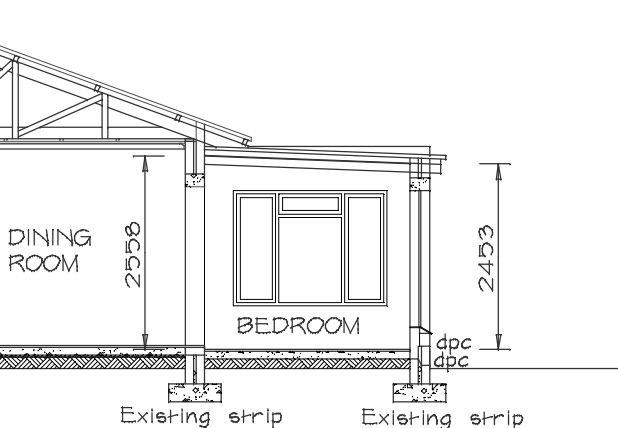
EXISTING ROOF CONSTRUCTION: PATIO  
Translucent Polycarbon roof sheets on 76 x 50  
purlins at 750 max. c-c on 152 x 38 Rafters at  
max. 1200 c-c on 152 x 50 bearer beam and fixed  
to gable wall with truss hangers.  
EAVES OVERHANG: 250  
ROOF PITCH: 3,5°



SECTION: B-B  
SCALE 1:100

EXISTING FLOOR FINISH:  
Cement paving on well consolidated  
filling.

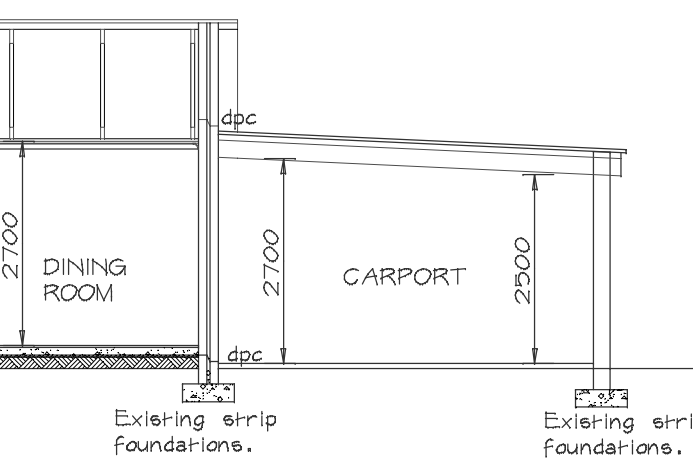
EXISTING ROOF CONSTRUCTION: LEAN-TO  
Corrugated iron roof sheets on 76 x 50 purlins at 1000 max c-c  
on 114 x 50 rafters at 1200 max c-c fixed to existing wall and  
on 114 x 38 wall plates, 6mm Nutec ceiling fixed between rafters  
to underside of purlins and finished off with quadrants as cornice.  
EAVES OVERHANG: 150  
ROOF PITCH: 2,5°



SECTION: C-C  
SCALE 1:100

EXISTING FLOOR CONSTRUCTION: (CONCRETE ON FILL).  
Floor finish as indicated on plan on 25 cement screed  
on 100 concrete on 250 micron dpc. on well consolidated  
filling in max. 150 layers. All finished off with  
timber skirtings.

EXISTING ROOF CONSTRUCTION: CARPORT  
I.B.R. profile roof sheets on 76 x 50 purlins at 750 max. c-c  
on 228 x 38 Rafters at max. 1200 c-c on 114 x 38 wall plates  
and fixed to gable wall with truss hangers.  
EAVES OVERHANG: 250  
ROOF PITCH: 2,5°



SECTION: D-D  
SCALE 1:100

EXISTING FLOOR FINISH:  
Cement paving on well consolidated  
filling.

CLIENT:

MS KATHY  
MACKAY

DESCRIPTION:

SURVEY DRAWING OF EXIST.  
RESIDENCE ON ERF 4245,  
CYPRESS AVENUE, HEATHER  
PARK, GEORGE

DATE: - 30-05-2020

SCALE: - 1:200; 1:100

DRAWN: - G.P.HENNING  
Pr., S. Arch., T. smiar(SA)

AREA: - SEE SCHEDULE

GENERAL NOTES.

- ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE LOCAL AUTHORITY.
- CONTRACTORS MUST CHECK ALL DIMENSIONS, LEVELS AND HEIGHTS ON SITE AND FULLY FAMILIARISE THEMSELVES WITH THE FULL EXTENT AND NATURE OF THE WORK BEFORE TENDERING OR COMMENCING ANY WORK.
- SHOWN DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

- CONTRACTORS MUST CHECK THE SETTING OF THE BUILDING ON SITE WITH THE OWNER BEFORE ANY SETTING OUT WORK OR EXCAVATIONS ARE COMMENCED.
- ELECTRICAL CONTRACTORS MUST CHECK AND VERIFY THE ELECTRICAL LAYOUT WITH THE OWNER ON SITE BEFORE TENDERING OR COMMENCING ANY WORK.
- WHERE FOUNDATION WALLS ACTING AS RETAINING WALLS EXCEED 1000 IN HEIGHT SUCH WALLS ARE TO BE 330 MM THICK.
- TIMBER FRAME CONSTRUCTIONS ARE TO BE ERECTED IN STRICT ACCORDANCE WITH S.A.B.S. 082.

- ALL CAVITY WALLS ARE TO BE SUPPLIED WITH D.P.C. AROUND ALL ALL OPENINGS, DOORS, WINDOWS, ABOVE ALL CONCRETE BEAMS AND SLABS AND MUST BE PROVIDED WITH WEEPHOLES AT CENTERS NOT EXCEEDING 1000.

- THIS PLAN AND THE COPYRIGHT THEREOF BELONGS TO GIDEON HENNING DRAUGHTING SERVICES AND MAY NOT BE USED, COPIED OR REPRODUCED IN ANY WAY WITHOUT PRIOR WRITTEN CONSENT OF THE AUTHOR.

- THE CONTRACTOR MUST PROVIDE THE OWNER WITH A SAFETY PLAN OF THE PROPOSED WORKS AND ALL WORK TO BE CARRIED OUT MUST CONFORM TO ALL NATIONAL OCCUPATIONAL HEALTH, SAFETY AND CONSTRUCTION REGULATIONS AS AMENDED.

GIDEON HENNING  
DRAUGHTING SERVICES.  
80 CRADOCK STREET  
P.O. BOX 72  
GEORGE  
6530  
Reg. N°. 870077  
(18 Nov. 2001)  
TEL. 044 -  
FAX. 8744585

DRWG. No.

20-17A



# GEORGE MUNICIPALITY



## 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: **#1905983**

Purpose of consultation: **To obtain clarification regarding a proposal to subdivide Erf 4245 (9 Cypress Road, Heather Park), George.**

Brief proposal: **Proposed subdivision of Erf 4245, Heather Park into 2 portions; obtain permission for a second dwelling on the proposed Remainder; address encroachment of building lines as a consequence of the above.**

Property(ies) description: **Erf 4245 (Heather Park), George, measuring 2,119m<sup>2</sup>**

Date: **11<sup>th</sup> June 2021**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Ilane Huyser	George Municipality	044 801 9550	IHUYSER@GEORGE.GOV.ZA
Pre-applicant				


Documentation provided for discussion:

**Annexure 1 – Power of Attorney**

**Annexure 2 – Title Deed (T 51208/96)**

**Annexure 3 – SG Diagram No. 5583/68**

**Annexure 4 – Proposed Locality Plan**

**Annexure 5 – Conceptual Subdivision Plan**

**Annexure 6 – Previously approved subdivision plan approved/ stamped 10<sup>th</sup> December 2008 (lapsed)**

**Annexure 7 – E-mail request for additional information following previous Pre-App**

**Annexure 8 – Conceptual building/ site plan**

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

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

YES NO

### 1.) Background:

Kindly consider the following as part of this Pre-Application Consultation:

- A previous approval dated 10<sup>th</sup> December 2008, for subdivision of the property into two portions were never implemented and subsequently lapsed (See **Annexure 6**);
- According to the land owner permission for a second dwelling was granted prior to 2017. Kindly note annotation "Flat" on former approved/ stamped (now lapsed) subdivision plan (Annexure 6). Notwithstanding, given the new position/ extent of the aforementioned within the existing building complex on the site, its rectification has been included in **Section 5** below;
- During a site visit dated 13<sup>th</sup> November 2020 it was found that at number of unauthorised second dwellings occur on this property;
- According to the land owner approved building plans of existing structures on the property were archived with Building Control, George Municipality. Following numerous interactions with Building Control staff during May 2019 it transpired that these approved building plans were lost. Numerous attempts by the land owner as well as staff from the Department of Planning & Building Control to retrieve said plans have been unsuccessful and therefore new building plans were drawn up at the cost of the land owner.

### 2.) Previous Pre-Application Consultation dated 3<sup>rd</sup> March 2021:

The following additional information was requested by the Department (**Annexure 7**):

- "Areas to be demolished;
- Internal layout of houses;
- Proposed second dwellings on the respective portions;
- Location of the proposed second dwelling on portion A, and how it will be accessed. Parking of second dwelling on portion A."

