



The Municipal Manager
P O Box 19
George
6530

Reference: Erf 354 Hoekwil

8 May 2025

Sir

APPLICATION FOR SUBDIVISION, PERMANENT DEPARTURE (BUILDING LINE RELAXATIONS) AND ADMINISTRATORS CONSENT (SECOND DWELLING): ERF 354 HOEKWIL

Please find an application in terms of

- Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 354 Hoekwil into a Portion A ($\pm 3,65$ ha) and a Remainder ($\pm 3,65$ ha).
- Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of certain building lines in respect of the existing dwelling house and storeroom on the proposed Remainder of Erf 354 Hoekwil.
- Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition F.(b) on page four of Title Deed T1895/2024, the Title Deed of Erf 354 Hoekwil, to allow a second dwelling unit on the Remainder of Erf 354 Hoekwil.

Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

Jan Vrolijk

MOTIVATION REPORT
APPLICATION FOR SUBDIVISION, PERMANENT DEPARTURE (RELAXATION OF
BUILDING LINES) AND ADMINISTRATORS CONSENT (SECOND DWELLING)
ERF 354 HOEKWIL

8 May 2025



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MOTIVATION REPORT
APPLICATION FOR SUBDIVISION, PERMANENT DEPARTURE (RELAXATION OF
BUILDING LINES) AND ADMINISTRATORS CONSENT (SECOND DWELLING)
ERF 354 HOEKWIL

1. APPLICATION

- Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 354 Hoekwil into a Portion A (±3,65ha) and a Remainder (±3,65ha).
- Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of the following building lines on the proposed Remainder of Erf 354 Hoekwil:
 - ⇒ the eastern side boundary building line from 20.0 meters to:
 - 19.1 meters varying to 17.1 meters in respect of the bedroom and bathroom of the existing dwelling house; and
 - 12.9 meters varying to 12.2 meters in respect of the storeroom.
 - ⇒ the street boundary building line from 20.0 meters to 15 meters varying to 11.2 meters in respect the storeroom.
- Application is made in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition F.(b) on page four of T1895/2024, the Title Deed of Erf 354 Hoekwil to allow for a second dwelling on the proposed Remainder of Erf 354 Hoekwil.

The proposed subdivision plan is attached hereto as **Annexure “A”** whilst the completed application form for the subdivision, permanent departure (building line relaxations) and Administrators consent (second dwelling) is attached hereto as **Annexure “B”**.

2. DEVELOPMENT PROPOSAL

Erf 354 Hoekwil is 7.321ha in extent and is currently developed with a dwelling house of 102m² in extent, situated along the eastern boundary of the property, consisting of one bedroom with en-suite bathroom, open plan kitchen, dining and living room, leading to a covered deck.

The property has a very old structure which was originally used as a storeroom. The storeroom is currently used for the living accommodation of the owners' children; however the storeroom does not have a formal kitchen and will either revert to a storeroom or as the two not inter-leading rooms of the proposed new main dwelling unit. Furthermore, the property has an existing workshop and some chicken runs.

There is a lawn around the existing house, storeroom and workshop with a few shrubs and mature trees, whilst the remainder is overgrown with alien and indigenous trees and shrubs. The property has no street fence where the dwelling unit and outbuildings are located, however further west a low wire fence is erected along the street boundary.

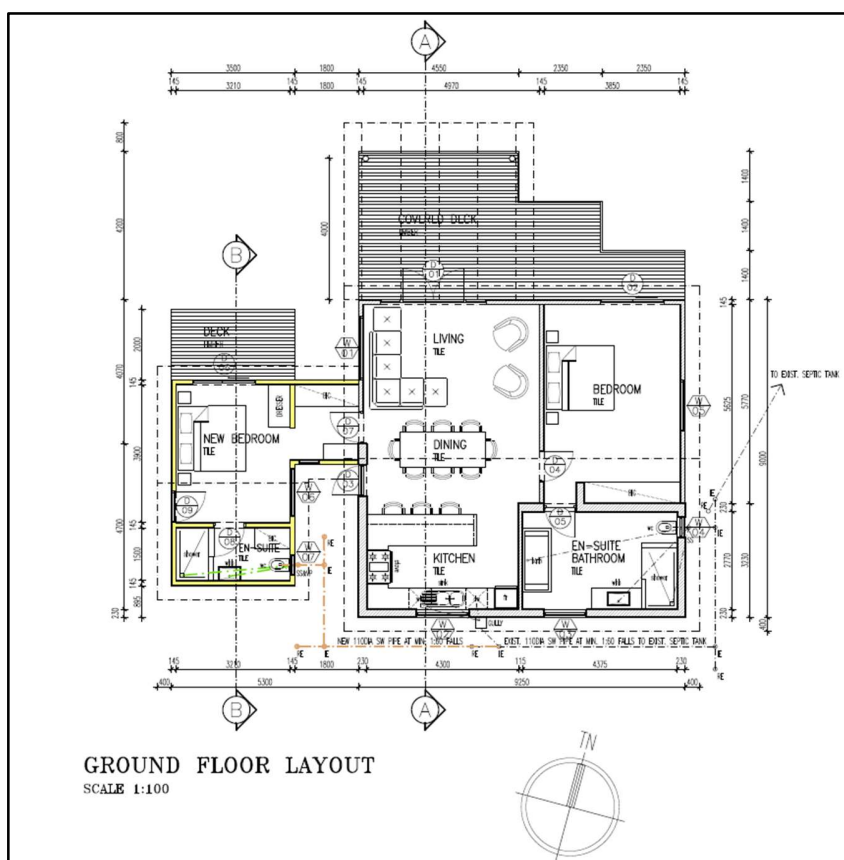
The owners wish to subdivide the property into 2 equal portions with an approximate extent of 3,65ha each. The owners wish to develop the proposed Remainder of Erf 354 Hoekwil, with a new primary dwelling house with an extent of 167.8m² along with the existing structures on the property. The existing dwelling house, with an area of 102m², will at that stage then be converted into a second dwelling.

The following photo indicates the south elevation of the existing dwelling house which is in terms of this application to be registered as a second dwelling unit. Certain extensions are proposed to the west of this existing dwelling house (proposed second dwelling) as indicated on the building plans attached hereto as **Annexure "C"**. The total floor area of the existing dwelling house (proposed second dwelling) with extensions will be 126,7m² in extent, which is still well below the allowable 175m² for a second dwelling. The proposed addition to the existing dwelling house (to become the second dwelling) is indicated in red in the photo below. No vegetation or mature trees will be removed for the proposed extension.



As can be seen from the site and building plan attached hereto as **Annexure “C”**, the existing

dwelling house (proposed second dwelling) consists of one bedroom, ensuite bathroom, an open plan kitchen, dining and living room that leads out to the covered deck. The extension to the west of the existing dwelling house (proposed second dwelling) will consist of a bedroom, ensuite bathroom and dressing room. There is no formal parking or carport for the existing house, to become the second dwelling unit. The design and position of



the existing house makes an addition a bit complicated and therefore the addition is linked with a dressing room to the existing open plan living room. The addition will have the same style and roof slope as the existing dwelling house, to appear as a one dwelling unit. The additional bedroom could not be placed on the eastern side of the existing house, as it will then require further building line relaxations. An extract from the building plan below indicates the above mentioned.

The existing storeroom currently utilized for the living accommodation of the owners' children is a very old, corrugated iron structure. The owner wishes to maintain the structure as either a storeroom or two not inter-leading rooms to the main house. The storeroom has no formal kitchen. The photo below indicates the southern appearance of the storeroom, with remnants of the historic walls of a previous structure.



Access to the existing dwelling house via Silver River Street will remain unchanged and be utilized for the proposed new primary dwelling unit. The photo below indicates the access off Silver River Street, with the storeroom to the right.



The new primary dwelling house will comply with the proposed subdivided building lines of 20 metres and will be placed on the 20 metres building line as this area of the property is relatively flat with minimum indigenous vegetation which will have to be removed.

The proposed subdivision of Erf 354 Hoekwil will comply with the minimum required size for a smallholding, which is currently 3ha. The proposed two portions will be equal in size, with a size of 3,65ha.

Erf 354 Hoekwil is encumbered with an electrical servitude line over the property. This servitude line will remain on the proposed Remainder of Erf 354 Hoekwil and the proposed Portion A will not be impacted by the electrical servitude line, as the subdivision is exactly where the servitude line is crossing over Silver River Street, as can be seen in the photo below.



The proposed subdivision requires an application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023, as indicated on the subdivision plan attached hereto as **Annexure “A”**.

As the existing dwelling house (proposed second dwelling) and storeroom transgress the street and side boundary building line, application is also made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of the street and side boundary building line, as indicated on proposed site and building plan attached hereto as **Annexure “C”**.

Title Deed T1895/2024, the Title Deed of Erf 354 Hoekwil, contains inter alia the following condition:

“F.(b) SUBJECT FURTHER to the following conditions contained in said Deed of Transfer No T19656/1962, imposed by the Administrator of the Province of the Cape of Good Hope

with the subdivision in terms of Section 196 of Ordinance No 15/1952, as amended, of the farm WIDERNESSHOOGTE, which can be amended or relaxed by him:

- (a) *Dit mag net vir woon- en landboudoeleindes gebruik word.*
- (b) *Geen geboue uitgesonderd een woning vir gebruik deur 'n enkele familie tesame met die buitegeboue wat gewoonlik nodig is om in verband daarmee gebruik te word, mag op hierdie grond opgerig word nie."*

A copy of T1895/2024, the Title Deed of Erf 354 Hoekwil, is attached hereto as **Annexure "D"**.

In terms of condition F.(b) the erf may only be used for the purposes of erecting thereon one dwelling unit. The proposal to convert the existing dwelling house into a second dwelling is thus in conflict with this condition. The Administrators consent will thus also be required to allow for the conversion of the existing dwelling house into a second dwelling on the proposed Remainder of Erf 354 Hoekwil.

The purpose of this application is to obtain approval for the proposed subdivision, to register the present dwelling house as a second dwelling unit and for a permanent departure to relax the mentioned building lines, to enable the submission of building plans in respect of the proposed improvements and new primary dwelling house on the property.

3. PRE-APPLICATION CONSULTATION

A pre-application consultation was not required as the proposal entails a subdivision into 2 portions and a permanent departure for the relaxation of certain building lines, to accommodate the existing dwelling unit to become the second dwelling unit and the existing storeroom on the property. 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.

4. GENERAL INFORMATION REGARDING ERF 354 HOEKWIL

4.1 Locality

Erf 354 Hoekwil is situated in the northern portion of the “Wilderness Hoogte” smallholding area and adjacent south of the Seven Passes Road. “Wilderness Hoogte” Smallholding area is located east of the George and north of Wilderness Town.

The locality of the property is indicated on the locality plan which is attached hereto as **Annexure “E”**.

4.2 Existing land use

The application property is currently used for rural residential purposes and is at present developed with structures as indicated in point 2 above.

4.3 Extent

Erf 354 Hoekwil is 7,321ha in extent.

4.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023, the zoning of Erf 354 Hoekwil is Agricultural Zone II (Smallholding).

4.5 Surveyor General Diagram

A copy of the Surveyor General Plan of Erf 354 Hoekwil is attached hereto as **Annexure “F”**.

4.6 Title Deed

Erf 354 Hoekwil is registered in the name of Andre Pierre Pretorius. A copy of Title Deed T1895/2024, the Title Deed of Erf 354 Hoekwil, is attached hereto as **Annexure “D”**.

4.7 Power of Attorney

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Andre Pierre Pretorius, the registered owner of Erf 354 Hoekwil, to prepare the application referred to in point 1 of this motivation report and to sign all relevant documents is attached hereto as **Annexure "G"**.

4.8 Bondholders' Consent

Erf 354 Hoekwil is not encumbered by a bond.

4.9 Conveyancer Certificate

A Conveyancer Certificate in respect of Erf 354 Hoekwil is attached hereto as **Annexure "H"**. The Conveyancer Certificate confirms that the title deed contains a restrictive condition as far as the development of a second dwelling is concerned.

5. DESIRABILITY OF THE APPLICATION FOR SUBDIVISION IN RESPECT OF ERF 354 HOEKWIL

5.1 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 subdivision 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.

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.

5.2 Physical characteristics of the property

5.2.1 Topography

The application property has a gradual slope adjacent to Silver River Street and then the slope gradually increases downwards from the south to the north. The existing dwelling house, which is to be registered as the second dwelling unit, has been erected in the middle of the eastern boundary of the property, where the slope is gradually increasing from south to north. The topography of the property has therefore already been taken into consideration in the development of the existing dwelling house, which is to be registered as a second dwelling.

The topography of the property will therefore not have a negative impact on the second dwelling as applied for in this application.

The new dwelling house has been designed in sympathy with the considerable slope of the property from south to north, however maintaining the prescribed 20-meter building line, as well as to enable the conservation of the large indigenous trees on the property.

5.2.2 Surface conditions

Little information concerning the soil conditions in the area is available. The soil condition of the application property is sandy but seems stable. The existing structures on the application property and in the vicinity do not appear to have construction anomalies relating to unstable soil conditions. It can therefore be accepted that the soil condition is suitable to accommodate the development as proposed in this application. There is, as such, no reason why this application cannot be supported.

5.2.3 Vegetation

The application property appears to have been overgrown with indigenous and invasive trees and shrubs. The following photo indicates the vegetation along Silver Stream Road.



The following photo indicates the vegetation where the electrical servitude line is located and also the southern point where the subdivision will start.



In terms of this application, it is proposed to register the existing dwelling house as a second dwelling with minor additions. The proposed change in the “classification” of the building does not have a negative impact on the vegetation on the application property. Care has been taken to ensure that the design and siting of the proposed additions to the existing dwelling house are sympathetic not only to the slope, but importantly, also to the conservation of the indigenous trees on the application property.

