

ANNEXURE A:

*Correspondence from DEADP dated 24
October 2018 confirming exemption from the
provisions of Act 70 of 1970*

Ref: 15/4/2/4

Ms. Marike Vreken
Marike Vreken Town Planners CC
PO Box 2180
KNYSNA
6570

SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970): CONFIRMATION OF THE DESIGNATION OF PORTION 79 OF THE FARM HANSMOESKRAAL NO. 202, GEORGE IN TERMS OF THE GEORGE AND ENVIRONS URBAN STRUCTURE PLAN

1. The Department has received your request for confirmation of the status and designation of the above-mentioned property in terms of the abovementioned Urban Structure Plan.
2. I hereby confirm that Portion 79 of the Farm Hansmoeskraal No. 202 (George) was indeed included in the George and Environs Urban Structure Plan. The farm was originally designated as a 'Rural Occupation' on this Guide Plan, however has since been amended to designate portions 79, 120 and 121 of Farm 202 Hansmoeskraal as 'Township Development'. This was confirmed in a letter from the Provincial Minister dated 14 April 2009. I hereby confirm that Portion 79 of the Farm Hansmoeskraal No. 202 is therefore designated as '**Township Development**' and it is therefore the view of this Department that the property is exempted from the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).
3. I trust that the above will assist you to finalise the General Plans received for these properties. Should you require any further information, please do not hesitate to contact Kobus Munro on 021 – 483 4796 or on e-mail: Kobus.munro@westerncape.gov.za.



Piet van Zyl

Head of Department

Environmental Affairs and Development Planning

Date: 30.10.2018

cc. **Director: Land Use and Soil Management**
Department of Agriculture, Forestry and Fisheries
Private Bag X120
PRETORIA
0001

Attention: Ms. Annette Geertsema (e-mail: AnnetteS@daff.gov.za)

cc. **Director Land Use Management**
Western Cape: Department of Agriculture
Private Bag X1
ELSENBURG
7607

Attention: Mr Cor van der Walt (e-mail: corvdw@elsenburg.com)

cc. **The Surveyor General**
Western Cape: Department of Rural Development and Land Reform
Private Bag X9073
CAPE TOWN
8000

Attention: Mr J Williamson (e-mail: julian.williamson@drdlr.gov.za)

cc. **The Surveyor General**
Western Cape: Department of Rural Development and Land Reform
Private Bag X9073
CAPE TOWN
8000

Attention: Mr Andrew Ballantyne (e-mail: andrew.ballantyne@drdlr.gov.za)

ANNEXURE B:

*Temporary Land Use Departure approval
dated 24 February 2014*



received
2014-03-07

G E O R G E

MUNISIPALITEIT
Wes Kaap

UMASIPALA WASE
Intshona - Koloni

MUNICIPALITY
Western Cape

Posbus / P.O. Box 19 George 6530 Tel: 044 8019111 Fax: 044 8733776

VERW/REF.

E-mail: keith@george.org.za
Hansmoeskraal 202/79

NAVRAE: Keith Meyer
ENQUIRIES:

TEL: 044 – 801 9435

24 February 2014

REGISTERED MAIL

Marike Vreken Town Planners cc
P O Box 2180
KNYSNA
6570

TEMPORARY DEPARTURE: HANSMOESKRAAL 202/79, DIVISION GEORGE

Abovementioned application refers.

The Directorate: Human Settlements, Land Affairs and Planning has, under delegated authority, W.1.52 of 25 January 2012 decided that the application for a Temporary Departure on Portion 79 of the farm Hansmoeskraal 202, Division George in terms of Section 15 of Ordinance 15 of 1985 for:

1. An Institution comprising a residential facility for persons with Alzheimer's or Dementia;
2. A Place of Instruction comprising a training facility for carers involved with the care of persons with Alzheimer's or Dementia;
3. The use of 2 existing labourer's cottages as visitor's accommodation ancillary to the proposed care centre;
4. The use of the existing barn as a Place of Assembly (with the occasional use as a Place of Entertainment);

BE APPROVED for the following reasons:

REASONS FOR SUPPORT

- a) The application is not in contravention of the forward planning guidelines for the area;
- b) The application will facilitate diversification and non-agricultural opportunities as envisaged in the relevant forward planning documentation;
- c) The application does not negatively impact on the natural and built environment;
- d) Temporary Departures is allowed on land in terms of the Land Use Planning Ordinance 15 of 1985;

subject to the following conditions imposed in terms of Section 42 of said Ordinance, namely:

1. The Temporary Departure shall lapse in terms of Section 15 of the Land Use Planning Ordinance (15 of 1985), after a period of five (5) years from the date of approval;
2. That the approval shall be taken to cover only the Temporary Departures applied for and shall not be construed as to depart from any other Council requirement or legal provision;
3. That a Site Development Plan in respect of the development on the farm indicating the following be submitted to the satisfaction of the Directorate: Human Settlements, Land Affairs and Planning prior to the submission of building plans existing and/or:
 - a. Position of proposed buildings on site;
 - b. Erf boundaries and building lines;
 - c. Parking areas;
 - d. Contour lines at 1m intervals;
 - e. Any servitudes, if applicable;
 - f. Position of water-, electricity- and sewer lines;
 - g. Position of existing trees on site;
 - h. Proposed temporary internal changes to the buildings;
 - i. Elevations and description of architectural design and finishes, including boundary walls and fences, if any;
4. That all other requirements of the Section 8 Zoning Scheme be complied with;
5. That a building plan be submitted for approval in accordance with the National Building Regulations (NBR). The applicant must note that the plans must reflect agricultural buildings;
6. That the Care Centre is only to be used for the care of persons with Alzheimer's and Dementia and not for general lodging accommodation;
7. Approval is granted for a maximum of 24 residents with Alzheimer's and Dementia to be housed in the institutional building;
8. That the necessary approval/s from the Department of Health (National/Provincial) as well as any other approving authority, be obtained;
9. That the visitor's accommodation be restricted to 4 persons per cottage.
10. That care and due cognisance must be taken of existing services, new service routes and restrictions;
11. That no development shall take place on unstable slopes and slopes steeper than 1:4;
12. That the height of the buildings not exceed 8,5m from natural ground level;
13. That the property owner's apply to the Directorate: Human Settlements, Land Affairs and Planning for an OSCA permit before any construction take place;
14. That the use of water and energy saving devices be utilised and that energy efficiency principles be incorporated into the overall design;
15. That a rainwater harvesting system be installed on the property, with the necessary water harvesting tanks;
16. That light pollution should be kept to the minimum and designed to shine downwards to not infringe on neighbour's rights or the natural environment;
17. That outside lighting is directed downwards to minimize light pollution in the area;
18. That if outside lighting is used in the parking area in or around of the institutional facility the light stands may not exceed a maximum height of 0,8m from natural ground level;

19. That any advertising signs first be approved by the relevant Authorities before the erection thereof;
20. That the approval will only be regarded as implemented on the approval of the Site Development Plan for the proposed Institutional facility and appurtenant uses;
21. That the condition of the Directorate: Electro-technical Services be complied with, namely (Originally in Afrikaans):
 - 21.1 Kapitale bydraes is deel van aansluitingskoste.
22. That the conditions of the Directorate: Civil Engineering Services be complied with, namely:
 - 22.1 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. The total amount payable will be determined by the Directorate: Civil Engineering Services, and will be subject to annual adjustment. Contributions payable may be adjusted should the actual water usage exceed the accepted normal daily usage based on the Guidelines for Human Settlement Planning and Design.
 - 22.2 Any existing municipal service damaged during construction is to be repaired at the owners' expense, and in accordance with municipal standards.
 - 22.3 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 and "The Guidelines to Human Settlement Planning and Design" specifications. All drawings and plans are to be submitted to the Directorate: 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 Directorate: Civil Engineering Services with a certificate on completion, and as-built plans in electronic format. All costs will be for the developer.
 - 22.4 Only municipal water for residential use is provided.
 - 22.5 Adequate parking with a hardened surface must be provided on the premises of the proposed development.
 - 22.6 No parking is allowed in the road reserve.
 - 22.7 The developer is to adhere to the requirements of the OHS Act at all times, as well as all conditions stipulated by any other authority whose approval was required and obtained for this development.

