

21 April 2025

Municipal Manager
George Municipality
GEORGE

By e-mail

Att: Ms Ilané Huyser/Naudica Swanepoel

PROPOSED DEPARTURE (RELAXATION OF BUILDING LINES):
ERF 298, LE GRAND

Application is hereby made in terms of Section 15.(2)(b) of the George Land Use Planning By-Law, 2023 for a departure for the relaxation of the street boundary building line for a proposed single garage on Erf 298, Le Grand. The following is attached hereto:

- Memorandum
- Application form
- Deed of Transfer
- Conveyancer Certificate
- Power of Attorney
- Erf Diagram/ General Plan
- Locality Plan
- Site plan showing building line encroachment
- Approved building plan
- HOA Consent
- Bondholder Consent

I trust that you will find this in order.



P C J Theron Pr. Pln

PROPOSED RELAXATION OF BUILDING LINE: ERF 298, LE GRAND

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PROPOSED RELAXATION OF BUILDING LINE: ERF 298, LE GRAND

1. INTRODUCTION

The owner of the property, Mr. J.C. de Wet, bought this property in 2023 to erect a dwelling house thereon. Building plans were submitted and approved and Mr de Wet already commenced erecting the dwelling house in accordance with the approved building plans. ***See attached site and floor plans with Council approval stamp dated 11 July 2024.***

However, after building construction already commenced, Mr de Wet decided that he would rather change the golf-cart garage that was approved originally, into a full single garage. The golf-cart garage was approved inside the 4m street-building line, but the enlarging thereof to a full single garage cannot comply with the 4m street building line.

The owner appointed Formaplan to lodge the land use application for a relaxation of the building line on his behalf – see attached power of attorney.

2. THE PROPERTY

2.1 Description

The property is described as Erf 298, Le Grand.

2.2 Ownership

The erf is registered in the name of Johannes Christoffel De Wet.

2.3 Size

The erf is 772m² in size.

2.4 Zoning

The erf is zoned Single Residential Zone I.

2.5 Locality

The property is located in Green Road, Le Grand. See attached Locality Plan.

2.6 Present Land Use

The owner is in the process of erecting a 2 storey dwelling on the erf. See **photo 1** below.



Photo 1 The dwelling that is currently been erected on the erf. The photo was taken from the erf (256) directly across the adjacent street, in an easterly direction.



Photo 2 The photo was taken from inside the erf in a northerly direction showing the position of the proposed single garage that will encroach the street building line by approximately 2 meters.

2.7 Surrounding Land Use

Erf 298 is surrounded by other single residential erven. In close vicinity of the subject erf, there are dwelling houses on a few erven in the vicinity of Erf 298 of which the dwellings on Erven 255 and 257 are the closest. There are no dwellings on the erven directly adjacent to Erf 298, north and south thereof (*erven 299 and 297*) and Erf 256, directly across the street from Erf 298.

3. **APPLICATION**

Application is made in terms of Section 15(2)(b) of the George Land Use Planning By-Law, 2023 for

a departure for the relaxation of the western street boundary building line from 4m to 2.0m, 2.072m & 2.468m in respect of 3 corners of a proposed single garage on Erf 298, Le Grand.
See attached Site Plan.

4. PRE-APPLICATION CONSULTATION

A pre-application consultation is not required for an application for relaxation of a building line.

5. DESIRABILITY OF THE PROPOSED DEVELOPMENT

The concept, desirability of the development as proposed in this application, can be described as the acceptability thereof on the land unit and the environment where it will take place. The proposal will be discussed in terms of the following to determine the desirability thereof:

- ❖ Physical characteristics
- ❖ Proposed Land Uses /Departures
- ❖ Consistency of the proposal in terms of existing planning documents
- ❖ Removal of Restrictive Condition

5.1 Physical Character of the Property

5.1.1 Topography

The property has a medium to steep slope (± 1 in 4.6) away from the street in a generally eastern direction.

5.1.2 Vegetation

No indigenous vegetation will be affected on the areas where the dwelling house is being erected.

5.1.3 Soil conditions

The soil condition of the property is not of any concern. Many other dwellings were already erected in the area without any foundation problems and the relaxation of the building line as applied for, cannot have any negative effect on soil conditions.

5.1.4 Summary

The physical character of the property is such that the proposed relaxation of the building line is not affected.

5.2 Proposed Development

This application is only for a building line relaxation to increase an approved golf-cart garage to a full single motor-vehicle garage. ***See attached floor plans of the proposal.***

In order for the owner to achieve the above, application needs to be made for relaxation of the 4m building line on the western (*street*) boundary of the erf.

5.3 Consistency in terms of Existing Planning Documents

5.3.1 Deeds of Transfer

Deed of Transfer No T 1573/2024 is applicable to the property.

The title deed is attached to the application. There are no restrictive conditions in this deed iro building lines that needs to be addressed. Also see the attached Conveyancer Certificate.

5.3.2 Spatial Planning and Land Use Management Act – SPLUMA

Section 7 of SPLUMA lists 5 development principles that are applicable to spatial planning, land use development and land use management namely:

- ❖ Spatial justice
- ❖ Spatial sustainability
- ❖ Efficiency
- ❖ Spatial resilience
- ❖ Good administration

Section 42 of SPLUMA mentions the factors that must be taken into account when an application is submitted to a municipal tribunal for a decision namely:

- ❖ The 5 development principles as mentioned above
- ❖ Conservation and promotion of agricultural land
- ❖ Public interest
- ❖ Constitutional transformation
- ❖ Rights and obligations of all those affected
- ❖ Impact on engineering services, social infrastructure and open space requirements
- ❖ Compliance with environmental legislation

5.3.2.1 The 5 Development Principles

- a) Spatial Justice refers to the imbalances in development proposals and spatial planning of the past that must be addressed. It is mentioned that spatial development frameworks and policies of governments at all spheres must address the inclusion of persons and areas that were previously excluded. Spatial planning mechanisms must incorporate provisions that will enable access to land by disadvantaged persons. Land use management systems must include all areas of a municipality. Land development procedures must include provisions that accommodate access to secure tenure. Lastly it is mentioned that when a Municipal Planning Tribunal considers an application, it may not be restricted in the exercise of its discretion solely on the ground that the value of land is affected by the outcome of the application.

