



The Municipal Manager  
P O Box 19  
George  
6530

Reference: Ptn 298 of 192

11 March 2024

Sir

**APPLICATION FOR A DEPARTURE FROM CONDITION OF APPROVAL (HEIGHT OF DWELLING HOUSE) AND CONSENT USE (GUESTHOUSE): PORTION 298 OF THE FARM KLEIN KRANTZ 192**

Attached hereto, please find an application in terms of

- Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from condition 3.4 of the approval dated 12 October 2000 which reads as follows

“3.4 Dat die wooneenhede slegs enkelverdiepings mag wees.”

to allow for a double storey dwelling house with a maximum height of 7.963 metres on Portion 298 of the Farm Klein Krantz 192.

- Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for the consent of the George Municipality to use a portion of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192 as a 4-bedroom guesthouse.

Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

**Jan Vrolijk**

**MOTIVATION REPORT**  
**APPLICATION FOR DEPARTURE FROM CONDITION OF APPROVAL (HEIGHT OF**  
**DWELLING HOUSE) AND CONSENT USE (GUESTHOUSE)**  
**PORTION 298 OF THE FARM KLEIN KRANTZ 192**

11 March 2024



Prepared for:

**Andreas Augenbraun**  
Wallfriedsweg 49  
45479 Muelheim an der Ruhr  
Germany

Prepared by:

**Jan Vrolijk Town Planner/Stadsbeplanner**  
Millwood building, C/o York- and Victoria streets,  
George,  
P.O. Box 710, George, 6530  
South-Africa  
Tell: 044 873 3011  
Cell: 082 464 7871  
Fax: 086 510 4383  
SACPLAN Registration No A/1386/2011

## INDEX

### 1. BACKGROUND

### 2. DEVELOPMENT PROPOSAL

### 3. APPLICATION

### 4. PRE-APPLICATION CONSULTATION

### 5. GENERAL INFORMATION REGARDING PORTION 298 OF THE FARM KLEIN KRANTZ 192

- 5.1 Locality
- 5.2 Existing land use
- 5.3 Extent
- 5.4 Existing zoning
- 5.5 Surveyor General Diagram
- 5.6 Title Deed
- 5.7 Power of Attorney
- 5.8 Bondholder's consent
- 5.9 Conveyancer certificate

### 6. DESIRABILITY OF THE APPLICATION FOR CONSENT USE (GUESTHOUSE) ON PORTION 298 OF THE FARM KLEIN KRANTZ 192

- 6.1 Introduction
- 6.2 Physical characteristics of the property
  - 6.2.1 Topography
  - 6.2.2 Surface conditions
  - 6.2.3 Vegetation

#### 6.2.4 Other characteristics

#### 6.2.5 Conclusion

### 6.3 Proposed land use

### 6.4 Compatibility of proposal with existing planning documentation and policies

#### 6.4.1 Introduction

#### 6.4.2 Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)

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

#### 6.4.4 Western Cape Provincial Spatial Development Framework (WC PSDF)

##### 6.4.4.1 Introduction

##### 6.4.4.2 Protection of agricultural land

##### 6.4.4.3 Urban edge

##### 6.4.4.4 Densification

##### 6.4.4.5 Tourist accommodation

##### 6.4.4.6 Self-sufficiency

##### 6.4.4.7 Summary

#### 6.4.5 George Spatial Development Framework, 2023

#### 6.4.6 Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015

#### 6.4.7 George Integrated Zoning Scheme By-Law, 2023

#### 6.4.8 Title Deed

#### 6.4.9 Conclusion

### 6.5 Compatibility of proposal with character of area

### 6.6 Compatibility of proposal with natural environment of the property

### 6.7 Potential of the property

### 6.8 Access to the property

### 6.9 Provision of parking

### 6.10 Provision of services



## **7. DESIRABILITY OF APPLICATION FOR PERMANENT DEPARTURE (HEIGHT OF THE DWELLING UNIT) ON PORTION 298 OF THE FARM KLEIN KRANTZ 192**

- 7.1 Introduction
- 7.2 Existing planning in the area
- 7.3 Impact on schools, open spaces and other community facilities
- 7.4 Impact on streetscape
- 7.5 Impact on sunlight, view and privacy
- 7.6 Impact on property values
- 7.7 Impact on provision of parking
- 7.8 Impact on traffic circulation
- 7.9 Provision of services

## **8. CONCLUSION**

## ANNEXURES

**Annexure "A":** Approved building plans dated 6 November 2023

**Annexure "B":** Exemption of OSCAE permit requirements

**Annexure "C":** Email dated 6 November 2023

**Annexure "D":** Municipal approval dated 12 October 2000

**Annexure "E":** Email dated 1 December 2023

**Annexure "F":** Email dated 19 December 2023

**Annexure "G":** Proposed building plans for dwelling house

**Annexure "H":** Proposed site plan

**Annexure "I":** Municipal application form

**Annexure "J":** Locality plan

**Annexure "K":** Surveyor General Diagram

**Annexure "L":** Title Deed

**Annexure "M":** Power of Attorney

**Annexure "N":** Conveyancer Certificate

**MOTIVATION REPORT**  
**APPLICATION FOR DEPARTURE FROM CONDITIONS OF APPROVAL (HEIGHT OF DWELLING HOUSE) AND CONSENT USE (GUESTHOUSE)**  
**PORTION 298 OF THE FARM KLEIN KRANTZ 192**

**1. BACKGROUND**

Building plans for a dwelling house to be erected on Portion 298 of the Farm Klein Krantz 192 was approved by the George Municipality on 6 November 2023. A copy of approved building plans is attached hereto as **Annexure “A”**. In terms of the approved building plan a portion of the proposed dwelling house will consist of a double-storey section with a maximum height of 7.963 metres above the natural ground level.

A letter whereby it is confirmed that the proposed building works are exempt from the required OSCAE permit process is attached hereto as **Annexure “B”**.

On 6 November 2023 the architect (Pierre Durandt) responsible for the design of the dwelling house received an email from Clinton Petersen, Senior Manager: Town Planning of the Directorate Human Settlement, Planning and Development of the George Municipality drawing the attention of the architect to an approval which has been issued by the George Municipality for this specific property on 3 November 2016. A copy of the email is attached hereto as **Annexure “C”** whilst a copy of the mentioned approval letter dated 12 October 2000 is attached hereto as **Annexure “D”**.

In terms of the email, it was pointed out that in terms of the approval dated 12 October 2000 the following condition was laid down with regards the height of any building allowed on the property:

*“3.4 Dat die wooneenhede slegs enkelverdiepings mag wees.”*

The email of 6 November 2023 was issued after the building plans have already been approved and building works have commenced. This is confirmed by the Senior Manager in an email dated 1 December 2023. The email of 1 December 2023 is attached hereto as **Annexure “E”**. In terms

of the email dated 1 December 2023 the architect and the owners were informed that the approved building plans did not comply with the abovementioned height restriction condition.

Following meetings and discussions between the owners, the architect and the Senior Manager and further discussions between the Senior Manager and the George Municipality's Legal Department an email dated 19 December 2023 was received from the Senior Manager advising the owner as follows:

1. *The owners will be permitted to submit the required land use application within the next 30 days to depart from the 1 storey height restriction applicable to the property.*
2. *The owners must confirm their intension to submit the required application within the next 14 days.*
3. *The owners must note and accept that submitting the application in no way means that the Municipality is condoning the incorrectly approved building plan and there is also no guarantee of the application being approved.*
4. *The owners may continue to construct the part of the house that is not in conflict with the condition of approval, i.e., the ground floor area only.*
5. *The owners must give an undertaking in writing that they will not construct the 1<sup>st</sup> floor of the house until the outcome of the land use application is known / confirmed.*
6. *Said undertaking must also be submitted to the Municipality within the next 14 days.*
7. *The owners must note that should they not agree to- or fail to comply with the above, the Municipality will be obliged to approach the court for an interim interdict to stop all building work on the property pending the outcome of the required land use application.*

A copy of the abovementioned email dated 19 December 2023 is attached hereto as **Annexure "F"**.

Jan Vrolijk Town Planner/Stadsbeplanner has since been appointed by the owners to apply for a departure from condition 3.4 of the approval dated 12 October 2000 to allow for a double storey dwelling house with a maximum height of 7.963 metres on Portion 298 of the Farm Klein Krantz 192.

## 2. DEVELOPMENT PROPOSAL

In terms of the approved building plans for the dwelling house to be erected on Portion 298 of the Farm Klein Krantz 192, a dwelling house with a total floor area of 1 280m<sup>2</sup> is proposed. The dwelling house is to be constructed over two storeys with the ground floor having an area of 629 m<sup>2</sup> with an open patio of 103m<sup>2</sup>. The upper floor will have a floor area of 250m<sup>2</sup> with an open patio of 222m<sup>2</sup>. A separate carport with as size of 76m<sup>2</sup> located to the north of the dwelling house and a swimming located to the south of the dwelling house is also proposed.

The eastern section dwelling house will consist on ground floor level of an open plan kitchen, dining area, tv room, living room and braai area with a pantry, storeroom and guest toilet also provided in this area. A double garage also forms part of this section.

The western section of the ground floor level of the dwelling house will consist of 4 guest suites each with their own on-suite bathroom.

The second storey of the dwelling house will be located on top of the eastern section of the dwelling house and will consist of the main bedroom, a second bedroom and a living area. A balcony is also proposed at this level.

The building plans for the proposed dwelling house, patios and outbuildings are attached hereto as **Annexure "G"**.

The proposed dwelling house will partially consist of two storeys and have a height of 7.963 metres thus exceeding the 1 storey height restriction as per condition 3.4 of the approval dated 12 October 2000.

Section AA scale 1:100

It is also the intention of the owners of the dwelling house to use the four bedrooms in the western wing of the dwelling house as guestrooms, hence the application for the consent of the George Municipality to allow for a portion of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 198 to be used as a four-bedroom guesthouse. The 4 guestrooms are also indicated on the building plans attached hereto as **Annexure “G”**.

### 3. APPLICATION



- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from condition 3.4 of the approval dated 12 October 2000 which reads as follows

*“3.4      Dat die wooneenhede slegs enkelverdiepings mag wees.”*

to allow for a double storey dwelling house with a maximum height of 7.963 metres on Portion 298 of the Farm Klein Krantz 192.

- Application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for the consent of the George Municipality to use the western wing of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192 as a 4-bedroom guesthouse.

A site plan indicating the locality of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192 is attached hereto as **Annexure “H”**. Building plans indicating the proposed details of the dwelling house to be constructed on the property is attached hereto as **Annexure “G”**.

The completed application form for the departure of the conditions of approval dated 3 November 2016 and consent use to use a portion of the proposed dwelling house as a guest house is attached hereto as **Annexure “I”**.

#### **4. PRE-APPLICATION CONSULTATION**

A pre-application consultation was not requested as the proposal entails a departure from a condition of approval and a consent use for a 4-bedroom guesthouse. This is in line with the e-mailed directive in this regard to various consultants by the Municipal Town Planners, which was issued by e-mail dated 10 May 2022.

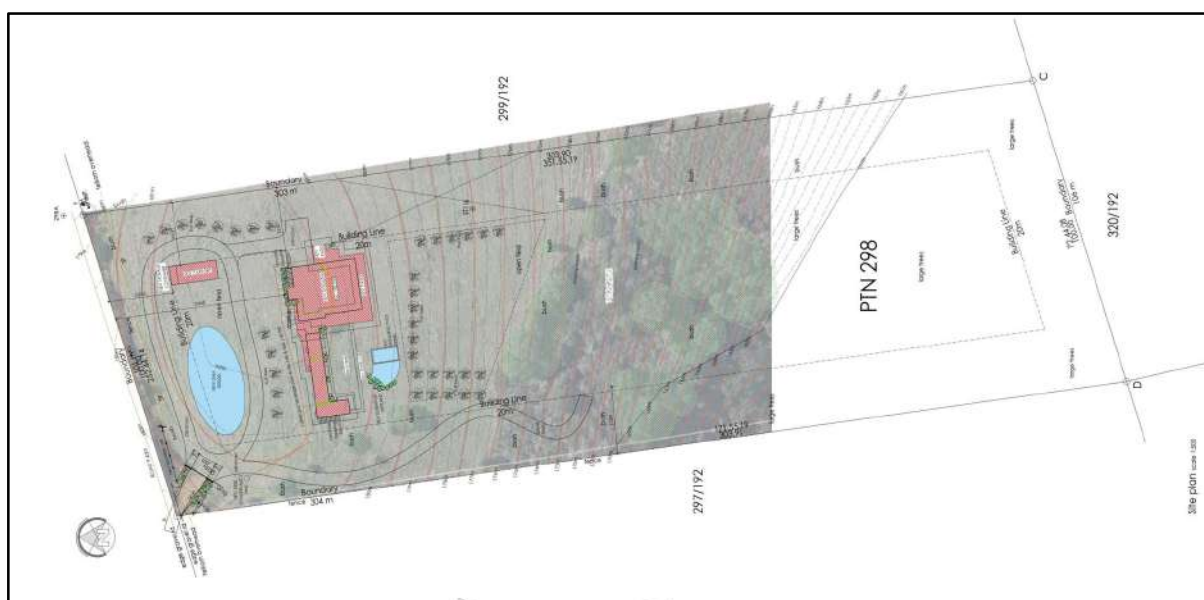
#### **5. GENERAL INFORMATION REGARDING PORTION 298 OF THE FARM KLEIN KRANTZ 192**

##### **5.1 Locality**

Portion 298 of the Farm Klein Krantz 192 is situated on the southern side of Olifantshoek Road to the south-east of the area known as Hoekwil. The locality of the portion is indicated on the locality plan which is attached hereto as **Annexure “J”**.

## 5.2 Existing land use

The dwelling house is at present being constructed on a portion of the property. The remainder of the property is vacant. The position of the proposed dwelling unit in relation to all the erf boundaries is indicated on the site plan below. As is clear from the site plan the proposed dwelling unit will comply with the 20-metre building line applicable to the property.



The site plan is also attached hereto as **Annexure “H”**.

## 5.3 Extent

Portion 298 of the Farm Klein Krantz 192 is 3,0000 hectares in extent.

## 5.4 Existing zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023, the zoning of Portion 298 of the Farm Klein Krantz 192 is Agricultural Zone II (Smallholdings).

### **5.5 Surveyor General Diagram**

A copy of the Surveyor General Diagram of Portion 298 of the Farm Klein Krantz 192 is attached hereto as **Annexure “K”**.

### **5.6 Title Deed**

Portion 298 of the Farm Klein Krantz 192 is registered in the name of Andreas Augenbraun. A copy of the Title Deed of the property, Title Deed No. T9527/2022 is attached hereto as **Annexure “L”**.

### **5.7 Power of Attorney**

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Andreas Augenbraun, the registered owner of Portion 298 of the Farm Klein Krantz 192, to prepare the applications referred to in point 3 above and to sign all relevant documents is attached hereto as **Annexure “M”**.

### **5.8 Bondholder's Consent**

Portion 298 of the Farm Klein Krantz 192 is not encumbered by a bond.

### **5.9 Conveyancer Certificate**

A Conveyancer Certificate in respect of the Portion 298 of the Farm Klein Krantz 192 is attached hereto as **Annexure “N”**. The Conveyancer Certificate confirms that there are no conditions in the Title Deed of the property which restricts the development of the erf as proposed in this application.

## **6. DESIRABILITY OF THE APPLICATION FOR CONSENT USE (GUESTHOUSE) ON PORTION 298 OF THE FARM KLEIN KRANTZ 192**

### **6.1 Introduction**

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

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

It will be indicated in the following paragraphs that the proposed guest house can be regarded as being desirable as far as the mentioned aspects are concerned.

### **6.2 Physical characteristics of the property**

#### **6.2.1 Topography**

The portion of the property where the dwelling house is at present being constructed is fairly flat. From the sections which form part of the building plan submission it is clear that the topography of the property had been considered in the design of the proposed building. The topography will thus not have a negative impact on the development as proposed and therefore, does not restrict the proposed consent use as applied for in this application.

#### **6.2.2 Surface conditions**

Little information concerning the soil conditions in the area is available. The soil condition of the property seems stable. The soil conditions prevailing on the property have furthermore been considered in the design of the proposed dwelling house. It can therefore be accepted that the soil condition is suitable to accommodate the development as proposed.

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

### 6.2.3 Vegetation

The area where the dwelling house is being constructed as well as the immediate area surrounding the dwelling unit consists of veld grass with no trees or shrubs located in this area. The fact that the building plan submission has been exempted from the OSAE process clearly indicates that there is no sensitive vegetation found in the area where the dwelling house is constructed and where the guestrooms are thus to be located.

No sensitive vegetation will thus be impacted upon by the development proposal.

### 6.2.4 Other characteristics

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

### 6.2.5 Conclusion

From the contents of the above-mentioned paragraphs, it is clear that there is no reason from a physical characteristics point of view why the application for consent use for a four-bedroom guesthouse cannot be supported.

## 6.3 Proposed land use

The property is zoned Agricultural Zone II and will be used, once the dwelling unit and guestrooms are completed, for rural residential purposes as well as a four-bedroom guesthouse.

A guesthouse is permitted on the property as a consent use in terms on the property in terms of the George Integrated Zoning Scheme By-law, 2023.

## **6.4 Compatibility of the development proposal with existing planning documentation and policies**

### **6.4.1 Introduction**

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

### **6.4.2 "Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)"**

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

- "Spatial justice"
- "Spatial sustainability"
- "Spatial efficiency"
- "Spatial resilience"
- "Good administration"

Different development principles are identified under each of the 5 abovementioned principles which must be applied when a land use application is to be evaluated. The proposed application for consent use for a four-bedroom guesthouse will subsequently be evaluated on each of the principles.

Spatial justice		
Criteria	Compliance	Planning Implication



Past spatial and other development imbalances must be redressed through improved access to and use of land.	Complies with.	This application will result in an undeveloped property being developed with a dwelling house which will be partially used as a four-bedroom guesthouse. In terms of the development proposal four bedrooms in the proposed dwelling house will be used for housing guests which means that tourists will gain access to accommodation facilities in the tourism-oriented Wilderness. The property will thus be developed to its full potential.
Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation.	Complies with.	George Municipality approved a Spatial Development Plan for George, 2023 and a Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015. The Spatial Development Frameworks contain development proposals which are aimed at improving the quality of life of all the inhabitants of George, thus creating the opportunity for approval of this application.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all properties in respect of type of structure allowed, land uses and building lines. These parameters enable the development as proposed in this application.
Land use management systems must include all areas of a municipality and especially include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homelands areas.	Complies with.	George Municipality approved the George Integrated Zoning Scheme By-Law, 2023, which contains zoning- and development parameters which guide the development of all properties in respect of type of structure allowed, land uses and building lines. These parameters enable the development as proposed in this application.