With regards to the proposed new dwelling house on the proposed remainder of Erf 354 Hoekwil, the owner is aware that the property falls within the OSCAE area, and that the necessary application will be required for any removal of vegetation and groundworks. These applications can only be followed after the successful subdivision of Erf 354 Hoekwil.

5.2.4 Other characteristics

The application property does fall within the priority natural area, but is not affected by critical biodiversity areas, flood lines, fountains or other unique ecological habitats. Therefore, the position of the new primary dwelling on the proposed Remainder of Erf 354 Hoekwil and any future development of the proposed Portion A of Erf 354 Hoekwil, will be determined by the OSCAE permit application.

5.2.5 Conclusion

From the contents of the above paragraphs, it is clear that there is no reason from a physical characteristics point of view why the application for subdivision cannot be supported.

5.3 Proposed land use

Upon completion of the proposed new dwelling house on the proposed Remainder of Erf 354 Hoekwil, the owner intends using the existing dwelling house as a second dwelling, which, with the addition of the second bedroom and bathroom will still be less than the required 175m². The application property will still be used for rural living, in line with the current use of the surrounding area and the relevant stipulations of the George Integrated Zoning Scheme By-Law, 2023. The

proposed Portion A of Erf 354 Hoekwil will be developed separately and possibly be sold to create an opportunity for another family who respects the environment and seeks a rural lifestyle.

5.4 Compatibility of the development proposal with existing planning documentation and policies

5.4.1 Introduction

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

5.4.2 "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"; and
- "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 subdivision will subsequently be evaluated on each of the principles.

Spatial justice		
Criteria	Compliance	Planning Implication
Past spatial and other development imbalances must be redressed	Complies with.	The subdivision will comply with the minimum size for a smallholding and

through improved access to and use of land.		create another opportunity for a family that respects the environment and seeks a rural lifestyle.
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 Framework for George, 2023. This framework, together with the Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015, contain development proposals which are aimed at improving the quality of life of all the inhabitants of the greater George, thus creating the opportunity for approval of this application which will result in creating the opportunity for another family to have a rural lifestyle. It will also contribute to the protection of the natural environment, as alien clearing is an expensive task and if more owners are liable for smaller portions, environmental protection will benefit.
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	Not applicable.	This issue is not applicable to this application, as the proposed development is aimed at the higher income group.
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 erven in respect of type of structure allowed, land uses and building lines. These parameters enable the development of smallholdings 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).
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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 development will have no impact on the fiscal, institutional or administrative capabilities of George Municipality. George Municipality's income base will in fact be broadened through this development proposal. The application property is situated within a "smallholding" area of George and is indicated for the development as proposed in this application, in both the George Spatial Development Framework, 2023, and the Wilderness – Lakes - Hoekwil Local Spatial Development Framework, 2015.
Ensure that special consideration is given to the protection of prime and unique agricultural land.	Not applicable.	The application property is zoned Agricultural Zone II (Smallholding). The provisions of the Act on the Subdivision of Agricultural Land, 1970 (Act 70 of 1970) therefore do not apply to the application. The application property is situated in an area identified for "smallholdings" and is not considered as "unique agricultural" land.
Uphold consistency of land use measures in accordance with	Complies with.	The subject property is located in an area known as priority natural area in the Municipal Spatial Development

environmental management instruments.		Framework, 2023. However, the area is also encumbered by OSCAE Permit and will therefore comply with the environmental legislation applicable.
Promote and stimulate the effective and equitable functioning of land markets.	Complies with.	The proposed subdivision is in line with the development proposals for the area concerned. The minimum size for subdivision of small holdings is 3ha and therefore complies with the relevant Local Spatial Development Framework.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	Complies with.	All costs pertaining to the infrastructure required for the proposed development will be carried by the landowner.
Promote land development in locations that are sustainable and limit urban sprawl.	Complies with.	The application property is situated within an area indicated for "Smallholdings". The proposal entails the subdivision of a smallholding into 2 portions more than 3ha in extent. As such, the proposal will not result in urban sprawl.
Result in communities that are viable.	Complies with.	Due to the high maintenance cost (labour, water and plants), as well as security risk associated with large properties, the development of large residential properties is increasingly considered not viable. This could lead to neglect, which could result in reducing property values in an area. The proposed subdivision will create a more viable development and smaller area for each owner to clear alien vegetation and protect the natural vegetation. This could have a positive effect on the economy of George, and which will result in the Municipality earning additional income, which could be used for the improvement of the quality of services to all the citizens of George.

Spatial efficiency

Criteria	Compliance	Planning Implication
Land development optimises the use of existing resources and infrastructure.	Complies with.	Apart from electricity, no services are currently available for the area concerned. All costs pertaining to the provision of infrastructure required for the proposed development will be carried by the landowner.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Complies with.	The municipality has procedures in place that are 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 take into account 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 handled 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	Complies with.	The application property is situated within an area earmarked for "Smallholding" development. The proposed subdivision will contribute to the viability of the application property.

communities most likely to suffer the impacts of economic and environmental shocks.

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 the development proposal can be deemed to comply with the contents of both 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.
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 general principle that municipalities need to comply with.	Input was received from all government departments and sectors 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 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.
The requirements of any law relating to land development and land use are met timeously.	This is general principle that municipalities need to comply with.	The George Municipality has adopted the George Municipality: By-law on Land Use Planning, 2023 which prescribes procedures and timeframes which developers have to 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.
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.	This is general principle that municipalities need to comply with.	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.
Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.	This is general principle that municipalities need to comply with.	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.

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.

5.4.3 "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 5.4.4 to 5.4.6 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 section 5.4.2 above. The comments in paragraph 5.4.2 are thus also relevant as far as Section 59 of LUPA is concerned.

5.4.4 Western Cape Provincial Spatial Development Framework (WC PSDF)

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, a number of 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 section 5.4.2 above and it has been shown that the proposed development complies with the relevant principles mentioned.

The framework does not go into the detail level of individual properties and therefore does not contain further information which could be used to determine whether this application falls within the stipulations of the framework.

5.4.5 George Spatial Development Framework, 2023 (GSDF)

Erf 354 Hoekwil is located within the study area of the George Spatial Development Framework, 2023 (GSDF) and the framework therefore applies to this application. The application property, which is situated in the Wilderness Hoogte smallholding area, is situated outside the George Urban Edge.

Table 3: “*Settlement Hierarchy*” which forms part of paragraph 3.1.2: “*The Built Environment: Human Settlements*” on page 36 of the GSDF, describes the hierarchy of settlements in the George municipal area. The Wilderness Hoogte smallholdings are categorized as “*Small Holdings*”, with the function of providing “*low density rural living, with agricultural component. (Small Holdings areas noted in relevant LSDF)*”. In Table 13 of paragraph 4.4: “*Spatial Elements*” it is confirmed that in areas recognized as smallholding areas, land uses are allowed as per George Integrated Zoning Scheme By-law, 2023 and the Rural Development Guidelines.

The zoning of the application property is “Agricultural Zone II” (Smallholdings). The development proposal is for the subdivision of the smallholding into two portions each of 3,65ha in extent to create another opportunity for a rural lifestyle and better environmental management and protection. Furthermore, in terms of the zoning, the application property may be used for a dwelling house, including a second dwelling with a maximum extent of 175m². The development proposal entails the use of the present existing dwelling house as a second dwelling of 126.7m² with additions, upon completion of the new dwelling house.

The George Spatial Development Framework, 2023, does not go to the detail level of individual properties and therefore, contains no specific future development proposals for this area which

could be used to evaluate the compatibility of the land use application with the Spatial Development Framework.

5.4.6 “Wilderness -Lakes - Hoekwil Local Spatial Development Framework 2015”

The following plan, which is a copy of the “Wilderness-Lakes-Hoekwil Local Spatial Development Framework, 2015” indicates the locality of the application property within the mentioned “smallholding” area.



A copy of the “Wilderness-Lakes-Hoekwil Local Spatial Development Framework, 2015” is attached hereto as **Annexure “I”**.

SECTION 4 of the “Wilderness-Lakes-Hoekwil Local Spatial Development Framework, 2015” depicts the **Policy for Development** for the Wilderness area from a spatial perspective. The

focus is on proposals and broad land use guidelines for the area to achieve the main objective of the LSDF, namely the protection of the unique ‘*landscape character*’ of the Wilderness area. The LSDF has been scrutinized to determine whether it contains specific proposals regarding subdivision, as proposed in this application. The following subparagraph contains guidelines for development in smallholding areas:

“4.4.4 Guidelines for development applications for Smallholdings

a) Smallholding Outer Boundary

To ensure that these rural smallholdings do not expand into the neighbouring areas, the smallholding areas are defined by a smallholding outer boundary.”

Erf 354 Hoekwil is located within the defined smallholding area outer boundary and the proposal thus complies with this paragraph in the LSDF.

b) “New smallholdings and Subdivisions

Within the smallholding outer boundaries, smallholdings may be subdivided but may not be smaller than 3 ha, provided that if the newly created small holdings will have a detrimental effect on the landscape character of the study area as described in section 4.2, the further subdivision of the small holdings should not be permitted, even if it complies with the minimum size of 3 ha. If for instance the subdivision of a property will result in new structures in the visually sensitive areas along any of the tourism routes, the application should be refused or mitigation measures should be considered to ensure that structures, including associated infrastructure such as roads and electricity lines, comply with the provisions of paragraph 4.2.3(b). If for instance the subdivision of a property will result in new structures in the visually sensitive areas along any of the tourism routes, the application should be refused or mitigation measures should be considered to ensure that structures, including associated infrastructure such as roads and electricity lines, comply with the provisions of paragraph 4.2.3(b). The following guiding principles need to be taken into consideration during the evaluation of the desirability of a proposed subdivision:

- i. *The proposed subdivided plot must have an existing developable area of 1 hectares, which area does not include:*
 - *Areas with slopes steeper than 1:4;*
 - *Areas within 32 metres of a bank of a river or water body;*
 - *Areas within 10 metres of indigenous forest and conservation worthy fynbos areas (10m is the required firebreak around the dwelling);*
 - *Areas within 100 metres from a scenic route and 100 metres of a nature reserve;*
- ii. *The proposed subdivision should not be allowed if the buildings cannot be constructed within the development parameters prescribed in terms of the applicable zoning scheme.*
- iii. *If the slope faces a tourism corridor which could have negative impacts on the view shed along such corridor, a biodiversity offset must be established by positioning dwelling units in such a way that it minimises this impact.”*

It has been indicated in various points throughout this motivation report that the proposed subdivision will not have a detrimental impact on the environment as well as tourism. It is as such argued that the proposed subdivision can be regarded to be compatible with the contents of the LSDF.

c) *“Proposed Land Use*

The following land uses are considered to be appropriate on smallholdings as a primary right: small scale agriculture, dwelling house, home occupation.

The smallholdings are not only places of residence and small-scale agriculture, it is also an area where certain business activities should be considered to allow owners and occupants to earn an income from the land. These activities, however, should be sensitive to the unique character of the smallholding area. The following uses are considered desirable for smallholdings subject to the overarching principles contained in 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 odours.

*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 odours.”*

The Remainder of Erf 354 Hoekwil will be used for rural residential purposes and will be developed with a dwelling house, a second dwelling and outbuildings. Portion A, which is at this moment vacant, will be alienated as a smallholding to be used for rural residential purposes. The proposed land uses are thus in keeping with the guidelines as per the LSDF.

It can therefore be argued that the extent of the development as proposed in this application is compatible with the guidelines of the “Wilderness - Lakes - Hoekwil Local Spatial Development Framework, 2015”.

5.4.7 George Integrated Zoning Scheme By-Law, 2023

Erf 354 Hoekwil is zoned Agricultural Zone II (Smallholdings) in terms of the George Integrated Zoning Scheme By-Law, 2023.

A “smallholding” is defined as follows:

“smallholding means an extensive landholding, including a dwelling house, where small-scale agricultural activities, that is not a public nuisance or harmful to the environment and does not require approval in terms of other legislation, may take place and may also include natural areas.”

The land use description of a “dwelling house” reads as follows:

Land use description: “dwelling house” means a building containing only one dwelling unit, together with such outbuildings as are ordinarily used with a dwelling house, including:

- (a) a storeroom and garaging;
- (b) a **second dwelling unit**;
- (c) a braai room;

- (d) home occupation;
- (e) letting to lodgers;
- (f) a bed and breakfast establishment;
- (g) home child care; and
- (h) greenhouse.

A dwelling house includes a second dwelling unit and therefore a land use application is not required as the existing dwelling house, to become the second dwelling unit, complies with the land use description and development parameters for a second dwelling.

5.4.8 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.

Title Deed T1895/2024, the Title Deed of Erf 354 Hoekwil, contains inter alia the following condition:

“F.(b) SUBJECT FURTHER to the following conditions contained in said Deed of Transfer No T19656/1962, imposed by the Administrator of the Province of the Cape of Good Hope with the subdivision in terms of Section 196 of Ordinance No 15/1952, as amended, of the farm WIDERNESSHOOGTE, which can be amended or relaxed by him:

- (a) Dit mag net vir woon- en landboudoeleindes gebruik word.*
- (b) Geen geboue uitgesonderd een woning vir gebruik deur 'n enkele familie tesame met die buitegeboue wat gewoonlik nodig is om in verband daarmee gebruik te word, mag op hierdie grond opgerig word nie.”*

In terms of condition F.(b) the erf may only be used for the purposes of erecting thereon one dwelling unit. The proposal to convert the existing dwelling house into a second dwelling is thus in conflict with this condition. The Administrators consent will thus be required to allow for the conversion of the existing dwelling house into a second dwelling on the proposed Remainder of Erf 354 Hoekwil.

This aspect is dealt with in point 7 of this motivation report.

5.4.9 Conclusion

From the above information it is clear that the application for subdivision complies with the Planning Polices and Planning Guidelines mentioned and can be considered desirable.