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 Management (Region 3), Department of Environmental Affairs & Development Planning, Private Bag X6509, George, 6530** with a copy endorsed and submitted in writing to the George Municipality within the aforementioned time.

Please note that your appeal can only be based on the provisions as outlined in Section 7.5(a) of Provincial Circular 8/2013 herewith attached as **Annexure "B"**

Yours faithfully



M T BOTHA
MUNICIPAL MANAGER

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Section 7.5

(a) In instances where applications concern municipal planning matters, the Minister may only set aside such a decision if the municipality failed to perform its municipal planning function affectively. In determining this, the Minister will consider *inter alia* whether -

- i. Fair administrative procedures were followed;
- ii. Relevant considerations were not considered;
- iii. Irrelevant considerations were taken into account which affected the decision;
- iv. The decision is rationally connected to the information presented;
- v. The decision is rationally connected to the reasons provided for the decision;

and will not reconsider the desirability of the application per se, but will decide on whether the municipality has indeed considered section 36 of the LUPO.

ANNEXURE C:

*Site Development Plan approval dated 03
October 2014*



G E O R G E

MUNISIPALITEIT
Wes Kaap

UMASIPALA WASE
Intshona - Koloni

MUNICIPALITY
Western Cape

Posbus / P.O. Box 19 George 6530 Tel: 044 8019111 Fax: 044 8733776
E-mail: keith@george.org.za
Hansmoeskraal 202/79

VERW/REF.

Keith Meyer

NAVRAE:
ENQUIRIES:

044 – 801 9435

TEL:

3 October 2014

REGISTERED MAIL

ARCXL Architects
P O Box 13258
Garden Route Mall
6546

SITE DEVELOPMENT PLAN: HANSMOESKRAAL 202/79, DIVISION GEORGE

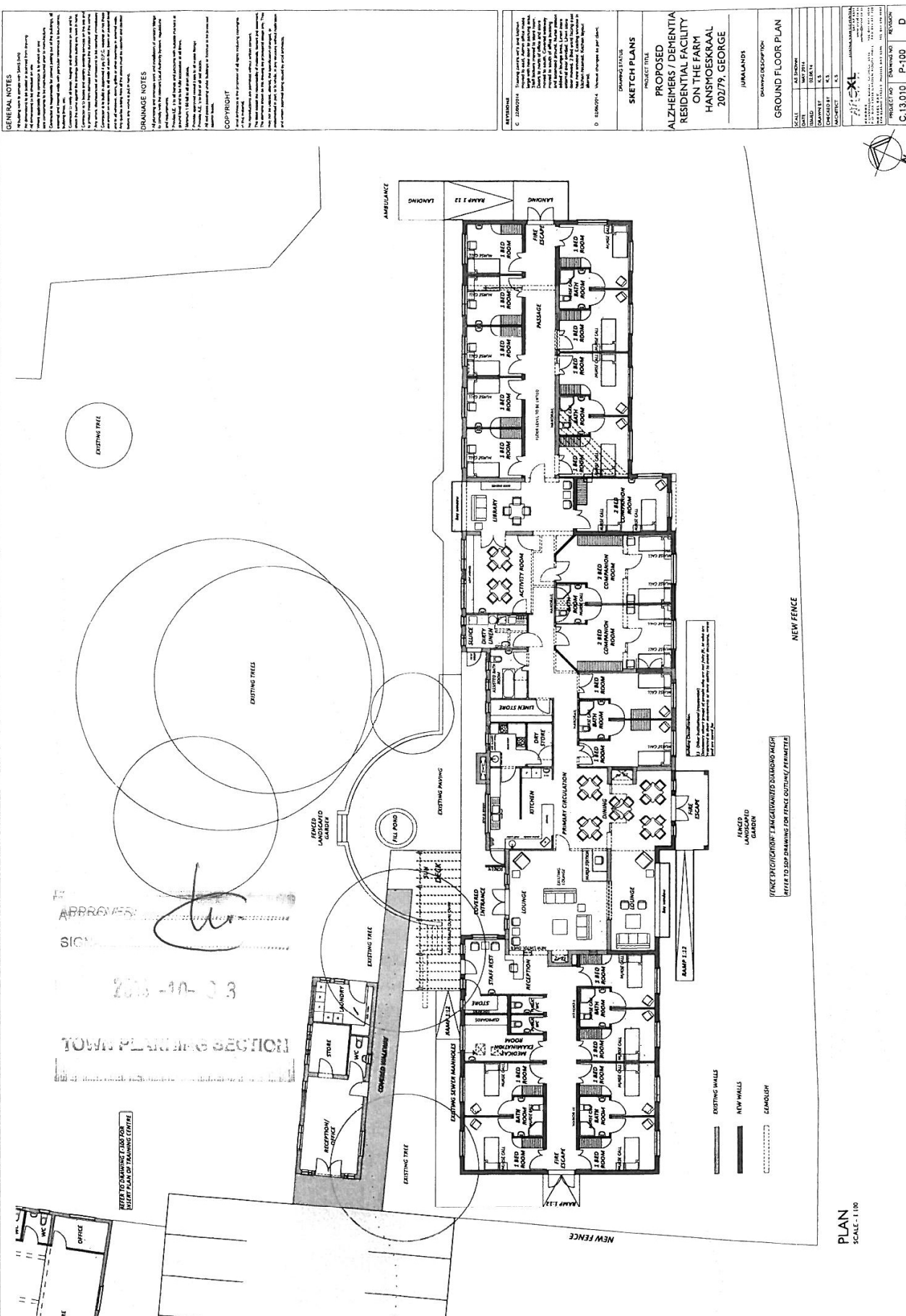
Abovementioned application refers.

The Directorate: Human Settlements, Land Affairs and Planning has, under delegated authority, W.1.85 of 25 January 2012 decided that in terms of Condition 3 imposed with the approval granted on 24 February 2014 applicable to Portion 79 of farm Hansmoeskraal 202, George in terms of Section 42 (3) of the Land Use Planning Ordinance, 1985 (Ord.15 of 1985), the Site Development Plan numbered SDP001 dated March 2014 (Annexure "A"), the Ground Floor Plan numbered P-100 dated May 2014 (Annexure "B") as well as the Elevations and Insert Plan numbered E-300 dated May 2014 (Annexure "C") drawn by ARCXL Architects, which bears Council's stamp, **BE APPROVED.**

Yours faithfully


T BOTHA
MUNICIPAL MANAGER

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PROPOSED ALZHEIMERS/ DEMENTIA RESIDENTIAL FACILITY ON THE FARM HANSMOESKRAAL