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

Spatial sustainability		
Criteria	Compliance	Planning Implication
Promote land development that is within the fiscal, institutional and administrative means of the Republic.	Complies with.	The proposed four-bedroom development proposal that forms the subject of the application is furthermore located within the area of Wilderness earmarked for smallholdings in terms of the George Spatial Development Framework, 2023. In terms of the Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015 guesthouses are land uses that can be allowed within the Wilderness – Lakes – Hoekwil area. The proposed guesthouse will furthermore have no impact on the fiscal, institutional or administrative capabilities of the George Municipality. The George Municipality's income base will in fact be broadened through this development proposal.
Ensure that special consideration is given to the	Not applicable.	Portion 298 of the Farm Klein Krantz 192 is zoned as indicated in point 5.4

protection of prime and unique agricultural land.		of this Motivation Report. The purpose of this zoning is to make provision for properties that can be used as places of residence for people who seek a rural lifestyle. This property has up to date never been utilized for agricultural purposes and it is also not the intention to use it in the future for agricultural. The property has been purchased for rural residential purposes and will be used as proposed. No unique agricultural land will thus be lost as a result of this application and this proposal does thus not sterilize any land currently used for agricultural purposes. The size of the property is furthermore of such a nature that it cannot be economically farmed.
Uphold consistency of land use measures in accordance with environmental management instruments.	Not applicable.	The proposed development does not trigger any environmental activities listed in terms of National Environmental Management Act, 1998 (Act 107 of 1998). The property is however located within an area which is controlled by the Outeniqua Sensitive Coastal Extension Regulations (OSCAE). A letter whereby it is confirmed that the proposed building works and as such the guesthouse are exempt from the required OSCAE permit process is attached hereto as <b>Annexure "B"</b> .
Promote and stimulate the effective and equitable functioning of land markets.	Complies with.	The proposed guestrooms will be located in the western wing of the proposed dwelling house. The northern, western and southern portions of the property are screened from the properties to the north, west and west there-off by extensive vegetation. The dwelling house and guestrooms will thus not be visible from the north, west and south. The portion of the dwelling house to be erected to the east of the guestrooms will be screened from the eastern property by virtue of the eastern

		portion of the dwelling house. Vegetation along the eastern boundary of the erf will further screen the guestrooms from this eastern boundary. The guestrooms will as such also not be visible from the east. The proposal will as such have no impact on the property values of any adjoining property.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Complies with.	All infrastructure required for the development will be provided by the developer at his cost in accordance with municipal requirements.
Promote land development in locations that are sustainable and limit urban sprawl.	Complies with.	The application erf is situated within the area in Wilderness which is earmarked for smallholdings. Guesthouses may be permitted on a smallholding with the consent of the George Municipality. The proposed development will, therefore, not result in urban sprawl.
Result in communities that are viable.	Complies with.	The proposed development will have a positive impact on surrounding property values due to the fact that it will be developed with a dwelling house and associated gardens. An unkept property will thus be improved which will contribute to the upgrading of the area, which could result in increasing property values in the vicinity. This could result in additional income for the Municipality, which in turn could be used to improve the quality of living of all the inhabitants.

Spatial efficiency		
Criteria	Compliance	Planning Implication

Land development optimises the use of existing resources and infrastructure.	Complies with.	The required infrastructure for the proposed development is provided by the developer at his costs. The proposal will thus not result in infrastructure costs to any external parties. The proposal will thus not place any burden on municipal budget for the provision services infrastructure.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Complies with.	In terms of the contents of this Motivation Report the proposed development will have no negative financial, social, economic or environmental impacts. The proposal will in fact have a positive effect on the surrounding area. It will thus be possible to comply with any procedures which the George Municipality has designed to minimise negative financial, social, economic or environmental impacts.
Development application procedures are efficient and streamlined and timeframes are adhered to by all parties.	Complies with.	George Municipality has adopted the George Municipality: Land Use Planning By-Law, 2023 which prescribes procedures and time frames developers must comply with when submitting land use applications, and which officials must consider when considering applications. This application has been prepared in accordance with the stipulations of the George Municipality: Land Use Planning By-law, 2023 and the application will therefore be managed and considered in accordance with the time frames as prescribed.

Spatial resilience		
Criteria	Compliance	Planning Implication

Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.	Complies with.	The application erf is situated within an area of Wilderness indicated for smallholdings in the George Spatial Development Framework, 2023 and is used for such purposes. In terms of the Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015 guesthouses are land uses that can be allowed within the Wilderness – Lakes – Hoekwil area.
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Good administration		
Criteria	Compliance	Planning Implication
All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act.	This is a general principle that municipalities need to comply with.	Input was received from all spheres of government when the George Spatial Development Framework was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus followed in the preparation of the George Spatial Development Framework as well as the Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015. As the development proposal can be deemed to comply with the contents of the George Spatial Development Framework, 2023, it can be stated that the proposal complies with this specific criterion.
All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.	This is a general principle that municipalities need to comply with.	Input was received from all government departments and sectors when the George Spatial Development Framework, 2023 and the Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015 was drafted. An integrated approach, guided by the spatial planning and land use management systems as embodied in this Act, was thus



		<p>followed in the preparation of the George Spatial Development Framework. As it can be deemed that the development proposal complies with the contents of the George Spatial Development Framework, 2023, and the Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015 it can be stated that the proposal complies with this specific criterion.</p>
<p>The requirements of any law relating to land development and land use are met timeously.</p>	<p>This is a general principle that municipalities need to comply with.</p>	<p>The George Municipality has adopted the George Municipality: By-law on Land Use Planning, 2023 which prescribes procedures and timeframes which developers must adhere to when submitting land use applications and which officials needs to take into consideration when considering applications. This application has been prepared in keeping with the requirements as per the George Municipality: By-law on Land Use Planning, 2023 and the application will from date of submission be dealt with and be considered within the timeframes prescribed in the by-law.</p>
<p>The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.</p>	<p>This is a general principle that municipalities need to comply with.</p>	<p>This application will be advertised in accordance with the stipulations as contained in the George Municipality: By-law on Land Use Planning, 2023. All parties will be given the opportunity to participate in the public participation process and will be afforded the opportunity to provide input on the application.</p>
<p>Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.</p>	<p>This is a general principle that municipalities need to comply with.</p>	<p>The George Municipality: By-law on Land Use Planning, 2023 contains clear procedures set in order to inform and empower members of the public. This application will be subjected to these procedures.</p>

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

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

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

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

- 19(1) *If a spatial development framework or structure plan specifically provides for the utilization or development of land as proposed in a land use application or a land development application, the proposed utilization or development is regarded as **complying** with that spatial development framework or structure plan.*
- 19(2) *If a spatial development framework or structure plan does not specifically provide for the utilization or development of land as proposed in a land use application or a land development application, but the proposed utilization does not conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilization or development is regarded as being **consistent** with that spatial development framework or structure plan.”*

The compatibility of the development proposal with existing spatial development frameworks is addressed in points 6.4.4 to 6.4.6 of this report.

The development principles referred to in Section 59 of LUPA, which should also be considered when motivating an application, are directly in line with the principles of SPLUMA which have been discussed in detail in point 6.4.2 above. The comments in point 6.4.2 are thus also relevant as far as Section 59 of LUPA is concerned.

#### 6.4.4 Western Cape Provincial Spatial Development Framework (WC PSDF)

#### 6.4.4.1 Introduction

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

In terms of the framework, several principles are mentioned, namely spatial justice, spatial sustainability, spatial resilience, spatial efficiency, accessibility and quality of life and good administration that spatial planning must comply with. The impact of the application on spatial justice, spatial sustainability, spatial resilience, spatial efficiency, has already been fully discussed in point 6.4.2 above and it has been shown that the proposed development complies with the relevant mentioned principles.

Several policy statements are also highlighted in terms of the WC PSDF which must specifically correlate with the mentioned principles. Some of the policy statements that are relevant to this town planning application will be addressed in the following points.

#### 6.4.4.2 Protection of agricultural land

In terms of the WC PSDF, it is indicated that agricultural land must be protected. Portion 298 of the Farm Klein Krantz 192 is zoned Agricultural Zone II and is situated in an area earmarked for smallholdings. The erf, as well as the surrounding erven, are used for rural residential purposes and not for large scale agricultural purposes. The four guestrooms form part of the western wing of the dwelling unit. This objective of the WC PSDF is therefore not relevant to this application.

#### 6.4.4.3 Urban edge

The WC PSDF provides for a guideline which determines that towns should identify an urban edge and that development should be restricted to areas inside the urban edge. The George Municipality identified an urban edge, and the application erven falls outside the identified urban edge. The application erf is situated within the area in Wilderness which is earmarked for

smallholdings. Guesthouses may be permitted on a smallholding with the consent of the George Municipality. The proposed development will, therefore, not result in urban sprawl.

#### 6.4.4.4     **Densification**

In terms of the WC PSDF, higher densities and more compact cities must be created. It is indicated that densification has the following benefits:

- *The ability to walk to several different destinations on foot;*
- *Improve surveillance and security;*
- *Employment and retail opportunities within easy distance;*
- *Vibrant and active streetscape.*

The application erf is situated in an area indicated for smallholdings which serve as a place of residence for people seeking a rural lifestyle and for limited agricultural use. Guesthouses could be allowed on smallholdings to afford the owners or occupants the opportunity to earn a living from the land.

It is therefore clear that the purpose of the smallholding area is not to stimulate densification. This objective of the WC PSDF is therefore not relevant to this application.

#### 6.4.4.5     **Tourist accommodation**

It is the intention to use four bedrooms in the dwelling house for the accommodation of guests. It is the intention of the owners to earmark the guestrooms towards overseas tourists visiting the Southern Cape.

From the extract below it is clear that the WC PSDF recognizes the important role tourism plays within the Western Cape Province.

*“By the year 2010 the Western Cape will be recognized as a premier international destination for commerce and tourism based upon achievement of excellence in nature conservation and*

*utilization, preservation of heritage, technological advancement, development of contemporary culture and strength of civic pride.”*

The WC PSDF identifies a number of "Tourism Development Areas" and George-Mossel Bay-George is in this document identified as an area with potential for tourist development. According to the WC PSDF tourism plays an important role in the development of the province.

The proposal will enable the owners to develop guest accommodation that focuses on tourism. The proposal can thus be regarded as being compatible and in keeping with the guidelines of the WC PSDF.

#### 6.4.4.6 Self-sufficiency

Another important guideline requires that any proposed development must be self - sufficient, as: *“the development needs of the present generations should be met without the ability of future generations to meet their own needs, being compromised.”* The development proposed in this application will be self – sufficient and will place no financial burden on present – or future inhabitants of George.

#### 6.4.4.7 Summary

The framework does not go to the detail level of individual erven and therefore does not contain further information, other than the abovementioned compliance with the urban edge and self-sufficiency, which could be used to determine whether this application falls within the stipulations of the framework. From the content of point 6.4.4 it seems clear that the application can indeed be considered compatible with the WC PSDF.

#### 6.4.5 George Spatial Development Framework, 2023

Portion 298 of the Farm Klein Krantz 192 is located within the study area of the George Spatial Development Framework, 2023 and this framework therefore applies to this application. In terms of the framework, the application erf is not located within the Urban Edge. The area where the application erf is situated, is indicated as a “smallholding” area in Table 3.1.2 *“The Built*

*Environment: Human Settlements*” on Page 34 of the George Spatial Development Framework, 2023.

Except for the indication that the application erf falls outside the Urban Edge of George and in an area indicated for smallholdings, the George Spatial Development Framework, 2023, contains no specific future development proposals for this area which could be used to evaluate the compatibility of a land use application with the Spatial Development Framework.

#### 6.4.6 Wilderness – The Lakes – Hoekwil Local Spatial Development Framework, 2015

The application erf is located within the study area of the Wilderness-Lakes-Hoekwil Local Spatial Development Framework, 2015 (WLH LSDF) which indicates the Council’s spatial development vision for the area concerned. Portion 298 of the Farm Klein Krantz 192 is situated within the area indicated for “smallholding” development in the mentioned Local Spatial Development Framework (LSDF). The existing demarcated smallholding area will not be extended as a result of this application.

Portion 248 of the Farm Klein Krantz 192 is zoned Agricultural Zone II and is earmarked as a smallholding. The following extract from the above-mentioned WLH LSDF gives an indication of land uses that are deemed suitable on smallholdings:

*“The following land is considered to be appropriate on small holdings as a primary right: small scale agriculture, dwelling house, home occupation.*

*The smallholdings are not only places of residence and small-scale agriculture. These activities, however, should be sensitive to the unique character of the smallholding area. Section 4.2: riding school, plant nursery, commercial kennel, intensive animal farming, intensive horticulture, subject to these activities not causing excessive water usage, undue noise, light pollution, effluent generation or odors.*

*In addition to the primary rights the smallholding area should also cater for certain tourist facilities, such as second dwelling units, guest houses, bed and breakfast establishment, tourist*



*facilities, also subject to these activities not causing excessive water usage, undue noise, light pollution, effluent generation or odors.”*

According to the WLH-LSDF, a guesthouse as proposed can be allowed on smallholdings within the rural area surrounding Wilderness. In this particular case no departures are applied for and the development falls within the provisions of the George Integrated Zoning Scheme By-Law, 2023 and it is therefore argued that the proposal complies with the provisions of the WLH-LSDF. From the contents of this point it is, however, clear that the proposed four-bedroom guesthouse as proposed in this application can be regarded as being in keeping and compatible with the Wilderness – The Lakes – Hoekwil Local Spatial Development Framework, 2015 and can be supported.

#### 6.4.7 George Integrated Zoning Scheme By-Law, 2023

Portion 298 of the Farm Klein Krantz 192 is zoned Agricultural Zone II in terms of the George Integrated Zoning Scheme By-Law, 2023. The primary land use right allowed in terms of this zoning is “*Smallholding*”.

The land use description “*smallholding*” includes inter alia a “dwelling house”. In terms of the mentioned By-law a guesthouse consisting of a maximum of 6 guestrooms may be operated from a dwelling house with the consent of the George Municipality. As stated in this motivation report it is the intention to use the four bedrooms located in the western wing of the proposed dwelling unit for guesthouse purposes.

The portion of the dwelling house that is to be used for guesthouse purposes complies with all the land use parameters applicable to a guesthouse and no departures are required to allow for the western wing of the proposed dwelling house to be used as a four-bedroom guesthouse. The owners will reside in the remainder of the dwelling unit from where the guesthouse will be managed.

The proposed four-bedroom guesthouse is thus a land use that may be permitted on an Agricultural Zone II zoned property with the consent of the George Municipality.

#### 6.4.8 Title Deed

Although the title deed of a property is not a planning document, it sometimes still contains conditions which may have an essential impact on the development potential of a property. The title deed of Portion 298 of the Farm Klein Krantz 192 was scrutinised, and it was found that it contains no conditions prohibiting the consent uses as proposed.

#### 6.4.9 Conclusion

From the above information it is clear that the application for the consent of the George Municipality to use four bedrooms, forming part of the proposed dwelling house to be constructed on the property, for guesthouse purposes can be regarded to be compatible with the mentioned Planning Polices and Planning Guidelines and can as such be considered desirable.

### 6.5 Compatibility of the proposal with the character of the area

The area surrounding the property is indicated on the aerial photo below.



From the aerial photo it is clear that the surrounding small holdings have been developed with dwelling units used as places of residence for people seeking a rural lifestyle. No agricultural activities are found in this area and the properties are extensively covered with alien and indigenous vegetation. Because of the size of the properties and the fact that the properties are extensively overgrown with indigenous and alien vegetation, the dwelling units that exists on the developed portions are well screened off from each other and have as such no effect on each other.

The proposed guestrooms will be located in the western wing of the proposed dwelling house. The northern, western and southern portions of the property are screened from the properties to the north, west and west there-off by extensive vegetation. The dwelling house and guestrooms will thus not be visible from the north, west and south. The portion of the dwelling house to be erected to the east of the guestrooms will be screened from the eastern property by virtue of the eastern portion of the dwelling house. Vegetation along the eastern boundary of the erf will further screen the guestrooms from this eastern boundary. The guestrooms will as such also not be visible from the east. The dwelling house is furthermore screened from Olifantshoek Road by vegetation and will as such also not be visible from this road.

The proposed guesthouse will as such have no changing impact on the character of this specific area.

## **6.6 Compatibility of the proposal with the natural environment of the property**

The area where the dwelling house and as such the guestrooms are being constructed as well as the immediate area surrounding the dwelling house and guestrooms consists of veld grass with no trees or shrubs located in this area. The proposed development does not trigger any environmental activities listed in terms of National Environmental Management Act, 1998 (Act 107 of 1998).

The property is however located within an area which is controlled by the Outeniqua Sensitive Coastal Extension Regulations (OSCAE). The fact that the building plan submission has been exempted from the OSAE process clearly indicates that there is no sensitive vegetation found in the area where the dwelling house is constructed and where the guestrooms are thus to be

located. A copy of the letter whereby it is confirmed that the proposed building works and as such the guesthouse is exempted from the required OSCAE permit process is attached hereto as **Annexure “B”**.

No sensitive vegetation will thus be impacted upon by the development proposal.

### **6.7 Potential of the property**

Portion 298 of the Farm Klein Krantz 192 is zoned Agricultural Zone II in terms of the George Integrated Zoning Scheme By-Law, 2023. In terms of this zoning, the erf may, inter alia, be used for the purposes of a dwelling house and a guesthouse with the consent of the George Municipality. The guesthouse, as proposed in this application, will unlock the potential of the property without having a negative influence on the character of the area concerned.

### **6.8 Access to the property**

Portion 298 of the Farm Klein Krantz 192 is situated to the south of Olifantshoek Road, a gravel road, in the eastern extent of Hoekwil. This width of the road is such that it allows for two-way traffic. It is furthermore in a fair condition. The existing access to the property will also be used as the access to the guestrooms. Visibility in both directions into Olifantshoek Road is good. Access to the property is thus of a good standard.

### **6.9 Provision of parking**

The parking requirements applicable to different land uses are set out in a table in Section 42 of the George Integrated Zoning Scheme By-Law, 2023. Two parking bays are required for the dwelling house whilst one parking bay is required per guestroom. Six parking bays must thus be provided on the property. The dwelling house will be provided with its own double garage whilst the proposed carport will house the 4 parking bays required for the 4 guestrooms. The parking requirements will thus be met on site.

### **6.10 Provision of service**

The required infrastructure for the proposed development will be provided by the developer at his cost. The guesthouse as proposed in this application will thus not result in infrastructure costs to any external parties.

The proposal will thus not place any burden on municipal budget for the provision services infrastructure.

## **7. DESIRABILITY OF APPLICATION FOR PERMANENT DEPARTURE (HEIGHT OF THE DWELLING UNIT) ON PORTION 298 OF THE FARM KLEIN KRANTZ 192**

### **7.1 Introduction**

Specific issues which must be addressed in the motivation of applications are highlighted in the Land Use Planning By-Law for George Municipality, 2023. These issues are, however, aimed at more complex applications and are not applicable to lesser applications, such as permanent departures for building line relaxations.

The application for a permanent departure from condition 3.4 of the approval dated 12 October 2000 which reads as follows

*“3.4 Dat die wooneenhede slegs enkelverdiepings mag wees.”*

to allow for a double storey dwelling house with a maximum height of 7.963 metres on Portion 298 of the Farm Klein Krantz 192 will as such be motivated based on the following aspects:

- *Compatibility of the proposal with the existing planning and land uses of the surrounding area.*
- *The impact that the proposal will have on the environment.*
- *The impact that the proposal will have on traffic and parking in the surrounding area.*
- *The impact that the proposal will have on surrounding facilities such as schools, open spaces and other community facilities, should the application result in an increase in the population of the area concerned.*

- *The impact that the proposal will have on the existing character of the surrounding area and the rights of the inhabitants of the area in respect of property values, privacy, view, sunlight, et cetera.*
- *Provision of essential services.*

It will be indicated in the following paragraphs that the proposal can be regarded as being desirable as far as the mentioned aspects are concerned.

## **7.2 Existing planning in the area**

The area where the property is located has a predominantly rural residential land use character. The aerial photo in point 6.5 above indicates the locality of the property in relation to the surrounding properties.

From the aerial photo, it is clear that the northern and western portions of the property are screened from the properties to the north and west there-off by extensive vegetation. The following photos give an indication of the vegetation in the two mentioned directions.



As is clear from the two photos, the properties located to the north and south are completely screened from Portion 298 of the Farm Klein Krantz 192.

As is visible from the aerial photo in point 6.5 above the southern portion of the property is overgrown with vegetation and furthermore slopes downwards to the south. No property on the southern side can thus be affected by the proposal. The property is furthermore at such a



distance and height above the N2-National Road that it would have to negative visual impact from the N2-National Road

This vegetation and the huge distance between the proposed dwelling house and the dwelling houses on the adjoining properties to the north, west and south is of such a nature that it is impossible for this height departure to have a negative effect on any property in this direction.

From the photo below, taken in an easterly direction, the roof of the dwelling house on the eastern property is visible.