5.5 Compatibility of the proposal with the character of the area

The application property's northern boundary is adjacent to the Seven Passes Road and is located far north within the area known as "Wilderness Hoogte" smallholdings. The smallholdings are being restricted to a limited size of 3ha each. The subject property is 7.321ha in extent and it is proposed to subdivide the property into two equal portions of 3.65ha in extent. The proposed size of the smallholdings complies with the minimum size as per the Wilderness - Lakes - Hoekwil Local Spatial Development Framework, 2015. Several smallholdings of a similar size exist in the Wilderness Hoogte smallholding area and the proposed subdivided portions are therefore compatible with the character of the area.

5.6 Compatibility of the proposal with the natural environment of the property

Although the entire proposed Portion A of Erf 354 Hoekwil is located in the priority natural area, there is no critical biodiversity on the property. The rationale for the subdivision is that the cost to maintain a natural area and do alien clearing is very expensive for a landowner. When the property is subdivided it takes half of the responsibility away from one owner and a new owner can take responsibility for the new 3.65ha. This divides the cost of alien clearing and maintenance of the natural area in half and it is more feasible for a landowner to manage and protect the environment to create a sustainable livelihood for future generations.

An OSCAE permit is required in respect of the removal of vegetation on the property and will be submitted as part of the approval process for the proposed new dwelling house to be erected on the proposed Remainder and Portion A of Erf 354 Hoekwil. The OSCAE permit will determine the location for a new dwelling unit that will have the least impact on the natural area. No

vegetation will, however, be affected by the conversion of the existing dwelling house into a second dwelling unit.

5.7 Potential of the property

Erf 354 Hoekwil is zoned Agricultural Zone II (Smallholding). As such, it may, in terms of the objectives of the use zone, as indicated in the George Integrated Zoning Scheme By-Law, 2023 be utilized to *“accommodate extensive residential properties, which may be used for small-scale agriculture or natural areas for people who seek a rural lifestyle.”* In terms of the zoning, the property may be used for the purposes of a dwelling house and a second dwelling unit with a floor space which does not exceed 175m².

The proposed subdivision will create another opportunity for an extensive residential property for people who seek a rural lifestyle therefore, the subdivision will result in realizing the full potential of the application property.

5.8 Access to the property

The application property is accessed via Silver River Street, a gravel road from Whites Road, just south of the Seven Passes Road. The area is easily accessible from the N2, through Wilderness Town, up Whites Road.

The development parameters in Section 45 of the George Integrated Zoning Scheme By-Law, 2023, determines that where the street frontage of a property is more than 30 meters, 2 access points will be allowed, provided that the minimum distance between 2 access points shall be not less than 12 meters. As the width of the street frontage of the subdivided portions is 207.48 metres and 208.23 metres respectively, 2 access points will be allowed as they conform with the mentioned stipulation.

The sight distance should not be a problem as the gravel road only provides access to the properties situated along the road, however this will be determined with the location of the new primary dwelling houses. The subdivision as proposed in this application will, therefore, not have a negative impact on the provision of access to the application property.

5.9 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 in respect of a dwelling house and one on-site parking bay is required in respect of a second dwelling.

Parking bays are not specifically indicated, however the property has more than enough space to comply with the parking provision.

5.10 Services

Apart from electricity, no bulk services are currently available in the area concerned. The proposed development will, therefore, have to be self-sufficient. All costs pertaining to the provision of infrastructure required for the proposed development will be carried by the landowner.

6. DESIRABILITY OF THE APPLICATION FOR PERMANENT DEPARTURE (RELAXATION OF BUILDING LINES) IN RESPECT OF ERF 354 HOEKWIL

6.1 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.

This application will therefore be motivated with reference to 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.*

6.2 Existing planning in the area

The application property is situated in an area characterized by and zoned to accommodate 'smallholdings'. The owners are using the property for rural residential purposes, in line with the zoning. In terms of the George Integrated Zoning Scheme By-Law, 2023 the building lines applicable to smallholdings are determined by the extent of the property.

The proposed subdivided smallholdings will each be 3.65ha and smallholdings smaller than 4ha have 20m building lines. Therefore, the existing dwelling house requires minor building line relaxations as the existing structure is just over the 20-metre building line at a distance of 19.1 metres varying to 17.1 metres. The existing storeroom is located over the side and street building lines from 12.9 metres varying to 12.2 meters and 15.0 metres varying to 11.2 metres.

The relaxation of the street, side and rear boundary building lines, as proposed in this application, will therefore not establish an undesirable precedent and can be accommodated within the existing planning of the area concerned.

6.3 Impact on schools, open spaces and other community facilities

This application entails the relaxation of building lines on the application property to accommodate the existing dwelling house and storeroom.

The relaxation of the building lines as applied for 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.

6.4 Impact on sunlight, view and privacy

The following aerial photo indicates the smallholding area and the only property that could be affected by the proposed building line relaxation, is Erf 355 Hoekwil, located to the east of Erf 354 Hoekwil.

The aerial photo shows that the dwelling house on Erf 355 Hoekwil is situated, towards the east of the property and closer to the road, thus created a distance of approximately 90 metres between the two dwelling houses. The other structure on Erf 355 Hoekwil is approximately 50 metres from the existing dwelling house.

It is therefore clear that the proposed relaxation of the building lines as proposed in this application can have no negative impact on sunlight, view or privacy in respect of any of the adjacent properties.



6.5 Impact on streetscape

The rural character of the area will be maintained as the existing dwelling (to become the second dwelling unit) and the workshop is approximately 40 meters from the street and only the roof of both structures is visible.

The relaxation of the building lines, as proposed in this application, will therefore not have a negative impact on the streetscape in the vicinity of the application property.

6.6 Impact on property values

As indicated in the previous paragraphs, the proposed structures in respect of which the building line relaxations are required will not have a negative impact on the surrounding properties. The outside finish will be of a good quality and the elevation of the structures will fit in with that of the existing development in the area. The development as proposed represents a substantial capital investment by the owner.

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

6.7 Impact on the provision of parking

The parking requirements are discussed in point 5.9 of this report.

The provision of parking conforms with the requirement for on-site parking as set out in the George Integrated Zoning Scheme By-Law, 2023. The provision of on-site parking will therefore not be negatively impacted upon by the relaxation of the building line as proposed in this application.

6.8 Impact on traffic circulation

The proposed relaxation of the street and side boundary building lines in respect of the existing structures are at the closest 11.2 metres from the street and as such, the proposed relaxation of the mentioned building lines can have no impact on traffic circulation in the area.

6.9 Provision of services

The provision of Municipal services is discussed in point 5.10 of the motivation report. The building line relaxations as proposed in this application will not have any negative impact on the existing services or the provision of services. Should any extension of the existing municipal infrastructure be required as a result of this application for building line relaxations, all costs as a result of such extension will be for the account of the owner, subject to the conditions of the municipality.

6.10 Firefighting

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

7. DESIRABILITY OF APPLICATION FOR ADMINISTRATORS CONSENT: ERF 354 HOEKWIL

Title Deed T1895/2024, the Title Deed of Erf 354 Hoekwil, contains inter alia the following condition:

“F.(b) SUBJECT FURTHER to the following conditions contained in said Deed of Transfer No T19656/1962, imposed by the Administrator of the Province of the Cape of Good Hope with the subdivision in terms of Section 196 of Ordinance No 15/1952, as amended, of the farm WIDERNESSHOOGTE, which can be amended or relaxed by him:

- (a) Dit mag net vir woon- en landbou-doeleindes gebruik word.*
- (b) Geen geboue uitgesonderd een woning vir gebruik deur 'n enkele familie tesame met die buitegeboue wat gewoonlik nodig is om in verband daarmee gebruik te word, mag op hierdie grond opgerig word nie.”*

In terms of condition F.(b) the erf may only be used for the purposes of erecting thereon one dwelling unit. The proposal to convert the existing dwelling house into a second dwelling is thus in conflict with this condition. The Administrators consent will thus be required to allow for the

conversion of the existing dwelling house into a second dwelling on the proposed Remainder of Erf 354 Hoekwil.

The following motivation is provided in support of the application.

- Condition F.(b) which restricts the number of dwelling houses that may be allowed on Erf 354 Hoekwil to one dwelling, was laid down by the Administrator in terms of Ordinance 15 of 1952, upon subdivision of the farm Wildernishoogte. It is assumed that there was no applicable zoning scheme at that time and thus the mentioned land use restriction was included in the title deed of the erf. Before the advent of zoning schemes, it was common practice to control land use and land use parameters by means of such conditions being included in the title deed of individual erven. Title deeds were thus used as “zoning schemes”.
- Ever since zoning schemes were introduced, it is common practise that land use and land use restrictions are regulated by means of zoning schemes. George Municipality has recently accepted the George Integrated Zoning Scheme By-Law, 2023. The stipulations in this By-Law represent the latest thinking as far as land use management and land development parameters are concerned. There is, therefore, no reason why land use and land development parameters should be regulated by means of title deeds any more.
- The mentioned conditions have not been registered in favour of any other person or entity. The conditions have been imposed as restrictions on the erf. The only person who could benefit from or be prejudiced by the conditions is the current owner of the erf. No third party is affected by the mentioned conditions.
- The question could be asked whether some of the adjacent erven could possibly be prejudiced by the granting of the Administrators consent. It is argued that no adjoining erf owner’s property will be negatively affected by the granting of the Administrators consent for a second dwelling on Erf 354 Hoekwil for the following reasons:
 - ⇒ Erf 354 Hoekwil is zoned Agricultural Zone II. In terms of the George Integrated Zoning Scheme, 2023 a “*Smallholding*” is the primary right on an erf zoned

Agricultural Zone II. In terms of the definition of a “*Smallholding*” a dwelling house is permitted as a primary right on an erf zoned Agricultural Zone II. In terms of the George Integrated Zoning Scheme, 2023 a dwelling house includes a second dwelling with a maximum floor area of 175 m². The second dwelling unit which is proposed will have a floor area of less than 175 m² thus within the size as permitted. The title deed condition is thus in conflict with the primary rights of the erf. No undesirable land use precedent will thus be created by granting the necessary consent as proposed in the application.

- ⇒ As indicated in point 6 above the second dwelling will be located in such a position on the erf that it will have no effect on any adjoining erf owner.
- ⇒ The proposed second dwelling will add value to the utilization of the erf and represents a substantial capital investment by the owner, which could contribute to the increase in property values in the area.
- ⇒ The mentioned restrictive conditions prevent the approval of the development proposal as contemplated in this application. The granting of the Administrators consent will enable the owner to develop the application erf to its maximum potential, without the development having a negative influence on adjacent development.

From the abovementioned it is clear that there is no reason why the Administrators consent as requested cannot be issued as requested.

8. CONCLUSION

Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 354 Hoekwil into two portions, each 3.65ha in extent.

Application is also made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of various building lines in respect of the existing structures of Erf 354 Hoekwil.

Application is lastly made in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition F.(b) on page four

of T1895/2024, the Title Deed of Erf 354 Hoekwil to allow for a second dwelling on the proposed Remainder of Erf 354 Hoekwil.

As indicated in this report the proposed application for subdivision and permanent departure is compatible with all existing planning documents, spatial plans, legislation and policy documents applicable to the application.

The proposal will not have a negative impact on the environment, development, public facilities, traffic circulation or Municipal services in the surrounding area.

The application can therefore be considered desirable and is submitted for consideration in terms of the relevant stipulations of the Land Use Planning By-Law for George Municipality, 2023.

ANNEXURE "A" - PROPOSED SUBDIVISION PLAN

ANNEXURE "B" - 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	janvrolijk@jvtownplanner.co.za		
Tel	044 873 3011	Fax	086 510 4383
		Cell	082 464 7871

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

Registered owner	Andre Pierre Pretorius		
Address	354 Silver River Street		
	Wilderness Heights	Postal code	6538
E-mail	Riandre.gp@gmail.com		
Tel	N/a	Fax	N/a
		Cell	0829208282

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

Property Description [Erf / Erven / Portion(s) and	Erf 354 Hoekwil
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Farm number(s), allotment area.]										
Physical Address	354 Silver River Street, Wilderness Heights									
GPS Coordinates					Town/City		Wilderness			
Current Zoning	Agricultural Zone II		Extent	7.321ha			Are there existing buildings?		Y	N
Current Land Use	Rural residential									
Title Deed number & date	T1895/2024									
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).	F.(b) in Title Deed T1895/2024						
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies).							
Is the property encumbered by a bond?	Y	N	If Yes, list Bondholder(s)?							
Has the Municipality already decided on the application(s)?	Y	N	If yes, list reference number(s)?							
Any existing unauthorized buildings and/or land use on the subject property(ies)?				Y	N	If yes, is this application to legalize the building / land use?			Y	N
Are there any pending court case / order relating to the subject property(ies)?				Y	N	Are there any land claim(s) registered on the subject property(ies)?			Y	N
PART D: PRE-APPLICATION CONSULTATION										
Has there been any pre-application consultation?			Y	N	If Yes, please complete the information below and attach the minutes.					
Official's name	N/a		Reference number	N/a		Date of consultation		N/a		

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:

- **Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 354 Hoekwil into a Portion A (±3,65ha) and a Remainder (±3,65ha).**
- **Application is made in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of the following building lines on the proposed Remainder of Erf 354 Hoekwil:**
 - **the eastern side boundary building line from 20.0 meters to:**
 - **19.1 meters varying to 17.1 meters in respect of the of the bedroom and bathroom of the existing dwelling house; and**
 - **12.9 meters varying to 12.2 meters in respect of the storeroom.**
 - **the street boundary building line from 20.0 meters to 15 meters varying to 11.2 meters in respect the storeroom.**
- **Application is made in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition F.(b) on page four T1895/2024, the Title Deed of Erf 354 Hoekwil to allow for a second dwelling on the Remainder of Erf 354 Hoekwil .**

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)
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Y	N	Power of Attorney / Owner's consent if applicant is not owner		Y	N	Bondholder's consent (no bond on property)	
Y	N	Motivation report / letter		Y	N	Proof of payment of fees	
Y	N	Full copy of the Title Deed		Y	N	S.G. noting sheet extract / Erf diagram / General Plan	
Y	N	Locality Plan		Y	N	Site layout plan	
Minimum and additional requirements:							
Y	N	N/A	Conveyancer's Certificate	Y	N	N/A	Land Use Plan / Zoning plan
Y	N	N/A	Proposed Subdivision Plan (including street names and numbers)	Y	N	N/A	Phasing Plan
Y	N	N/A	Consolidation Plan	Y	N	N/A	Copy of original approval letter (if applicable)
Y	N	N/A	Site Development Plan	Y	N	N/A	Landscaping / Tree Plan
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)	Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	Y	N	N/A	Required number of documentation copies
Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	Y	N	N/A	Other (specify)
PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION							
Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)		Y	N/A	Specific Environmental Management Act(s) (SEMA)	
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)		Y	N/A	(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental --	
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		Y	N/A	Management: Air Quality Act, 2004 (Act 39 of 2004),	

Y	N/A	<i>Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)</i>				<i>National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)</i>
Y	N/A	<i>Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations</i>				
Y	N/A	<i>Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)</i>		Y	N/A	<i>Other (specify)</i>
Y	N	<i>If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.</i>				
Y	N	<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:

8 May 2025

Full name:

Johannes George Vrolijk

Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

A/1386/2010

ANNEXURE "C" - PROPOSED SITE AND BUILDING PLAN

NOTE
THIS DRAWING IS THE COPYRIGHT OF THE ARCHITECTS. DO NOT SCALE AND REFER TO FIGURED DIMENSIONS ONLY. ALL LEVELS AND DIMENSIONS MUST BE CHECKED ON SITE PRIOR TO SETTING OUT OR MANUFACTURE. ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY.