### 3.) Response to additional information requested:

Please refer to **Figure 1** below.

- Area proposed to be demolished is shown in black;



#### **4.) Aspects to be addressed in the land use planning application:**

- Revise, finalize the conceptual building plan/ site development plan
- Departures (e.g. building line relaxations) required as a consequence of the alignment of the proposed subdivision line and resultant building lines;
- Portion of the structure straddling the proposed subdivision line would be demolished (Figure 1);
- According to information available the new Second Dwelling would comprise  $\pm 104\text{m}^2$ , thus requiring a consent use application:
  - Main structure –  $80\text{m}^2$
  - Covered stoep –  $10\text{m}^2$
  - Carport –  $14\text{m}^2$
  - Total –  $104\text{m}^2$
- Current unauthorised second dwellings to be ceased;
- Position of parking on proposed Portion A as well as new parking for proposed Remainder of Erf 4245 to be confirmed.

#### **5.) The land use planning application relating to Erf 4245, George Should therefore entail the following:**

- Subdivision in terms of Section 15(2)(d) of the George Municipality: Land Use Planning By-Law, 2015, for the creation of 2 erven, namely a Portion A ( $\pm 960\text{m}^2$  in extent) and Remainder of Erf 4245 ( $\pm 1159\text{m}^2$  in extent).
- Consent use in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-Law, 2015, to allow for a Second Dwelling ( $\pm 104\text{m}^2$ ) on the Remainder of Erf 4245 only.
- Departures in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-Law, 2015 for relaxation of relevant building lines so as to accommodate existing structures (Exact encroachments to be determined on site together with finalization of conceptual site development plan);
- Any other aspects the Department deem necessary.

#### **PART B: APPLICATION PROCESS**

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

#### **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
	2(a)	a rezoning of land;	R
	2(b)	A rezoning to subdivisional area;	R
	2(c)	a temporary departure to use land for a purpose not provided for in the zoning scheme granted on a temporary basis;	R
	2(d)	a permanent departure from the development parameters of the zoning scheme;	
	2(e)	a subdivision of land that is not exempted in terms of section 25, including the registration of a servitude or lease agreement;	
	2(f)	an amendment, suspension or removal of restrictive conditions in respect of a land unit;	R
	2(g)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(h)	an extension of the validity period of an approval;	R
	2(i)	a consent use in terms of the relevant zoning scheme regulations;	R
	2(j)	Amendment / cancellation of a general plan;	R
	2(k)	a phasing, amendment or cancellation of a plan of subdivision or a part thereof;	R
	2(l)	a contravention levy;	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
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
<b>TOTAL APPLICATION FEE*:</b>			To be determined

**PLEASE NOTE:** \* Application fees are estimated on the information discussed and are subject to change with submission of the formal application.

## 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?	✓			<b>George Municipal Spatial Development Framework (2019)</b>
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)]		✓		N/A
Any other Municipal by-law that may be relevant to application? (If yes, specify)			✓	<b>If so, to be discussed motivation report to be submitted as part of the land use application</b>
<b>Zoning Scheme Regulation considerations:</b> Which zoning scheme regulations apply to this site? <b>George Integrated Zoning Scheme By-Law, 2017</b> What is the current zoning of the property? <b>Single Residential Zone</b> What is the proposed zoning of the property? <b>Single Residential Zone</b> Does the proposal fall within the provisions/parameters of the zoning scheme? <b>Yes</b> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <b>No, deviation from zoning scheme dealt with as departures (building line relaxations) as described herein. Complies to minimum subdivision size requirement for the suburb of Heather Park (i.e. minimum 800m²).</b>				

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

### **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?		✓		Western Cape Provincial Department of Agriculture
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		✓		National Department of Agriculture, Forestry and Fisheries (DAFF)
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		✓		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)		✓		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)?		✓		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)?		✓		South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC)



QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Will the proposal have an impact on any National or Provincial roads?		✓		National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW)
Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		✓		National Department of Labour (DL)
Will the proposal affect any Eskom owned land and/or servitudes?		✓		Eskom
Will the proposal affect any Telkom owned land and/or servitudes?		✓		Telkom
Will the proposal affect any Transnet owned land and/or servitudes?		✓		Transnet
Is the property subject to a land / restitution claims?		✓		National Department of Rural Development & Land Reform
Will the proposal require comments from SANParks and/or CapeNature?		✓		SANParks / CapeNature
Is the property subject to any existing mineral rights?		✓		National Department of Mineral Resources
<del>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?</del> ( <del>strikethrough irrelevant</del> )		✓		Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

**SECTION D:**  
**SERVICE REQUIREMENTS**

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM
Electricity supply:	✓			<b>Directorate: Civil Engineering Services</b>  <b>&amp;</b> <b>Directorate: Electro- Technical Services</b>
Water supply:	✓			
Sewerage and waste water:	✓			
Stormwater:	✓			
Road network:	✓			
Telecommunication services:	✓			
Development charges: Development charges:	✓			
Other services required? Please specify.				