This dwelling house is on a lower level than the proposed dwelling house on Portion 298 of the Farm Klein Krantz 19. From the photo it is also clear that this dwelling house is furthermore to a large extent screened from Portion 298 of the Farm Klein Krantz 192 by dense vegetation. The habitable area of the dwelling house on the eastern adjoining property is thus totally screened from Portion 298 of the Farm Klein Krantz 192. It is as such not possible for this dwelling house to be negatively affected by increased in height of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192.

It should be mentioned that the actual wall plate height of the upper floor is set at 6.230 metres, thus below the 6.5 metre wall plate restriction as per section (a)(i) of the development parameters applicable to a "Dwelling house" as per the George Integrated Zoning Scheme By-law, 2023. No habitable area is proposed above the 6.5 metre height restriction. The total height of the dwelling house, roof included, is furthermore set at 7.963 metres which is well below the 8.5 metre to the ridge of the roof as allowed for in section (a)(i) of the development parameters applicable to a "Dwelling house" as per the George Integrated Zoning Scheme By-law, 2023. The proposed dwelling house thus complies with the development parameters applicable to a "Dwelling house" as per the George Integrated Zoning Scheme By-law, 2023.

It must furthermore be remembered that, except for Portion 297 and 299 of the Farm Klein Krantz 192, all other properties in the immediate vicinity are subject to an 8.5 metre height restriction. No undesirable precedent will thus be created by the increase in height as requested.

It is as such argued that the proposed departure from the height will not have a negative or changing effect on the character of the area the property is located in.

### **7.3 Impact on schools, open spaces and other community facilities**

The permanent departure to increase the maximum allowable height of the dwelling house will not result in an increase in the number of inhabitants of the property beyond that which is accommodated in the zoning of the property. As such, the proposal will not have an impact on schools, open spaces and other community facilities in the area. This aspect is therefore not relevant to this application.

### **7.4 Impact on streetscape**

Coastal thicket which covers the entire street frontage of the property. The property is thus screened from Olifantshoek Road by vegetation. The vegetation is of such a nature that the dwelling house and height departure will not be visible from Olifantshoek Road. The proposed increase in height of the dwelling house will thus have no effect on streetscape along Olifantshoek Road.



## **7.5 Impact on sunlight, view and privacy**

The aerial photo in point 6.5 above indicates the location of the dwelling units on the surrounding properties in relation to Portion 298 of the Farm Klein Krantz 192.

This vegetation and the huge distance between the proposed dwelling house and the dwelling houses on the adjoining properties to the north, west and south is of such a nature that it is impossible for this height departure to have a negative effect the sunlight, privacy or view from any dwelling house located on a property in this direction.

As far as the property to the east is concerned it is argued that the vegetation and distance between the two dwelling units are of such a nature that it is also impossible for the encroachment in height to negatively impact on the sunlight, privacy or view of the dwelling house located on the eastern property.

The permanent departure as proposed in this application can thus have no negative impact on the sunlight, view or privacy in respect of any adjoining property.

## **7.6 Impact on property values**

As indicated in the previous paragraphs, the structure in respect of which the permanent departure is required, will not have a negative impact on any of the surrounding properties. The quality and aesthetic appearance of the dwelling house will be of a very high quality.

The proposal will add value to the utilization of the dwelling house as it will expose a larger portion of the dwelling house to sunlight and represents a substantial capital investment by the owner.

The value of surrounding properties can, therefore, not be negatively impacted upon by the permanent departures as proposed in this application.

## **7.7 Impact on the provision of parking**

The parking requirements applicable to different land uses are set out in table format in Section 42 of the George Integrated Zoning Scheme, 2017.

Two parking bays are required for the dwelling house whilst one parking bay is required per guestroom. Six parking bays must thus be provided on the property. The dwelling house will be provided with its own double garage whilst the proposed carport will house the 4 parking bays required for the 4 guestrooms.

The provision of on-site parking will therefore not be negatively impacted upon by the granting of the permanent departure as proposed.

### **7.8 Impact on traffic circulation**

Portion 298 of the Farm Klein Krantz 192 is situated on the southern side of Olifantshoek Road in the eastern extent of Hoekwil. As is visible from the photo in point 7.4 above the property is screened from Olifantshoek Road by extensive vegetation. The vegetation is of such a nature that the dwelling house will not be visible from Olifantshoek Road at all. The proposed increase in height of the dwelling unit will thus have no effect on traffic circulation along Olifantshoek Road.

### **7.9 Provision of services**

The permanent departure as proposed in this application will not have any negative impact on existing services or the provision of services in the area concerned.

### **7.10 Firefighting**

The firefighting requirements stipulated in the fire-regulations will not be negatively impacted upon as the property will still be fully accessible for fire-fighting purposes.

## **8. CONCLUSION**

Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure of condition 3.4 of the approval dated 12 October 2000 to allow for a double storey dwelling house with a total size of 1 280m<sup>2</sup> to be developed on Portion 298 of the Farm Klein Krantz 192.

Application is also made in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for the consent of the George Municipality to use the western wing of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192 as a 4-bedroom guesthouse.

The development proposed in this application will not have a negative impact on development, public facilities, or traffic circulation in the surrounding area.

The application conforms with the requirements contained in the Land Use Planning By-Law for George Municipality, 2023 and is submitted for consideration in accordance with the relevant stipulations of the title deed of the erf and the mentioned By-Law.

**ANNEXURE "A" - APPROVED BUILDING PLAN DATED 6 NOVEMBER 2023**

## RECOMMENDATION IN TERMS OF SECTION 6(1)(A) OF THE ACT

**ERF: 192/298 PLAN NO: 1096/23 STREET: Olifantshoek**

*It is hereby declared that the relevant building plan complies with all technical standards in accordance with Section 7(1)(a) of the Act and any other applicable legislation;*

*For the following recommendation of the relevant building plan in terms of Section 6(1)(a) of the Act due consideration were given as follows in accordance with the following potentially negative effects as prescribed in terms of Section 7(1)(b) of the Act:*

Will the building pursuant to the approval of this building plan be constructed as such or be of such a nature or appearance that it will probably or indeed -		Yes/ No
(a)	Disfigure the area in which it will be erected	No
(b)	Be unsightly or objectionable	No
(c)	Derogate the value of adjoining or neighboring properties	No
(d)	Be dangerous to life or property	No
If any of the above-mentioned aspects will indeed produce a negative effect (being marked as Yes), a comprehensive motivation for the existence of any such negative effect be submitted. (In case the space provided is not sufficient, a separate report must be attached).		
(e)	The following relevant requirements has been scrutinized and / or approved	Yes/ No
	Fire Protection Services	Yes, Approved
	Health Services	
	Town Planning (Title conditions)	Yes, Approved
	Civil and Technical Services	Yes, Approved
	Facilities for Disable Persons	
	Environment Aspects (Trees)	Yes, Approved
	Aesthetics Committee	
	Heritage Western Cape	

The relevant building plan in accordance with the findings is subsequently RECOMMENDED / NOT RECOMMENDED for approval in accordance with Section 7(1)(a) & (b) and any other applicable legislation.



## BUILDING APPLICATION APPROVAL

ERF: 192/298 PLAN NO: 1096/23 STREET: Olifantshoek

*Your building plan was approved on 2023-11-06, in accordance with Section 7(1)(a) and (b) of the National Building Regulations & Building Standards Act, 1977 (Act 103/1977) and any other applicable legislation subject to the following conditions:*

The following relevant requirements has been scrutinized and or approved	
COMMENTS FROM INTERNAL DEPARTMENTS	
Fire Protection Services	Yes, Approved
Health Services	
Town Planning (title conditions)	
Civil and Technical Services Sewer	Sewer tanks approve
Capital Contributions	Development charges(CES): In order (Existing res. property) (12/07/2023)
Facilities for Disable Persons	
Environment Aspects (Trees)	Yes, Approved
Aesthetics Committee	
Heritage Western Cape	
Building Control	In order 24.7.2023



<p><b>Final Outcome (conditions of approval)</b></p>	<p>Terrace/Patio to remain open as per building plan.</p> <p>Balcony to remain open as per building plan.</p> <p>Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4.21).</p> <p>Drainage installation to comply with SANS 10400 Part P.</p> <p>Drainage installations under building work must be installed in terms of Part P of SANS 10400 (4.19.4).</p> <p>Drainage installations under building work must be protected in terms of Part P of SANS 10400 (4.22.2).</p> <p>Discharge pipes located within a building to be enclosed within a duct and to be of a shape and size readily accessed for cleaning in terms of SANS 10400 Part P, 4.18.2.</p>
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THE APPROVAL HEREBY GRANTED EXPIRES AFTER 12 MONTHS OF DATE OF APPROVAL UNLESS ERECTION OF THE BUILDING IS COMMENCED WITHIN THE SAID PERIOD, OR UNLESS THE SAID PERIOD IS EXTENDED AT THE REQUEST IN WRITING OF THE APPLICANT AND THROUGH A WRITTEN APPROVAL BY THE MUNICIPALITY.

SWIMMING POOL ACCESS AND SAFETY TO COMPLY WITH PART DD4 OF THE NATIONAL BUILDING REGULATIONS.

ANY TIMBER STRUCTURE IS TO BE ERECTED IN ACCORDANCE WITH SABS 082 (CODE OF PRACTICE).

NO PERSON SHALL REMOVE OR PRUNE ANY TREE WITHIN A MUNICIPAL ROAD RESERVE WITHOUT THE PRIOR PERMISSION, IN WRITING BEING OBTAINED FROM THE MUNICIPALITY.



.....  
MOGAMAT FICKERIE TOYER

2023-11-06

.....







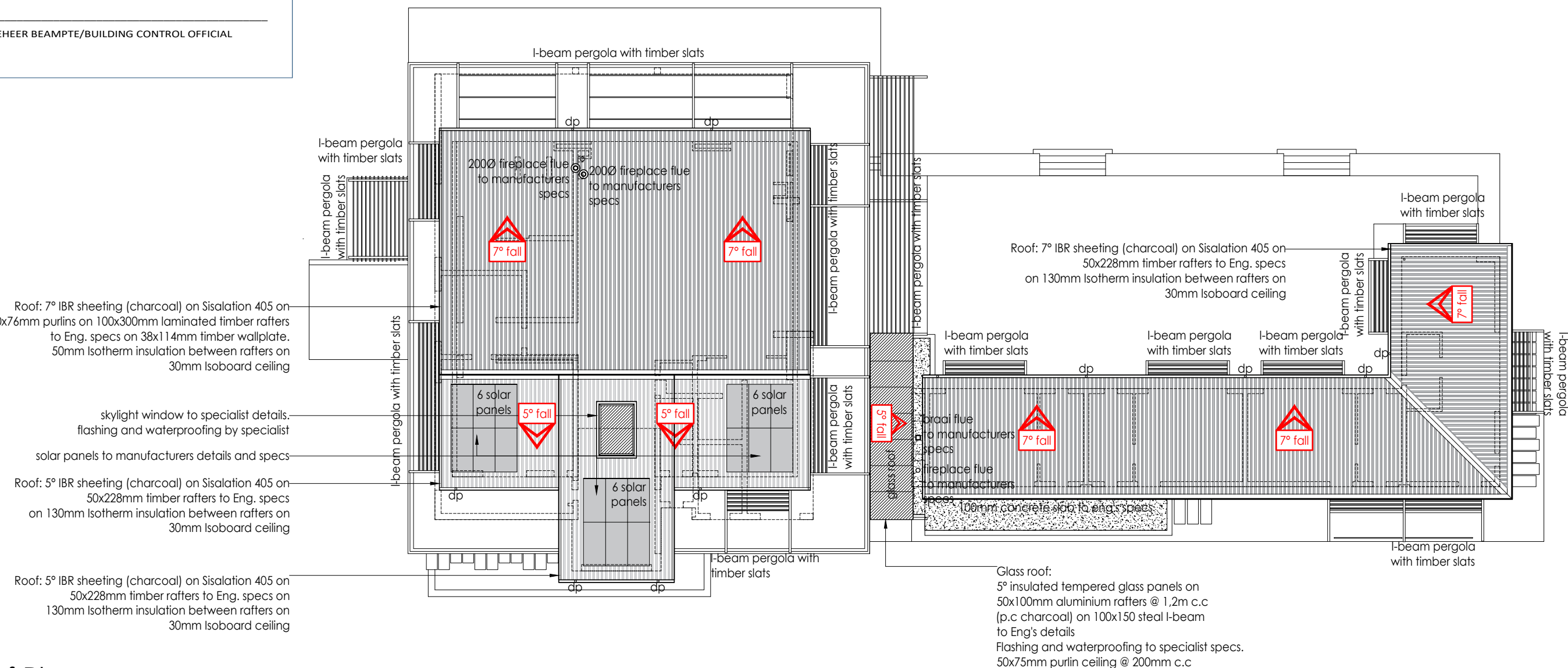
Area Schedule	
Erf	31 044 m <sup>2</sup>
Ground floor	347 m <sup>2</sup>
Guest units	145 m <sup>2</sup>
First floor	222 m <sup>2</sup>
Covered Patio Area	400 m <sup>2</sup>
Barn	214 m <sup>2</sup>
Total	714 m <sup>2</sup>
Ground floor Patio Area	164 m <sup>2</sup>
First floor Patio Area	221 m <sup>2</sup>
Yard	26 m <sup>2</sup>
Coverage	2,3



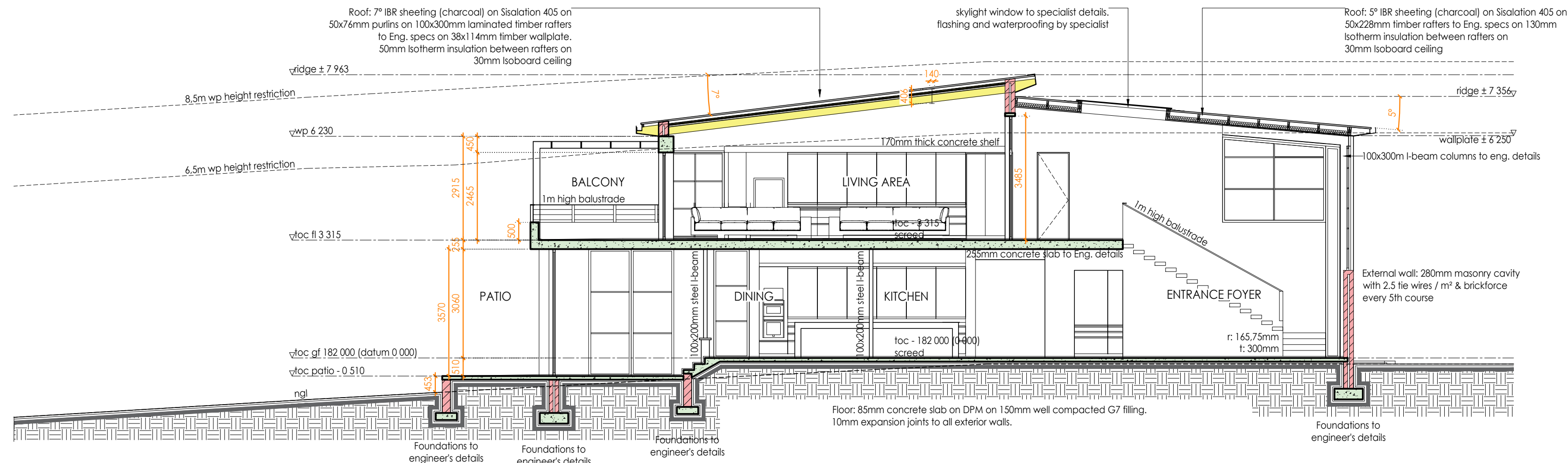
**Pierre Duran**  
 Tel: 082 482 83  
 Email: pierre@techrust.com

New residence for Mr & Mrs  
 Aagebaun on erf 298, Hoekv  
 Muni, Sub  
 20/09/2019  
 4000 PI AN/1





# Roof Plan scale 1:200



Section AA scale 1:100

- General Notes**
- Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4.21).
  - Drainage installation to comply with SANS 10400 Part P.
  - Drainage installations under building work must be installed in terms of Part P of SANS 10400 (4.19.4).
  - Drainage installations under building work must be protected in terms of Part P of SANS 10400 (4.22.2).
  - Rainwater not to discharge onto neighboring property.
  - LP Gas 38 kg allowed on premises without a Flammable Substance Certificate in terms of Section 37(g) of the Community Fire Safety-By Law

GENERAL NOTES:  
ALL WORK TO BE DONE STRICTLY ACCORDING TO ARCHITECT'S SPECIFICATIONS.  
ANY CONTRACTOR NOT AWARE OF SUCH SPECIFICATIONS,  
PLEASE CONTACT OUR OFFICES FOR A COPY THEREOF.  
CERISE INC.

- Boundary pegs to be indicated on site by owner should the stand not be surveyed.
- Contractor must check all levels, dimensions, steps, etc on site and to report any discrepancies to architect prior to commencement of work.
- All materials to be SABS or Agreement Board approved.
- All works to comply with NBR SABS 0400 and Building Society Regulations.

- All Roof spaces between garage and habitable areas shall be divided by a wall with a 30 minute fire rating.

- All doors between garage and habitable areas to be solid timber core, 40mm thick.
- ROOF: GENERAL NOTES [SANS 10400 - L, Roofs]:
  - All web members to be min. 38 x 114, GR 4 with equal bays smaller than 1,5m.
  - Approved bracing must prevent buckling and keep trusses upright.
  - SABS approved flashing to all changes in roof levels, chimneys, parapets and any projections.
  - Valley's and Hip rafters to be GR 6, 50 x 238mm S.A pine.
  - Laminated timber to comply with SABS 876.
  - 50mm thick glass fibre insulation to be installed above ceilings.

• Ground Floor slab: 85mm thick, 20 mPa concrete perfectly level, min. 150mm above GR. L on properly compacted hardcore; 25mm thick screed with Finish as indicated

- Where UPL (under floor heating) is shown on plan, slab to 120mm thick, 20 mPa concrete with UPL, 123 mesh at the bottom. These floors must be cast on min 50mm thick highly dense polyethylene foam. Foam is to be installed round the room to insulate the floor from the wall.
- Suspended floor slab to engineer's details.
- DPC under all walls (except free standing), floors and window cills and to all vertical surfaces in full height.
- Airbrms and curtailways to be fitted with at least 1 x 150mm dia. outlet pipe from catcatch fitted with grating and sill trap.
- Planters to be waterproofed and drainage installed.
- All foundations to be 10 mPa concrete, 150mm wide, 150mm deep (K. Walsby's Foundations; K. Walsby).
- All foundations to be 10 mPa concrete (2300s cement): 4 wheelbarrows iron sand; 5 wheelbarrows 22mm stone; at least 200 x 300mm, min 200 underground level or to Eng.

- Boundary walls foundation must not encroach on boundary and walls are to be plastered and painted on both sides.
- Parapet walls to be at least 300mm high and max 500mm, with brick force in every course.
- All screen walls to be at least 1.8m high above GR L.
- Lintels to be supported min 150mm for opening up to 3m and at least 220mm for opening up to 4.8m. Brick force to be built in every 3rd course between, in continuous bands.
- No feathering / bond blocking will be allowed for any reason.

- Stairs to be min. 750mm wide treads min 300mm wide, risers max. 170mm, with max. 6mm

- 1m high balustrades to all stairs and balconies.
- Max. 3m vertical rise per flight, winders where shown to be at least 250mm wide, 450mm from narrow end angles between the risers to be constant.
- Min headroom to be 2.1m measured from pitch line.
- Glass balustrades (if shown) to be safety glass.

- A wall or fence to be erected to prevent access to pool area from adjoining stands and public areas except through self / closing or self / locking gates or directly from interior of

- Such walls / fence shall be min 1.2m above GR. Fl. L openings no bigger than 100mm dia. and not climbable by a small child.
- Backwash from pools and spa to connect to water tanks for delayed dispersal into garden.