GEORGE

PLAN
SCALE - 1/100

GENERAL NOTES

1. All buildings shall be constructed in accordance with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) and the relevant parts of the National Building Standards, 1978.
2. The drawings are prepared on the basis of the information provided by the client and the site survey. The client is responsible for the accuracy of the information provided.
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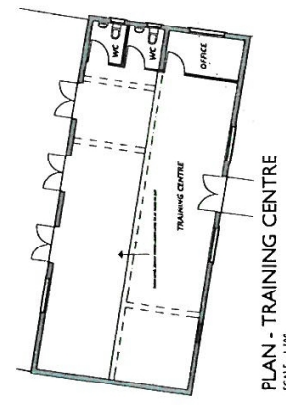
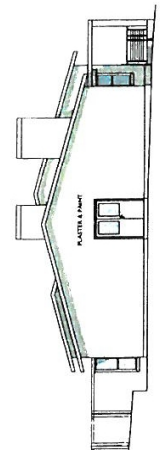
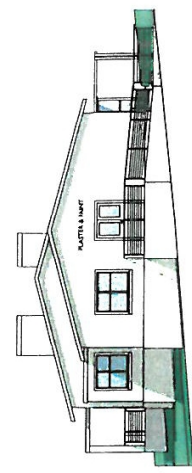
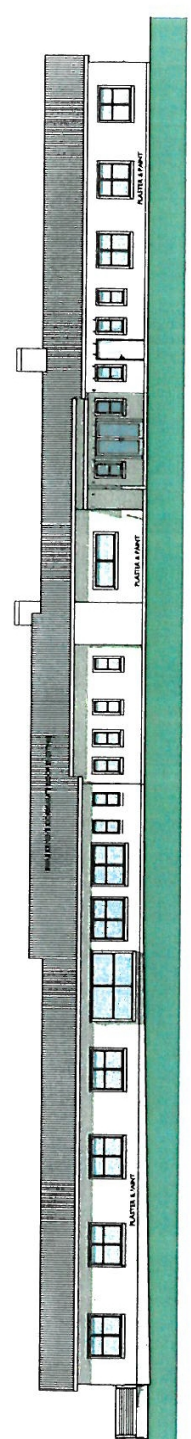
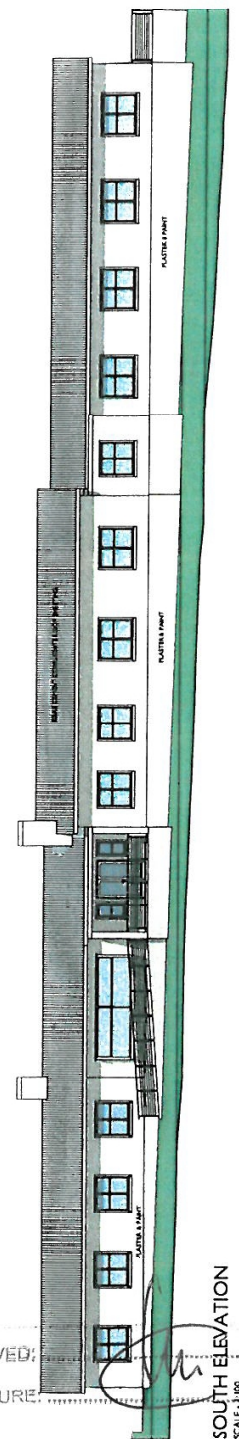
DRAINAGE NOTES

1. All buildings shall be constructed in accordance with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) and the relevant parts of the National Building Standards, 1978.
2. The drawings are prepared on the basis of the information provided by the client and the site survey. The client is responsible for the accuracy of the information provided.
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APPROVED: _____
SIGNATURE: _____
2014-10-03
TOWN PLANNING SECTION



NORTH ELEVATION
SCALE: 1:100

WEST ELEVATION
SCALE: 1:100

EAST ELEVATION
SCALE: 1:100

PLAN - TRAINING CENTRE
SCALE: 1:100

REVISIONS	
1	Initial design
2	Revised design
3	Final design
4	Construction documents
5	As-built documents
6	Final design
7	Revised design
8	Final design
9	Construction documents
10	As-built documents
11	Final design
12	Revised design
13	Final design
14	Construction documents
15	As-built documents
16	Final design
17	Revised design
18	Final design
19	Construction documents
20	As-built documents
21	Final design
22	Revised design
23	Final design
24	Construction documents
25	As-built documents
26	Final design
27	Revised design
28	Final design
29	Construction documents
30	As-built documents
31	Final design
32	Revised design
33	Final design
34	Construction documents
35	As-built documents
36	Final design
37	Revised design
38	Final design
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40	As-built documents
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85	As-built documents
86	Final design
87	Revised design
88	Final design
89	Construction documents
90	As-built documents
91	Final design
92	Revised design
93	Final design
94	Construction documents
95	As-built documents
96	Final design
97	Revised design
98	Final design
99	Construction documents
100	As-built documents

ANNEXURE D:

Rezoning approval dated 22 September 2017



MUNISIPALITEIT
Wes Kaap

UMASIPALA WASE
Intshona - Koloni

MUNICIPALITY
Western Cape

Posbus / P.O. Box 19 George 6530 Tel: 044 8019111 Fax: 044 8733776

**MENSLIKE NEDERSETTINGS, GRONDSAKE EN BEPLANNING
HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

OUR REF: 983/202/79

YOUR REF: Hansmoeskraal 202/79, Division George

ENQUIRIES: Marisa Arries

TEL: 044-801 9473

FAX: 086 570 1900

EMAIL: marries@george.gov.za

DATE: 22 September 2017

MARIKE VREKEN TOWN PLANNERS
PO BOX 2180
KNYSNA
6570

info@vreken.co.za

**APPLICATION FOR REZONING: HANSMOESKRAAL 202/79,
DIVISION GEORGE**

Your application in the above refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, WW.1.33 of 29 July 2015 decided that the application of a portion (0,99ha) of Portion 79 of the Farm Hansmoeskraal 202, Division George for the Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-law for George Municipality, 2015 from Agriculture Zone I to Institutional Zone III for a Specialised Dementia Care House;

BE APPROVED in terms of Section 33(1) and 60 of said By-law for the following reasons:

- a) The proposed change in land use is consistent with the George Spatial Development Framework, 2013 and the Pacaltsdorp/Hansmoeskraal Local Spatial Development Framework;
- b) The proposed change in land use does not impede on the privacy of adjacent neighbour's or negatively impact on the public interest;
- c) The proposed development do not detract from the surrounding land use character;

- d) The proposed change in land use will not detract from the surrounding rural character and the proposed buildings are designed in such a way that it is in line with the existing aesthetic character of the area;

Subject to the following conditions imposed in terms of Section 66 of the said By-law:

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

1. That in terms of Section 17(5) of the Land Use Planning By-law for the George Municipality, 2015, the approval will lapse if not implemented within a period of 5 years from the date of this approval.
2. The approval shall be taken to cover only the Rezoning applied for as indicated on the Site Development Plan, drawn by ARCXL Architects drawing nr. M002 and attached as "Annexure D2" which bears Council's stamp and shall not be construed as to depart from any other Council requirement or legal provision.
3. That the development be limited to 50 du/ha.
4. All other requirements comply with the Section 8 Zoning Scheme, 1988.
5. The owner must adhere to the Letter from the Department of Health (WCG) dated 13 March 2017.
6. The owner must adhere to the Letter from the Department of Transport and Public Works (WCG) dated 29 March 2017.
7. Building plans be submitted for approval in accordance with the National Building Regulations (NBR).
8. The above approval will be considered as implemented on the implementation of the approved building plans for the abovementioned structures.

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

9. Capital contributions are payable by the developer for each new equivalent erf (ee) created, as per standard tariffs for George, applicable on transfer of a portion, or the approval of building plans, or on application for a CPT, or as stipulated in a Services Agreement between the George Municipality and the Developer. The total amount payable will be determined by the Dept: CES, and will be subject to annual adjustment. Contributions payable may be adjusted should the actual water usage exceed the accepted normal daily usage based on the Guidelines for Human Settlement Planning and Design, based on a six month average use.
10. All civil services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with The Guidelines for Human Settlement and Design and Council specifications. All drawings and plans are to be submitted to the Dept: CES, or any other relevant authority, (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 relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the civil services have been satisfactorily installed and as-builts submitted electronically as well as the surveyors plan.
11. Should more than two developments/properties be party to or share any service, the Dept: CES will in conjunction with the parties determine the pro-rata contributions payable.

12. Any, and all, costs directly related to the development remain the developers' responsibility.
13. Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of another development are to be determined by the developer/owner of the other erf. (Condition 10 applicable)
14. Any service from another relevant erf must be accommodated across the development or incorporated into the services of the development. All negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned. (Condition 10 applicable)
15. Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality. (Condition 10 applicable)
16. Servitudes must be registered for any pipeline not positioned within the normal building lines.
17. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required.
18. Provisions for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services.
19. The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval was required and obtained for this proposed development.
20. Transfers, building plan approvals and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the satisfaction of the Dept: CES, or any condition of any authority has not been satisfactorily complied with.
21. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable.
22. Municipal water is provided for potable use only. No irrigation water will be provided.
23. A water meter must be installed by the developer prior to construction to monitor water usage during the construction phase. The Dept: Civil Engineering Services (Water section) is to be consulted by the developer, prior to installation, regarding the required specifications. Failure to complying with the water meter application process, will result in the developer being responsible for payment of penalties and/or an estimated non-metered water consumptions by this department at a rate as per applicable tariff list. In this regard, transfers, building plan approval and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full. The water meter is to be removed on completion of construction if so required by the Dept: CES.
24. No municipal sewer services are available at present. Should a municipal network in future be extended to this area, the owner will be compelled, at own cost, to connect to the network. A capital contribution for sewer will then become payable as per standard tariff for each equivalent erf applicable at the time of connection.
25. A conservancy tank, or alternative approved sewer disposal method, must be installed at the owner's cost. The owner is to appoint a private contractor, at own expense, to service the tank or alternative approved disposal methods.
26. If required, the developer is to have a Traffic Impact Assessment (TIA) conducted by a registered traffic engineer. The terms of reference of the TIA are to be finalised