GENERAL NOTES & SPECIFICATIONS:

RAFT FOUNDATION SLAB:
150MM THICK REINFORCED CONCRETE RAFT ON 150MM COMPACTED FILL TO MIN. 98% MOD ASHTO WITH 250 MICRON DAMP PROOF MEMBRANE UNDER ALL SURFACE BEDS – ALL TO ENGINEER'S SPECIFICATIONS.

WALLS:
100MM THICK GMS LIGHTWEIGHT STEELFRAME WALLS TO ENGINEER'S SPECIFICATIONS. TO BE CLAD EXTERNALLY WITH ZINCALUME CORRUGATED SHEETING AND INTERNALLY WITH SKIMMED AND PAINTED 12.5MM PLASTERBOARD ALL INSTALLED TO MANUFACTURER'S SPECIFICATIONS. WALLS TO BE INSULATED WITH 100MM THICK GLASSWOOL INSULATION.

ROOF:
ZINCALUME CORRUGATED ROOF SHEETS LAID TO MANUFACTURER'S SPECIFICATIONS ON ENGINEERED MITEC TRUSSES AT 900MM CENTRES AT 15° ROOF PITCH TIED DOWN TO WALL STRUCTURE TO ENGINEER'S SPECIFICATIONS.

FLASHINGS & FASCIAS:
ROOF SHEETING AND WALL CLADDING TO GET FLASHINGS ALL-ROUND, BARGE BOARDS AND RIDGE CAPPINGS WITH 150X15MM FIBRE CEMENT FASCIA AND GABLE ENDS INSTALLED TO MANUFACTURERS SPECIFICATIONS.

TIMBER DECK:
150X38MM CCA TREATED SA PINE JOISTS AT 400MM CENTRES ON 228X38MM SA PINE BEAMS AT 1500MM CENTRES ON 200MM DIA CCA TREATED GUM POLES AT 2500MM CENTRES.
96X22MM CCA TREATED SA PINE DECK PLANKS 2X STAINLESS STEEL STAR HEAD COUNTERSUNK SCREW FIXED TO TOP OF JOISTS AT 400MM CENTRES.

INTERNAL WALLS:
100MM STEELFRAME DRYWALLS WITH 12.5MM PLASTERBOARD CLADDING GENERALLY AND GREENBOARD IN SHOWERS.

WINDOWS & DOORS:
CLIP 44 CHARCOAL ALUMINIUM BY SPECIALIST.
ALL GLAZING TO BE 6.38MM SOLARVUE NEUTRAL LAMINATED SAFETY GLASS INSTALLED AND MARKED WHERE REQUIRED.
ALL IN ACCORDANCE WITH AAMSA & NATIONAL BUILDING REGULATIONS.

INTERNAL DOORS: SEMISOLID DOORS WITH HARDWOOD FRAMES.

STAIRS:
SA PINE STAIRS WITH TREADS 250MM AND RISERS 170MM.

GAS INSTALLATION:
THE GAS HEATING SYSTEM TO COMPLY WITH SANS 1539.
INSTALLATION TO COMPLY WITH SANS 10087-1 AND SANS 827.
A REGISTERED LPGAS INSTALLER TO PROVIDE A COMPLIANCE CERTIFICATE.
LPG CYLINDER MUST NOT BE PLACED 1M TO A DOOR, CLOSER THAN 2M TO AN OPEN DRAIN, WHERE GAS CAN COLLECT IF LEAKING, AND MUST NOT BE CLOSER THAN 5M TO AN ELECTRICAL POINT.
LPG CYLINDER MUST NOT BE CLOSER THAN 1M TO THE SIDE OF A WINDOW UNLESS THERE IS AT LEAST 300MM BETWEEN THE BOTTOM OF THE WINDOW AND TOP OF THE CYLINDER.
A SHUT OFF VALVE MUST BE INSTALLED AT THE LOCKABLE STEEL CABINET AND AT THE GAS STOVE.

PLUMBING INSTALLATION:
INSTALLATION TO THE REQUIREMENTS OF THE LOCAL AUTHORITY, SANS 10400, SANS 10252.1, 10252.2.
ALL MATERIAL USED MUST BE SABS APPROVED AND INSTALLED TO MANUFACTURER'S SPECIFICATIONS.
WORK TO BE DONE BY AN LICENSED AND REGISTERED PLUMBER AND A COMPLIANCE CERTIFICATE TO BE PROVIDED.
FALLS TO BE 1:60 MIN.

PROVIDE I.E. AFTER ALL TURNS AND JUNCTIONS. I.E. TO BE FULLY ACCESSIBLE AT ALL TIMES. WHERE ANY SECTION OF A PIPE PASSES THROUGH A WALL OR UNDER A FLOOR, IT MUST BE REINFORCED WITH 150MM CONCRETE ALL ROUND.
HOT WATER PIPES TO BE INSULATED WITH MATERIAL WITH A R-VALUE OF 1. GEYSER TO GET AN INSULATION BLANKET AND ALL HOT WATER PIPES TO BE INSULATED.
ALL SOIL PIPES TO BE 110MM DIA., ALL HAND BASIN PIPES TO BE 40MM DIA., ALL SINK PIPES TO BE 50MM DIA., ALL WASHING MACHINE/DISHWASHER PIPES TO BE 50MM DIA.
INVERT LEVELS TO BE 450MM MIN. PROVIDE RODDING EYES EVERY 25M. GULLY HEAD MUST BE PROVIDED WITH A REMOVABLE COVER.
GULLY HEAD MUST BE 50MM ABOVE PAVED SURFACE OR 150MM ABOVE NGL.

OWNER:

ARCHITECT:

C	02.02.25	ISSUED FOR COUNCIL APPROVAL	JW
B	10.01.25	ISSUED FOR CLIENT APPROVAL	JW
A	14.10.24	ISSUED FOR CLIENT APPROVAL	JW
REV	DATE	DESCRIPTION	BY

ALT
architecture

Jonathan Witthuhn, Pr.S.Arch.T. 571346
51 Porter Street, Fernridge, George 6529
+27 (0) 82 577 8151
altrarch@gmail.com
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PROJECT TITLE
ERF 354 SILVER RIVER STREET,
HOEKWIL
PROPOSED SUBDIVISION,
BUILDING LINE RELAXATION, AND
ADDITION TO EXISTING DWELLING

DRAWING TITLE
EXISTING DWELLING –
FLOOR PLAN, SECTIONS, ELEVATIONS, AND
DOOR & WINDOW SCHEDULE

JOB No.	LOCALITY	DRAWING No.	TYPE	SHEET	REV No.
P001	HOEKWIL	354		201	C

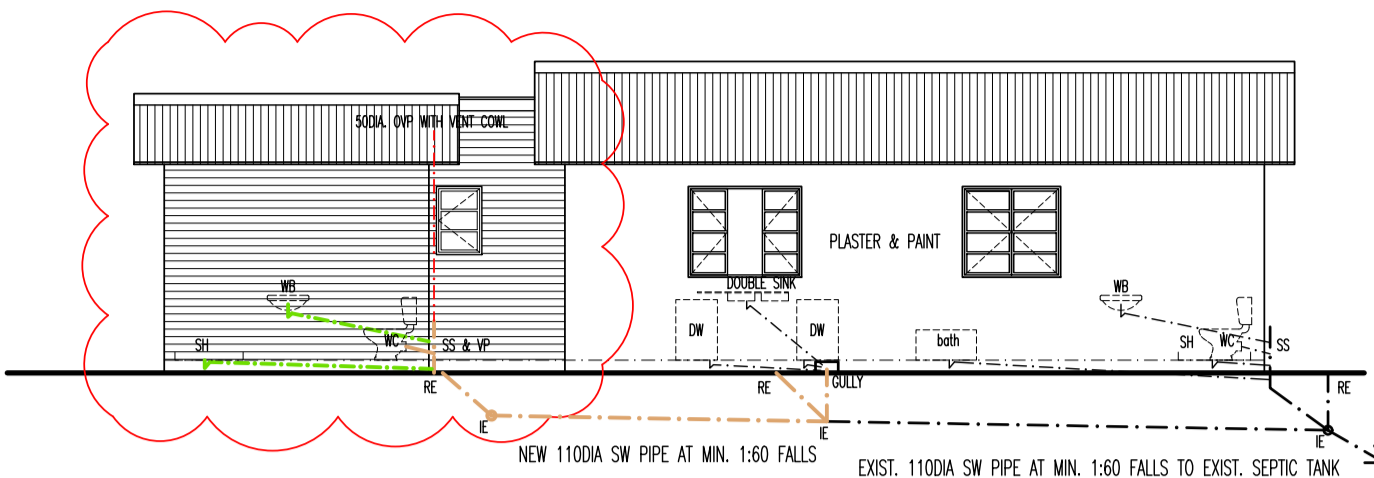
DATE JAN 2025

DWG No 200

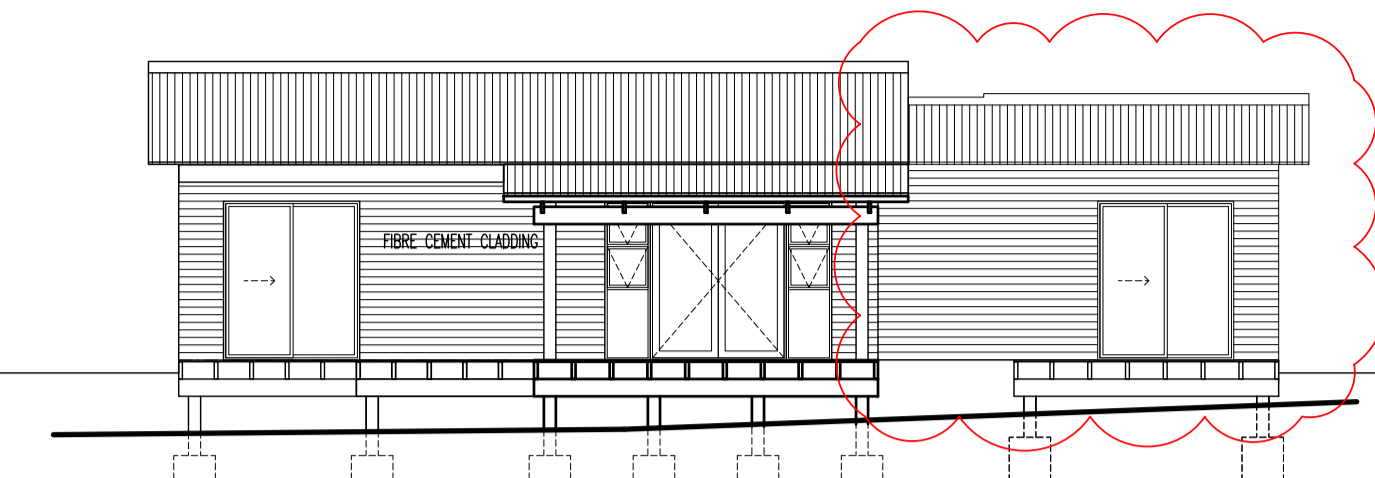
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DRAWN JW