DRAINAGE: SINGLE STACK SYSTEM (SANS 10400 - P, Drainage);  
NB: NO BACK VENTING REQUIRED

- All excavations shall be backfilled with approved fill material in accordance with the conditions of the relevant permit.
- All sewers are 100mm dia. PVC min. 1.60, max full 1.10.
- Open end of vent pipe to be min. 2m above any opening into building within a 5m radius.
- Stub vents to be fitted with an approved 2 way vent valve. All vents, stacks, geyzers, down pipes etc to be concealed. Stacks in ducts to be accessible for cleaning purposes.
- All drains and down pipes in new buildings shall be fitted with 80mm dia. 1.60m long marked covers. Protect drain under foundations in accordance with PP24 of SABS 400.
- All waste fittings to have red traps & pipe to be fully accessible if under floors E&S either end or clamped to wall.
- All sewer pipes less than 350mm under G.L. to be covered with a concrete slab, wide and strong enough to protect sewer with min 100mm dia. soil pipe between pipe and

- The radius at the centre line of bend at the foot of discharge stack shall not be less than 300mm and other bends 600mm.

- The vertical distance between the invert of the lowest branch discharge pipe connected to the stack and the invert of the drain at the point of connection of the stack & the drain to be min 500mm.
- Where any waste or soil branches are connected to a stack the centre line of the waste branch shall not intersect the stack within 200mm below the centre line of the soil branch. All waste branches to connect separately to stack.
- Where a French drain is required, a percolation test shall be executed complying with section PP28 of SABS 0400, and the French drain shall run parallel to the contours of the site.

• Sewer connection: as shown: with rodding eye or manhole within 1,5m from connection.  
PIPE SIZE DIAMETER MIN GRADE. MAX GRADE.  
SINK. VEG. BASIN. SHOWER. W/M.

- D/W, TROUGH, BATH, WHB 50mm 1,25 deg. 2,50 deg  
BIDGET 50mm 2,50 deg 5,00 deg  
TOILETS 100mm 5,00 deg 14,00 deg  
COMBINED WASTES:MIN 50mm 1,25 deg 2,50 deg  
STACKS / VENTS TO TOILETS:MIN 100mm 45,00 deg 90,00 deg

CONCRETE ROOF:

- Concrete Roof to Eng. Detail with min 50mm thickness vermiculate screed graded to 1:50 fall to 100 dia. built in down pipes, one per 40 sq m. Waterproofing to specialists with a 10

- Ceiling level to be at least 2,4m in habitable rooms or to comply with C3 of the NBR.
- Windows to be at least 10% of the opening sections, and 5% of the floor of habitable areas.

- All space and water heating, cooking apparatus in house to be smoke free.

GLAZING (SANS 10400 - N, Glazing):

- Glazing to comply with part N of the NBS and glazing exposed to wind to comply with

- Glazing to comply with part K of the risk and glazing exposed to winds to comply with clause 4.3 of SABS 0173.
- All glazing in doors to be safety glass.
- Safety glass to be used in shower and bath enclosures, in all windows less than 500mm above GR. L in all glass within 2m above pitch line of stairs, balustrades and skylights.
- Clear glass in positions where not apparent to bear markings to render glass clearly apparent.
- Liquid laminated glass is not acceptable.

- Paving bricks to match the Corobrick Autumn Blend or similar approved (sized 110x220mm).

- ORDINARY ANNEALED GLASS IN VERTICAL POSITIONS:
- Glass 3mm max. Pane size: 0,75 sq.m
  - Glass 4mm max. Pane size: 1,50 sq.m
  - Glass 5mm max. Pane size: 2,10 sq.m
  - Glass 6mm max. Pane size: 3,20 sq.m

NICHES, SHELVES AND SILLS:

- All niches start at 7,50 above F.F.L. and terminate at door height except where noted on plan

- All lights to be installed 50mm from front edge of niches and sleeves to be built in.
- All shelves are @ 170mm above F.F.L.L except behind worktops / desks where it starts @ 750mm above F.F.L.L.
- All niches above vanities in bathroom @ 950mm above F.F.L.L. and ends @ door height behind whb.

- Niches to the side of whb start @ 750mm above F.F.L.L.
- All towel shelves (recessed) start @ 450mm above F.F.L.L.

LOCATION OF DEEMED-TO-SATISFY REQUIREMENTS

- B: SANS 10400 - B, Structural design  
C: SANS 10400 - C, Dimensions  
D: SANS 10400 - D, Public safety  
F: SANS 10400 - F, Site operations  
G: SANS 10400 - G, Excavations

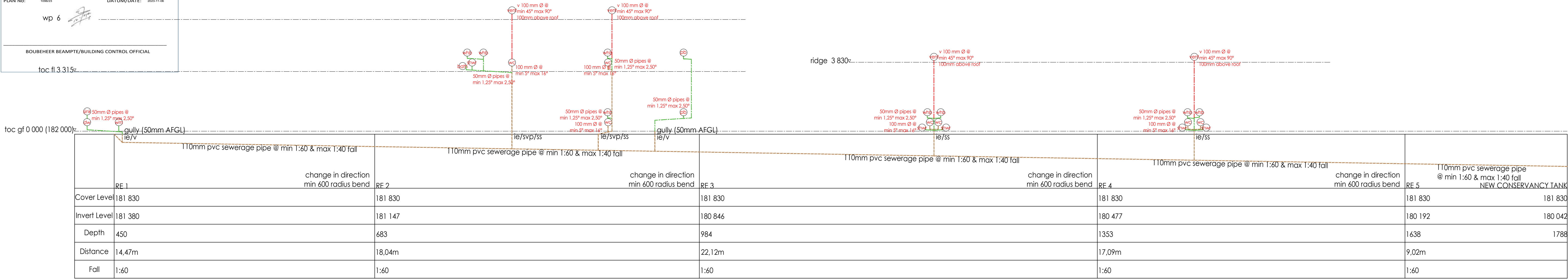
J: SANS 10400 - J, Floors

- K: SANS 10400 - K, Walls  
L: SANS 10400 - L, Roofs  
M: SANS 10400 - M, Stairways  
N: SANS 10400 - N, Glazing  
O: SANS 10400 - O, Lighting and ventilation  
P: SANS 10400 - P, Drainage

Q: SANS 10400 - Q, Non-water-borne Means of Sanitary Disposal

- S: SANS 10400 - S, Facilities for persons with disabilities  
T: SANS 10400 - T, Fire protection  
V: SANS 10400 - V, Space heating  
W: SANS 10400 - W, Fire Installation





Schematic Drainage Section

DRAINAGE: SINGLE STACK SYSTEM (SABS 10400 - P. Drainage):

NR: NO BACK VENTING REQUIRED

- Provide a chemical temporary toilet (before inspection of foundation excavations) in an inoffensive position to be kept in a hygienic and odourless condition.
- All sewers are 100mm dia. PVC min. 1:60, max fall 1:10.
- Open end of vent pipe to be min. 2m above any opening into building within a .5m radius. Stub vents to be fitted with an approved 2 way vent valve. All vents, stacks, geyers, down pipes etc to be concealed. Stacks in ducts to be accessible for cleaning purposes.
- All bends and junctions in sewer to be fitted with IE's. All RE's under paving to be fitted with marked covers. Protect drain under foundations in accordance with PP24 of SABS 0400.
- All waste fittings to have reset traps & pipe to be fully accessible if under floors IE's either end or clamped to wall.
- All sewer pipes less than 350mm under GL to be covered with a concrete slab, wide and strong enough to protect sewer with min 100mm dia. soil pipe between pipe and concrete.
- The radius at the centre line of bend at the foot of discharge stack shall not be less than 300mm and other bends 600mm.
- The vertical distance between the invert of the lowest branch discharge pipe connected to & the invert of the drain at the point of connection of the stack & the drain to be min 500mm.
- Where any waste or soil branches are connected to a stack the centre line of the waste branch shall not intersect the stack within 200mm below the centre line of the soil branch. All waste branches to connect separately to stack.
- Where a French drain is required, a percolation test shall be executed complying with section PP28 of SABS 0400, and the French drain shall run parallel to the contours of the site.
- Sewer connection: as shown: with rodding eye or manhole within 1.5m from connection.

PIPE SIZE DIAMETER MIN GRADE, MAX GRADE.

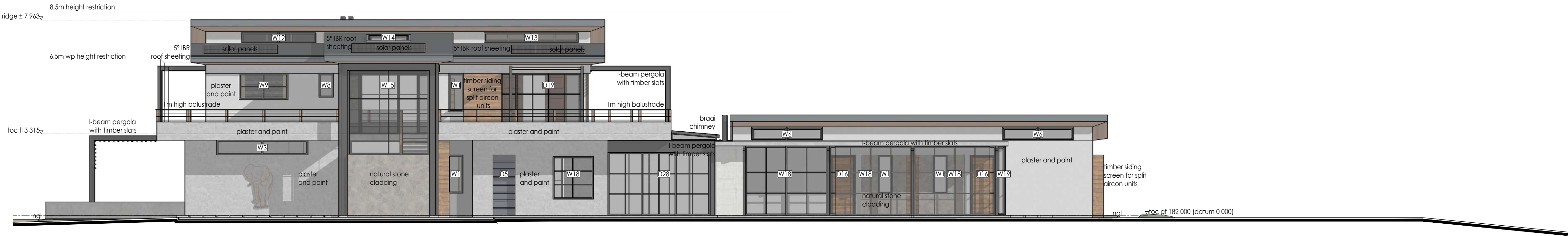
SINK, VEG. BASIN, SHOWER, WASH, D/W, TROUGH, BATH, WHB 50mm 1.25 deg, 2.50 deg

BIDGET 50mm 2.50 deg 5.00 deg

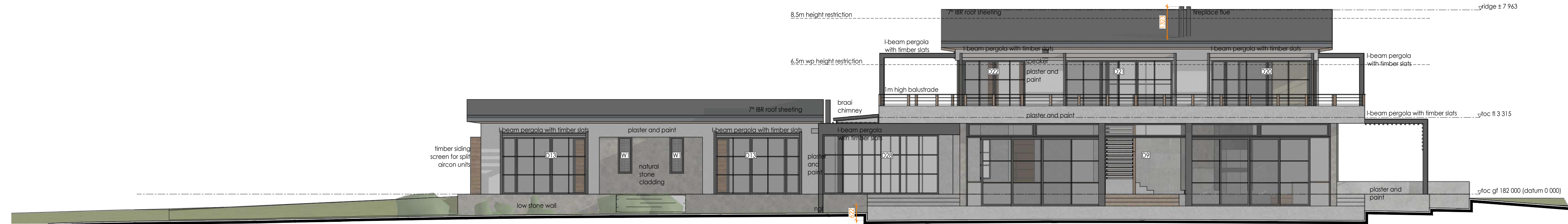
TOILETS 100mm 5.00 deg 14.00 deg

COMBINED WASTES MIN 50mm 1.25 deg 2.50 deg

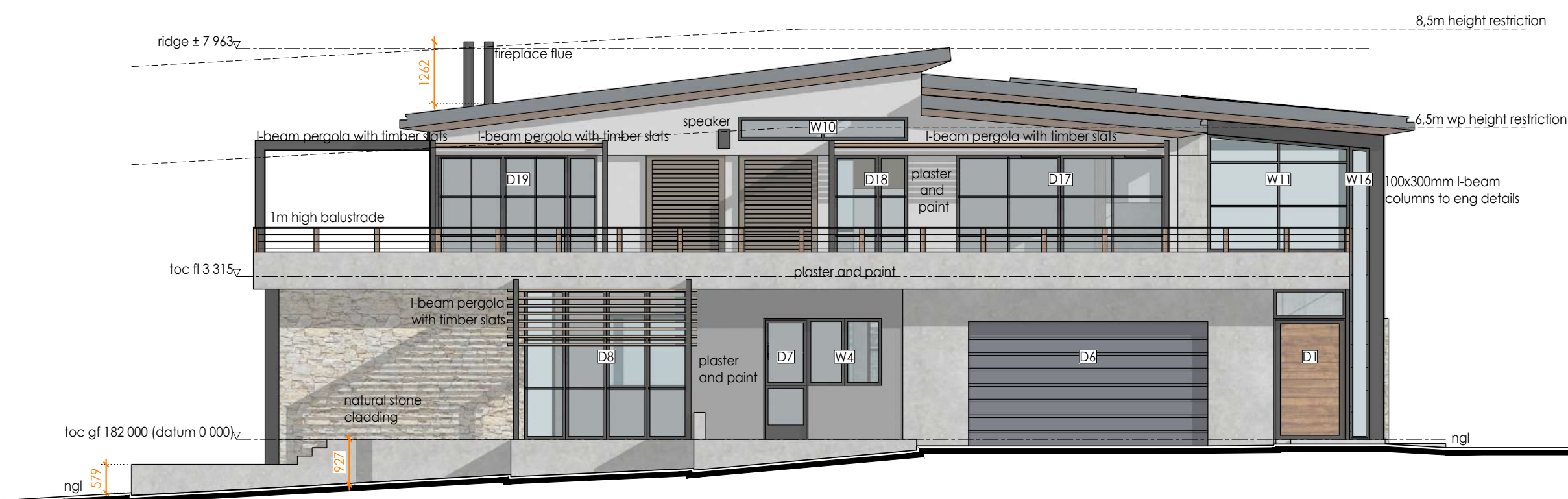
STACKS / VENTS TO TOILETS MIN 100mm 45.00 deg 90.00 deg