This application is only for the relaxation of a street building line to accommodate a single garage on the erf and does therefore, not affect the above principle.

The proposed development can be regarded as consistent with this principle of SPLUMA.

- b) Spatial Sustainability refers to spatial planning and land use management systems that must inter alia protect prime and unique agricultural land and promote development in areas that are sustainable and limit urban sprawl.

The relaxation of a building line to increase the size of a garage on the property does not have an influence on this principle. No agricultural land is involved as the property is zoned for residential purposes and not used for agricultural purposes at all.

This application is not for a development as referred to in this principle.

The proposed development complies with this principle.

- c) Efficiency refers to development that optimizes the use of existing resources and infrastructure.

The application will not affect any services that are in any case already available on the erf.

The principle is supported.

- d) Spatial Resilience refers to flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

This principle is not applicable to this application.

- e) Good Administration refers to an integrated approach to land use and land development for all spheres of government. Spatial development frameworks and inputs thereto by all government departments must be met timeously. Public participation must be transparent and all parties must have opportunity to participate in matters affecting them.

This principle is supported. The application will be advertised to allow the public to participate.

5.3.2.2 Factors Mentioned in Section 42 of SPLUMA (para 5.3.2 above)

Section 42 of SPLUMA deals with the factors that a Municipal Planning Tribunal must consider when deciding on a development application namely:

- a) it must be guided by the development principles as set out in Section 7 of SPLUMA.

This consideration was already dealt with in para 5.3.2.1 above.

- b) make a decision that is consistent with norms and standards, protect agricultural land and is consistent with the Spatial Development Framework (SDF) of the municipality.

Protection of agricultural land is not applicable in this application - also see para 5.3.2.1 (b) above - Spatial Sustainability.

The consistency with the SDF will be dealt with in para 5.3.3 below

- c) other factors relating to the application:

- (i) Public Interest

After receipt of the application, the Council will advertise the application at which stage the public will be offered the opportunity to object and/or give comments to the application.

The public interest will therefore be taken into account before a final decision is taken on the application.

- (ii) Constitutional Transformation Imperatives and Duties of the State

This was already discussed in para 5.3.2.1 – Spatial Justice

- (iii) Facts and Circumstances Relevant to the Application

It is the purpose of this report to put the Planning Tribunal in a position to consider the application on the grounds of the circumstances relevant to the application.

- (iv) Respective Rights and Obligations of those Affected

This implies that the tribunal must consider the application taking into account the possible objections against the application as well as the need for the proposed use of the property.

(v) Engineering Services, Social Infrastructure and Open Space Requirements

Provision of engineering service will not be affected as a result of this application.

Social Infrastructure and Open Space is not relevant.

(vi) Any Factors that may be Prescribed Including Time Frames

No comment.

(vii) Environmental Factors

The proposed development will not trigger any environmental procedure or any natural vegetation.

5.3.3 Land Use Planning Act, Act 3 of 2014. (LUPA)

It is clear that LUPA gives effect to SPLUMA in the Western Cape Province. Section 49 of LUPA gives the basis of assessments of land use applications. It mentions that when a Municipality considers and decides on a land use application, at least the following must be assessed:

- Applicable spatial development frameworks- (5.3.3.1),
- Applicable structure plans (LSDF) - (5.3.3.2),
- Principles of Chapter 6 of LUPA – (5.3.3.3),
- Desirability of proposed land uses – (5.3.3.4),
- Guide lines that may be issued by the Provincial Minister regarding desirability – 5.3.3.5).

5.3.3.1 Relevant Spatial Development Framework

The George Spatial Development Framework (MSDF) is applicable to this area.

The purpose of the SDF is to provide a long-term forward planning document which spatially indicates the long-term growth and development path of the municipality. A number of guidelines, principles and tools are formulated in the SDF to achieve the long-term goals of the municipality's vision for the area. An urban edge was determined for the town to prevent development that will lead to urban sprawl. Development must take place inside the urban edge. The document mentions that all development must be carried out in such a manner that watercourses that could be affected by such a development, remain in its natural state.

This application involves the relaxation of a building lines to accommodate a single garage on a residential erf in an existing approved and developed residential area. Relaxation of building lines as applied for, is not addressed in the policies and guidelines in the SDF. The building that is currently being developed on the property will furthermore not affect any watercourses.

In support of the MSDF, the municipality also compiled and approved a local SDF (structure plan) for the area where the property is situated. This document will be discussed in the next paragraph. See para 5.3.3.2.

5.3.3.2 Structure Plan - Local Spatial Development Plan for Pacaltsdorp that includes the Hansmoeskraal-Area - LSDF

Although Le Grand Residential Town falls inside the Study Area of this LSDF, Le Grand is scarcely mentioned in the document. This township is shown on the actual Plan LSDF Plan for the area as single residential erven but no discussion in respect of the area is found. It can be assumed that aspects such as relaxation of building lines specifically for Le Grand is not considered important to mention in this document something which is to be expected.

5.3.3.3 Principles of Chapter 6 of LUPA

The land use planning principles mentioned in LUPA as set out in Chapter 6 (Section 59), are in essence the same as the 5 development principles of SPLUMA that are applicable to spatial planning, land use development and land use management. These principles were already dealt with in para 5.3.2.1 above and will not be addressed again.

5.3.3.4 Desirability

The desirability of the application will be dealt with in paragraph 5.3.4.1.

5.3.3.5 Guidelines by Provincial Minister

As far as can be ascertained, there are no guide lines in this regard from the Provincial Minister that has not been dealt with so far.