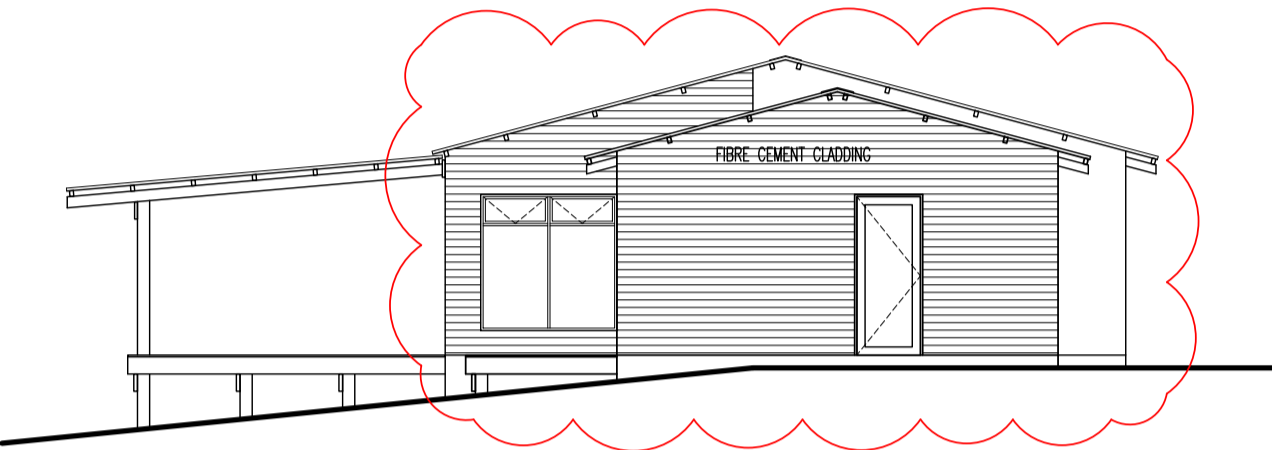
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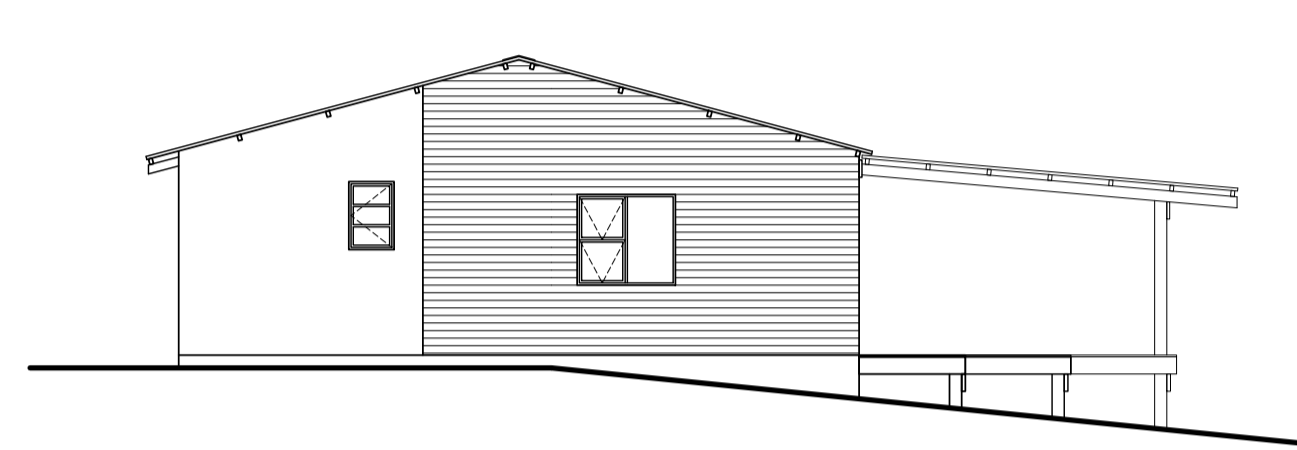
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SCALE 1:100



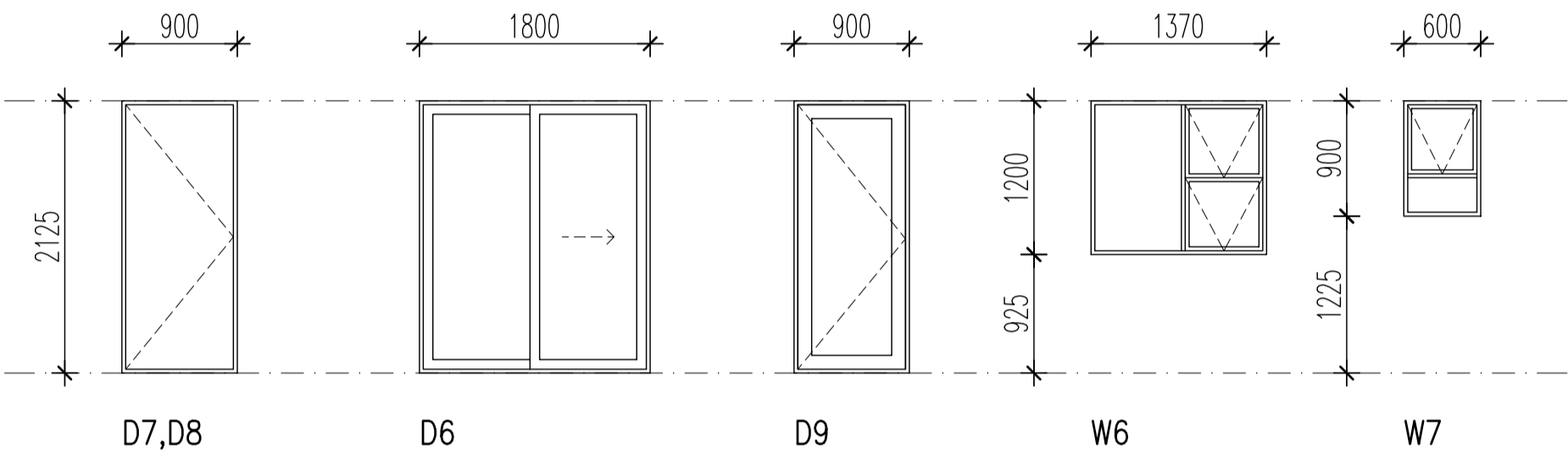
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SCALE 1:100