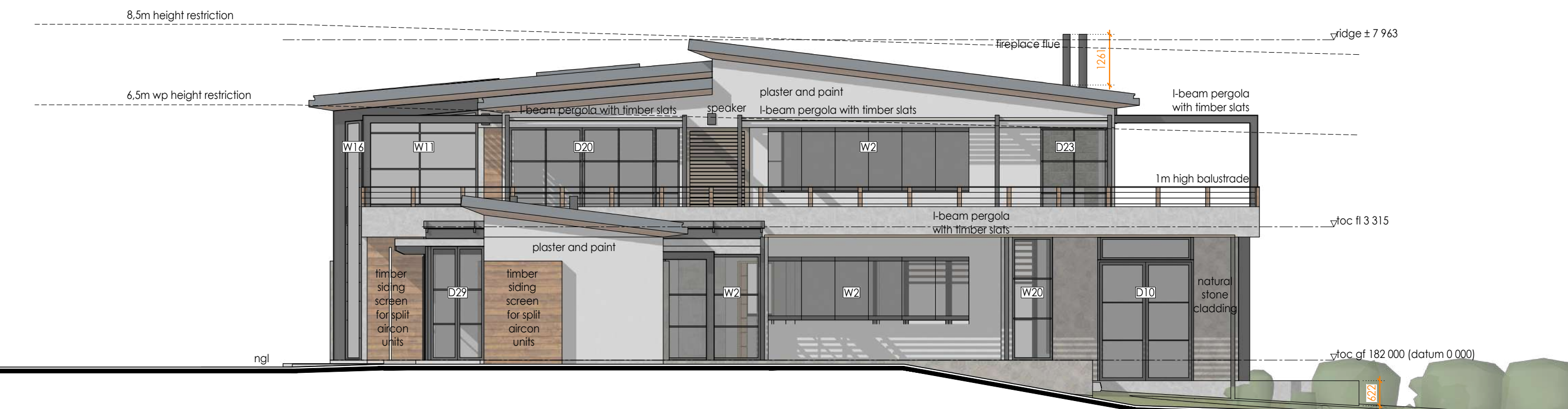
North Elevation scale 1:100



South Elevation scale 1:100

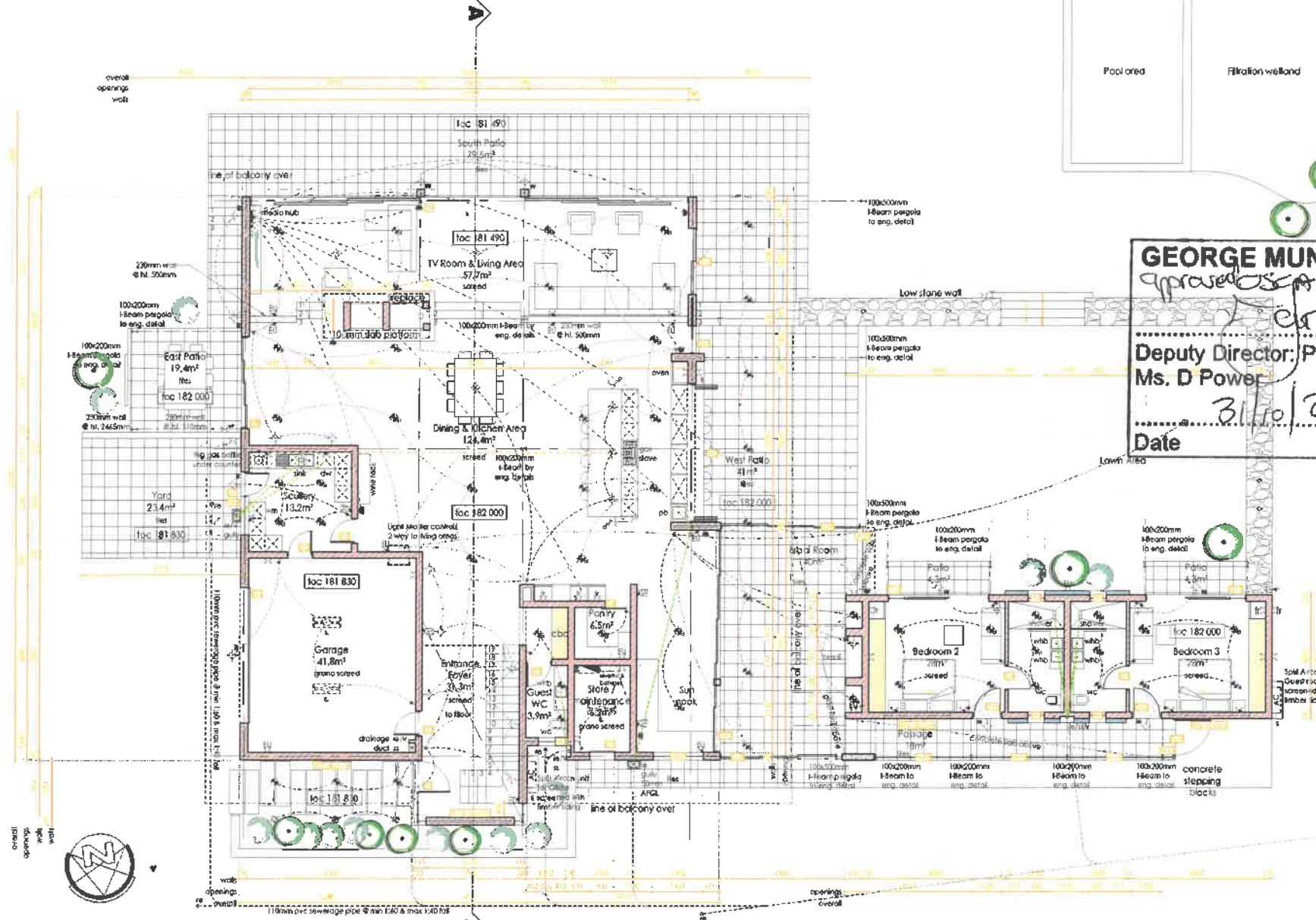
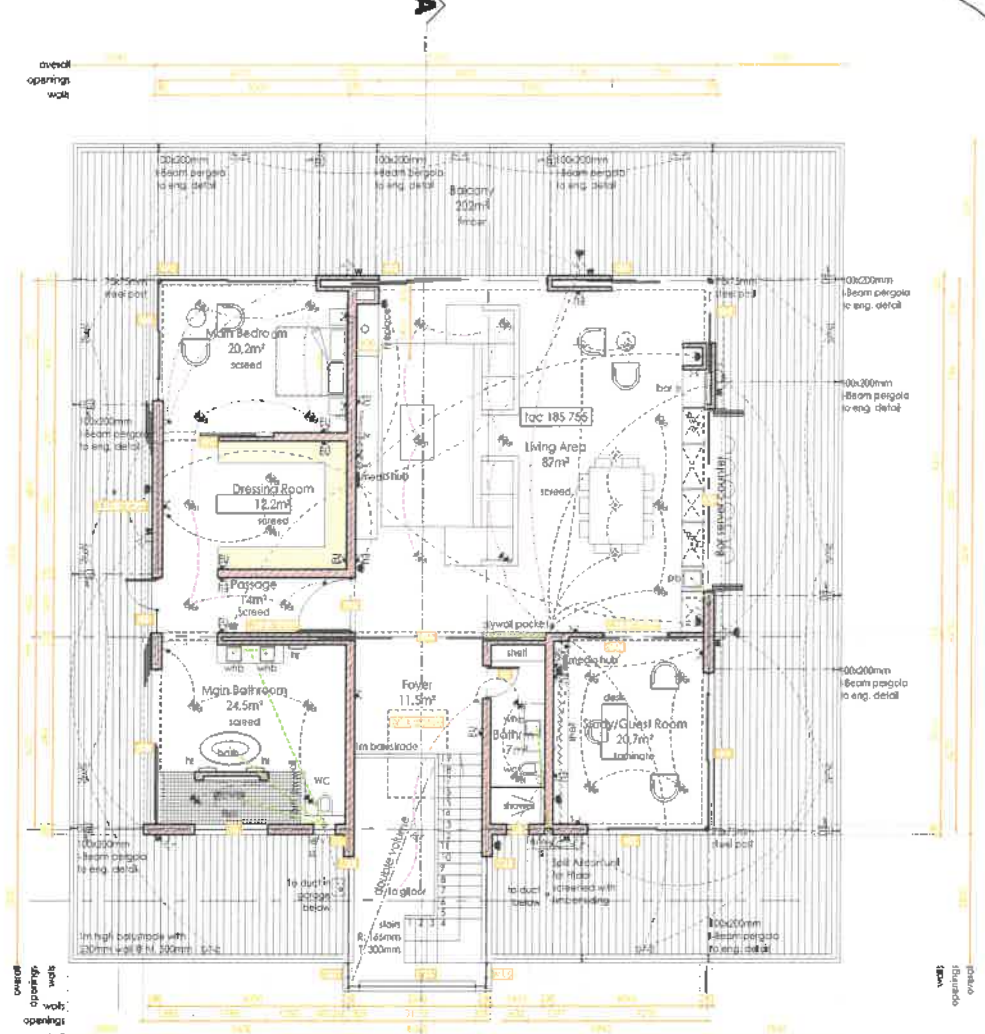
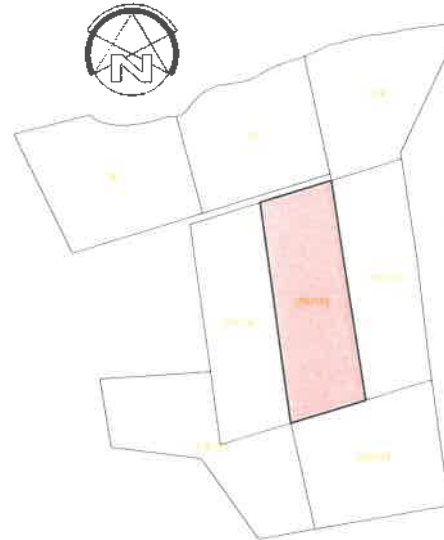
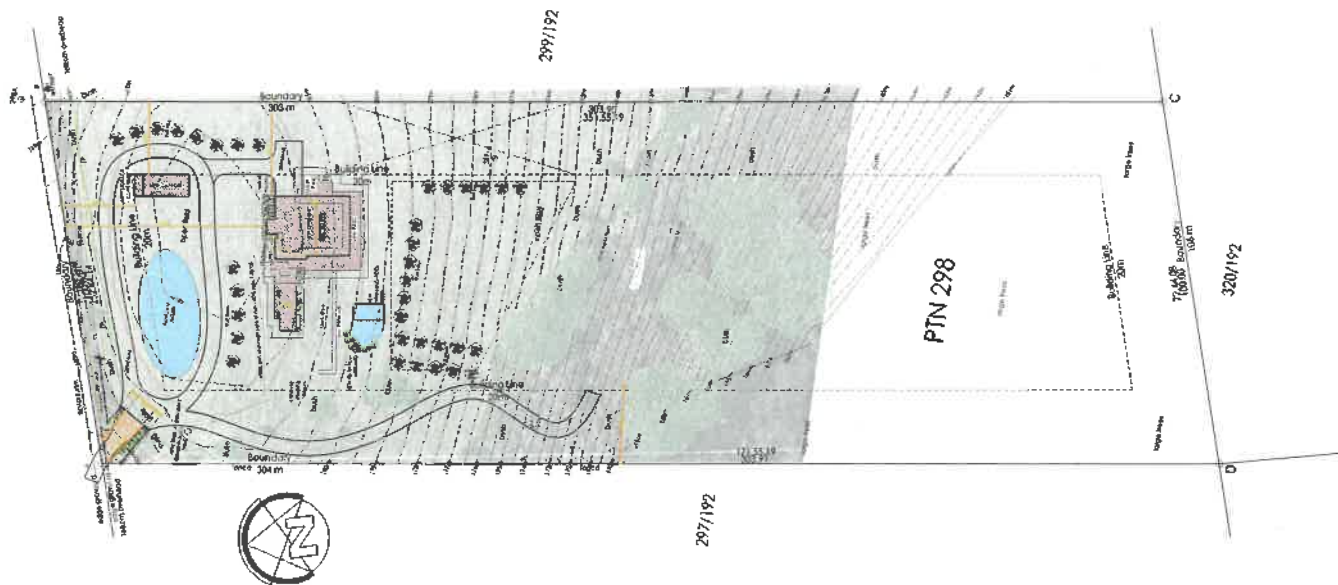


East Elevation scale 1:100



West Elevation scale 1:100





**GEORGE MUNICIPALITY**  
 approved  
 Deputy Director: Planning  
 Ms. D Power  
 Date 3/10/2023

- POWER LEGEND**
- 1.6A double socket outlet @ 1050mm height APL
  - 1.6A double socket outlet @ 300mm height APL
  - 1.6A 3.5 double socket outlet @ 300mm height APL
  - retractable multi-socket with 1.6A socket
  - Waterproof 1.6A double socket outlet @ 300mm height
  - switch
  - flex connection
  - data outlet
  - distribution board
  - main point
  - prepaid meter
  - shower plug
  - speaker
- LIGHT LEGEND**
- LED spotlight
  - external waterproof wall light @ 2100mm height APL
  - wall light @ 2100mm height APL
  - pendant light occlude point
  - downlighter
  - ceiling mounted light point
  - day night switch
  - backlight @ 300 cfm
  - Commercial fluorescent luminaire
  - 1.6m x 0.6m enclosed type luminaire
  - balcony
  - 2 way circuit with dimmer
  - 2 way circuit
  - high-watt @ 1150mm APL
  - dimmer circuit
  - underfloor heating
  - 25mm conduit with cold network cable

**Area Schedule**

Ent	51 044 m²
Ground floor	478 m²
First floor	226 m²
Carport	76 m²
Total	774 m²
Ground floor Patio Area	190 m²
First floor Patio Area	221 m²
Yard	28 m²
Coverage	2.5 %

**Pierre Durand**  
 Tel: 082 462 8339  
 Email: pierre@piedurand.co.za

## ANNEXURE "B" - EXEMPTION OF OSCAE PERMIT REQUIREMENTS

**Date: 31 October 2023**

Mr. Andreas Agenbraun  
4 Patrys Street  
**GEORGE**  
6529

**E-MAIL:** [sian@cape-eaprac.co.za](mailto:sian@cape-eaprac.co.za)

**APPLICATION FOR AN OSCAE EXEMPTION PERMIT: DISTURBANCE OF VEGETATION AND  
EARTHWORKS ON PORTION 298 OF FARM KLEINKRANTZ 192, DIVISION GEORGE**

The abovementioned has reference.

**A. DESCRIPTION OF THE ACTIVITY**

The proposed activity entails the construction of a double-story primary dwelling, single-story rooms, a carport, swimming pool, and paved entrance to the property. The erf comprises 3 hectares and there will be a total of **2748m<sup>2</sup> of vegetation (lawn) removed** and **400m<sup>3</sup> of earthworks** to accommodate the building of the structures (from OSCAE application).

Activities triggered relate to:

1. Earthworks, through excavation, moving of soil, sand or rock;
2. Very little disturbance of vegetation will take place and only lifting of lawn will occur. No protected trees will be harmed.

**B. PURPOSE OF APPLICATION**

To ensure that the management of various actions in the construction of the dwelling together with environmental impacts associated with the building are managed and are reduced to the minimum, thus protecting the surrounding sensitive environment.

**C. APPLICANT**

Mr. Andreas Augenbraun  
4 Patrys Street  
**GEORGE**  
6529

**D. CONSULTANT**

Cape Environmental Assessment Practitioners (Pty) Ltd  
P.O Box 2070  
**GEORGE**  
6530

**E. SITE VISIT**

Portion 298 of Farm Kleinkrantz 192, Division George is situated along the Olifantsthoek Road and comprises 3 hectares which is zoned as Agricultural Zone II and is situated on a southern slope.

A site visit was done on the 4<sup>th</sup> of August 2023 and a desktop study was also done to determine the environmental parameters present on site. Using Vegmap (2018) the natural vegetation of the erf

comprises Garden Route Granite Fynbos (Threat status: Critically Endangered). Using Vlok's Vegmap data which is much more finely scaled for the Garden Route area, the vegetation of the erf is classified as Wolwe River Fynbos Forest, however, no natural vegetation was present on the area of the property where the new additions would be situated with only lawn present. The area affected by new additions falls outside the extent of any Critical Biodiversity Areas (CBA).

**F. PUBLIC PARTICIPATION PROCESS**

Due to the localized nature and extent of the building works, no public participation was done.

**G. COMMENTS ON THE OSCAE EXEMPTION APPLICATION**

None

**H. DECISION**

As authorized thereto by virtue of Council Delegation 4.17.1.19 of 22 May 2022 and in terms of Section 21 the Environmental Conservation Act, 1989 (Act 73 of 1989) regarding identified activities concerning the Outeniqua Sensitive Coastal Area Extension, the George Municipality (as defined in terms of Government Gazette No. R. 1526 dated 1998 Environment Conservation Act, 1998 (Act No. 73 of 1989): Identification of activities which may have a detrimental effect on the environment: Outeniqua Sensitive Coastal Area Extension), hereby issue a permit with conditions (Section J) for the execution of the activities as described above on Portion 298 of Farm Kleinkrantz 192, Division George.

**I. KEY FACTORS AFFECTING THIS DECISION**

- Primary development rights are being exercised by the owner and proposed activities will take place with virtually no impact to the surrounding environment.
- There will be no removal of endangered or critically endangered or protected vegetation, protected trees and protected vegetation.

**J. CONDITIONS OF THE PERMIT**

The applicant must adhere to but is not limited to the following:

**Administration**

1. This permit is only applicable to the proposed activities as per the OSCAE application and shall not be construed to comply with any other requirement or legal provision. (approved site plans pursuant to this permit attached as **Addendum B**).
2. The applicant shall be responsible for ensuring compliance with the conditions of the permit by any person acting on his/her behalf, including employees, the consultant, the contractor and any person rendering a service to the applicant in relation to the activity.
3. **Municipal officials shall be given access to the property/ site referred to above to assess and monitor compliance with the conditions of this permit at all reasonable times.**
4. No substantive deviations from this OSCAE permit relating to additional earthworks or clearing may take place prior to a revised OSCAE application being submitted to the George Municipality for consideration and approval. Deviations will be determined internally within the planning department.
5. Any other or new activities on the site are subjected to the OSCAE Regulations in terms of Government Notice No GN. R. 1526 of 1998 and is it the owner/s responsibility to ensure compliance with these regulations.
6. The applicant must appoint an Environmental Control Officer (ECO), who must be knowledgeable with regard to site management, must for the duration the clearing, construction and post construction rehabilitation of the site.
7. The applicant must provide the George Municipality with an appointment letter for the ECO prior to any activities commencing on site.
8. The ECO shall monitor compliance with the OSCAE permit conditions and report any contraventions to the applicant and the responsible enforcement authority.
9. The ECO shall provide the George Municipality with a post-construction report confirming compliance with the OSCAE permit prior to any occupation certificate for the proposed structures being issued. This does not include landscaping issues.



10. That construction activity should be restricted to normal working hours as determined in the National Building Regulations and Building Standards Act or such other times as may be approved by the Manager: Building Control.
11. **A copy of this permit must be kept on site for the duration of the authorized activity / activities and be presented to municipal officials when needed.**
12. Please note that no Occupation Certificate will be issued by the Building Control Office (George Municipality) before an Environmental Management Report is submitted by the appointed ECO and all conditions have been adhered to by the owner / s.
13. The applicant shall be responsible for ensuring compliance with the conditions of the permit by any person acting on his/her behalf, including employees, the consultant, the contractor and any person rendering a service to the applicant in relation to the activity.

**Environmental**

14. Work areas and access routes must be clearly demarcated to minimize environmental damage and soil erosion.
15. All areas outside of the development footprint should be maintained for biodiversity conservation.
16. A barrier fence (normally shade-cloth but not confined to this) must be erected approx. 2m outside the development footprint of the planned development to preserve and protect the maximum amount of natural vegetation on the property as well as to protect and preserve the natural vegetation occurring on the adjoining properties.
17. **No solid boundary walls or impenetrable fencing will be allowed on the property.** Fencing and boundary walls will only be allowed within the proposed disturbed area on the property to the satisfaction of the George Municipality and in accordance with the National Building Regulations and Building Standards Act. All fencing or walls erected must allow for the free flow of wildlife across the property to the adjoining wildlife corridors.
18. Heavy machine operation must be kept to a minimum to avoid unnecessary soil compaction and erosion.
19. During the process of vegetation clearing, the applicant shall ensure that the contractor protects areas susceptible to erosion by installing all the necessary temporary and permanent drainage works as soon as possible.
20. The disturbance of natural vegetation should be kept to a minimum and restricted to the footprint of the structures and a two meter (2m) working area around the site and fenced in with a suitable barrier (normally shade-cloth) to prevent access as No-Go areas and to prevent contamination elsewhere. Upon completion, the barrier must be removed.
21. Illegal snaring of wild animals during building operations is an ongoing problem on building sites and this aspect must be given specific attention with environmental education to all staff working on the site

**Soil stabilization, water run-off and stockpiling**

22. The applicant must appoint a suitably qualified structural engineer to oversee all excavations, earthworks and construction on site. The engineer must ensure that potentially unstable slopes are avoided where possible. All cuts and fills must be effectively stabilized by engineer designed retaining structures.
23. Stormwater run-off from roofs and paved areas must be managed and it is suggested that the stormwater is as far as possible controlled by capturing it in rainwater tanks or dissipating it into landscape features and surrounding vegetation.
24. The driveway (not exceeding 4m wide) should be demarcated with temporary fencing during construction. Use of the driveway may not cause stormwater run-off problems or cause mud and debris to wash into adjacent properties.
25. An area must be provided on site for the stockpiling of building materials. A turning and parking area for construction vehicles must be identified in advance and the disturbance limited to this area.
26. Top-soil removed during construction must be stockpiled and re-used in the rehabilitation and landscaping of the property.
27. Waste materials and general refuse must be removed frequently and disposed of at a recognized municipal waste disposal facility.



28. The contractor shall provide suitable chemical toilet facilities or any other approved toilet facilities on-site in such a way that it does not cause water or other environmental pollution. Toilets shall be of a neat construction and shall have doors and locks and shall be secured to prevent them from blowing over. The toilet must be removed, and night soils disposed of on completion of the construction activities.
29. Any building rubble or waste generated during the construction process must be placed in receptacles within a secure designated area to prevent illegal dumping and waste materials being blown or scattered into the surrounding areas or other ecologically sensitive areas. On completion of the proposed activities, all waste material of **any** description, including receptacles, rubble, etc. must be removed entirely from the site and disposed of at a recognized landfill facility. No waste will be allowed to be buried or burned on site.
30. In the event of non-compliance and resultant damage to the environment, the Municipality reserves the right **to halt construction activities immediately** and require that appropriate remedial measures be implemented to its satisfaction, at the cost of the applicant.

#### **Climate change mitigation**

31. The applicant must make use of natural materials and natural paint tones that blend in with the surrounding forest in the design of all exterior elevations, walls and retaining structures. All roofs shall be natural tones, preferably dark greens, greys or neutral tones that blend with the surrounding tree canopy. The structures erected must blend into the receiving environment and therefore make use of natural wood materials or painted in dark neutral tones and colours.
32. 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.
33. 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.
34. 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.
35. The applicant will use the most appropriate method of sewerage disposal for the property as indicated in the plans.

#### **Alien clearing and fire**

36. 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.
37. Landowners should also apply for any Category-2 alien invasive species on their properties through the National Department.

#### **K. DURATION AND DATE OF EXPIRY**

This permit is valid for two (2) years of the date of issue and shall lapse if the activity does not commence within this period.

#### **L. APPEAL**

Notwithstanding the above you have the right to appeal in terms of section 35 (3) of the Environmental Conservation Act, 1989 (Act 73 of 1989). The appeal must be in writing and submitted **within 30 days** from the date on which this decision was made known.

You are obliged to ensure, within 14 days of the date of this Authorization, that all respondents to this application, herein regarded as interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all I&APs are notified of their right to appeal.

This appeal must be submitted to the Appeal Administrator at the address listed below:

**By post:** Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs & Development  
Planning  
Private Bag X9186  
**CAPE TOWN, 8000** or;

**By facsimile:** (021) 483 4174 or;

**By hand:** Attention: Mr Marius Venter  
Room 809, 8<sup>th</sup> floor Utilitas Building  
1 Dorp Street  
**CAPE TOWN, 8000** or;

**By e-mail:** [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

The appeal must set out all facts as well as grounds of appeal and must be accompanied by all relevant documentations or certified copies to the Department of Environmental Affairs and Development Planning (Provincial Government: Western Cape). You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator.

**NOTE:**

1. *The approval of the OSCA permit does not absolve the owner of complying with any other legislation or legal requirements.*
2. *Proposed structures must comply with the development parameters of the zoning scheme. You are therefore advised to contact the Town Planning Department to ensure that this approval is aligned with all town planning requirements.*
3. *A building plan must be submitted to the Building Control office for approval. No earthworks or site clearing may occur prior to the building plan being approved.*
4. *No removal, moving or trimming of protected trees or vegetation may occur without an approved DFFE forestry license.*
5. *Should the any changes be brought that are materially different from the endorsed site plan, a new OSCA application must be submitted.*

Your co-operation in the protection and guardianship of the natural environment is appreciated.