**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		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		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)	Y	N	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	Other (specify)	Y	N	Required number of documentation copies

**ETS:**

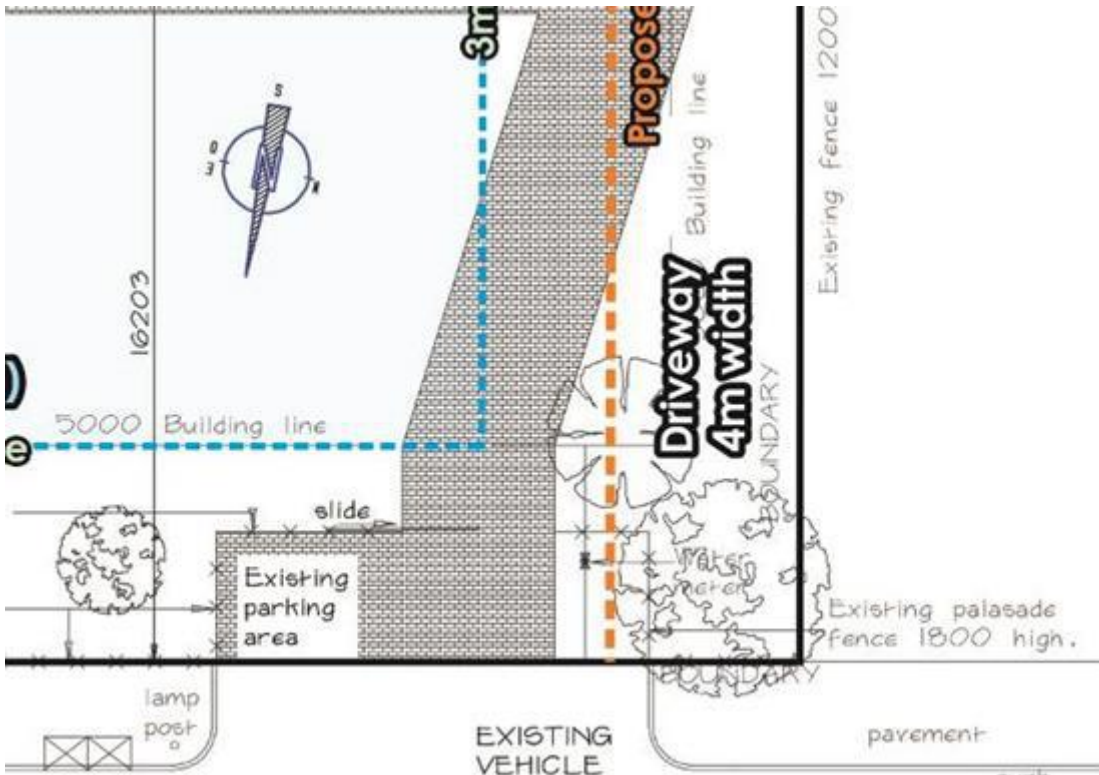
- Standard subdivision conditions will apply.
- The owner will be responsible to provide a new separate electrical supply to each of the erven at his cost.

**CES:**

- Access: All access is must be inline withe GIZS 2017, no additional access will be permitted.
- All parking provision must be provided on site, no parking will be allowed within the road reserve.
- Other normal development conditions will apply.

## Town Planning:

- Please confirm access arrangement to Portion A and the Remainder;



- To indicate parking on Portion A and Remainder (for Main dwelling and Second dwelling);
- To clearly indicate the areas to be demolished;
- To clearly indicate the building line encroachments on the site layout plan with measurements;
- Please confirm the type of trees located in the proposed panhandle. Please note that if indigenous, comments from DEFF will be required.



## PART F: SUMMARY / WAY FORWARD

Please refer to comments above. Application may be submitted for consideration.

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

OFFICIAL: \_\_\_Ilane Huyser\_\_\_ PRE-APPLICANT: **Stéfan Ethan de Kock (SACPLAN A/1599/2012)**

(Perception Planning)

SIGNED: \_\_\_\_\_ SIGNED: \_\_\_\_\_

DATE: \_\_\_29.06.2021\_\_\_ DATE: **11<sup>th</sup> June 2021**