- with the Dept: Civil Engineering Services together with any other approving authority, and who must also approve the TIA. All recommendations stipulated in the TIA report and as approved by the relevant Dir: CES, are to be implemented by the developer. All costs involved will be for the developer.
27. The discharge of surface stormwater is to be addressed by the developer. Condition (10) applies. All costs related is for the developer.
 28. Internal parking requirements (ie within the development area) , position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic must be addressed and all measures indicated on plans and drawings submitted for approval.
 29. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
 30. No private parking will be allowed in the road reserve.
 31. The approval of the layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dept: Civil Engineering Services. A site development plan is to be submitted to the Dept: CES, or any other relevant authority for approval prior to any construction work taking place.
 32. The developer will be required to construct certain roads in lieu of a financial contribution towards the George master planned roads. All roads required for access to the development will have to be fully completed prior to the approval of any transfers/rates clearances. The developer's financial contribution towards the roads in the George Master Plan will be determined in accordance with the financial model.
 33. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.

CONDITIONS OF THE DIRECTORATE: ELECTRO-TECHNICAL SERVICES

34. Capital contributions are payable by the developer for each new equivalent erf (ee) created, as per standard tariffs for George, applicable on transfer of a portion, or the approval of building plans, or on application for a CPT, or as stipulated in a Services Agreement between the George Municipality and the Developer. The total amount payable will be determined by the Dept: Electro Technical Services (ETS), and will be subject to annual adjustment. Contributions payable may be adjusted should the actual electricity connection be other than a conventional 60 Amp single phase per erf.
35. All electrical services -internal, link and relocation of or upgrades to the existing network - are to be designed by a registered consulting engineer in accordance with Council specifications. All drawings and plans are to be submitted to the Dept: ETS, (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 electrical department with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the electrical services have been satisfactorily installed and as-builts submitted electronically.
36. Any, and all, costs directly related to the development remain the developers' responsibility.
37. Only one electrical connection permitted per registered erf.

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee, in terms of Section 79(2) of the George Municipality's By-law on Municipal Land Use Planning.

- A detailed motivated appeal with reasons should be directed to and received by the Appeal Authority, P O Box 19, George **on or before 13 October 2017**.
- An appeal that is not lodged within the set date or that does not comply with Section 80 of the George Municipality's By-law on Municipal Land Use Planning will be deemed invalid.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Kindly note that in terms of Section 80(14) of the George Municipality's By-law on Municipal Land Use Planning, the above decision is suspended until such time as the period for lodging an appeal has lapsed, any appeal has been finalised and you have been advised accordingly.

Yours Faithfully


T BOTHA

MUNICIPAL MANAGER

G:\Michelle\Marisa\approvals_2017\hansmoeskaal202_79(rezoning_approval)\marike vreden town planners.doc

ANNEXURE E:

*Pre-Application meeting minutes dated 17
September 2018*

**PROPOSED SUBDIVISION OF A PORTION OF PORTION 79 OF THE FARM
HANSMOESKRAAL NO 202 -
MINUTES OF THE PRE-APPLICATION CONSULTATION MEETING HELD AT GEORGE
MUNICIPALITY ON MONDAY 17 SEPTEMBER 2018**

Attendance:

<u>Name</u>	<u>Organisation</u>	<u>Tel No</u>	<u>E-mail</u>
Delia Power (DP)	George Municipality	044-801-9477	dpower@george.gov.za
Ricus Fivaz (RF)	George Municipality	044-801-9350	ricus@george.gov.za
Malcolm Frederick (MF)s	Deadp	044-805-8611	Malcolm.fredericks@westerncape.gov.za
Jessica Christie (JC)	Deadp	044-805-8617	Jessica.Christie@westerncape.gov.za
Clinton Peterson (CP)	George Municipality	044-801-9191	cpeterson@george.gov.za
Johan Van Niekerk (JvN)	Jura Care	079-667-7874	juralands@gmail.com
Stiaan Carstens (SC)	Deadp	044-805-8603	christiaan.carstens@westerncape.gov.za
Hans Labuschagne (HL)	MV TRP	044-382-0420	hans@vreken.co.za
Marike Vreken (MV)	MV TRP	044-382-0420	marike@vreken.co.za

Discussion Points:

1. Background

- 1.1. MV explained that previously there was a Guide Plan Amendment approved and an approval in terms of Act 70 of 1970 for the Subdivision of Agricultural land. Even though the Guide plan has been repealed the property is now exempted from act 70 of 1970.
- 1.2. During 2013, the applicant applied for Temporary Land Use Departure to use an existing farm house as an Alzheimer's and Dementia Care facility. The approval was granted during 2014.
- 1.3. The care facility was at capacity within a year and the Applicant then applied to rezone about 1 hectare on Portion 79 of the Farm 202 to "Institutional Zone" to obtain permanent rights for the facility and to expand the facility to address the growing need for specialised care for Alzheimer's and Dementia patients. The rezoning of an area of 1ha was approved during September 2017.
- 1.4. The applicant now needs to raise capital to construct the expansion of the caring facility. The applicants needs approximately R20-25Mil to construct the expanded facility. With the current political climate and threat of expropriations of farm land, no Financial Institution is willing to bond farms at a value of more than 50% of the land value of the farm. If the property can be subdivided, and you have a separate "Institutional" zoned property, private financiers such as medical institutions and doctors can be approached.
- 1.5. JvN has indicated that currently, the Jura Care home employs 35 people. The proposed extended facility has the potential to raise 130 permanent jobs.

2. LUPA Applicability

- 2.1. The applicant confirmed that the subject property has not been either cultivated or irrigated within the preceding 10 years period, and accordingly SC confirmed that a LUPA application will consequently not be required. SC requested that this status of the agricultural land be recorded in the application to the municipality.

3. Infrastructure Services

- 3.1. RF - the proposed subdivision must take into consideration the proposed road planning of the Road that Le Grand must construct. Any accesses must be aligned with this plan.
- 3.2. MV indicated that the proposal is to register access servitudes / rights of ways, on the existing farm roads. Once the new municipal road has been constructed to Le Grand, the access roads to the Jura Care facility can be relocated, if necessary.
- 3.3. Currently the Sewer is on a septic tank system (Municipality approved with the temporary land use departure). With the implementation of the approved rezoning, the sewer will have to be collected in a conservancy tank. Once Le Grand has constructed the new sewer line to Le Grand, Jura Care will be expected to connect to the municipal sewer line.
- 3.4. RF - the Fire Department will have to be consulted with regards to a Fire Management Plan for the Fire Risk of the buildings.

4. Spatial Planning Informants

- 4.1. SC: Due to the provisions of the George SDF, the fact that Hans Moes Kraal is the growth direction of the town, and the existing facility, there is no reservation on the land use application from a Provincial land use planning perspective. It is however suggested that the applicant should motivate and address why the proposed subdivision will not undermine the future development vision/ potential of the Hansmoeskraal development node.
- 4.2. DP indicated that the applicant must motivate site specific criteria, why the subdivision should be supported because the SDF clearly indicates that no subdivisions outside the urban edge will be supported.
- 4.3. DP indicated that this will be a Tribunal Decision since the creation of Small Holdings outside the urban edge is not consistent with the SDF.
- 4.4. DP indicated when the SDF was compiled the Department of Agriculture supported the Hansmoeskraal areas since there is limited water available for agricultural purposes.

5. Environmental

- 5.1. MF indicated that the proposal does not seem to trigger any listed activities that require Environmental Authorisation. One activity that needs to be considered, is listing Notice 3, Activity 12, the clearing of 300 square meters of vegetation or more in critically endangered areas.
- 5.2. DP has indicated that the applicant must consider the demarcated Coastal Management Lines, Corlize will send these lines to Marike and the proposed subdivision needs to incorporate those lines.