Yours Faithfully



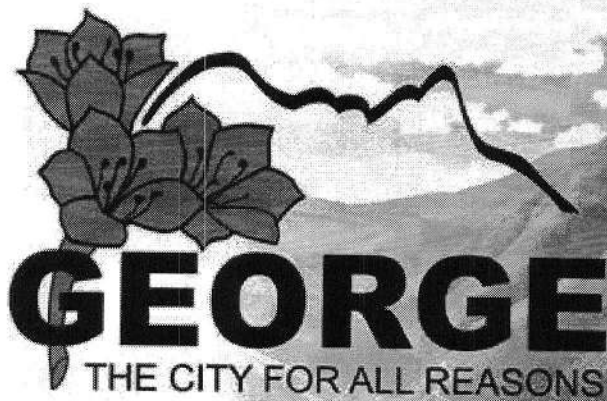
**D POWER**

**Date: 31 October 2023**

**DEPUTY DIRECTOR: PLANNING AND ENVIRONMENTAL MANAGEMENT**

*OSCAE Exemption Permit Application Portion 298 of Farm Kleinkrantz, 192.*

**ANNEXURE "C" - EMAIL DATED 6 NOVEMBER 2023**



71 York Street, George

044 801 9111

gmun@george.gov.za

www.george.gov.za

**From:** Clinton Petersen

**Sent:** Monday, November 6, 2023 12:40 PM

**To:** Delia Power <[DPOWER@GEORGE.GOV.ZA](mailto:DPOWER@GEORGE.GOV.ZA)>; Pierre Durant <[pierre@techtrust.co.za](mailto:pierre@techtrust.co.za)>

**Cc:** Nosisa Bulose <[nbulose@george.gov.za](mailto:nbulose@george.gov.za)>; Khuliso Mukhovha <[kimukhovha@george.gov.za](mailto:kimukhovha@george.gov.za)>; Ilka <[ilka14@gmx.de](mailto:ilka14@gmx.de)>; ModSquad <[info@modsquad.co.za](mailto:info@modsquad.co.za)>

**Subject:** RE: 298/192 Hoekwil

Hi Pierre

The Department came across the original approval for the subject property.

Please note the conditions of approval. Which will influence the design and position of the house.

Kind Regards

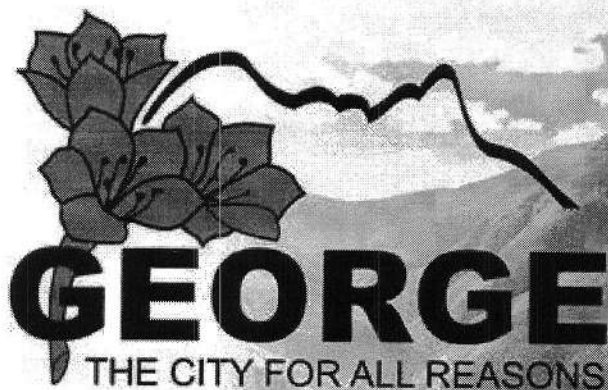
**Clinton Petersen**

Senior Manager: Town Planning

Directorate: Human Settlements, Planning and Development

**Office:** 044 801 9182

**Email:** [cpetersen@george.gov.za](mailto:cpetersen@george.gov.za)



71 York Street, George

044 801 9111

gmun@george.gov.za

www.george.gov.za

**ANNEXURE "D" – MUNICIPAL APPROVAL DATED 12 OCTOBER 2000**

**MUNISIPALITEIT** ✠  
**WILDERNIS**

**WILDERNESS**  
**MUNICIPALITY**

Kerkstraat 177  
Pk Hoekwil  
HOEKWIL  
6538

Tel 044-850-1326/7 Tel  
Faks 044-850-1320 Fax

177 Church Street  
P. O. Hoekwil  
HOEKWIL  
6538

Ons verwysing No./Our reference No.:  
Kontakpersoon/Contact person:

192/288/K  
Dr. P. S. Botes (Prof)

12 Oktober 2000

Formaplan  
Posbus 9824  
GEORGE  
6530

**Geregistreerde Pos**  
*Per Hand - Ontvang 1.11.2000*

Geagte Meneer

**ONDERVERDELING VAN ERF 192/288 (KLEINKRANTZ)**

1. U aansoek met betrekking tot bogenoemde aangeleentheid het betrekking.
2. Die Raad het, ingevolge artikel 25(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), soos gewysig, goedkeuring verleen tot die onderverdeling van die bogemelde eiendom(me) soos aangetoon op die aangehegte Plan No. 192/288/46/B waarop die grondgebruike vir die doeleindes van artikels 22(2) en 22(3) van voornoemde Ordonnansie 15 van 1985 aangetoon is.
3. Hierdie onderverdeling sal onderworpe wees aan die volgende voorwaardes, opgelê kragtens artikel 42(1) van genoemde Ordonnansie 15 van 1985:
  - 3.1 Dat die eienaar ingevolge die bepalings van artikel 27(1) van die genoemde Ordonnansie, 1985, binne 'n tydperk van vyf (5) jaar nadat die aansoek toegestaan is, die opsie tot onderdeling moet uitoefen.
  - 3.2 Dat indien die eienaar versuim het om die bepalings van artikel 27(1) van die Ordonnansie, 1985, na te kom, word die toestaan van die aansoek geag verval te wees.

1 Koprespondensie moet gerig word aan Die Stadsklerk  
Copy of this letter is also available in English

Correspondence must be addressed to The Town Clerk  
Afskrif van hierdie brief is ook beskikbaar in Afrikaans

- 3.3 Dat slegs een wooneenheid per erf opgerig mag word
- 3.4 Dat die wooneenhede slegs enkelverdiepings mag wees
- 3.5 Dat die 30m boulyn wat aan Olifantshoekweg grens streng gehandhaaf word
- 3.6 Dat die buite afwerking van die huise slegs sal bestaan uit - klinkersteen of hout, riet of teëldakke sal hê, en dat verf wat insmelt met die natuurlike omgewing gebruik sal word
- 3.7 Dat geen betonmure op die strat of erfrens opgerig word nie
- 3.8 Dat slegs hout, draad- of plantheinings toegelaat word wat vir die Raad aanvaarbaar is en slegs op plekke wat in die koopkontrak uiteengesit word
- 3.9 Dat aan die voorwaardes van die Departement van Omgewing- en Kultuursake en Sport (gedateer 31/08/2000), uitgesonderd 3 en 8 voldoen word, naamlik-
  - 3.9.1 "That the owner, developer(s) and contracotr(s) must adhere to all conditions laid down by the Wilderness Municipality
  - 3.9.2 That the applicant needs to consult with the municipality with reference to the supply of bulk services
  - 3.9.3 That the developer must only use nonreflecting, natural colours for the walls and roof
  - 3.9.4 That lights should be design in such a way that it will be unobstructive from below
  - 3.9.5 That houses should not be constructed below the building line which was identified by the previous owner
  - 3.9.6 That preferably, a phase-1 geotechnical study is needed before construction commences"
- 3.10 Dat aan die voorwaardes van die Direkteur: Gesondheid (gedateer 15/8/2000) voldoen word, naamlik-
  - 3.10.1 Dat die voorgestelde onderverdelingseiendomme sal inskakel by die waterverspreidingsnetwerk van Wildernis Munisipaliteit
  - 3.10.2 Dat die toepaslike bydrae tot die Dineste Ontwikkelingsfonds gemaak word ten opsigte van die onderverdeelde erwe



- 3.10.3 Dat indien die waterverspreidingslyn opgegradeer moet word daar van hierdie bydrae tot die Dienste Ontwikkelingsfonds gebruik gemaak sal word
- 3.10.4 Dat rioolwegdoening kan geskied deur middel van septiese tenkstelsels vir elke onderverdelingseiendom op voorwaarde dat die wegsyferingstempo van die terrein voldoen aan die standaard soos gestel in die Nasionale Bouregulasies. Indien nie, moet 'n opgaartenkstelsel geïnstalleer word en die ontwikkelaar sal van 'n geregistreerde private kontrakteur se verwyderingsdiens moet gebruik maak.
- 3.10.5 Dat die onderverdelingseiendomme sal inskakel by die vullisverwyderingsdiens soos deur die Raad gelewer
- 3.11 Dat aan die voorwaardes van die Direkteur: Ingenieurs- en Beskermingsdienste (Suid-Kaap Distrikraad) gedateer 17/8/2000) voldoen word, die direktoraat het geen beswaar onderworpe aan die volgende voorwaardes-
  - 3.11.1 Dat indien ontwikkeling plaasvind op voorgestelde gedeeltes A, B en C volledige uitlegte van parkeerareas asook die posisie van die voorgestelde toegang tot die betrokke perseel op 'n uitlegplan aangetoon word, en gestuur word vir goedkeuring
  - 3.11.2 Dat bome en bosse teruggekap word, veral by voorgestelde gedeelte C om maksimale skouerafstande te verseker vir aankomende verkeer om die draai op die noordoostelike grens; en
  - 3.11.3 Dat slegs toegange tot voorgestelde gedeeltes A en B toegelaat word en dat 'n serwituut geregistreer word ten gunste van gedeelte C oor gedeelte B. Hierdie toegange moet sover as wat moontlik is gekuif word vir maksimale sigafstande na oos.
- 3.12 Dat die nodige permitte ingevolge die betrokke regulasies verkry word aangesien die eiendom binne die Outeniqua Sensitiewe Kusgebied geleë is
4. 'n Afskrif van hierdie skrywe gaan ook aan die Landmeter-Generaal.
5. U aandag word daarop gevestig dat uitklaringsertifikate t.o.v. die onderverdeelde erwe nie uitgereik sal word nie, alvorens die Raad in besit is van die Landmeter-generaal se diagramme van die erwe.



6. Nieteenstaande die Raad se besluit, het u wel 'n reg tot appèl teen die goedkeuringsvoorwaardes, ingevolge die bepalings van artikel 44 van die genoemde Ordonnansie 15 van 1985, welke reg binne 21 dae vanaf datum van registrasie van hierdie brief uitgeoefen moet word. Die appèl moet binne die voormelde tyd aan die Hoofdirektoraat Beplanning: Direktoraat Grondsake, Privaatsak X9083, Kaapstad, 8000, versend word, met 'n afskrif aan die plaaslike owerheid geëndosseer.

Met vriendelike agting  
die uwe



DR. P. S. BOTES (PROF)  
STADSKLERK

192/285

**ANNEXURE “E” – EMAIL DATED 1 DECEMBER 2023**

Ilka & Andreas

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**Von:** Clinton Petersen <[Cpetersen@george.gov.za](mailto:Cpetersen@george.gov.za)>

**Gesendet:** Freitag, 1. Dezember 2023 08:37

**An:** Delia Power <[Dpower@george.gov.za](mailto:Dpower@george.gov.za)>; Pierre Durant <[pierre@techtrust.co.za](mailto:pierre@techtrust.co.za)>

**Cc:** Nosisa Bulose <[nbulose@george.gov.za](mailto:nbulose@george.gov.za)>; Khuliso Mukhovha <[kjmukhovha@george.gov.za](mailto:kjmukhovha@george.gov.za)>; Ilka <[ilka14@gmx.de](mailto:ilka14@gmx.de)>; ModSquad <[info@modsquad.co.za](mailto:info@modsquad.co.za)>

**Betreff:** RE: 298/192 Hoekwil

Good Morning Pierre and Ilka

My email of the 6<sup>th</sup> below refers.

It has come to our attention that the building plans for the above property was approved on 6 November 2023 prior to me sending the email below.

I do not know whether you checked the conditions of approval, but I must inform you that the plans do not comply with these conditions, specifically regarding the 1 storey height restriction as well as the roof materials allowed.

I note that revised building plans were not submitted after this email was sent to you and that construction work has since commenced in accordance with the approved plans.

The Department must now rectify the situation and I need to discuss the matter with you, either today or coming Monday or Tuesday, as this will assist the Department to determine the course of action it will need to follow.

I am available as follows:

Today, 01 December 2023: 10:00 to 16:00

Monday, 04 December 2023: 12:00 to 15:00

Tuesday, 05 December 2023: 11:00 to 13:00

Please let me know whether you are amenable to such discussion at my office and if so, the date and time that suits you.

Kind Regards

**Clinton Petersen**

Senior Manager: Town Planning

Directorate: Human Settlements, Planning and Development

**Office:** 044 801 9182

**Email:** [cpetersen@george.gov.za](mailto:cpetersen@george.gov.za)

**ANNEXURE “F” – EMAIL DATED 19 DECEMBER 2023**

**Caution:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear both,

hope all is well.

As requested below we can confirm point 2, 5 and 6.

In addition, I need to ask you for deadline extension with regards to point 1 due to current holiday season and selected town planner not being back before the week commencing 8-12. January 2024. Please confirm extension period.

As discussed, I am asking you for cost coverage proposal from municipality side to resolve things not caused by us.

Thanks in advance and have a nice Christmas time soon.

Ilka

---

**Von:** Clinton Petersen <[Cpetersen@george.gov.za](mailto:Cpetersen@george.gov.za)>

**gesendet:** Dienstag, 19. Dezember 2023 12:23

**An:** [ilka14@gmx.de](mailto:ilka14@gmx.de)

**Cc:** 'Pierre Durant' <[pierre@techtrust.co.za](mailto:pierre@techtrust.co.za)>; 'Andreas Augenbraun' <[augenbraun@auge-net.de](mailto:augenbraun@auge-net.de)>; Delia Power <[Dpower@george.gov.za](mailto:Dpower@george.gov.za)>; Amanda Joubert <[ajoubert@george.gov.za](mailto:ajoubert@george.gov.za)>; ILANE HUYSER <[ihuyser@george.gov.za](mailto:ihuyser@george.gov.za)>; Fickerie Toyer <[ftoyer@george.gov.za](mailto:ftoyer@george.gov.za)>

**Betreff:** RE: 298/192 Hoekwil

Good afternoon Ilke

I have discussed the matter with our Legal Department. The advice received is as follows:

1. The owners will be permitted to submit the required land use application within the next 30 days to depart from the 1 storey height restriction applicable to the property.
2. The owners must confirm their intension to submit the required application within the next 14 days.
3. The owners must note and accept that submitting the application in no way means that the Municipality is condoning the incorrectly approved building plan and there is also no guarantee of the application being approved.
4. The owners may continue to construct the part of the house that is not in conflict with the condition of approval, i.e., the ground floor area only.
5. The owners must give an undertaking in writing that they will not construct the 1<sup>st</sup> floor of the house until the outcome of the land use application is known / confirmed.
6. Said undertaking must also be submitted to the Municipality within the next 14 days.
7. The owners must note that should they not agree to- or fail to comply with the above, the Municipality will be obliged to approach the court for an interim interdict to stop all building work on the property pending the outcome of the required land use application.

Please note that I will be only leave from 23 December 2023 to 10 January 2024. Ilané Huyser will be acting in my position in this period.

If you have any queries or require further information on the above, please do not hesitate to contact me.

Kind Regards

**Clinton Petersen**

Senior Manager: Town Planning

Directorate: Human Settlements, Planning and Development

Office: 044 801 9182

Email: [cpetersen@george.gov.za](mailto:cpetersen@george.gov.za)



**From:** [ilka14@gmx.de](mailto:ilka14@gmx.de) <[ilka14@gmx.de](mailto:ilka14@gmx.de)>

**Sent:** Sunday, December 17, 2023 1:08 PM

**To:** Clinton Petersen <[Cpetersen@george.gov.za](mailto:Cpetersen@george.gov.za)>

**Cc:** 'Pierre Durant' <[pierre@techtrust.co.za](mailto:pierre@techtrust.co.za)>; 'Andreas Augenbraun' <[augenbraun@auge-net.de](mailto:augenbraun@auge-net.de)>

**Subject:** AW: 298/192 Hoekwil

**Caution:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day Clinton,

Hope all is well and you had a nice weekend?

Thanks again for our exchange on the 1. December, via WhatsApp Call.

With regards to that I was wondering when we can expect your Feedback as bespoken on the following topics to drive best case solution:

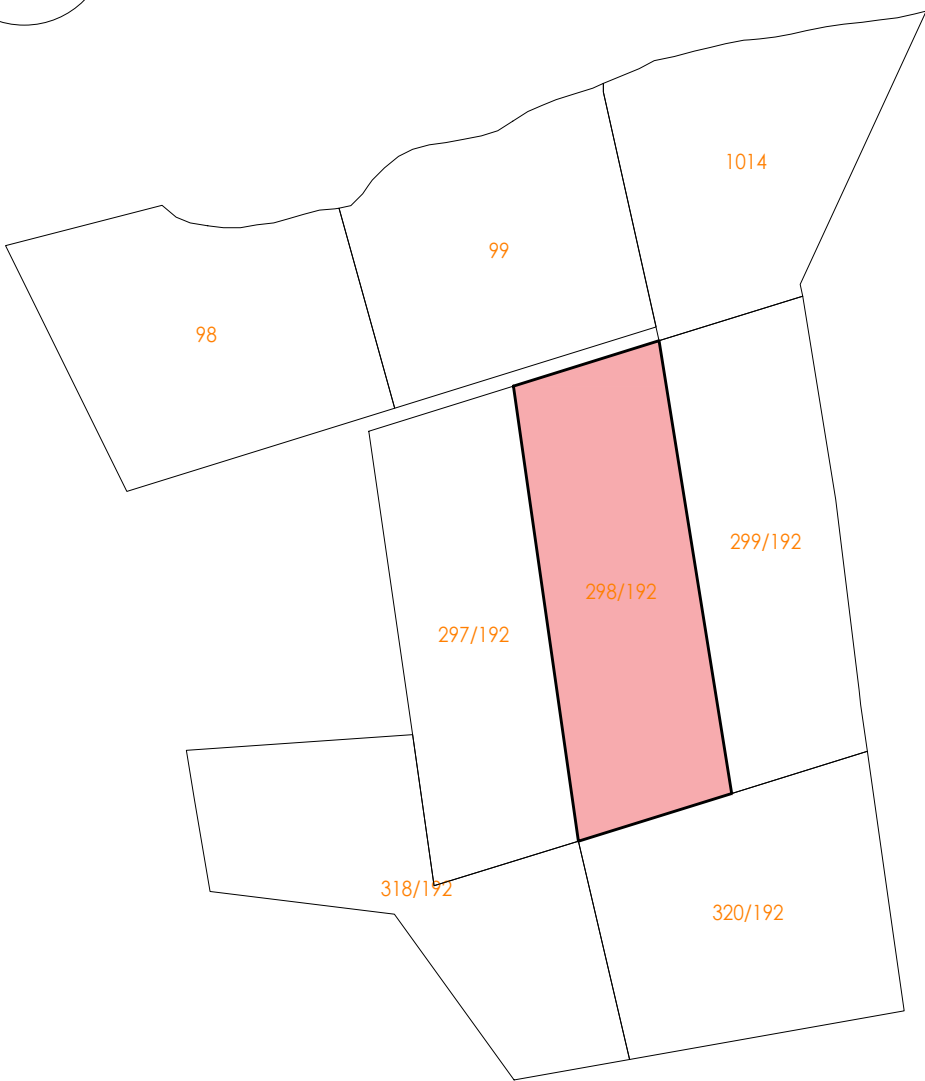
1. Details on complaint vs. subdivision conditions
2. George Municipality Legal Dept. check and detailed feedback on subdivision conditions (if and why they should still be legally valid or if they are no more).
3. Detailed action list, incl. risks and opportunities, process details and timings/deadline (where we would expect your support to drive things quicker vs. regular deadlines to not delay us and drive additional costs to our disadvantage as well)  
and cost coverage suggestion by George Municipality to resolve a mistake which hasn't been driven by us

If anything, please don't hesitate to contact me either by Email or WhatsApp Call on: +49 (0)1778284902

Have a lovely start into the week and happy hearing from you.