5.3.4 **Land Use Planning By – Law for George Municipality, 2023 (By–Law)**

In Chapter 5 (Regulation 65) of the By–Law a number of general criteria are listed that must be taken into account when an application for land development is considered inter alia:

- Desirability of the proposed land uses – (5.3.4.1)
- Impact on municipal services – (5.3.4.2)
- Spatial Development Frameworks, Local structure plans- (5.3.4.3)
- Relevant planning policies – (5.3.4.4)
- SPLUMA – Section 42, LUPA – Chapter 6 – (5.3.4.5)
- Zoning scheme – (5.3.4.6)

5.3.4.1 Desirability

Desirability is mentioned in the Land - Use - Planning - By-Law as one of the criteria that must be taken into account when applications are considered.

This application involves the relaxation of the street boundary building line in order to increase the size of a garage. As mentioned in paragraph 1 of this report, after building construction already commenced, the owner, Mr. de Wet, decided that he would rather change the golf-cart garage that was approved originally, into a full single garage. The golf-cart garage was approved inside the 4m street-building line, but the enlarging thereof cannot comply with the 4m street building line. It stands to reason that at this stage it is impossible for Mr. De Wet to move or change the building under construction, that has already reached the second storey thereof, away from the street in order to comply with the required 4m street building line. It is therefore necessary to apply for the relaxation of the building line.

It is important to take into consideration whether the relaxation of the street building line from 4m to 2m will have any negative impact on the rights of neighbouring properties or the environment. In respect of the environment, it can be said without any doubt that the relaxation will not have any influence thereon. The only impact that the relaxation could have, is on adjacent and properties in its vicinity.

In respect of the above, the following aspects is of importance:

- **Photo 3 below** was taken from the erf (Erf 299) adjacent to the subject erf (Erf 298) in the direction of the subject erf. It is clear from this photo that Erf 298 lies directly in line with the view of Erf 299 towards the sea. It is therefore inevitable that the dwelling on Erf 298 will have an influence on the sea-view of Erf 299, with or without a relaxation of the building line. The fact that the garage will be 2m closer to the street (*outside the building line*), will in our opinion have minimal influence on the sea-view of Erf 299 especially in view of the fact that this part of the building will be single storey. A double storey building within the street building line, would have had a much worse influence.



Photo 3 The photo was taken from Erf 299 in a southerly direction showing the view from this erf towards the sea.

- **Photo 4 below** was taken from in front of Erf 255, situated to the north-west of Erf 298. From this erf as well as the erven adjacent thereto, the relaxation of the street building line will not affect the sea views due to the considerable difference in altitude of the erven.

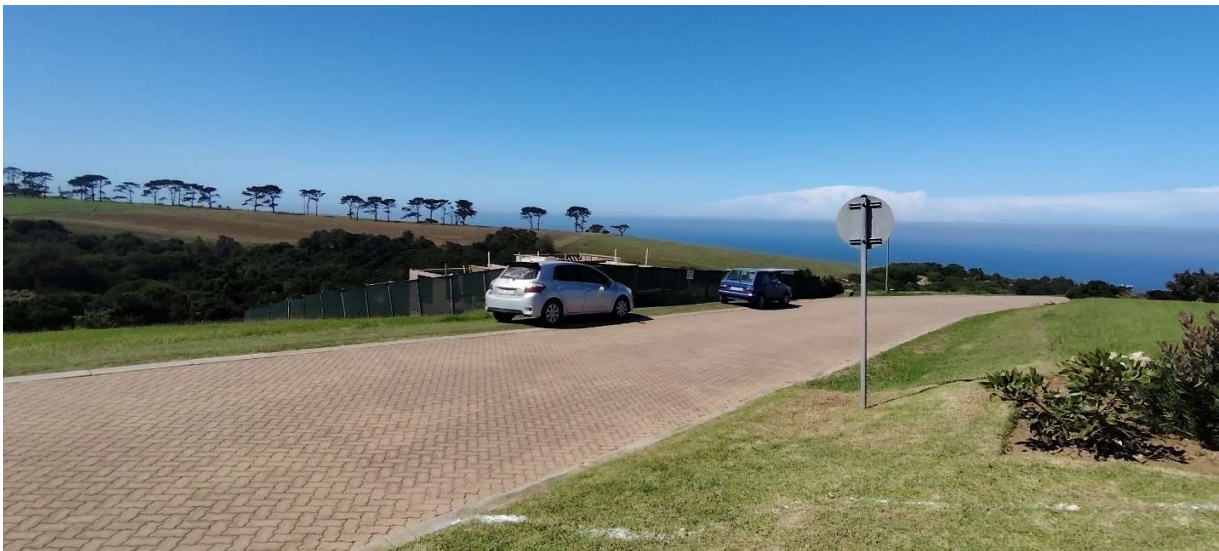


Photo 4 The photo was taken from Erf 255 in the direction of Erf 298 situated between the 2 cars on the photo. The view from this erf towards the sea will not be affected by the relaxation of the building line.

- The owner obtained the approval of the Home Owners Association of Le Grand Estate. The HOA stamp and signature can be seen on the plans attached hereto. The HOA thereby acknowledge that it is satisfied that Mr. De Wet can erect the proposed garage 2m from the street boundary as applied for now.
- The proposed relaxation of the building line will not result in any overshadowing of the adjacent properties. The relaxation is in the direction of the street and not towards the adjacent erven.
- The proposed relaxation will also not have any negative impact on scenic vistas or intrude on the skyline.
- The proposal will not result in any nuisance, noise or disturbance to neighbours.
- The approval of the relaxation will not set a precedent. There is merit in the application as already described in the report above. In our opinion, a precedent will only be created if there are no proven merit why an application should be approved.

The relaxation of the street building line from 4 to 2m, will in our opinion not have a negative influence on the character of the area, the neighbouring properties or the environment.

5.3.4.2 Impact on Municipal Services

The property is already provided with all the necessary available municipal services and no additional services is required.

5.3.4.3 Local Structure Plans, SDF

These have already been dealt with in para 5.3.3.1 and 5.3.3.2 above.

5.3.4.4 Relevant Planning Policies

The applicable planning documents and policies of the municipality i.r.o. the proposed development have already been dealt with above.

5.3.4.5 SPLUMA AND LUPA

See paragraph 5.3.2 and 5.3.3.

