

**Menslike Nedersettings, Beplanning en Ontwikkeling  
Human Settlements, Planning and Development**

**Collaborator No.:** 2714992  
**Reference / Verwysing:** Erf 343, Hoekwil  
**Date / Datum:** 12 January 2024  
**Enquiries / Navrae:** Marisa Arries

**Email: [info@scottarchitects.co.za](mailto:info@scottarchitects.co.za)**

SCOTT ARCHITECTS  
UNIT, NO 1. OWEN GRANT STREET  
WILDERNESS  
650

**APPLICATION FOR DEPARTURE (BUILDING LINE RELAXATION): ERF 343, HOEKWIL**

Your application in the above refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for the George Municipality, 2023, for the relaxation of the northern side boundary building line from 30.0m to 27.0m to accommodate an existing extension to the dwelling house on Erf 343, Hoekwil;

**BE APPROVED** in terms of Section 60 of the said By-law for the following reasons:

**REASONS:**

- (i). The existing structure will not have an adverse impact on the surrounding smallholding character of the area, the natural environment or the streetscape.
- (ii). There will be no negative impacts on surrounding neighbours' rights or amenity in terms of views, privacy, and sunlight.
- (iii). The proposed additions form part of residential development and can be accommodated within the property.
- (iv). All the adjacent property owners gave written consent.

Subject to the following conditions imposed of Section 66 of said Bylaw, namely:

**CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT:**

1. That in terms of Section 18(2) of the Land Use Planning By-law for the George Municipality 2023, the approval shall lapse if not implemented within a period of two (2) years from the date it comes in operation.
2. This approval shall be taken to cover only the departure applications as applied for and as indicated on the site layout Plan no.: 58/S06, dated 2023/11/22 and drawn by Scott Architects dated attached as "Annexure A" which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision.

3. A contravention levy of **R36.71** (VAT Included) is payable on the submission of building plans for the unauthorized structures erected over the building lines.
4. The above approval will be considered as implemented on issuing of the occupation certificate in accordance with the approved building plan.

**Note:**

- i. *Building plan must be submitted for consideration in accordance with the National Building Regulations (NBR).*
- ii. *Stormwater run-off from roofs and paved areas must be managed responsibly and is suggested that the stormwater is as far as possible be controlled by capturing it in rainwater tanks or dissipating it into landscape features and surrounding vegetation. Stormwater must be dispersed responsibly, and the stormwater management and erosion prevention measures must be addressed on the building plans.*
- iii. *The pruning or removal of protected indigenous trees or tree clumps requires prior approval from the Department of Forestry, Fisheries and the Environment (DFFE). The applicant to also comply with the National Forestry Act, Act No 84 of 1998.*
- iv. *All fencing or boundary walls erected on the must allow for the free flow of wildlife across the property to the adjoining wildlife corridors.*
- v. *The applicant must make all attempts to prevent light pollution on the property and to prevent spill over onto surrounding properties and public areas, also due to the proximity of areas utilized by fauna. The use of spray or spotlights is not permitted. Only warm coloured lighting with low luminance may be used in external parts of the buildings. Outdoor lighting be screened and designed to point downwards and may not be directed toward river valley areas. The lighting along pathways and tracks must also point downwards and may not extend more than 500mm above the ground. Light spectral quality, light intensity, light direction and light duration must take into consideration the nocturnal elements of the surrounding area and must form part of the development to mitigate the ecological effects of light pollution.*
- vi. *The excessive use of paving and minimalizing paved or areas covered by concrete is not supported as this leads to heat retention and with predicted climate change scenarios this can have substantive effects when considered cumulatively. When used, paving or solid ground covering should comprise light-coloured tones to reduce heat retention.*
- vii. *The design of the dwelling house and outbuildings must incorporate the use of water and energy saving devices such as solar panels, solar geysers, gas stoves, rain-water tanks, greywater harvesting, low flow toilets, aerated taps and shower heads, etc.*
- viii. *No fires may be permitted on site. Adequate fire-fighting equipment must be available on site in good working condition (at least one type ABC-all-purpose 12, 5 kg extinguisher). If in a fire-prone area it is advised that the owner must join the Southern Cape Fire Protection Association Management Unit for the area; with an approved fire management plan compiled in conjunction with the Fire Protection Association.*
- ix. *No kikuyu may be planted as lawn to preserve the natural vegetation. Landowners should apply for any Category 2 alien invasive species on their properties through the National Department.*
- x. *All structures not applied for and/ or not on building plan must be removed/demolished.*
- xi. *The contravention levy was calculated as follows:*  

$$\text{Encroachments} = 8.10\text{m}^2$$

$$\text{Property value: } R1\ 730\ 000/43899\text{m}^2 = R39.41/\text{m}^2$$

$$\text{Contravention} = 10\% \times R39.41/\text{m}^2 \times 8.10\text{m}^2 = R31.92$$

$$\text{VAT @ } 15\% = R4.79$$

$$\text{Total: } R36.71$$

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 Land Use Planning By-Law for George Municipality, 2023.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Human Settlements, Planning and Development, P O Box 19, George, 6530 or Directorate: Human Settlements, Planning and Development, 5th floor, Civic Centre, York Street,

George **on or before 02 FEBRUARY 2024** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

An appeal that is not lodged within the applicable period mentioned above or that does not comply with Section 79 of the Land Use Planning By-Law for George Municipality, 2023, will be deemed invalid in terms of Section 80 of said By-Law.

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

Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully

  
**I. HUYSER**

**ACTING SENIOR MANAGER: TOWN PLANNING**

[https://georgemun-my.sharepoint.com/personal/marries\\_george\\_gov\\_za/Documents/Erf 343. Wilderness\(departure\\_building line relaxation approval\\_scott architects\).docx](https://georgemun-my.sharepoint.com/personal/marries_george_gov_za/Documents/Erf%20343%20Wilderness(departure_building%20line%20relaxation%20approval_scott%20architects).docx)