6. Conclusion

6.1. The proposed Subdivision is supported in principal, the applicant needs to submit the application.

ANNEXURE F:

Power of Attorney & Company Resolution

JURA LANDS CC

(Name of Company, Partnership, Trust or Close Corporation)

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in GEORGE on the 18 day of SEPTEMBER 2018.

Resolved that CJAN NIEKEL in his capacity as MANAGER, be and is hereby authorized to do whatever may be necessary to give effect to this resolution and to enter into and to sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company/ Partnership/ Trust/ Close Corporation with such modification as he/ she in his/ her sole discretion shall deem fit, his/ her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

DESCRIPTION OF PROPERTY:

PTN 79 OF THE FARM HANSMOESKRAAL NO 202, GEORGE MUNICIPALITY

NATURE OF APPLICATION:

SUBDIVISION

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:

MARIA MASDALENA VAN NIEKEL

SIGNATURE:

M. Niekel

SPECIAL POWER OF ATTORNEY

We, JANA LAMOS CC, C JOAN NIEKERK.

..... the undersigned,

do hereby nominate, constitute and appoint
MARIKE VREKEN - TOWN AND REGIONAL PLANNERS
with power of Substitution to be *my/our lawful representatives in *my/our application for:

SUBDIVISION

of

PORTION 79 OF THE FARM HANSMOESKRAAL NO 202, GEORGE MUNICIPALITY

In addition to apply for such amendments of any zoning schemes / structure plans as may be deemed necessary and to make other necessary application and further to represent *me/us at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application, by virtue of those present and whatever our said representative have to date done herein.

Signed at GEORGE on this 18 day of SEPTEMBER 2018

SIGNED:

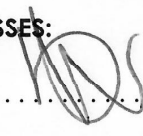


SIGNED:

SIGNED:

In the presence of the undersigned witnesses:

AS WITNESSES:

1. 

2.

ANNEXURE G:

Application Form

GEORGE MUNICIPALITY



APPLICATION SUBMISSION AND PROCEDURAL REQUIREMENTS

The following pages set out the basic submission requirements as determined in section 38(3) of the Land Use Planning By-Law for George Municipality, 2015 for land use planning applications compiled in terms of section 15(1) of the Land Use Planning By-Law for George Municipality, 2015. In an effort to prevent delays and ensure the successful submission of the application, prospective applicants are required to undertake a pre-consultation application meeting with one of our town planners in order to obtain more information and specific application related advice, guidelines and submission requirements where the following types of applications are concerned:

- *Rezoning of land;*
- *Temporary departure to utilize land for a purpose not permitted in terms of the primary rights of the property;*
- *Subdivision of land;*
- *Removal, suspension or amendment of restrictive conditions in the title deed;*
- *Amendment, deletion or imposition of conditions in respect of an existing approval;*
- *Overlay zone;*
- *Determination of a zoning;*
- *Closure of a public place;*
- *Consent use;*
- *Occasional use of land;*
- *Disestablishment of a home owner's association;*
- *Rectify a failure by a home owner's association to meet its obligation;*
- *Permission for reconstruction of a building that constitutes a non-conforming use.*

Application documentation and supporting information should be accurate and be prepared and submitted strictly in accordance with these requirements. Failure to do so, or where submissions are incomplete, is grounds for refusing to accept the land use planning application in terms of section 40 of the Land Use Planning By-Law for George Municipality, 2015.

1 Supporting information and documentation

The minimum supporting information and documentation required to enable the Municipality to assess land use planning applications are listed in Annexure B. Please note, that this is only a

guideline and the Municipality should be consulted to ascertain if any additional requirements relating to the proposal might be requested.

2 Application and advertising fees

The application and advertising fees must be paid in full on submission, failing which the Municipality will refuse to accept and/or refuse to consider the application. The total fee(s) payable is determined by the application type and extent of public participation required, and it is advised that the Municipality be contacted to determine the exact amount payable in respect of the application.

When an integrated procedure is followed in terms of section 45 of the Land Use Planning By-Law for George Municipality, 2015 the advertising fees will be determined once an agreement is reached between the Municipality and any other organ of state (for example the simultaneous publication of notices for Environmental Authorizations with land use applications).

The applicant is liable for the cost of serving notices of an application. The withdrawal or cancellation of an application may result in forfeiture of (part or all of) the fees paid. These fees are also not refundable in the event of a refusal of the application.

The fees referred to above are only application and advertising fees and any additional costs may be at the applicant's expense (e.g. development charges).

3 Motivation report / letter

A written motivation for an application should be based on the criteria referred to in section 65 of the Land-Use Planning By-Law for George Municipality, 2015, namely;

- *Desirability of the proposed utilization of land and any guidelines issued by the Provincial Minister regarding desirability of proposed land uses;*
- *Investigations carried out in terms of other laws that are relevant to the consideration of the application;*
- *Applicable policies of the Municipality;*
- *Applicable provisions of the zoning scheme;*
- *Consideration of the following spatial planning documents;*
 - *Integrated development plan and municipal spatial development plan;*
 - *Integrated development plan and spatial development plan for the district municipality;*
 - *Applicable local spatial development frameworks;*
 - *Provincial spatial development framework; and*
 - *Regional spatial development framework;*
- *Policies, principles and planning and development norms and criteria set by the national and provincial government; and -*

- *Land development principles as referred to in section 42 of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).*

When an application is submitted for an amendment, suspension or removal of restrictive conditions the criteria referred to in section 33(5) of the Land Use Planning By-Law for George Municipality, 2015, should also be considered.

4 Plans

The following plans together with the information mentioned below, may be required to accompany the application:

4.1 Locality plan

When a locality plan, an example of which is attached as Annexure A, is required in a scale between 1:5 000 and 1: 10 000, such a plan must be legible and must include the following;

- *The scale, True North, legend and the title “Locality Plan”;*
- *Erf boundaries with erf or farm numbers thereon;*
- *Location of the subject property (boundary line highlighted and area hatched);*
- *Street names and numbers;*
- *Roads with an indication of whether they are main, trunk, national or provincial roads;*
- *Municipal boundaries, nearest towns, etc.*
- *Any physical restrictions on the property or surrounding properties which may affect the application; and -*
- *Other relevant information as may be required.*

4.2 Zoning Plan

When a zoning plan is required, such a plan must be legible, in a scale between 1:500 and 1:1000, which must include the following;

- *The scale, True North, legend and the title “Zoning Plan”;*
- *The location of the proposed land units;*
- *Erf boundaries with erf or farm numbers thereon;*
- *Street names and numbers;*
- *Dimensions, size and location of the relevant portion and zonings (indicated in accordance with the notation schedule of the relevant zoning scheme);*
- *The existing access points;*
- *All servitudes;*
- *Footprints of all existing structures on the property and abutting properties;*
- *The proposed public places and the land needed for public purposes;*
- *All distances and areas to scale; and –*
- *Other relevant information as may be required.*

4.3 Subdivision plan

When a subdivision plan is required, such a plan must be legible and must include the following;

- *The scale, True North, legend and the title “Subdivision Plan”;*
- *The location of the proposed land units;*
- *The proposed zonings in respect of the proposed land units (indicated in accordance with the notation schedule of the relevant zoning scheme);*
- *All existing structures on the property and abutting properties;*
- *The proposed public places and the land needed for public purposes;*
- *The existing access points;*
- *All servitudes;*
- *Contours with at least a one-meter interval or such other interval as may be approved by the Municipality;*
- *The street furniture;*
- *The lamp, electricity and telephone posts;*
- *The electricity transformers and mini-substations;*
- *The storm-water channels and catch pits;*
- *The sewerage lines and connection points;*
- *Any significant natural features;*
- *1:50 / 100 year flood line (if applicable);*
- *All distances and areas to scale; and –*
- *Other relevant information as may be required.*

4.4 Phasing Plan

When a phasing plan is required, such a plan must be legible and must include the following;