5.3.4.6 Zoning Scheme

The Integrated Zoning Scheme for George is applicable to this area. The property is zoned Single Residential Zone I and is subject to 4m street building line. In order to increase the approved golf-cart garage to a full-size single garage on the property as set out in para 5.2

above and indicated on the site plan, application for relaxation of the 4m building line street boundary needs to be approved by Council.

6. CONCLUSION

The owner of Erf 298, Le Grand wishes to erect a full-size single garage on the property instead of the golf-cart garage that was originally approved by the municipality. To achieve the above however, application for relaxation of the street building line from 4m to 2m must first be approved by Council as set out in paragraph 3 above.

In the paragraphs above, it was shown that the proposed departure will not be harmful to the neighbours or the environment and will not detract from the character of the area.

It is trusted that Council will consider this application in a positive light.

**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)	PHILLIPUS CORNELIUS JOHANNES		
Surname	THERON		
SACPLAN Reg No. (if applicable)	A/025/1985		
Company name (if applicable)	FORMAPLAN		
Postal Address	PO BOX 9824		
	GEORGE	Postal Code	6530
Email	philip@formaplan.co.za		
Tel	044 – 873 0305	Fax	044 – 874 5632
		Cell	082 770 9006

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

Registered owner	Johannes Christoffel de Wet		
Address	<i>Formaplan</i>		
	PO Box 9824, George	Postal code	6530

E-mail		philip@formaplan.co.za					
Tel	044 873 0305		Fax			Cell	082 770 9006
PART C: PROPERTY DETAILS (in accordance with Title Deed)							
Property Description [Erf / Erven / Portion(s) and Farm number(s), allotment area.]	Erf 298, Le Grand						
Physical Address	Green Road 298, Le Grand						
GPS Coordinates				Town/City	George		
Current Zoning	Single Residential Zone I		Extent	772 m²	Are there existing buildings?	Y	N
Current Land Use	Residential – building being erected currently						
Title Deed number & date	T 1573/2024						
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).				
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies).				
Is the property encumbered by a bond?	Y	N	If Yes, list Bondholder(s)?	ABSA – consent is attached			
Has the Municipality already decided on the application(s)?	Y	N	If yes, list reference number(s)?				
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use?	Y	N		
Are there any pending court case / order relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?	Y	N		
PART D: PRE-APPLICATION CONSULTATION							

Has there been any pre-application consultation?		Y	N	If Yes, please complete the information below and attach the minutes.	
Official's name		Reference number		Date of consultation	

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

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

BANKING DETAILS

Name: **George Municipality**
 Bank: **First National Bank (FNB)**
 Branch no.: **210554**
 Account no.: **62869623150**
 Type: **Public Sector Cheque Account**
 Swift Code: **FIRNZAJJ**
 VAT Registration Nr: **4630193664**
 E-MAIL: **msbrits@george.gov.za**
 *Payment reference: **Erven ____, George/Wilderness/Hoekwil...**

PART F: DETAILS OF PROPOSAL

Brief description of proposed development / intent of application:

The application for **DEPARTURE** entails the following: **Relaxation of street building line from 4m to 2m for a single garage.**

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

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

Is the following compulsory information attached?

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

Minimum and additional requirements:

Y	N	N/A	Conveyancer's Certificate		Y	N	N/A	Land Use Plan / Zoning plan
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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	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)	Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	Y	N	N/A	Required number of documentation copies 2 copies
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	OSCA-Permit Application

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) Contour Plan, Elevations and floor plan,
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc. N/A			
Y	N	If required, do you want to follow an integrated application procedure in terms of section 44(1) of the Land-Use Planning By-law for George Municipality?			

SECTION I: DECLARATION

I hereby wish to confirm the following:

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



Applicant's signature:

Date:

21 April 2025

Full name:

PCJ Theron

Professional capacity:

Town Planner

SACPLAN Reg. Nr:

A/025/1985

DEED OF TRANSFER

Savage Jooste & Adams Inc
Kings Gate
5, 10th Street (corner of Brooklyn Road &
Justice Mohamed Street)
Menlo Park
Pretoria

Prepared by me

CONVEYANCER

~~MARLEEN GRESSE (22070)~~

FAIROOZ ABDUL KADER
(44725)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 1 140 000-00	R. 1 453-00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg. Act/Proc.

DATA / CAPTURE
18 JAN 2024
Nomzamo Siyoko

T000001573 / 2024

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

DANIEL PIERRE FOURIE
(LPCM 80339)

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer
being duly authorised thereto by a Power of Attorney granted to him/her by

CS HENTIQ 1044 (PTY) LTD
Registration Number 2011/102930/07

which said Power of Attorney was signed at PRETORIA on 13 OCTOBER
2023

DATA / VERIFY

18 JAN 2023

Unathi Jongqo

And the appearer declared that his/her said principal had, on 13 September 2023, 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:

JOHANNES CHRISTOFFEL DE WET
Identity Number 840404 5026 08 1
Unmarried

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

ERF 298 LE GRAND, IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE

IN EXTENT 772 (SEVEN HUNDRED AND SEVENTY TWO) Square metres

AS WILL APPEAR from General Plan SG No. 3252/2004 and held by Deed of
Transfer Number T3658/2013

- A. **SUBJECT** to the following conditions referred to in Deed of Transfer No T5028/1926
- B. **ENTITLED** to the benefit of a servitude of a Roadway and restriction of the erection of gates thereover, reference where to is made in an endorsement dated 10 April 1954 on Deed of Transfer No. T11843/1941 which reads as follows:

"By transfer No. 5225/54 dated 10th April 1954 paragraph (1) of the within mentioned property is entitled to the benefit of a servitude (a) of Private Road of 9,45 meter wide across "Craigie Burn A" in extent 57,0307 hectares as marked X-Y on the diagram No A4075/30 filed with the Deed of Transfer no T1918/34; and (b) restricting the erection of any further gates across the said Private Road other than the two existing ones on the Western and Eastern boundaries of the said "Craigie Burn A" as will more fully appear on reference to said Transfer Deed."