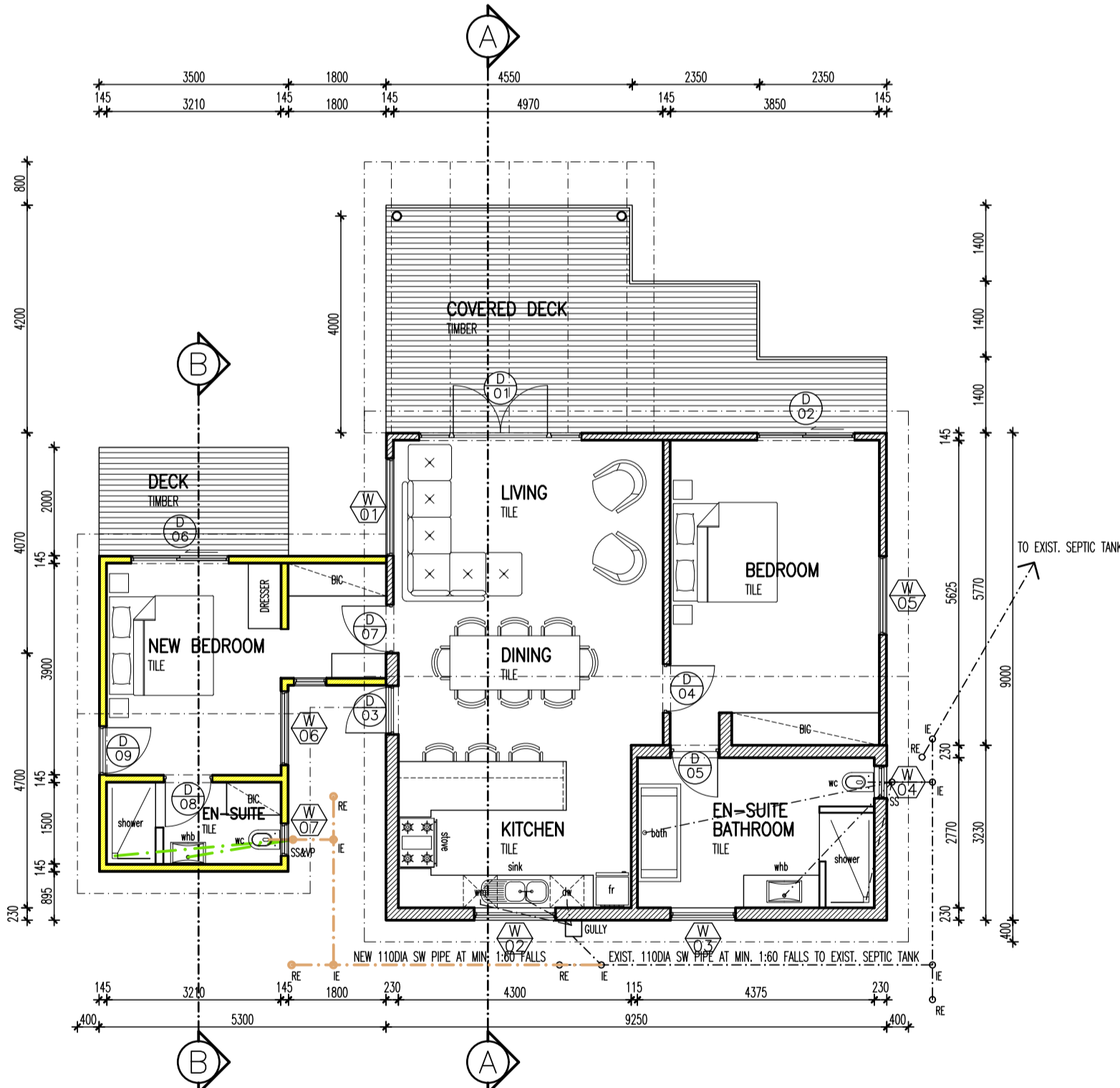
WEST ELEVATION
SCALE 1:100



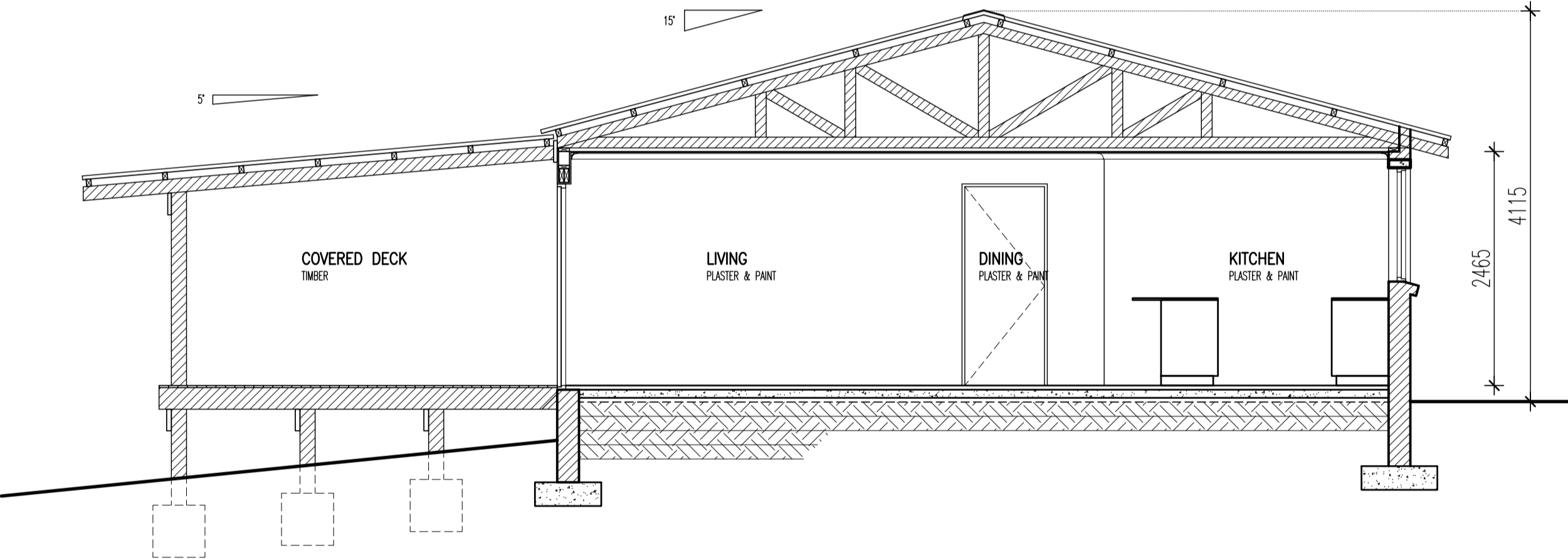
EAST ELEVATION
SCALE 1:100



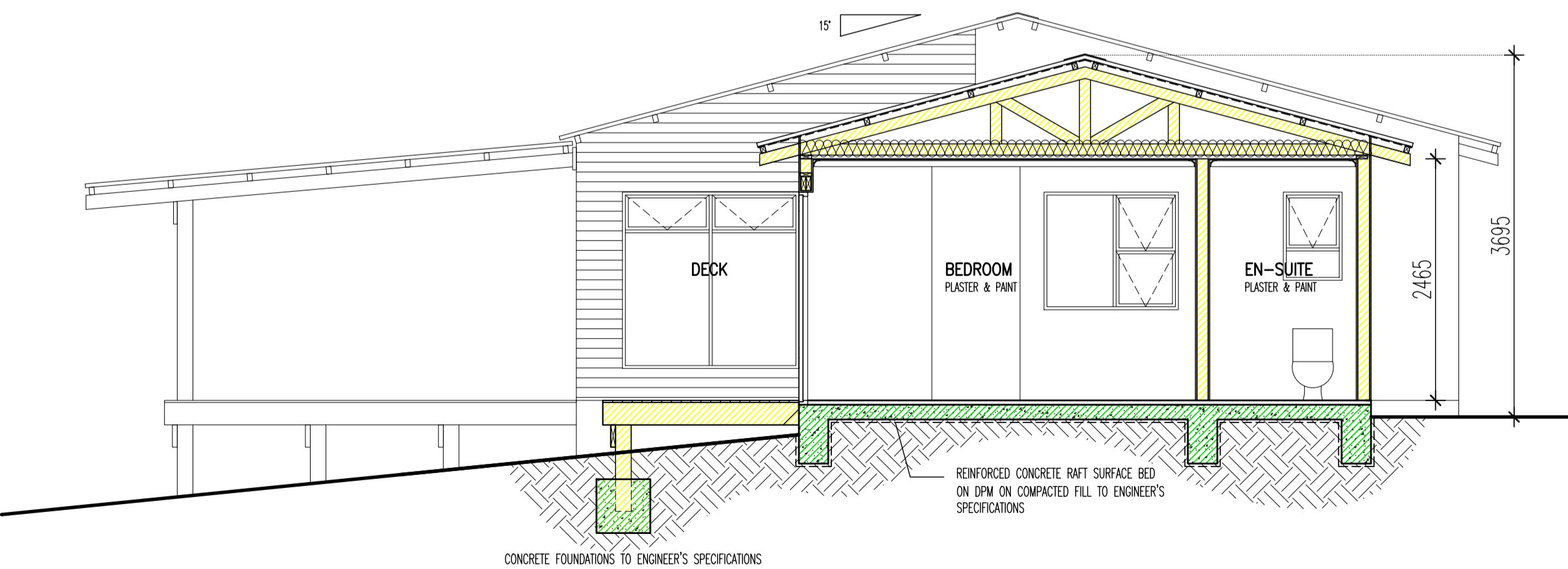
DOOR & WINDOW SCHEDULE
SCALE 1:50



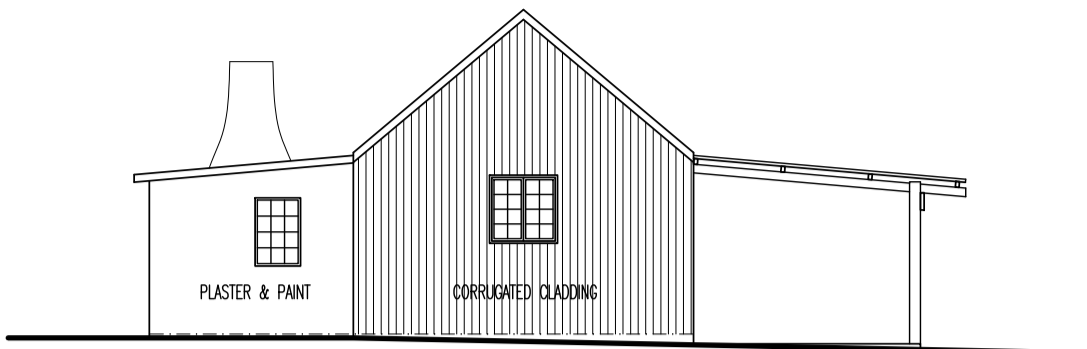
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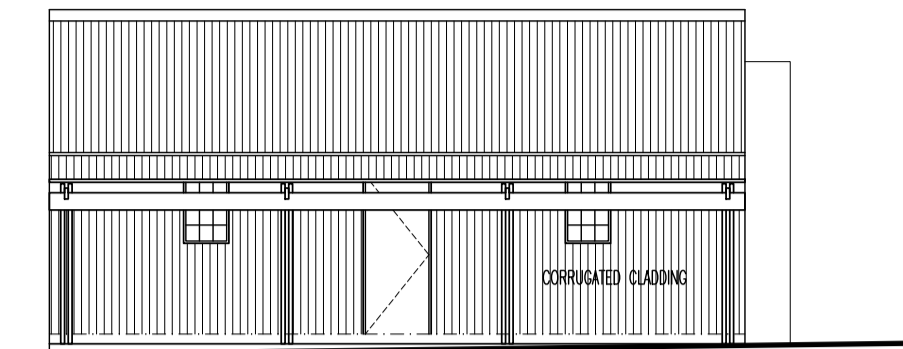
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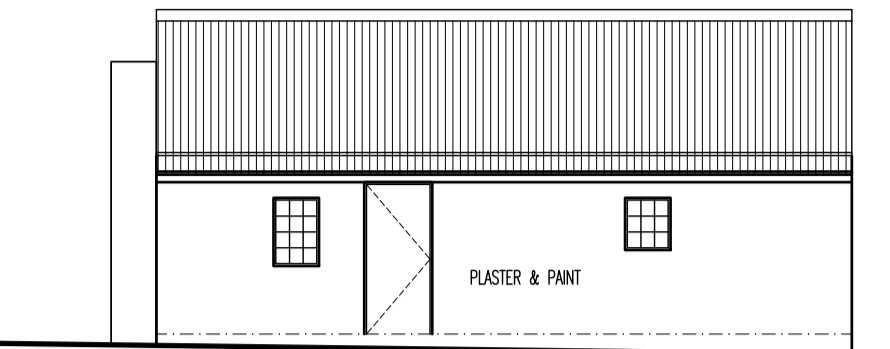
SECTION B-B
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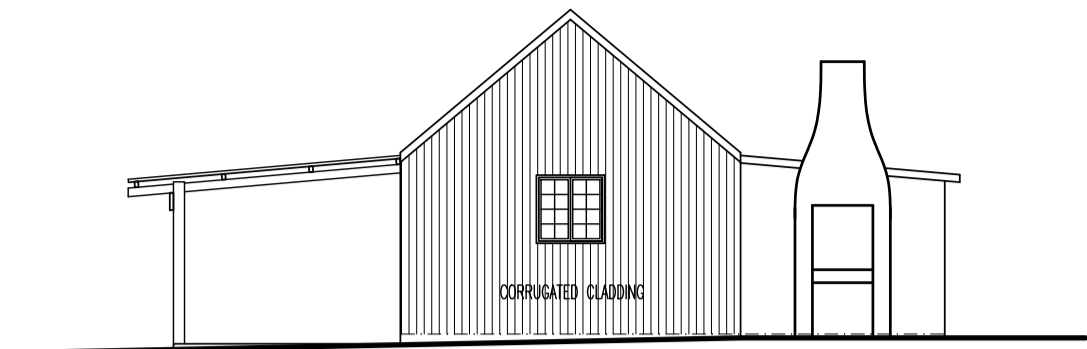
WEST ELEVATION
SCALE 1:100



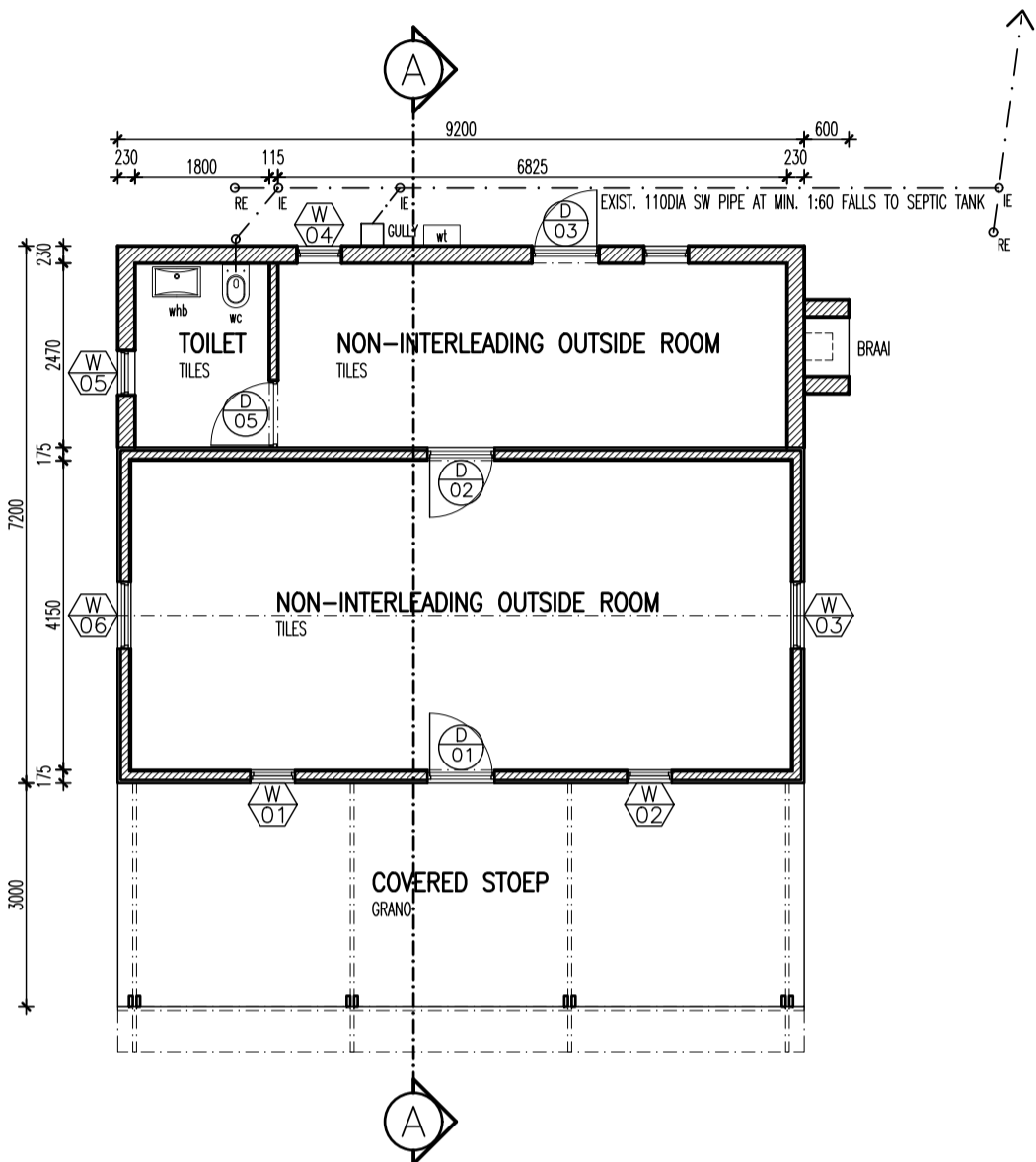
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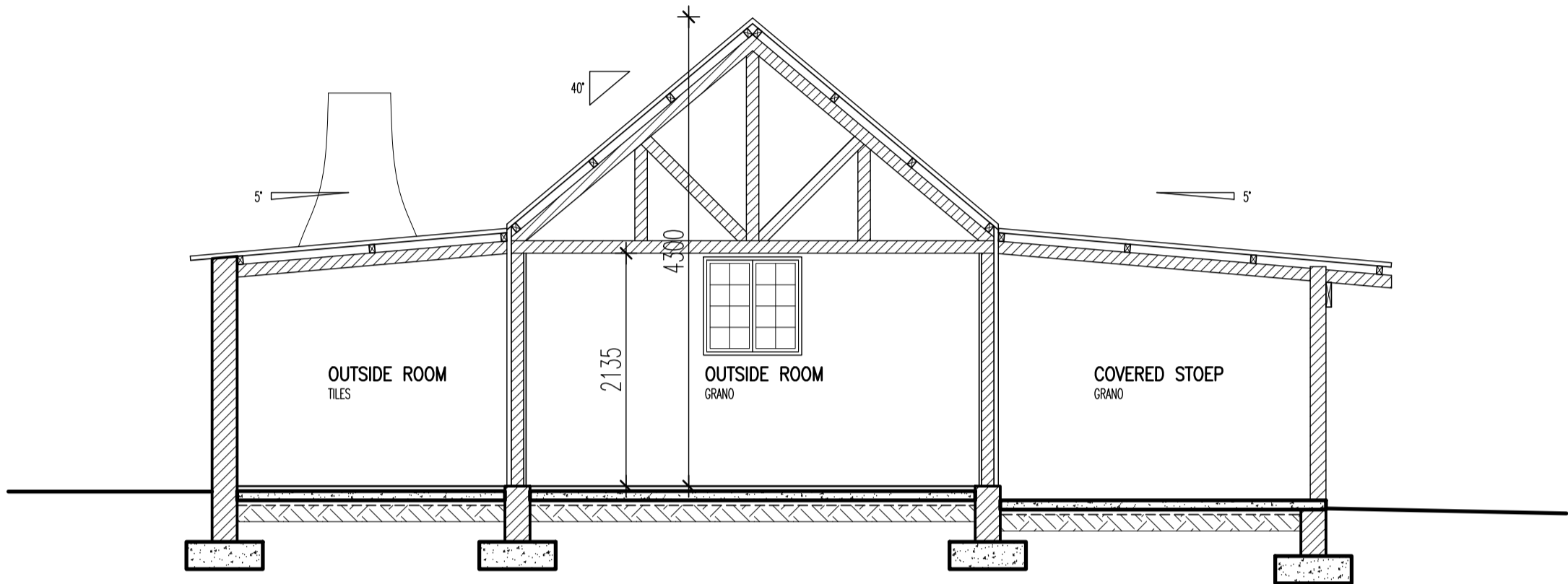
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SCALE 1:100