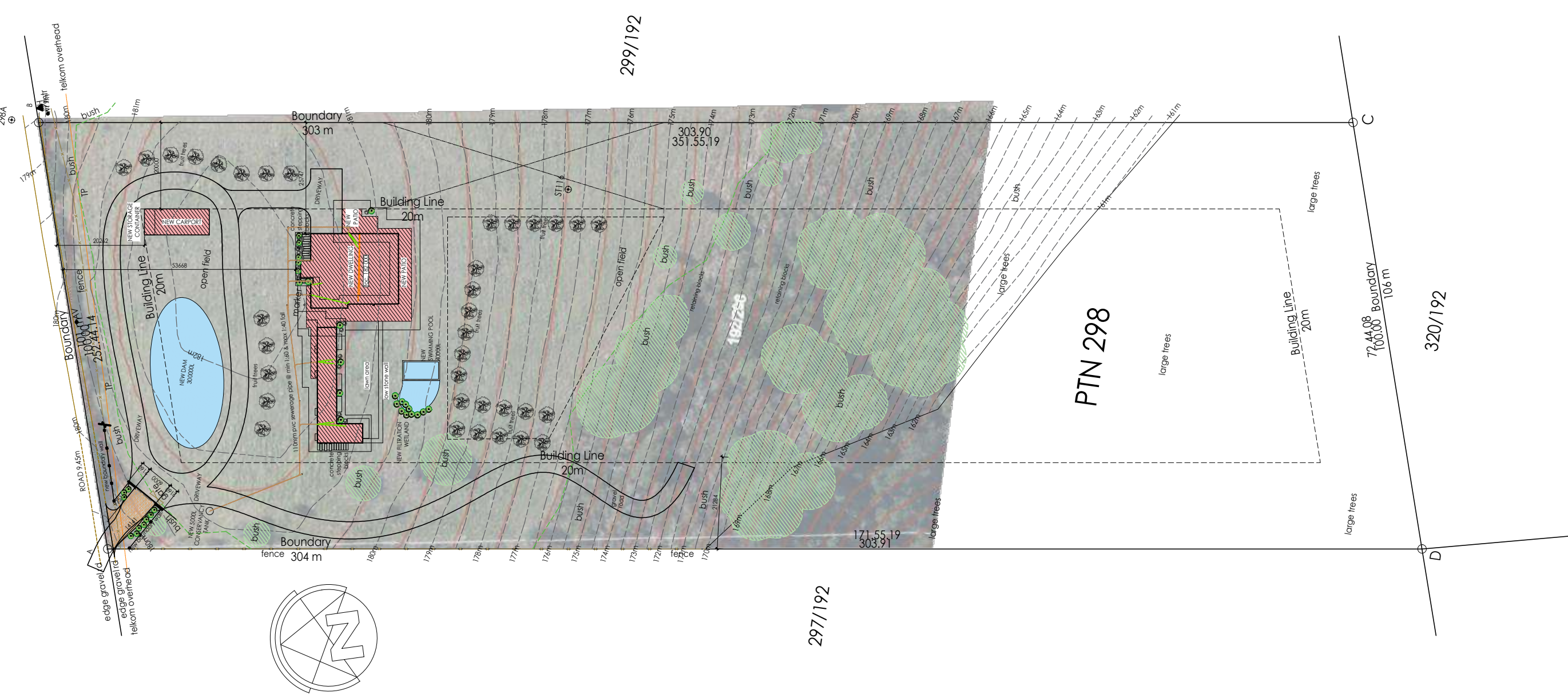
## **ANNEXURE "G" – PROPOSED BUILDING PLANS FOR DWELLING HOUSE**



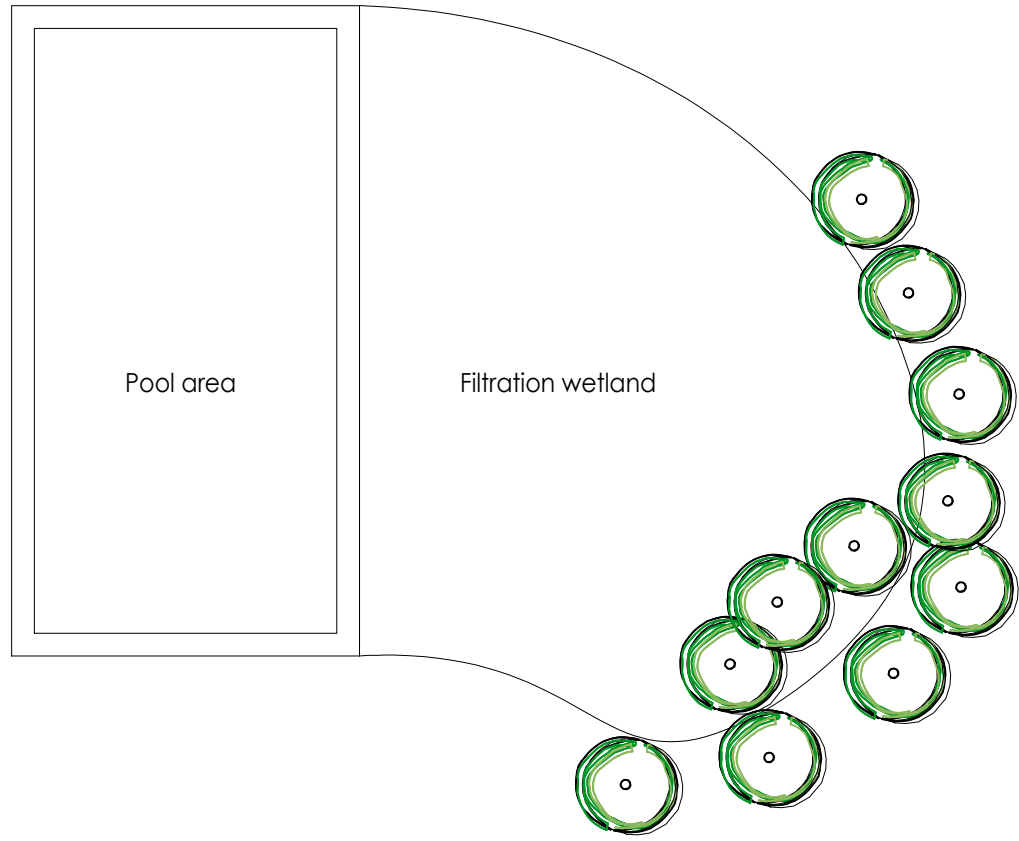




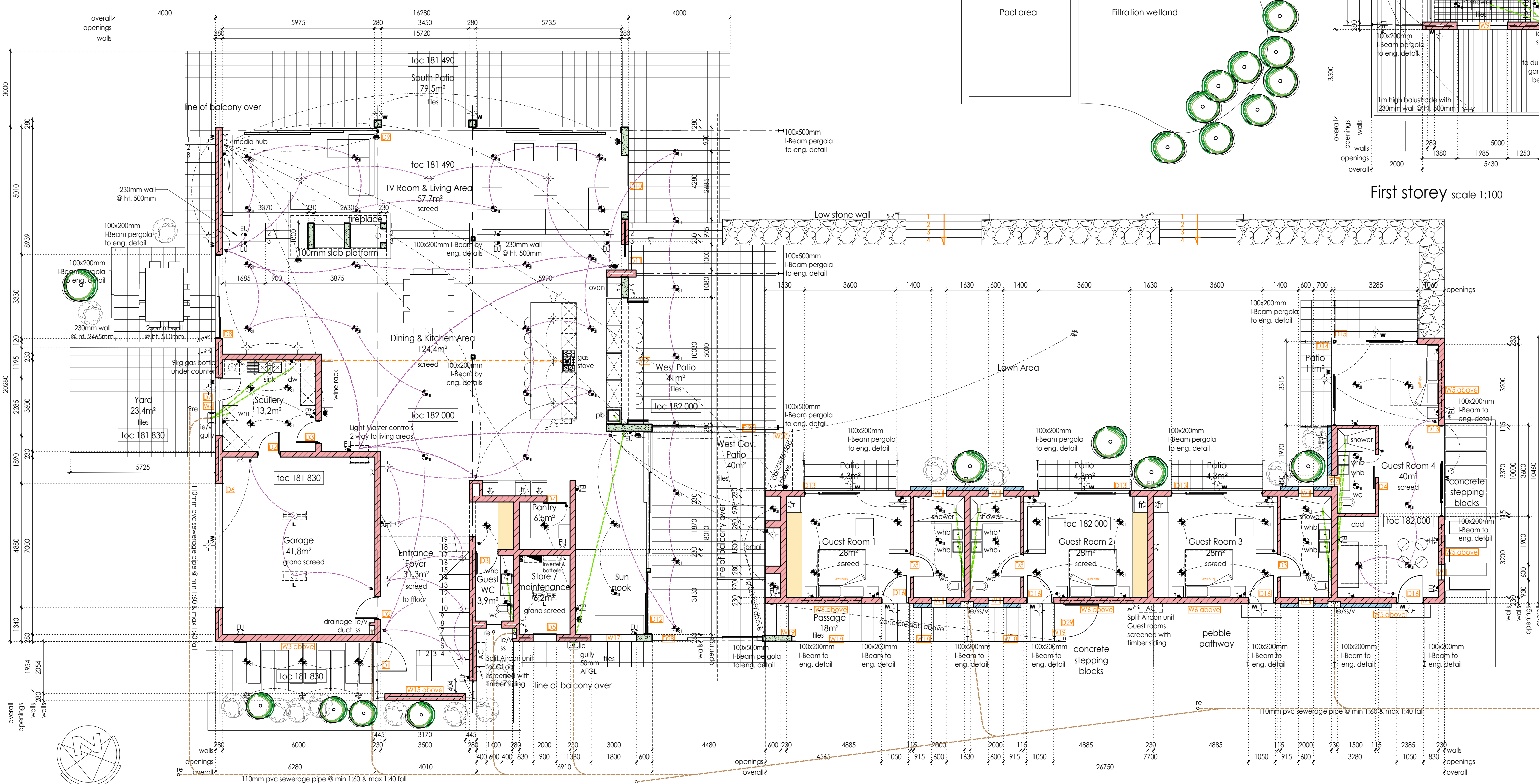
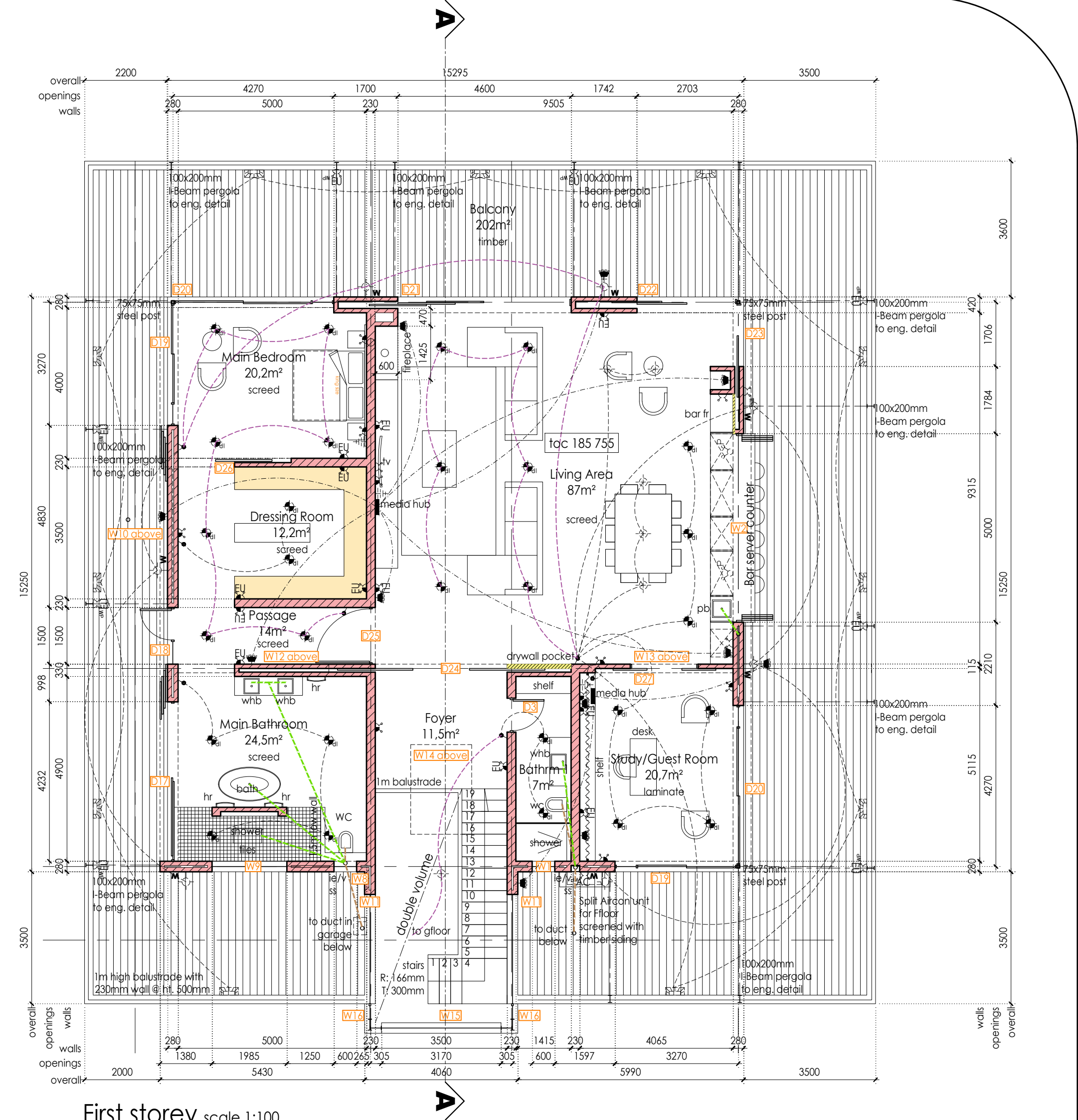
Site Plan scale 1:1000



Locality Plan scale 1:5000



First storey scale 1:100



POWER LEGEND	
1:1	16A double socket outlet @ 1050mm height AFFL
1:6	16A double socket outlet @ 300mm height AFFL
EU	16A EU double socket outlet @ 300mm height AFFL
retractable	retractable multi socket with EU socket
waterproof	waterproof 16A double socket outlet @ 300mm height
isolator	isolator
stove connection	stove connection
data outlet	data outlet
distribution board	distribution board
mesh point	mesh point
prepaid meter	prepaid meter
shaver plug	shaver plug
speaker	speaker
LIGHT LEGEND	
LED strip light	LED strip light
external waterproof wall lights	external waterproof wall lights @ 2100mm height AFFL
wall light	wall light @ 2100mm height AFFL
pendant light armature point	pendant light armature point
downlighter	downlighter
ceiling mounted light point	ceiling mounted light point
day/night switch	day/night switch
bricklight	bricklight @ 300mm
commercial fluorescent luminaire	commercial fluorescent luminaire
enclosed type luminaire	enclosed type luminaire
billboard	billboard
2 way circuit with dimmer	2 way circuit with dimmer
2 way circuit	2 way circuit
lightswitch	lightswitch @ 1150mm AFFL
dimmer circuit	dimmer circuit
underfloor heating	underfloor heating
25mm conduit with cat6 network cable	25mm conduit with cat6 network cable
Area Schedule	
Erf	31 044 m²
Ground floor	348 m²
Basal room	45 m²
Guest room	143 m²
First floor	225 m²
Carport	76 m²
Total	612 m²
Ground floor Patio Area	169 m²
First floor Patio Area	221 m²
Yard	26 m²
Coverage	
2%	
Pierre Durant	
Tel: 082 482 8339	
Email: pierre@techtrust.co.za	
New residence for M & Ms	
Augebraun on erf 298, Hoeskivil	
Plans	
24/01/2024	
4000 PLAN (A1)	

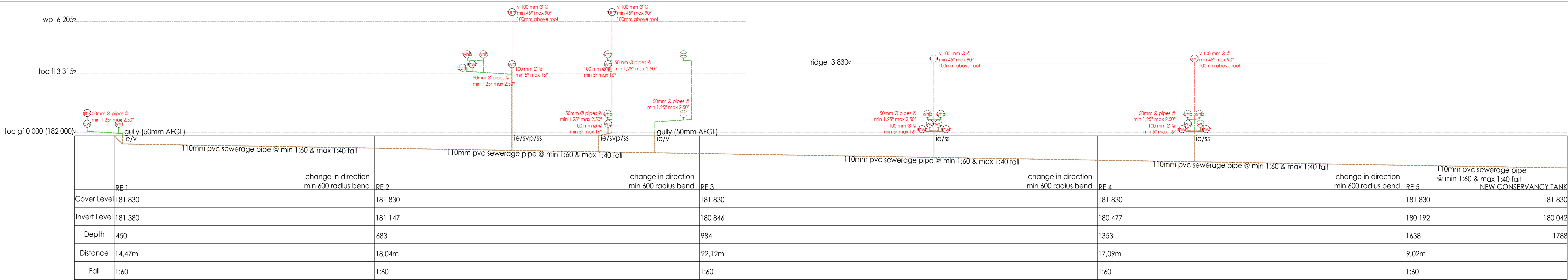
Ground storey scale 1:100





- T: SANS 10400 - T, Fire protection  
V: SANS 10400 - V, Space heating  
W: SANS 10400 - W, Fire Installation





Schematic Drainage Section

DRAINAGE: SINGLE STACK SYSTEM (SANS 10400 - P, Drainage):

NB: NO BACK VENTING REQUIRED

- Provide a chemical temporary toilet (before inspection of foundation excavations) in an inoffensive position to be kept in a hygienic and odourless condition.
- All sewers are 100mm dia. PVC min. 1:60, max fall 1:10.
- Open end of vent pipe to be min. 2m above any opening into building within a 5m radius.
- Stub vents to be fitted with an approved 2 way vent valve. All vents, stacks, geysers, down pipes etc to be concealed. Stacks in ducts to be accessible for cleaning purposes.
- All bends and junctions in sewer to be fitted with IE's. All RE's under paving to be fitted with marked covers. Protect drain under foundations in accordance with PP24 of SABS 0400.
- All waste fittings to have reset traps & pipe to be fully accessible if under floors IE's either end or clamped to wall.
- All sewer pipes less than 350mm under GL to be covered with a concrete slab, wide and strong enough to protect sewer with min 100mm dia. soil pipe between pipe and concrete.
- The radius of the centre line of bend at the foot of discharge stack shall not be less than 300mm and other bends 600mm.
- The vertical distance between the invert of the lowest branch discharge pipe connected to & the invert of the drain at the point of connection of the stack & the drain to be min 500mm.
- Where any waste or soil branches are connected to a stack the centre line of the waste branch shall not intersect the stack within 200mm below the centre line of the soil branch. All waste branches to connect separately to stack.
- Where a French drain is required, a percolation test shall be executed complying with section PP28 of SABS 0400, and the French drain shall run parallel to the contours of the site.
- Sewer connection: as shown: with rodding eye or manhole within 1,5m from connection.

PIPE SIZE DIAMETER MIN GRADE, MAX GRADE.