- C. **SUBJECT FURTHER TO** the following conditions referred to in Deed of Transfer T3658/2013 imposed by BROAD BRUSH INVESTMENTS 19 PROPRIETARY LIMITED (IN LIQUIDATION), Registration Number 2003/024126/07, Number C284/2014 for the benefit of the LE GRAND HOME OWNERS ASSOCIATION NPC, Registration Number 2007/006283/08 established in terms of 29 of Ordinance 15 of 1985, namely:

"The property shall not be transferred or alienated without the written consent of the Le Grand Home owners Association NPC, Registration Number 2007/006283/08."

- D. **SUBJECT FURTHER TO** the Condition imposed by CS HENTIQ 1044 PROPRIETARY LIMITED, Registration Number 2011/102930/07 in favour of and enforceable by LE GRAND HOME OWNER'S ASSOCIATION NPC (the "Homeowner's Association"), Registration Number: 2007/006283/08, namely:

1. The owner of the erf, or any subdivision thereof, or of any interest therein or of any unit thereon as defined in the Sectional Titles Act, shall not be entitled to transfer the erf, or any subdivision thereof, or any interest therein or any unit thereon without a clearance certificate from the Homeowners Association that

the provisions of the Articles of the Association and the governing rules have been complied with and all the necessary levies have been paid up to date.

2. Every owner of the erf, or of any subdivision thereof, or of any interest therein or of any unit thereon, as defined in the Sectional Titles Act, shall automatically become and shall remain a member of the Homeowners Association and be bound by the Articles of Association, the Regulations and the Rules of the said Homeowners Association. Neither the erf nor any subdivision thereof nor any interest therein nor any unit thereon shall be transferred to any person who has not bound himself/herself to the satisfaction of such Homeowners Association to become a Member of the Homeowners Association.
3. No improvements of any nature whatsoever shall be erected on the property hereby transferred, nor shall any exterior alterations, renovations or extensions to any buildings or other structures erected or to be erected on the property, be made without the prior written consent of the Homeowners Association, which consent shall not unreasonably be withheld.

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

CS HENTIQ 1044 (PTY) LTD
Registration Number 2011/102930/07

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

JOHANNES CHRISTOFFEL DE WET, 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 R1 140 000,00 (ONE MILLION ONE HUNDRED AND FORTY THOUSAND RAND).

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

16 January 2024

q.q.

In my presence

REGISTRAR OF DEEDS

**CONVEYANCER
CERTIFICATE**

CONVEYANCER CERTIFICATE

I, the undersigned,

STEPHANUS ABRAHAM ROUX

Hereby confirm that a search was conducted in the Deeds Registry Cape Town regarding the following property (including current and earlier title deeds / pivot deeds / deeds of transfer):


Erf 298 Le Grand in the Municipality and Division of George
Province of Western Cape
In extend 772 (Seven Hundred and Seventy-Two) Square metres
Held by Deed of Transfer T1573/2024
(the Property)

An application is made in terms of Section 15 (2)(b) of the George Land Use Planning By-law, 2023 for

1. A departure for relaxation of the western street boundary building line from 4m to 2,0m, 2,072m & 2,468m in respect of 3 corners of a proposed single garage on Erf 298, Le Grand.

In respect of the above I hereby certify that no restrictive condition/s exist that will prohibit the departure applied for.

DATED at GEORGE on this 8th day of April 2025.

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

SA ROUX

CONVEYANCER

**POWER OF
ATTORNEY**

POWER OF ATTORNEY

to

FORMAPLAN (TOWN AND REGIONAL PLANNERS)

of

8 St John Street, George

I, **Johannes Christoffel de Wet**, the undersigned and registered owner of **Erf 298, Le Grand**, hereby appoint *Formaplan Town Planners*, to be my sole agent to apply to the Municipality in terms of section 15(2)(b) of the municipality's Land Use Planning By-Law, 2023 for:

a departure for the relaxation of the western street boundary building line from 4m to 2m to accommodate a proposed single garage attached to the dwelling house.



J.C. De Wet

2 April 2025

Date

ERF DIAGRAM

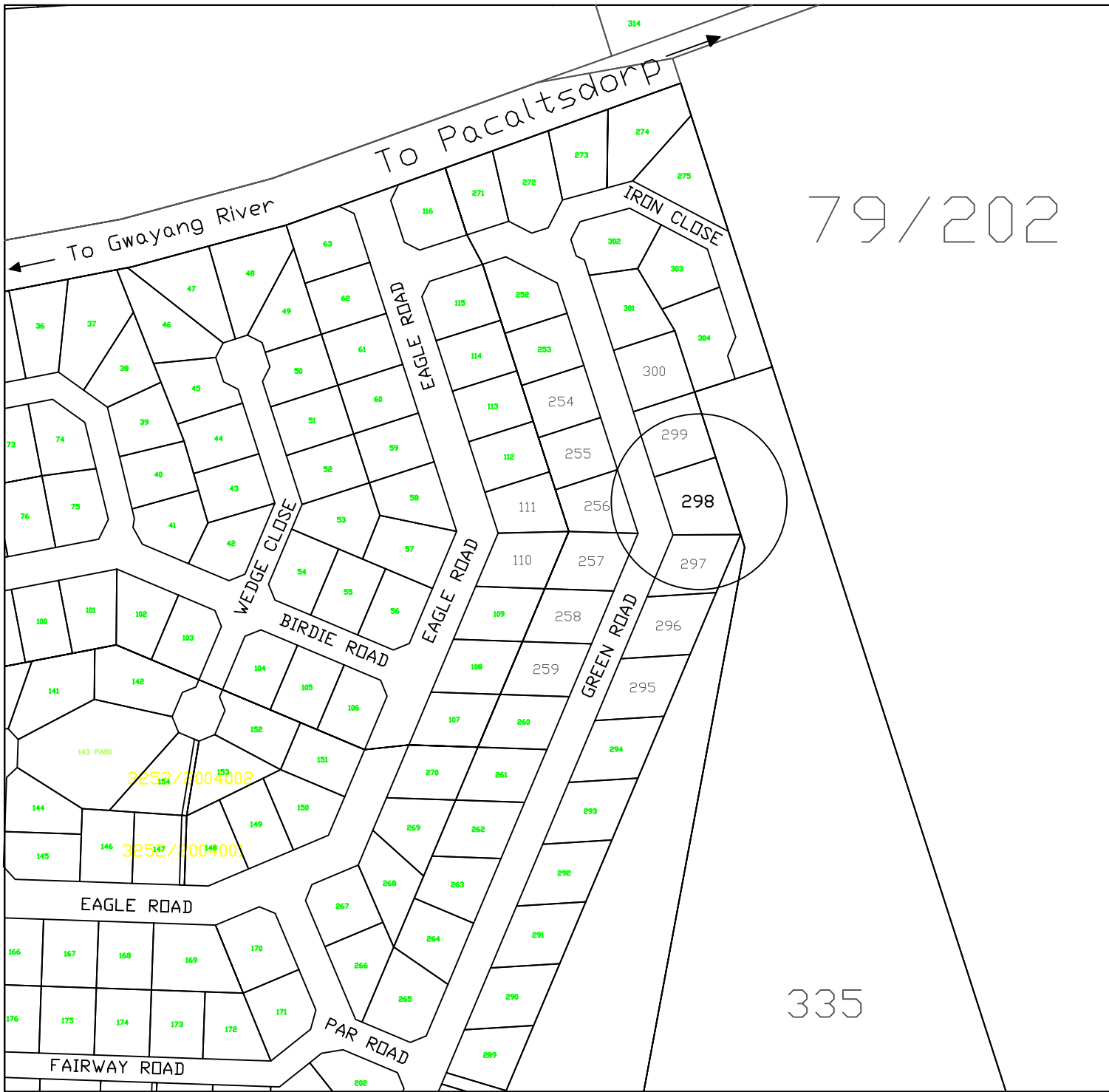
PORTION 78 HANS MOES KRAAL No.202
DIVISIONAL ROAD No.450E
51/30