- *The scale, True North, legend and the title “Phasing Plan”;*
- *Erf boundaries with erf or farm numbers thereon;*
- *Phase boundaries and phase numbering;*
- *Main transport routes;*
- *Main land uses;*
- *Bulk infrastructure;*
- *Requirements of organs of state;*
- *Public open space requirements;*
- *Physical development constraints;*
- *All distances and areas to scale; and –*
- *Other relevant information as may be required.*

4.5 Consolidation Plan

When a consolidation plan is required, such a plan must be legible and may include the following;

- *The scale, True North, legend and the title “Consolidation Plan”;*

- *The proposed consolidation in respect of the proposed land units;*
- *All existing structures on the properties;*
- *The existing access points;*
- *All servitudes;*
- *The sewerage lines and connection points;*
- *Any significant natural features; and –*
- *All distances and areas to scale.*

4.6 Site Layout Plan

When a site layout plan, an example of which is attached as Annexure C, is required, such a plan must be legible and must include the following;

- *The scale, True North, legend and the title “Site Development Plan”, as well as the number of the plan (amendments to the plan must have subsequent numbers);*
- *All existing/proposed structures on the property(ies);*
- *The existing/proposed access points;*
- *Building lines (zoning scheme and title deed);*
- *Land use planning parameters (coverage, height, floor space, parking etc. according to zoning scheme);*
- *All servitudes;*
- *Contours with at least a one-meter interval or such other interval as may be approved by the Municipality;*
- *1:50 / 1:100 year flood line, if applicable;*
- *The street furniture;*
- *The lamp, electricity and telephone posts;*
- *The electricity transformers and mini-substations;*
- *The storm-water channels and catch pits;*
- *The refuse areas, sewerage lines and connection points;*
- *Detailed parking layout with dimensions;*
- *Any significant natural features; and –*
- *All distances and areas to scale.*

4.7 Street naming and numbering Plan

When a street name and numbering plan is required, such a plan must be legible and must include the following;

- *The scale, True North, legend and the title “Street name and Numbering Plan”;*
- *The location of the proposed land units;*
- *The proposed street names and numbers in respect of the proposed land units;*
- *The existing access points;*
- *All servitudes;*
- *1:50 / 1:100 year flood line, if applicable;*

- *The street furniture;*
- *The lamp, electricity and telephone posts;*
- *The electricity transformers and mini-substations;*
- *The storm-water channels and catch pits;*
- *The sewerage lines and connection points; and -*
- *Any significant natural features.*

5 Additional information required

The following information / documentation may be requested at the discretion of the Municipality (either before or after submission of the application) and can include the following;

- *Copy of Traffic Impact Statement (TIS - if between 50 – 150 peak hr trips) or Traffic Impact Assessment (TIA - if > 150 peak hr trips);*
- *Flood line determination (report / plan);*
- *Copy of the Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) report;*
- *Confirmation of submission of EIA/HIA;*
- *Copy of the Environmental Authorization (EA)/ Record of Decision (ROD);*
- *Services infrastructure report;*
- *Landscaping / Tree plan;*
- *Typical unit types (plan & elevation);*
- *Abutting neighbour consent forms;*
- *Body Corporate / Home Owners Association (HOA) consent;*
- *Home Owners Constitution / architectural guidelines;*
- *Minutes of pre-application consultation meeting;*
- *Confirmation from the Department of Rural Development and Land Reform regarding land claim(s) / restitution claim(s);*
- *Proof of lawful use right;*
- *Additional copies of selected documentation;*
- *Additional motivation; and –*
- *Any other specialist studies, etc.*

GEORGE MUNICIPALITY



APPLICATION FORM FOR APPLICATION SUBMITTED IN TERMS OF THE LAND-USE PLANNING BY-LAW FOR GEORGE MUNICIPALITY

NOTE: Please complete this form using BLOCK capitals and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Marike Hendrika				
Surname	Vreken				
SACPLAN Reg No. (if applicable)	1101				
Company name (if applicable)	Marike Vreken Town Planners				
Postal Address	PO Box 2180				
	Knysna	Postal Code	6570		
Email	marike@vreken.co.za				
Tel	044 382 0420	Fax		Cell	082 927 5310

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

Registered owner	JURA LANDS CC				
Address					
		Postal code			
E-mail					
Tel		Fax		Cell	

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

Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	Portion 79 (a Portion of Portion 12) of the farm Hans Moes Kraal No. 202, situate in the Division of George.					
Physical Address	The existing Jura Care Dementia and Alzheimer's' caring facility is located approximately ten kilometres from George central, and five kilometres from Pacaltsdorp. The property is accessed from the former DR 1591 at approximately the Km1 mark, which is itself accessed from Main Road 349 / Beach Road, Pacaltsdorp. The application area is adjacent to the now defunct Le Grand Gold Estate and is only 4,5km from Herold's Bay, although the Gwayang River separates the application area from Herold's Bay and the Oubaai Golf Estate.					
GPS Coordinates	34° 3'2.33"S and 22°26'56.78"E.		Town/City	George		
Current Zoning	Community Zone III Agricultural Zone I	Extent	42,8269 Ha	Are there existing buildings?	Y	N
Current Land Use	Erf 24941 contains a warehouse used for industrial purposes and Erf 24942 is used as a holding yard for the containers (no permanent structures).					
Title Deed number & date	T28087/1992					
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).			
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies).			
Is the property encumbered by a bond?	Y	N	If Yes, list Bondholder(s)?			
Has the Municipality already decided on the application(s)?	Y	N	If yes, list reference number(s)?			
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use?	Y	N	
Are there any pending court case / order relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?	Y	N	

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?		Y	N	If Yes, please complete the information below and attach the minutes.	
Official's name	Delia Power Ricus Fivaz Clinton Peterson	Reference number	PROPOSED SUBDIVISION OF A PORTION OF PORTION 79 OF THE FARM HANSMOESKRAAL NO 202	Date of consultation	17 SEPTEMBER 2018

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

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

BANKING DETAILS

Name: George Municipality
 Bank: ABSA
 Branch no.: 632005
 Account no.: 01022220981
 Type: Cheque
 Swift Code: ABSAZAJJCPE-SORTCODE 632005
 VAT Registration Nr: 4630193664
 E-MAIL: ronel@george.org.za
 *Payment reference: GRG.....or Erf nr:

PART F: DETAILS OF PROPOSAL

Brief description of proposed development / intent of application:

SEE ATTACHED MOTIVATION REPORT

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

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

Is the following compulsory information attached?					
Y	N	Completed application form	Y	N	Pre-application Checklist (where applicable)
Y	N	Power of Attorney / Owner's consent if applicant is not owner	Y	N	Bondholder's consent

Y	N	Motivation report / letter			Y	N	Proof of payment of fees	
Y	N	Full copy of the Title Deed			Y	N	S.G. noting sheet extract / Erf diagram / General Plan	
Y	N	Locality Plan			Y	N	Site layout plan	
Minimum and additional requirements:								
Y	N	N/A	Conveyancer's Certificate		Y	N	N/A	Land Use Plan / Zoning plan
Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)		Y	N	N/A	Phasing Plan
Y	N	N/A	Consolidation Plan		Y	N	N/A	Copy of original approval letter (if applicable)
Y	N	N/A	Site Development Plan		Y	N	N/A	Landscaping / Tree Plan
Y	N	N/A	Abutting owner's consent		Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)		Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes		Y	N	N/A	Required number of documentation copies
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes		Y	N	N/A	Other (specify)

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

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)				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) (see attached correspondence from DEADP)	Y	N/A		National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008),
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)				National Water Act, 1998 (Act 36 of
Y	N/A	Occupational Health and Safety Act,				

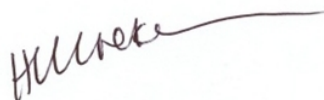
		1993 (Act 85 of 1993): Major Hazard Installations Regulations				1998) (strikethrough irrelevant)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)		Y	N/A	Other (specify)
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				
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.*

Applicant's signature:



Date:

12-11-2018

Full name:

Marike Hendrika Vreken

Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

1101

FOR OFFICE USE ONLY

Date received:

Received by:

Receipt number:

*Date application
complete*

ANNEXURE H:

Copy of Title Deed - T28087/1992

56 Walker, Malherbe, Godley & Field

56 WALKER MALHERBE
GODLEY & FIELD
Attorneys, Notaries & Conveyancers
CAPE TOWN

Prepared by me

[Signature]
Conveyancer
C. A. THERON

VERBIND MORTGAGED	
VIR FOR R 170000,00	
B 31061192	<i>[Signature]</i> REGISTRATEUR/REGISTRAR
12 05 92	

BG 889069980 *2002
GEKANSELLEER CANCELLED
<i>[Signature]</i> REGISTRATEUR/REGISTRAR
2002-10-23

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE

5

T 28087192

DEED OF TRANSFER

BY VIRTUE OF A POWER OF ATTORNEY

Know all Men whom it may concern

/mvd

That SARAH JANE CHAPMAN appeared before me, Registrar of Deeds, Cape Town, she, the said Appearer, being duly authorised thereto by a Power of attorney dated the 23rd January 1992 drawn up at CAPE TOWN and granted to her by

MARGARITA ELIZABETH BOWIE

Identity number 270106 0015 00 6

Widow

which said Power of Attorney witnessed in accordance with Law has been exhibited to me on this day.