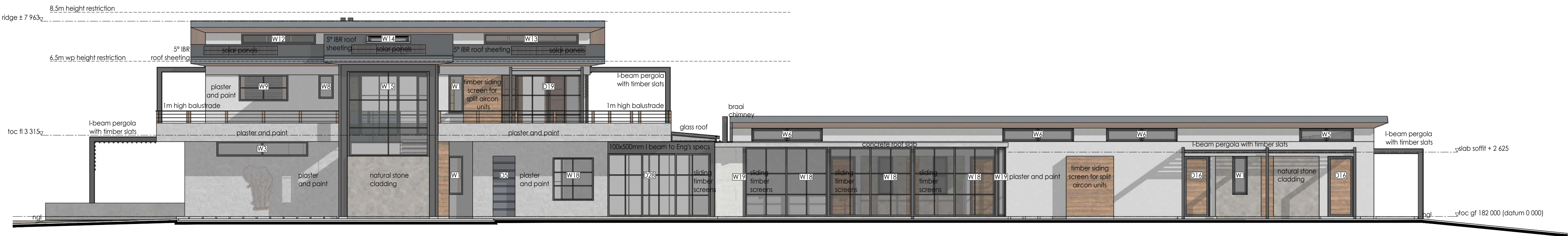
SINK, VEG. BASIN, SHOWER, W/M, D/W, TROUGH, BATH, W/H 50mm 1:25 deg, 2:50 deg, 5:00 deg

BIDGET 50mm 2:50 deg 5:00 deg

TOILETS 100mm 5:00 deg 14:00 deg

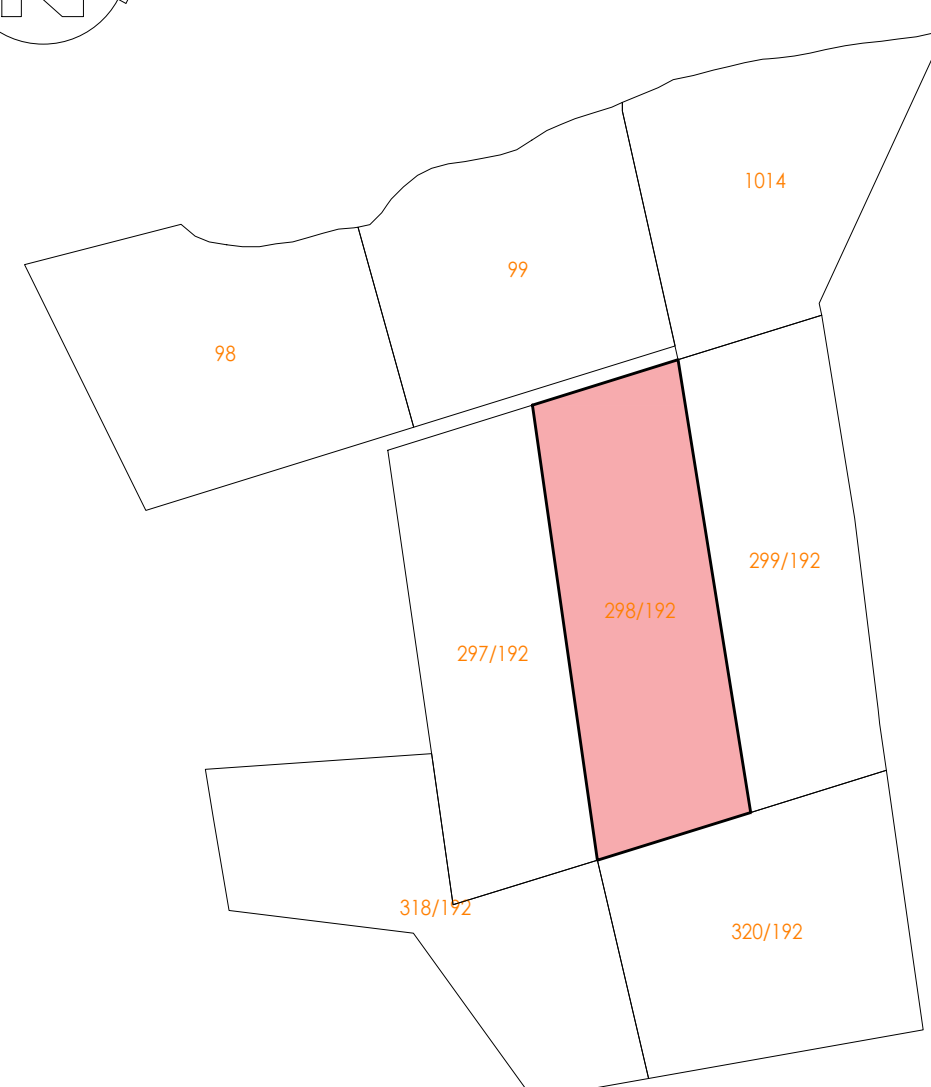
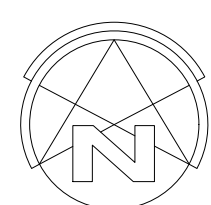
COMBINED WASTES MIN 50mm 1:25 deg 2:50 deg

STACKS / VENTS TO TOILETS MIN 100mm 45:00 deg 90:00 deg





## ANNEXURE "H" – PROPOSED SITE PLAN



Locality plan scale 1:5000

297/192

299/192

PTN 298

320/192

**ANNEXURE "I" – MUNICIPAL APPLICATION FORM**





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

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

### PART A: APPLICANT DETAILS

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

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

Registered owner	Andreas Augenbraun		
Address	Wallfriedsweg 49, 45479 Meulheim an der Ruhr		
	Germany	Postal code	N/a
E-mail	<a href="mailto:augenbraun@auge-net.de">augenbraun@auge-net.de</a> or <a href="mailto:ilka14@gmx.de">ilka14@gmx.de</a>		
Tel	N/a	Fax	N/a
Cell	0049 (0) 1778284902		

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

Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	Portion 298 of the Farm Klein Krantz 192
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Physical Address	<b>298 Olifantshoek Road, Hoekwil</b>										
GPS Coordinates					Town/City	George					
Current Zoning	<b>Agricultural Zone II</b>			Extent	<b>3,0 hectares</b>		Are there existing buildings?		<b>Y</b>	<b>N</b>	
Current Land Use	<b>Dwelling house under construction</b>										
Title Deed number & date	<b>T9527/2022</b>										
Any restrictive conditions prohibiting application?	<b>Y</b>	<b>N</b>	If Yes, list condition number(s).								
Are the restrictive conditions in favour of a third party(ies)?	<b>Y</b>	<b>N</b>	If Yes, list the party(ies).								
Is the property encumbered by a bond?	<b>Y</b>	<b>N</b>	If Yes, list Bondholder(s)?								
Has the Municipality already decided on the application(s)?	<b>Y</b>	<b>N</b>	If yes, list reference number(s)?								
Any existing unauthorized buildings and/or land use on the subject property(ies)?					<b>Y</b>	<b>N</b>	If yes, is this application to legalize the building / land use?			<b>Y</b>	<b>N</b>
Are there any pending court case / order relating to the subject property(ies)?					<b>Y</b>	<b>N</b>	Are there any land claim(s) registered on the subject property(ies)?			<b>Y</b>	<b>N</b>
<b>PART D: PRE-APPLICATION CONSULTATION</b>											
Has there been any pre-application consultation?			<b>Y</b>	<b>N</b>	If Yes, please complete the information below and attach the minutes.						
Official's name	<b>N/a</b>		Reference number	<b>N/a</b>		Date of consultation	<b>N/a</b>				
<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:**

- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from condition 3.4 of the approval dated 12 October 2000 which reads as follows**  
  
**“3.4 Dat die wooneenhede slegs enkelverdieping mag wees”**  
  
**to allow for a double storey dwelling house with a maximum height of 7.963 metres on Portion 298 of the Farm Klein Krantz 192.**
- Application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for the consent of the George Municipality to use the western wing of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192 as a 4-bedroom guesthouse.**

#### **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
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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	<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
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),
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)				National Environmental Management: Waste Act, 2008 (Act 59 of 2008),
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations				National Water Act, 1998 (Act 36 of 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. N/A				

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

## SECTION I: DECLARATION

I hereby wish to confirm the following:

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

Applicant's signature:



Date:

**11 March 2024**

Full name:

**Johannes George Vrolijk**

Professional capacity:

**Professional Town Planner**

SACPLAN Reg. Nr:

**A/1386/2010**

## ANNEXURE "J" – LOCALITY PLAN



# Portion 298 of 192 - Locality plan



0 0.35 0.7 1.4 km

Date: 1/15/2024 8:56 AM

Scale: 1:12,103



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

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



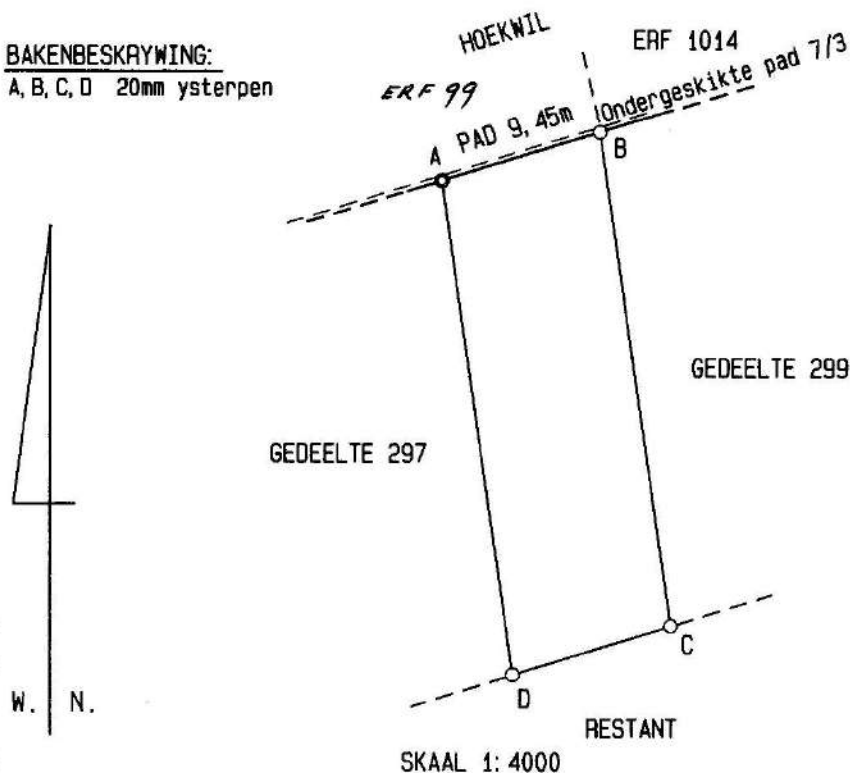
## ANNEXURE “K” – SURVEYOR GENERAL DIAGRAM



SYE Meter	RIGTINGS -HOEKE	KOÖRDINATE Y Stelsel WG23 X		L.G. Nr.  3847/2001  Goedgekeur  Landmeter-Generaal 2001. 07. 27
		Konstante	+ 0,00	
AB 100,00	252 44 13	A	+ 33 039,83	+ 61 433,57
BC 303,90	351 55 20	B	+ 32 944,34	+ 61 403,90
CD 100,00	72 44 10	C	+ 32 901,63	+ 61 704,79
DA 303,90	171 55 20	D	+ 32 997,13	+ 61 734,46
	Δ (108) BERG 14		+ 38 503,70	+ 55 512,87
	Δ (448) LANGVLEI		+ 33 241,69	+ 61 806,81

## BAKENBESKRYWING:

A, B, C, D 20mm ysterpen



Die figuur A B C D

stel voor 3,0000 hektaar grond synde

GEDEELTE 298 n GEDEELTE VAN GEDEELTE 288 VAN DIE PLAAS KLEIN KRANTZ No.192

geleë in die George Munisipaliteit

Administratiewe Distrik George Provinsie van die Wes Kaap

Opgemeet in Junie 1974 - Junie 2001

deur ons O.J.A.GOOSEN (PLS0220) A.LOUW (PLS0356) Professionele Landmeters

Hierdie kaart is geheg aan  
Nr. T 37438/2002  
gedateer  
t.g.v.

Registrateur van Aktes

Die oorspronklike kaart is  
Nr. 7188/91  
Transport  
Nr. 1991 - - 78920

Leër Nr. Geor. 192 (Vol.5)  
M.S. Nr. E 1481/2001  
Komp. BL-8CDC (4142)

HIERDIE GEDEELTE IS ONDER-  
WORPE AL VOORWAARDES  
SOOS VERNOEMD IN ARTIKEL 11  
(S) VAN WET 21/1988

Wet 70/1970  
Nie van toepassing nie

GOEDGEKEUR KRAGTENS ART. 25  
VAN ORD. 15/1985  
VERWYSING 192/288/K  
DATUM 2000.10.12

## ANNEXURE "L" – TITLE DEED



**raubenheimers**

attorneys

60 Cathedral Street George 6529  
PO Box 21 George 6530  
South Africa  
Docex 1 George  
Tel: +27 (0)44 873 2043  
Fax: +27 (0)44 874 4516  
www.raubenheimers.co.za

MR A AUGENBRAUN

EMAIL: [augenbraun@auge-net.de](mailto:augenbraun@auge-net.de)  
EMAIL: [ilka14@gmx.de](mailto:ilka14@gmx.de)

Your ref:

Our ref: AMC/LB/W64119/B71

Date: 14 APRIL 2022

Dear Mr Augenbraun

**TRANSFER : BUSE TJ / AUGENBRAUN A**  
**PROPERTY : PTN 298 (PTN OF PTN 288) OF THE FARM KLEIN KRANTZ NO 192**

In conclusion of the above matter, we enclose a copy of the following undermentioned document which will be held in our safe custody number **A107** pending your further instructions herein.

- Original Deed of Transfer No. T9527/2022

As your assets have now changed, please remember to update your Last Will and Testament. Should you not have a Will, you are welcome to contact me so I can schedule an appointment for you with our Estate department.

It has been a pleasure to attend to this transaction on your behalf and we trust that we may be of service to you in the future.

Yours faithfully

**ANN COETZEE**

Ref. : Levona Buys  
Tel. : 044 873 2043 Ext. 125  
E-Mail : [levonab@raubenheimers.co.za](mailto:levonab@raubenheimers.co.za)  
Fax : 086 680 9420

**Directors**

W M Luttig B Com LLB • A M Coetzee B Jur LLB • J Y Claasen B Proc • J J Juma LLB

**Executive consultants**

W V van Breda B Proc M Com D Com

**Associates**

K Smit B Jur LLB • D Du Plessis LLB

**Office manager**

M du Plessis

Founded 1907



Raubenheimers Inc  
Reg No: 1993 / 001742 / 21

RAUBENHEIMERS INC  
60 CATHEDRAL STREET  
GEORGE  
6529

TEL: 044-873 2043

Prepared by me

CONVEYANCER  
ANN MARJORY COETZEE  
LPC Membership No: 83392

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 3.000.000,00	R. 1778,00
Reason for exemption	Category Exemption.....	Exemption i to. Sec/Reg..... Act/Proc.....



**CERTIFIED A TRUE COPY  
OF THE ORIGINAL**

9/1/22 George

ANNELISE OOSTHUIZEN  
KOMMISSARIS VAN EDE/  
COMMISSIONER OF OATHS  
SENIOR CONVEYANCING SECRETARY/  
SENIOR AKTESEKRETAAR/ESSE  
60 CATHEDRAL STREET/STRAAT  
GEORGE  
REPUBLIC OF SOUTH AFRICA

T 000009527 / 2022

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

HARRIS GEOFFREY HARDCASTLE  
LPCM No. 98545

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney which was signed at Dulmen, Germany on 28 December 2021 and granted to him/her by

THOMAS JOSEF BUSE  
BORN ON 17 FEBRUARY 1958  
MARRIED, WHICH MARRIAGE IS GOVERNED BY THE LAWS OF  
GERMANY AND DULY ASSISTED HEREIN BY HIS SPOUSE KARIN BUSE  
INSOFAR AS NEEDS BE

And the appearer declared that his/her said principal had, on 19 October 2021, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

ANDREAS AUGENBRAUN  
BORN ON 5 NOVEMBER 1966  
UNMARRIED

his Heirs, Executors, Administrators or Assigns, in full and free property

PORTION 298 (PORTION OF PORTION 288) OF FARM KLEIN KRANTZ  
NUMBER 192  
IN THE MUNICIPALITY AND DIVISION OF GEORGE  
PROVINCE OF THE WESTERN CAPE

IN EXTENT 3,0000 (THREE COMMA ZERO ZERO ZERO ZERO) Hectares

FIRST TRANSFERRED AND STILL HELD BY DEED OF TRANSFER  
T37138/2002 WITH DIAGRAM NUMBER 3847/2001 RELATING THERETO

- A. SUBJECT to the conditions referred to in Deed of Transfer Number T9385/1908.
- B. SUBJECT FURTHER and ENTITLED to certain benefits, under the following special condition as contained in Deed of Transfer Number T9385/1908, namely;

"That the two lakes situated on the remaining extent of the aforesaid farm called "Klein Krantz" shall remain for the joint use of al the Appearer's Constituents, that is to say, for those who receive title upon partition of deducted portions and those to receive undivided shares in the remaining extent."

**CERTIFIED A TRUE COPY  
OF THE ORIGINAL**

9/1/8/2 George

ANNELISE OOSTHUIZEN  
KOMMISSARIS VAN EDE/  
COMMISSIONER OF OATHS  
SENIOR CONVEYANCING SECRETARY/  
SENIOR AKTESEKRETARESSE  
60 CATHEDRAL STREET/STRAAT  
GEORGE  
REPUBLIC OF SOUTH AFRICA

@

41



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

**THOMAS JOSEF BUSE, Married as aforesaid**

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

**ANDREAS AUGENBRAUN, Unmarried**

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 purchase price to be the sum of **R3 000 000,00 (THREE MILLION RAND)**.

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on **11 MAR 2022**



q.q.

In my presence

  
REGISTRAR OF DEEDS

**CERTIFIED A TRUE COPY  
OF THE ORIGINAL**

9/1/8/2 George

  
**ANNELISE OOSTHUIZEN**  
KOMMISSARIS VAN EDE/  
COMMISSIONER OF OATHS  
SENIOR CONVEYANCING SECRETARY/  
SENIOR AKTESEKRETARESSE  
60 CATHEDRAL STREET/STRAAT  
GEORGE  
REPUBLIC OF SOUTH AFRICA

## ANNEXURE "M" – POWER OF ATTORNEY

## POWER OF ATTORNEY

I, the undersigned

**Andreas Augenbraun**

in my capacity as the registered owner of

**Portion 298 of the Farm Klein Krantz 192**

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

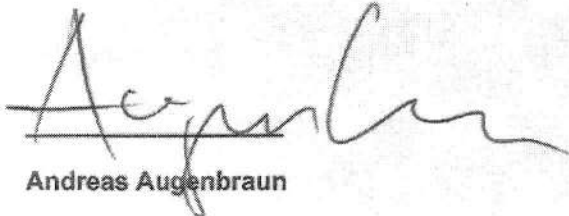
- *An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from condition 6 of the approval dated 3 November 2016 which reads as follows*

*"6. Die wooneenhede en buitegeboue mag slegs een (1) verdieping met 'n totale hoogte van 6.5m vanaf natuurlike grondvlak wees;"*

*to allow for a double storey dwelling house with a maximum height of 7.963 metres on Portion 298 of the Farm Klein Krantz 192.*

- *An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a departure from condition 7 of the approval dated 3 November 2016 to allow for a dwelling house including patios and outbuildings with a size of xxm<sup>2</sup> on Portion 298 of the Farm Klein Krantz 192.*
- *An application is made in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for the consent of the George Municipality to use the western wing of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192 as a 4-bedroom guesthouse.*

Signed at Muelheim an der Ruhr, Germany on 9 February 2024



Andreas Augenbraun



**ANNEXURE “N” – CONVEYANCER CERTIFICATE**

## CONVEYANCER'S CERTIFICATE

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

#### PORTION 298 OF THE FARM KLEIN KRANTZ 192

#### APPLICATION DETAILS

- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a permanent departure from condition 6 of the approval dated 3 November 2016 which reads as follows

*"6. Die wooneenhede en buitegeboue mag slegs een (1) verdieping met 'n totale hoogte van 6.5m vanaf natuurlike grondvlak wees;"*

to allow for a double storey dwelling house with a maximum height of 7.963 metres on Portion 298 of the Farm Klein Krantz 192.

- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for a departure from condition 7 of the approval dated 3 November 2016 to allow for a dwelling house including patios and outbuildings with a size of 1 280m<sup>2</sup> on Portion 298 of the Farm Klein Krantz 192.
- An application in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for the consent of the George Municipality to use the western wing of the proposed dwelling house on Portion 298 of the Farm Klein Krantz 192 as a 4 bedroom guesthouse.

#### APPLICATION DATE

February 2024

I, the undersigned

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

do hereby certify as follows:

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

**T9527/2022** (current Title Deed)

in respect of:

**PORTION 298 OF THE FARM KLEIN KRANTZ 192**

**IN THE MUNICIPALITY AND DIVISION OF GEORGE  
PROVINCE OF THE WESTERN CAPE**

**IN EXTENT: 3,0000 (THREE COMMA ZERO ZERO ZERO ZERO) HECTARES**

**HELD BY DEED OF TRANSFER NUMBER T9527/2022**

REGISTERED in the name of

**ANDREAS AUGENBRAUN**

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

SIGNED at GEORGE on 8 February 2024.



CONVEYANCER