COORD. ON: 0000

271	272	273
37.00.20	29.11.40	29.11.40
28.07.20	28.07.20	28.07.20

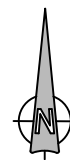


LOCALITY PLAN



79/202

335



Alle mates op die plan is
by benadering en moet
deur 'n landmeter beves-
tig word.

Client:

Mr Hannes de Wet



Project:

Relax Building Line

Title:

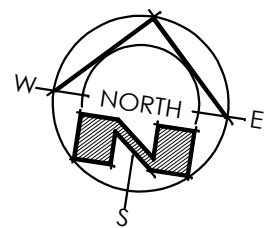
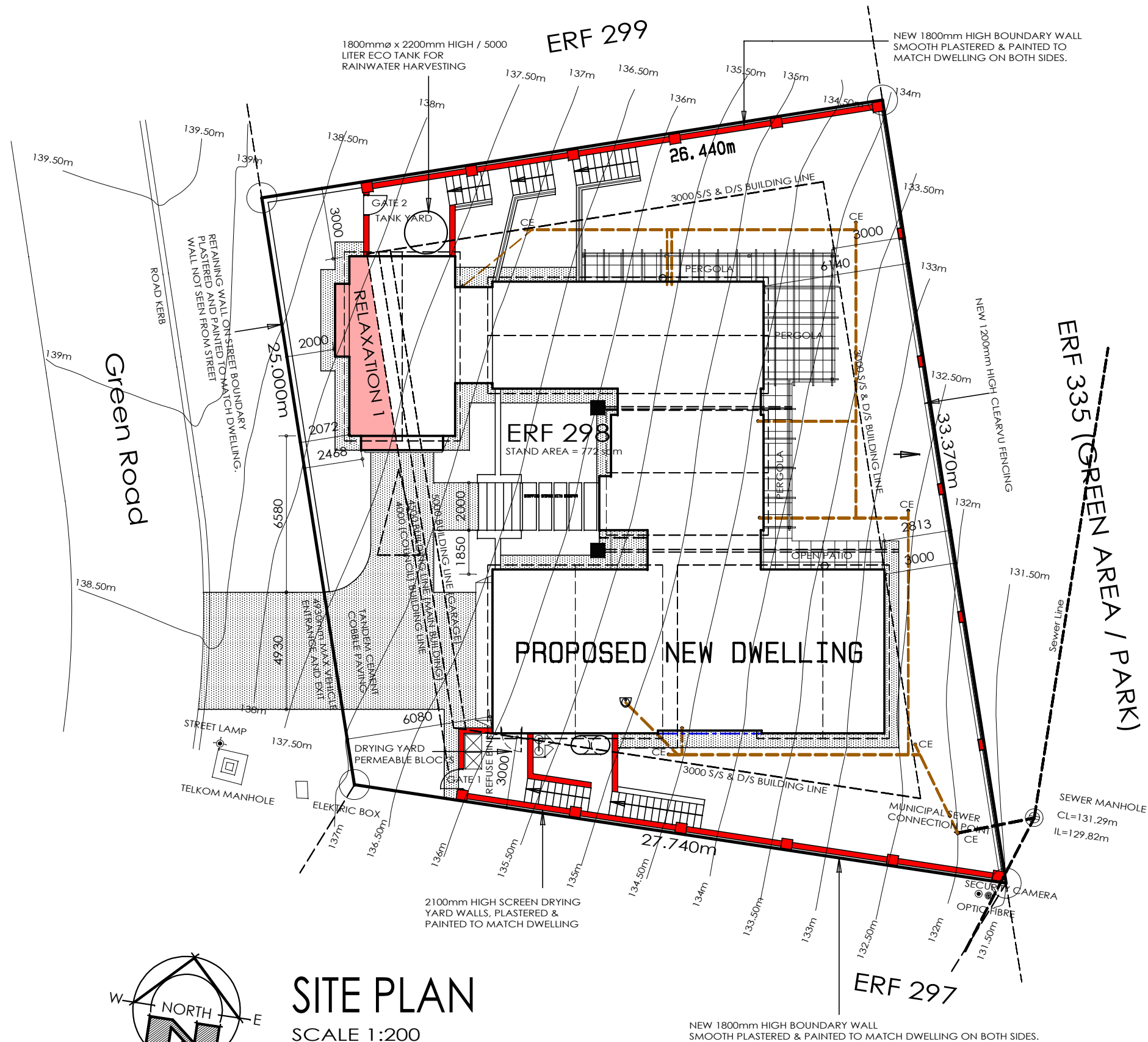
LOCALITY PLAN