[Signature]

DIE IDENTITEITSNUMMER VAN DIE	THE IDENTIFICATION NUMBER OF THE
<i>de</i> <i>de</i>	
IS VERANDER NA	HAS BEEN CHANGED TO
1991 025064 23	
2002-10-23	
REGISTRATEUR/REGISTRAR	

<i>Surety</i> VERBIND MORTGAGED VIR FOR R 500 000,00		BC 02/08 GEKANSELLEER CANCELLED
B 071667/2002	REGISTRATEUR/REGISTRAR	
2002-12-04	03 JUL 2008	
REGISTRATEUR/REGISTRAR		

And that the said Appearer declared that whereas the undermentioned property was truly and legally sold to the undermentioned transferee on 26 August 1991

AND THAT HE the Appearer in his aforesaid capacity did by these presents cede and transfer in full and free property to and on behalf of:-

JURA LANDS CC
CK 91/25064/23

or its Assigns:-

PORTION 79 (a Portion of Portion 12) of the farm
HANS MOES KRAAL NO. 202, situate in the Division
of George;

IN EXTENT: 42,8269 (FORTY TWO COMMA EIGHT TWO
SIX NINE) Hectares

FIRST TRANSFERRED by Deed of Transfer NO. T 12065/1962 with Diagram
No. 8827/61 relating thereto and held by Deed of Transfer No. T
4866/1973;

A. SUBJECT to the conditions referred to in Deed of Transfer No. T
5028/1926;



B. ENTITLED to the benefit of a servitude of Roadway and restriction of the erection of gates thereover, reference whereeto is made in an endorsement, dated 10th April 1954, on Deed of Transfer dated 13th November 1941 No. 11834 reading as follows:-

"By Transfer No. 5225/54 dated 10/4/54 paragraph (1) of the within mentioned property is entitled to the benefit of a Servitude (a) of Private Road 9,45 metres wide across "Craigie Burn A" in extent 57,0307 Hectares, as marked X-Y on Diagram No. A. 4075/30 filed with D/T 1918/34 and (b) restricting the erection of any further gates across the said Private Road other than the two existing ones on the western and eastern boundaries of the said "Craigie Burn A" as will more fully appear on reference to the said Transfer Deed".

For Information Only

Wherefore the Appearer, renouncing all the Right and Title

THE SAID TRANSFEROR

heretofore had to the Premises, on behalf as aforesaid, did in consequence, also acknowledge

THE SAID TRANSFEROR

to be entirely dispossessed of, and disentitled to, the same; and that by virtue of these Presents the said

TRANSFeree

his Heirs, Executors, Administrators, or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom; the State, however reserving its Rights;

and finally acknowledging the said Transferor to be satisfactorily paid the whole of the purchase price amounting to R 450 000,00 (FOUR HUNDRED AND FIFTY THOUSAND RAND)

IN WITNESS whereof I, the said Registrar, 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, in Cape Town, in the Province of the Cape of Good Hope, on the 12 Day of the Month of May in the year of Our Lord One Thousand Nine Hundred and Ninety Two (1992).

S. Chapman
Conveyancer, q.q.

In my presence,

M. L. van der Merwe
Registrar of Deeds.

ANNEXURE I:

Surveyor General Diagram No 8827-1961

OFFICE COPY
KANTOON AFSKRIF

No. 8827/61

Approved

John A. A. A.
Surgeon-General.
2.5-1-1962

SIDES Cape Feet	ANGLE OF DIRECTION	SYSTEM 12 23° CO-ORDINATES	
		X	Y
AB	2123 1	249.56	20 14 + 130000 0 + 1960000 0
2 BC	2081 0	341 2.40	B + 10705 7 + 9611.8
3 CD	2161 2	79 19.30	C + 10025 7 + 11579 9
4 DA	1954 4	162.7 20	D + 12100 0 + 12200 0
5 EC	496 4	161. 2.40	E + 9868 4 + 12049 4

A B C D Concrete beacon 6' x 6' peg 9"
E. 1/4" iron peg under 3' cairn

The figure XYZ represents and
held under the provisions of Act No. 15
of 1881. The remainder is held upon
quadrant tenure

N. 21 19 ()
1 portion of 12 3 1/2
Hans-Mos-Mosel
George N. 202

Scale 1 : 7500

The figure A B C D
represents 50 0004 Morgen of land being

Portion 79 (a portion of Craigie Burn) of the farm Hans Mosel

situate in the Division of George Province of Cape of Good Hope.

Surveyed in September 1961 by me

John A. A. A.
Land Surveyor.

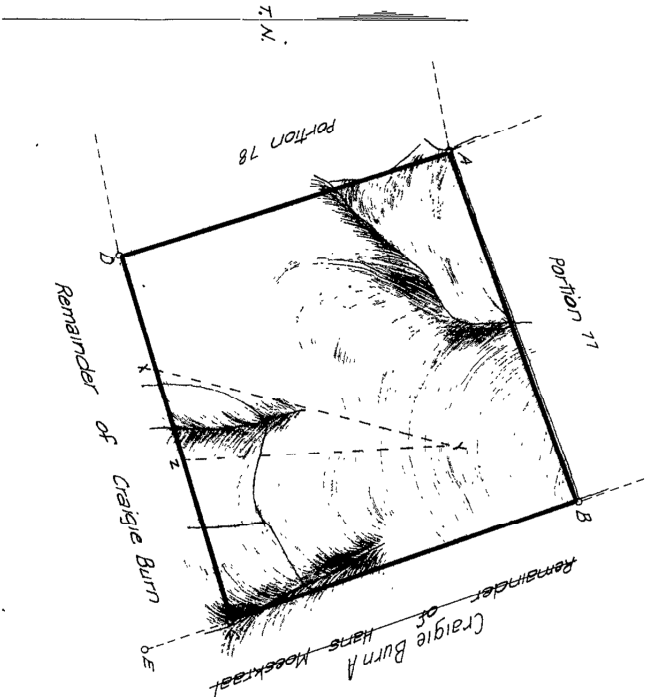
This diagram is annexed to
D/T 1962. 12065

The original diagram is
No. 45450/823 annexed to
D/T 1926 107 5028
File No. 516013
S.R. No. R. 214/61
AL-188
(1486)

Registrar of Deeds.

120 15.4

C 307



ANNEXURE J:

Bond Holder's written permission

26 September 2018

Stads- en Streekbeplanning
George Munisipaliteit

Geagte Mnr / Me

**Onderverdeling Gedeelte 79 (gedeelte van gedeelte 12) van die plaas Hansmoeskraal Nr 202,
George – Jura Lands CC**

Business Partners Ltd as verbandhouer oor bogenoemde eiendom het in beginsel geen beswaar teen die
onderverdeling van die eiendom nie.