EAST ELEVATION
SCALE 1:100

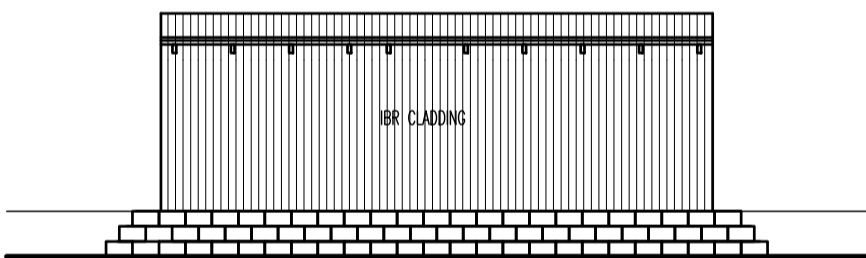


GROUND FLOOR LAYOUT
SCALE 1:100

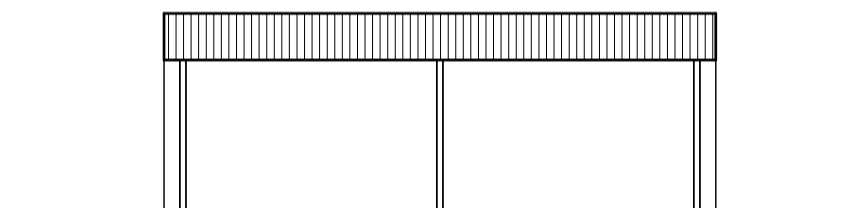


SECTION A-A
SCALE 1:50

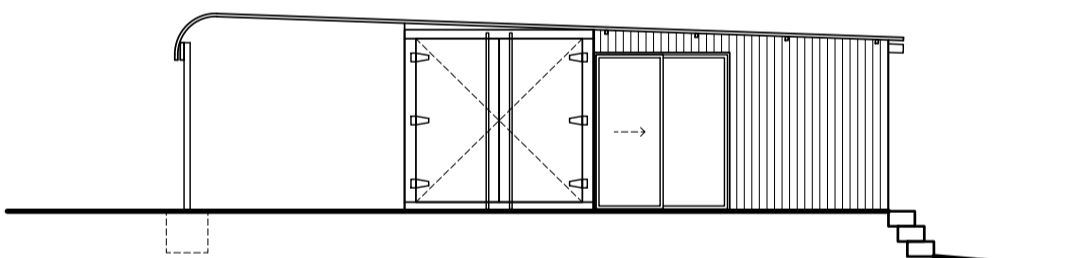
1 EXISTING OUTBUILDING
SCALE 1:100



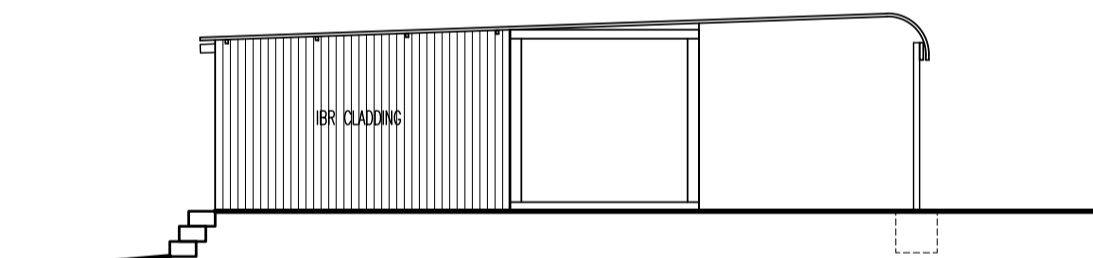
NORTH ELEVATION
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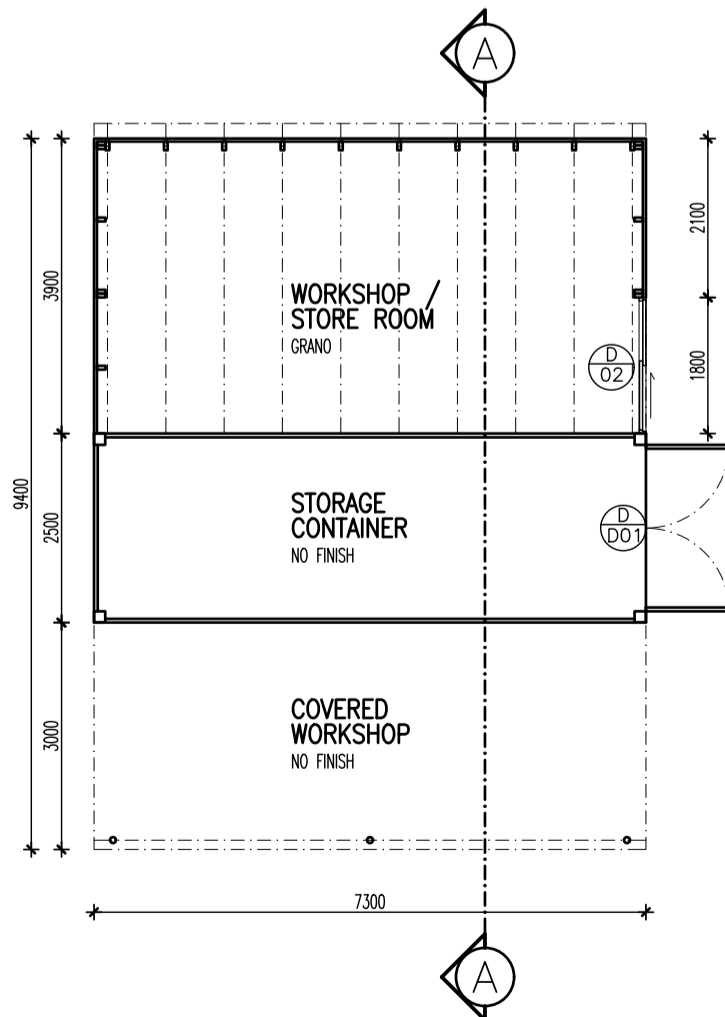
SOUTH ELEVATION
SCALE 1:100



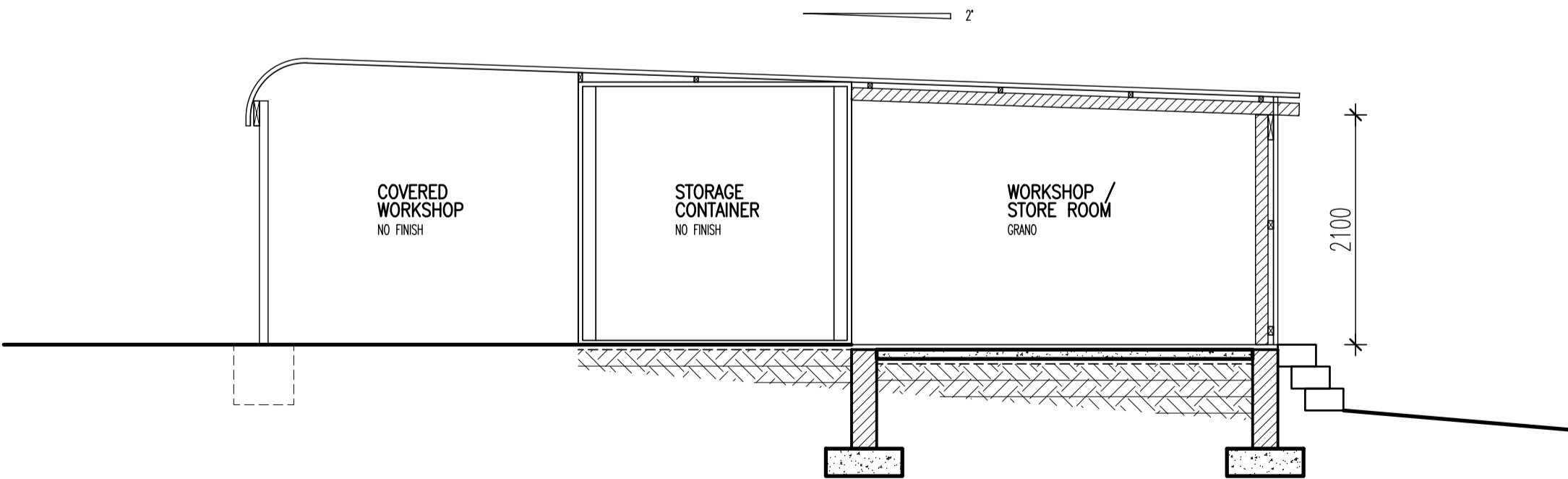
EAST ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100

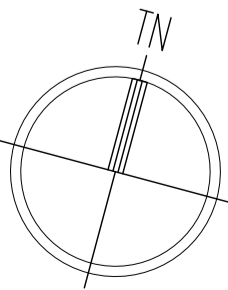


GROUND FLOOR LAYOUT
SCALE 1:100



SECTION A-A
SCALE 1:50

2 EXISTING WORKSHOP & STORE
SCALE 1:100



FOR INFORMATION

NOTE

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GENERAL NOTES & SPECIFICATIONS:

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150MM THICK REINFORCED CONCRETE RAFT ON 150MM COMPACTED FILL TO MIN. 98% MOD AASHTO WITH 250 MICRON DAMP PROOF MEMBRANE UNDER ALL SURFACE BEDS - ALL TO ENGINEER'S SPECIFICATIONS.

WALLS:
100MM THICK GMS LIGHTWEIGHT STEELFRAME WALLS TO ENGINEER'S SPECIFICATIONS. TO BE CLAD EXTERNALLY WITH ZINCALUME CORRUGATED SHEETING AND INTERNALLY WITH SKIMMED AND PAINTED 12.5MM PLASTERBOARD ALL INSTALLED TO MANUFACTURER'S SPECIFICATIONS. WALLS TO BE INSULATED WITH 100MM THICK GLASSWOOL INSULATION.

ROOF:
ZINCALUME CORRUGATED/IBR ROOF SHEETS LAID TO MANUFACTURER'S SPECIFICATIONS ON ENGINEERED MITEC TRUSSES AT 900MM CENTRES TIED DOWN TO WALL STRUCTURE TO ENGINEER'S SPECIFICATIONS.

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150X38MM CCA TREATED SA PINE JOISTS AT 400MM CENTRES ON 228X38MM SA PINE BEAMS AT 1500MM CENTRES ON 200MM DIA CCA TREATED GUM POLES AT 2500MM CENTRES.
96X22MM CCA TREATED SA PINE DECK PLANKS 2X STAINLESS STEEL STAR HEAD COUNTERSUNK SCREW FIXED TO TOP OF JOISTS AT 400MM CENTRES.

INTERNAL WALLS:
100MM STEELFRAME DRYWALLS WITH 12.5MM PLASTERBOARD CLADDING GENERALLY AND GREENBOARD IN SHOWERS.

WINDOWS & DOORS:
CLIP 44 CHARCOAL ALUMINIUM BY SPECIALIST.
ALL GLAZING TO BE 6.38MM SOLARVUE NEUTRAL LAMINATED SAFETY GLASS INSTALLED AND MARKED WHERE REQUIRED.
ALL IN ACCORDANCE WITH AAMSA & NATIONAL BUILDING REGULATIONS.

INTERNAL DOORS: SEMISOLID DOORS WITH HARDWOOD FRAMES.
STAIRS:
SA PINE STAIRS WITH TREADS 250MM AND RISERS 170MM.

GAS INSTALLATION:
THE GAS HEATING SYSTEM TO COMPLY WITH SANS 1539.
INSTALLATION TO COMPLY WITH SANS 10087-1 AND SANS 827.
A REGISTERED LPGAS INSTALLER TO PROVIDE A COMPLIANCE CERTIFICATE.
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PLUMBING INSTALLATION:
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ALL MATERIAL USED MUST BE SABS APPROVED AND INSTALLED TO MANUFACTURER'S SPECIFICATIONS.
WORK TO BE DONE BY AN LICENSED AND REGISTERED PLUMBER AND A COMPLIANCE CERTIFICATE TO BE PROVIDED.
FALLS TO BE 1:60 MIN.
PROVIDE I.E. AFTER ALL TURNS AND JUNCTIONS. I.E. TO BE FULLY ACCESSIBLE AT ALL TIMES. WHERE ANY SECTION OF A PIPE PASSES THROUGH A WALL OR UNDER A FLOOR, IT MUST BE REINFORCED WITH 150MM CONCRETE ALL ROUND.
HOT WATER PIPES TO BE INSULATED WITH MATERIAL WITH A R-VALUE OF 1. GEYSER TO GET AN INSULATION BLANKET AND ALL HOT WATER PIPES TO BE INSULATED.
ALL SOIL PIPES TO BE 110MM DIA., ALL HAND BASIN PIPES TO BE 40MM DIA., ALL SINK PIPES TO BE 50MM DIA., ALL WASHING MACHINE/DISHWASHER PIPES TO BE 50MM DIA.
INVERT LEVELS TO BE 450MM MIN. PROVIDE RODDING EYES EVERY 25M.
GULLY HEAD MUST BE PROVIDED WITH A REMOVABLE COVER.
GULLY HEAD MUST BE 50MM ABOVE PAVED SURFACE OR 150MM ABOVE NGL.

OWNER:

ARCHITECT:

D	05.05.25	ISSUED FOR COUNCIL APPROVAL	JW
C	02.02.25	ISSUED FOR COUNCIL APPROVAL	JW
B	10.01.25	ISSUED FOR CLIENT APPROVAL	JW
A	14.10.24	ISSUED FOR CLIENT APPROVAL	JW
REV	DATE	DESCRIPTION	BY

ALT
architecture
Jonathan Witthuhn, Pr.S.Arch.T. 5T1346
51 Porter Street, Fernridge, George 6529
+27 (0) 82 577 8151
altarch@gmail.com
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PROJECT TITLE	ERF 354 SILVER RIVER STREET, HOEKWIL PROPOSED SUBDIVISION, BUILDING LINE RELAXATION, AND ADDITION TO EXISTING DWELLING
---------------	--

DRAWING TITLE
EXISTING OUTBUILDING &
EXISTING WORKSHOP BUILDING -
FLOOR PLANS, SECTIONS, ELEVATIONS

JOB No.	LOCALITY	DRAWING No.	TYPE	SHEET	REV No.
P001	HOEKWIL	354		202	D

DATE MAY 2025
JOB No. 200

SCALE 1:100, 1:50
DRAWN JW

CHECKED
DATE

ANNEXURE "D" - LOCALITY PLAN

Erf 354 Hoekwil - Locality plan



0 0.25 0.5 1 km

Date: 5/5/2025 9:22 AM

Scale: 1:8,646



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 "E" - SURVEYOR GENERAL DIAGRAM

Afgetrek van Plan 1730^{LD}

SUB-DIVISIONAL DIAGRAM / ONDERVERDELINGSKAART,
Sect. 24(b), Act No. 9 of 1927 / Art. 24(b), Wet No. 9 van 1927.