Property:

ERF 298, Le Grand

Skaal : NVS	Scale: NVS	Tekening Nummer: Drawing Number :
Datum: April 2025	Date : April 2025	Le Gr 298 1.1

**SITE PLAN
SHOWING
BUILDING LINE
ENCROACHMENT**



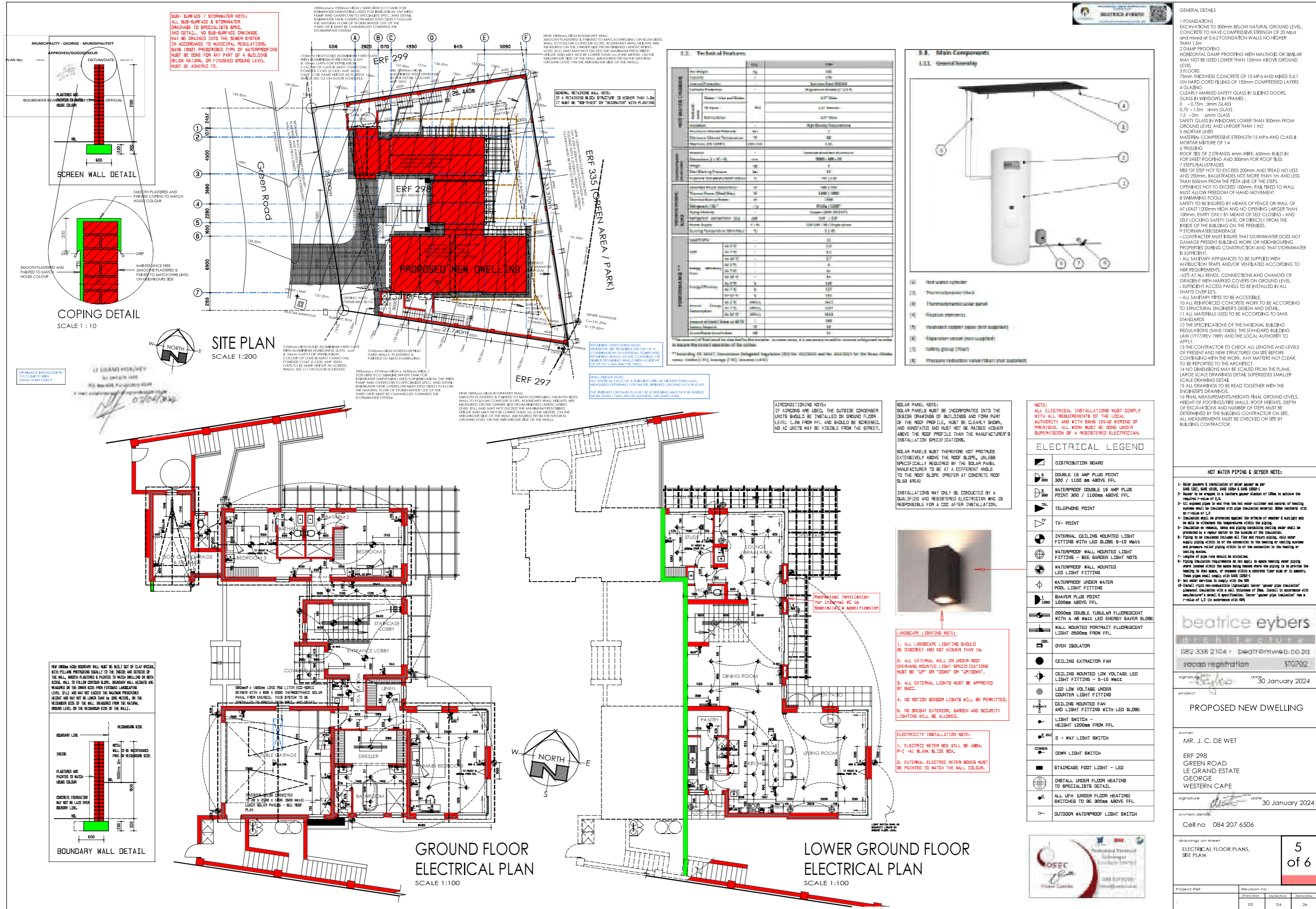
SITE PLAN
SCALE 1:200

OSEC
Victor Castles

Professional Structural Technologist
Ecsa Reg No 200470021
083 707 8070
victor@cosetl.co.za

beatrice eybers architecture 082 338 2104 • beatr@mweb.co.za sacap registration ST0702			
signature <i>Beatrice Eybers</i>		date 30 January 2024	
project PROPOSED NEW DWELLING BUILDING LINE RELAXATION			
owner MR. J. C. DE WET ERF 298 GREEN ROAD LE GRAND ESTATE GEORGE WESTERN CAPE			
signature <i>J. C. de Wet</i>		date 30 January 2024	
owners details Cell no 084 207 6506			
drawings on sheet SITE PLAN		3 of 3	
Project Ref	Revision no		
	29/02/2024	05/04/2024	24/03/2025
	22	24	27

**APPROVED
BUILDING PLAN**



HOA CONSENT



LE GRAND

HOMEOWNERS ASSOCIATION

2007 / 006283 / 08
P O Box 434 Pacaltsdorp 6534
Tel (044) 878 1449
e-mail: hoa@legrandestate.co.za