Die Uwe


Henry Grobler
Area bestuurder – George
044-873 6112
083 294 5243
hgrobler@businesspartners.co.za



BUSINESS PARTNERS LIMITED

GEORGE

Office 5D

Shamrock Place

97 York Street

George, 6529

PO Box 521

George, 6530

South Africa

T +27 44 873 6112

F +27 44 873 3397

enquiries@businesspartners.co.za

www.businesspartners.co.za

ANNEXURE K:

*Confirmation from DEADP: No NEMA
Authorisation required.*

Marike Vreken

From: Malcolm Fredericks <Malcolm.Fredericks@westerncape.gov.za>
Sent: 27 September 2018 11:17 AM
To: marike@vreken.co.za
Cc: 'Delia Power'; 'Clinton Petersen'; 'Matthys Calitz'; 'Ricus Fivaz'; Christiaan Carstens; 'JuraLands'; 'Hans'; 'Steyn Van Der Merwe'; Jessica P Christie; 'Bianca Lotz'; 'Lindsay Mooiman'; 'Lorraine Malangeni'
Subject: RE: Hansmoeskraal 202/79 - Proposed subdivision Pre-application consultation Meeting

Good Day Marike

We confirm that Activity 12 of Listing Notice 3 of the EIA Regulations is not applicable, as the site earmarked for development does not form part of a CBA or SEA.



Trust you find the above in order.

Regards!

Malcolm Fredericks
Development Management
Environmental Impact Management Services (Region 3)
Department of Environmental Affairs and Development Planning
Western Cape Government

Address: 4th Floor, York Park Building, 93 York Street, George 6530

Tel: 044 805 8611

Fax: 044 805 8650

E-mail: Malcolm.Fredericks@westerncape.gov.za

Website: www.westerncape.gov.za



Be 110% Green. Read from the screen.

From: Marike Vreken [<mailto:marike@vreken.co.za>]

Sent: 18 September 2018 09:39 AM

To: 'Lindsay Mooiman' <LCMOOIMAN@george.gov.za>; 'Lorraine Malangeni' <LXMALANGENI@george.gov.za>

Cc: 'Delia Power' <Delia@george.org.za>; 'Clinton Petersen' <Cpetersen@george.gov.za>; 'Matthys Calitz'

<Mccalitz@george.gov.za>; 'Ricus Fivaz' <Jmfivaz@george.gov.za>; Christiaan Carstens

<Christiaan.Carstens@westerncape.gov.za>; 'JuraLands' <juralands@gmail.com>; 'Hans' <hans@vreken.co.za>;

'Steyn Van Der Merwe' <Svdmerwe@george.gov.za>; Jessica P Christie <Jessica.Christie@westerncape.gov.za>;

Malcolm Fredericks <Malcolm.Fredericks@westerncape.gov.za>; 'Bianca Lotz' <info@vreken.co.za>

Subject: RE: Hansmoeskraal 202/79 - Proposed subdivision Pre-application consultation Meeting

Dear Colleagues,

Thank you for attending the pre-application consultation meeting at George Municipality yesterday.

Attached is the minutes of the meeting. Please read through the minutes and confirm whether you agree with the contents and whether you want anything added / amended.

Should we not receive any comments by Friday the 21st, we will accept that these minutes are correct and use it as such for the subdivision application to be submitted to George Municipality.

Kind regards,
Marike

Stads & Omgewingsbeplanners  MarikeVreken Urban & Environmental Planners	Marike Vreken Pr. Pln 1101 M SAPI 10233 Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 cell. +27 (0)82 927 5310 www.vreken.co.za
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From: Marike Vreken [<mailto:marike@vreken.co.za>]
Sent: 11 September 2018 03:43 PM
To: 'Lindsay Mooiman'; 'Bianca Lotz'; 'Lorraine Malangeni'
Cc: 'Delia Power'; 'Clinton Petersen'; 'Matthys Calitz'; 'Ricus Fivaz'; 'stiaan.carstens@westerncape.gov.za'; 'JuraLands'; 'Hans'; 'Steyn Van Der Merwe'; 'danie.swanepoel@westerncape.gov.za'
Subject: RE: Handmoeskraal 202/79 - Pre-application consultation Meeting

Dear Lindsay,

I am a bit confused – you did accept the electronic invite for Monday the 17th?

This is for the same meeting for the Hansmoeskraal pre-application consultation meeting?

Kind regards,
Marike

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From: Lindsay Mooiman [<mailto:LCMOOIMAN@george.gov.za>]
Sent: 11 September 2018 03:19 PM
To: Bianca Lotz; Lorraine Malangeni
Cc: 'Delia Power'; Clinton Petersen; Matthys Calitz; Ricus Fivaz; stiaan.carstens@westerncape.gov.za; 'JuraLands'; 'Hans'; Steyn Van Der Merwe; danie.swanepoel@westerncape.gov.za; marike@vreken.co.za
Subject: RE: Handmoeskraal 202/79 - Pre-application consultation Meeting

Dear Bianca

I am available on 19 September from 14h00. Alternately on 26/27 September

Regards

Lindsay

From: Bianca Lotz [<mailto:info@vreken.co.za>]
Sent: 11 September 2018 03:04 PM
To: Lorraine Malangeni <LXMALANGENI@george.gov.za>
Cc: Lindsay Mooiman <LCMOOIMAN@george.gov.za>; 'Delia Power' <Delia@george.org.za>; Clinton Petersen <Cpetersen@george.gov.za>; Matthys Calitz <Mccalitz@george.gov.za>; Ricus Fivaz <Jmfivaz@george.gov.za>; stiaan.carstens@westerncape.gov.za; 'JuraLands' <juralands@gmail.com>; 'Hans' <hans@vreken.co.za>; Steyn Van Der Merwe <Svdmerwe@george.gov.za>; danie.swanepoel@westerncape.gov.za; marike@vreken.co.za
Subject: RE: Handmoeskraal 202/79 - Pre-application consultation Meeting

Good Day All

With reference to Marike's email below, please could you confirm if you are available for the requested meeting.

Kind Regards

Bianca

	Bianca Lotz Marike Vreken Town Planners CC PO Box 2180, Knysna, 6570 tel. +27 (0)44 382 0420 fax. +27 (0)86 459 2987 <u>www.vreken.co.za</u>
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From: Marike Vreken <marike@vreken.co.za>
Sent: Thursday, September 06, 2018 10:52 AM

To: 'Lorraine Malangeni' <LXMALANGENI@george.gov.za>; 'Lindsay Mooiman - George Municipality' <lmooiman@george.gov.za>; 'Delia Power' <Delia@george.org.za>; 'Clinton Petersen' <Cpetersen@george.gov.za>; 'Matthys Calitz' <Mccalitz@george.gov.za>; 'Ricus Fivaz' <Jmfivaz@george.gov.za>; 'Stiaan Carstens' <Stiaan.Carstens@westerncape.gov.za>; 'JuraLands' <juralands@gmail.com>; 'Hans' <hans@vreken.co.za>; info@vreken.co.za
Subject: FW: Handmoeskraal 202/79 - Pre-application consultation Meeting

Dear All,

You are hereby requested to please attend a pre-application consultation meeting regarding the proposed subdivision of Portion 79 of the Farm Hansmoeskraal No 202.

I attach the pre-application documentation for your preparation of the meeting.

Date: Monday 17 September

Time: 10h00

Place: George Municipality – Town Planning Department - 5th floor boardroom

Kindly confirm your availability. I will also send out an electronic meeting invite.

Kind regards,
Marike

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From: Lorraine Malangeni [<mailto:LXMALANGENI@george.gov.za>]
Sent: 06 September 2018 08:35 AM
To: marike@vreken.co.za
Subject: Re: Handmoeskraal 202/79

You may then arrange it for 10:00.

From: Marike Vreken <marike@vreken.co.za>
Sent: Thursday, 06 September 2018 8:23:37 AM

To: Lorraine Malangeni
Subject: RE: Handmoeskraal 202/79

Thank you Lorraine,

It is possible at all to move the meeting to 10h00 or 11h00?

We have staff meetings until 09h00 on Mondays, and then I will not be able to drive to George in time.

Hope to hear from you.

Kind regards,
Marike

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From: Lorraine Malangeni [<mailto:LXMALANGENI@george.gov.za>]
Sent: 05 September 2018 03:00 PM
To: marike@vreken.co.za
Subject: Handmoeskraal 202/79

Good day Marike,

Meeting has been confirmed for the 17 the Sep preferably from 09:00 , Delia also suggested that you send out the invite to all necessary officials that needs to attend the meeting. Please note i have booked the venue: 5th floor boardroom.

Regards

Lorraine.

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