SYE Kaapse Voet	RIJTINGS- HOEKE	STELSEL L ^o 23 ^o KO-ORDINATE	
		y	x
	Konstant	+80000-00	+11900000-00
AB	357.26		
BC	658.97		
CD	661.20		
DE	697.23		
EA	1350.78		

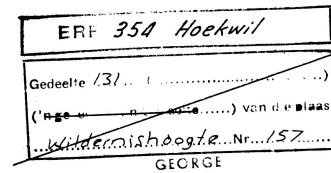
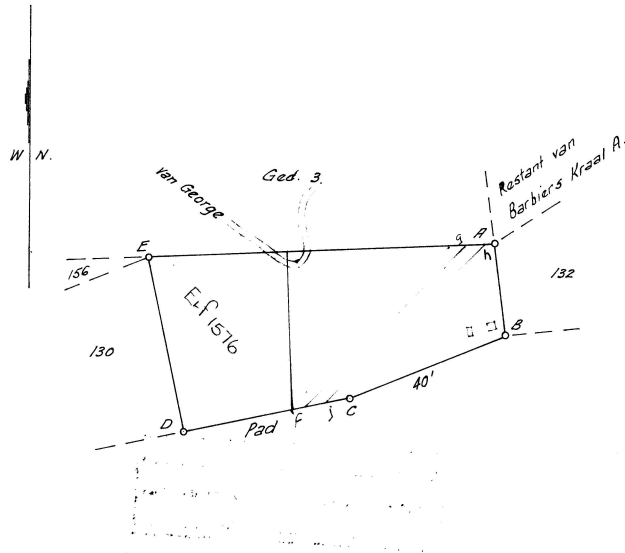
Nr. 3014,61

Goedgekeur.

Landmeter-Generaal.

Beskrywing van Bakens.

B.C.D.E. 3" x 3' ronde ysterpen.
A...Geplante klip wat 3" uitsteek by interseksie van drade



Skaal 1: 5000

Die figuur *ABCDE*

stel voor *8.5479 Morge*

grond, synde

Gedeelte *131*

van die plaas

WILDERNISHOOGTE

geleë in die Afdeling George Provinsie Kaap die Goeie Hoop

Opgemeeit in Desember 1958 deur my *A. van Waart*

Landmeter.

Hierdie kaart is

T/A. 19656/62

Registrateur van Aktes.

Die oorspronklike kaart is
Nr. 4904/59 geheg aan

Lêer Nr. S/4924
M.S. Nr. E. 1051/59
Alg. Plan 1730^{LD}
BL-666-
Grade Vel BL-8CC.

FOR ENDORSEMENTS C & S.P.C.T.-A-1111
SEE BACK OF DIAGRAM

ANNEXURE “F” - TITLE DEED

Elmarie Neethling & Vorster Attorneys
675 Tuinplaas Street
Faerie Glen
0043

Prepared by me

Fee endorsement	
	Amount
Purchase price/Value	R 1 500 000,00
Mortgage capital Amount	R
Reason for exemption	Exempt it o
Cat	section Act

CONVEYANCER
JANINE FOUCHE
LPCM60411

DEED OF TRANSFER
22 JAN 2024
Anitha Manyisana

T 000001895 / 2074

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JANINE FOUCHE

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at RANDBURG on 20 December 2023 granted to him by

HOEKWIL INVESTMENTS PROPRIETARY LIMITED
Registration Number 2016/322810/07

WIT ENDOSSEMENTE KAN KLATRY
FOR ENDORSEMENTS SEE PAGE 6

DATA / VERIG
12-01-2024
WENDY PANTI

ZM

And the appearer declared that his said principal had, on 26 October 2022, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

ANDRE PIERRE PRETORIUS
Identity Number 431209 5049 081
Married out of community of property

His heirs, executors, administrators or assigns, in full and free property

ERF 354 HOEKWIL
IN THE MUNICIPALITY AND DIVISION GEORGE
PROVINCE WESTERN CAPE

IN EXTENT 7, 3216 (SEVEN COMMA THREE TWO ONE SIX) Hectares

First Transferred by Deed of Transfer Number T19656/1962 with Diagram Number 3014/1961 relating thereto and held by Deed of Transfer Number T3210/2017.

- A. SUBJECT to the conditions referred to in Deed of Transfer No. T3210/2017.
- B. SUBJECT FURTHER to the following special condition mentioned in endorsement dated 22 April 1907 on Deed of Transfer No. T4632/1905, which reads as follows:

"By Deeds of Transfer No T2955/1907 and T 1956/1907, certain water and other rights have been conceded in favour of the land thereby conveyed as will more fully appear on reference to the said Deeds of Transfer"

- C. SUBJECT FURTHER to the following special conditions contained in the annexure to Deed of Transfer No. T14200/1920, which reads as follows:

"EXTRACT from Power of Attorney dated at Johannesburg, 14 September 1920, to pass transfer from the Wilderness Estate Co Ltd hereinafter called the "Transferor" to the Kerkraad of the Dutch Reformed Church at George hereinafter called the "Transferee"

- (a) The Properties hereby transferred shall be subject to all conditions, restrictions, reservations and servitudes mentioned or referred to in or endorsed upon the said Deed of transfer No 4632 or any prior title or otherwise registered in the Deeds Office and in particular to the conditions and servitudes set out in certain two Deeds of Transfer Nos T2955/1907 and T2956/1907, and in the Deed of Transfer passed on the 21st February 1918, to the George Forest Timber Company Ltd and the properties hereby transferred shall be subject

to the further condition that the transferor shall be entitled to take from the Silver River or any of its tributaries and the Kaaiman's River at any point on the properties hereby transferred, such quantity of water as the transferor may be entitled to or may obtain under the Irrigation and conservation of Waters Act 1912, with the right to lead such waters across the properties hereby transferred and for that purpose to lay and maintain such pipes as may be necessary and in the event of the Transferor having or acquiring the right to take water from any river or stream above the ground hereby transferred, then the Transferor shall be entitled to a right of way over properties hereby transferred for such water, with the right to lay pipes over the property hereby transferred and for the purpose of laying and maintaining the pipes and exercising the other rights in this clause mentioned the Transferor shall have the right to ingress and egress to and from the properties hereby transferred, with the right to make such excavations and do and perform such other works as may be necessary to conduct such water to any part of the TRANSFERORS'S property, including the said land marked No 497 called Barbiers Kraal, and these conditions are hereby registered as a servitude against the properties hereby transferred.

- (b) The Transferor and all persons now or at any time hereafter holding title from or through the Transferor of any portion of the land marked 497 called Barbiers Kraal, in extent 828 morgen as well as persons at any time frequenting the seaside resort known as the Wilderness shall have full and undisturbed right of way on foot and by means of vehicles over the properties hereby transferred to and from any portion of said land marked 497 and the said Seaside resort by the present public roads on the ground hereby transferred and also by a road constructed and made by the Transferor and which has not yet been declared a public road, and by such public roads as may hereafter be constructed and/ or declared public roads by any competent authority, and the Transferee shall in so far as and to the extent that the same passes through the properties hereby transferred keep in good order and repair the said road constructed by the Transferor, provided that such repairs shall not extend to gravelling, the Transferor on its part undertaking to keep the said road in good repair over the extent that the said road passed through its property."

- D. SUBJECT FURTHER to the agreement in respect of the conservation and use of water in terms of Act No. 13/41, endorsement dated 18 December 1951, which appears on said Deed of Transfer No. T14200/1920, which reads as follows:

* By Lot Deed No. 689/51 dated 14 March, 1951, certain agreement relating to the conservation and use of water in terms of Act No. 13/41 have been entered into between the owners of the several properties held by para. 2 hereof and Consolidated Title 6957/43 and by T. 7987/42 and T. 29438/47, subject to conditions, as will more fully appear on reference to the said Not. Deed, a copy of which is annexed hereto."

E. SUBJECT FURTHER to the following uniform conditions imposed by the Minister contained in said Certificate of Uniform Title No. 14471/1961 subject to the following right which is reserved in favour of the State:

(1)

(2) Die reg om grond te neem en materiaal te verkry en te verwyder vir die bou en herstel van openbare paaie.

F. SUBJECT FURTHER to the following conditions contained in said Deed of Transfer No. T19656/1962, imposed by the Administrator of the Province of the Cape of Good Hope with the subdivision in terms of Section 196 of Ordinance No. 15/1952, as amended, of the farm WILDERNISHOOGTE, which can be amended or relaxed by him:

- (a) Dit mag net vir woon en landboudoeleindes gebruik word;
- (b) Geen geboue uitgesonder een woning vir gebruik deur 'n enkele familie tesame met die buitegeboue wat gewoonlik nodig is om in verband daarmee gebruik te word, mag op hierdie grond opgerig word nie.

G. SUBJECT FURTHER to the servitude with regards to the apportionment of water in terms of an order of the Water Court (Water Court District Cape Town) dated 25 May 1971, as will more fully appear from the said order of which a copy is attached to Servitude No. S 15/72/1975.

H. SUBJECT FURTHER to the right in favour of Electricity Supply Commission created in Notarial Deed No. K949/1976, to lead electricity over the said property, together with ancillary rights and subject to certain conditions as will more fully appear from said Deed (and Diagram).



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

HOEKWIL INVESTMENTS PROPRIETARY LIMITED
Registration Number 2016/322810/07

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

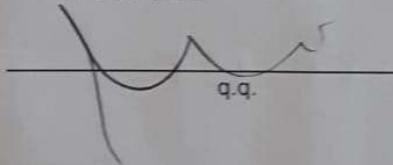
ANDRE PIERRE PRETORIUS, Married as aforesaid

or its Successors in Title 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 500 000,00 (ONE MILLION FIVE HUNDRED THOUSAND RAND).

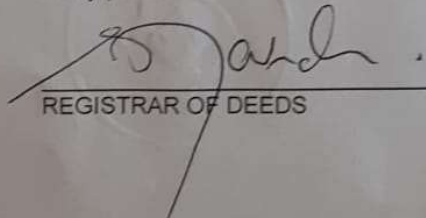
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

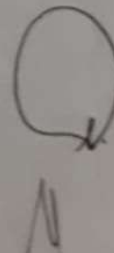
THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

18 JAN 2024


q.q.

In my presence


REGISTRAR OF DEEDS



6
T1895/2024

ENDORSEMENT: T1895/2024

By virtue of Notarial Deed of Right of First Refusal No. R 000002058 / 2024 dated 10 April 2024 the within mentioned property is subject to the following conditions, namely:

- 2.1 The Owner hereby grants to the Prospective Purchaser a right of first refusal on the Property or any portion of the Property in accordance with the terms below, should the Seller wish to sell it ("**right of first refusal**"). This right of first refusal shall be registered against the owner's title deed and shall be enforceable against his successors in title.
- 2.2 The right of first refusal shall be granted to the Prospective Purchaser or its nominee from date of signature of this agreement until such time as the Prospective Purchaser renounces his right in writing. The Owner shall be entitled to market the Property to potential buyers during this time. Should the Owner receive an offer by a willing third party to purchase all or part of the Property which the owner intends to accept, or a purchase agreement which the owner intends to enter into, he shall notify the Prospective Purchaser in writing, and first offer the Property to the Prospective Purchaser at the same price and on the same conditions as contained in the third party offer.
- 2.3 Should the Prospective Purchaser fail to exercise his right of first refusal within 14 (fourteen) days from receiving notice from the Owner as aforesaid, the Owner shall be entitled to cancel this Agreement forthwith by giving written notice to the Prospective Purchaser to that affect and sell the Property to the third party buyer.
- 2.4 The right of first refusal shall not be deemed to have been validly exercised unless the Prospective Purchaser has confirmed in writing to the Owner within the period stipulated in clause 2.3 that he is exercising his rights in terms of this right of first refusal agreement.

As will more fully appear from said Notarial Deed.

REGISTRAR OF DEEDS:
CAPE TOWN

DATED:

09/05/2024

09 MAY 2024

ANNEXURE "G" - POWER OF ATTORNEY

POWER OF ATTORNEY

I, the undersigned

Andre Pierre Pretorius


the registered owner of

Erf 354 Wilderness

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

- An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 354 Hoekwil into a Portion A ($\pm 3,65$ ha) and a Remainder ($\pm 3,65$ ha).
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of certain building lines in respect of the existing dwelling house and storeroom on the proposed Remainder of Erf 354 Hoekwil.
- An application in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition of condition F.(b) on page four of Title Deed T1895/2024, the Title Deed of Erf 354 Hoekwil, to allow a second dwelling unit on the Remainder of Erf 354 Hoekwil.

Signed at Hoekwil on 29 April 2025



Andre Pierre Pretorius

ANNEXURE "H" - CONVEYANCER CERTIFICATE

CONVEYANCER'S CERTIFICATE

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

ERF 354 HOEKWIL

APPLICATION DETAILS

- An application in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the subdivision of Erf 354 Hoekwil into a Portion A ($\pm 3,65$ ha) and a Remainder ($\pm 3,65$ ha).
- An application in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of the following building lines on the proposed Remainder of Erf 354 Hoekwil:
 - the eastern side boundary building line from 20.0 meters to:
 - 19.1 meters varying to 17.1 meters in respect of the bedroom and bathroom of the existing dwelling house; and
 - 12.9 meters varying to 12.2 meters in respect of the storeroom.
 - the street boundary building line from 20.0 meters to 15 meters varying to 11.2 meters in respect the storeroom.
- An application in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the consent of the Administrator in terms of condition F.(b) on page four of T1895/2024, the Title Deed of Erf 354 Hoekwil to allow for a second dwelling on the proposed Remainder of Erf 354 Hoekwil.

APPLICATION DATE

April 2025

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:

T1895/2024 (current Title Deed)

in respect of:

**ERF 354 HOEKWIL
IN THE MUNICIPALITY AND DIVISION OF GEORGE
WESTERN CAPE PROVINCE**

IN EXTENT: 7,3216 (SEVEN COMMA THREE TWO ONE SIX) HECTARES

HELD BY DEED OF TRANSFER NUMBER T1895/2024
REGISTERED in the name of

ANDRE PIERRE PRETORIUS

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 30 April 2025



CONVEYANCER

**ANNEXURE "I" - WILDERNESS – LAKES – HOEKWIL LOCAL SPATIAL
DEVELOPMENT FRAMEWORK, 2015**