2025/05/07

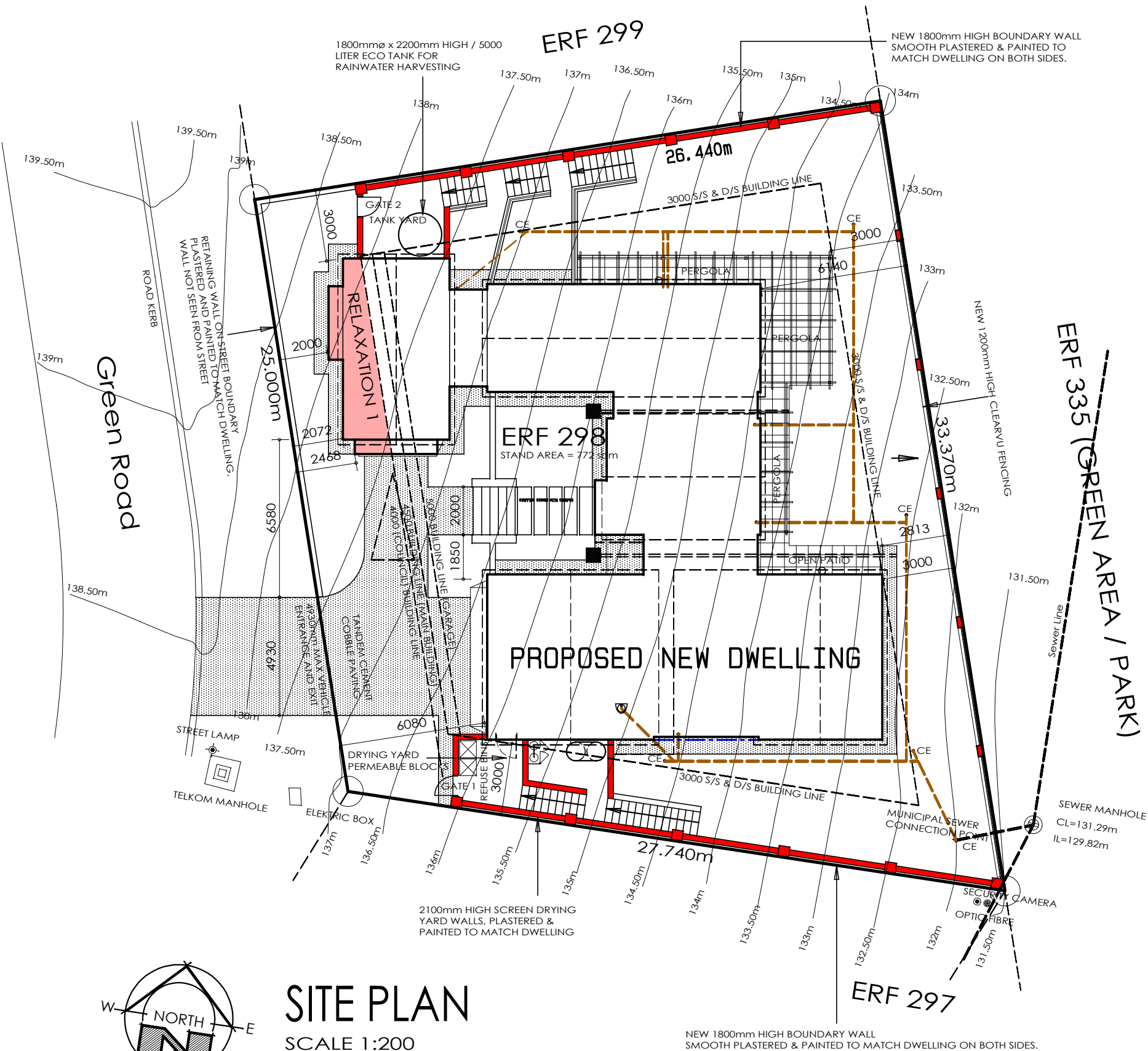
Building Control Officer
George Municipality

Re LG 298 – Garage Building Line Relaxation

Good Day, we hereby confirm that Le Grand HOA do not have an objection to the 2M building line for the side entrance garage as per site plan, stamped 07 May 2025

LE GRAND HOA/HEV
Tel: 044 878 1449
P.O. Box 434, Pacaltsdorp 6534
E-mail: hoa@legrandestate.co.za
[Signature] 2025/05/07

Le Grand HOA - Management



LE GRAND HOA/HEV
Tel: 044 878 1449
P.O. Box 434, Balcalsdorp 6534
E-mail: estate.manager@legrandestate.co.za
30/05/2017



beatrice eybers
architecture
082 338 2104 • beatr@mweb.co.za
sacap registration ST0702

signature *Beatrice Eybers* date 30 January 2024

project
PROPOSED NEW DWELLING
BUILDING LINE RELAXATION

owner
MR. J. C. DE WET
ERF 298
GREEN ROAD
LE GRAND ESTATE
GEORGE
WESTERN CAPE

signature *J. C. de Wet* date 30 January 2024

owners details
Cell no 084 207 6506

drawings on sheet
SITE PLAN

3
of 3

Project Ref	Revision no		
	29/02/2024	05/04/2024	24/03/2025
.	22	24	27

NO BOND



Home Loans
Sales and Service Enablement

9 Lothbury Road
Auckland Park, 2092
Private Bag 72007
Cresta, 2118
South Africa

T 0860 111 007
Swift address: ABSAZAJJ
absa.co.za

14.04.2025

Private/Confidential

MNR JC DE WET
38 TSITSIKHAMA SINGEL BLUE
MOUNTAIN
6529

Dear Sir / Madam

REQUEST RECEIVED FOR: SPECIAL CONSENT

Mortgage loan account number: 8095695856

Property description: ERF 298 LE GRAND

We refer to the above account and consent for a relaxation of the street building line from **4m to 2m**, over the above-mentioned property.

According to your mortgage loan agreement it is your responsibility to ensure that you have sufficient property insurance in place.

If you are insured under Absa, our insurance division's contact number is 0860 100 876.

Kindly take note that the consent letter is valid for one year only.

Yours faithfully

A handwritten signature in black ink, appearing to read "Nadine Heathcote".

Property Control
Our ref: Nadine Heathcote
Tel: 011 846 5471
Email: hlpc@absa.co.za