



The Municipal Manager

Reference: Erf 1577 Hoekwil

P O Box 19

George

6530

7 August 2025

Sir

**APPLICATION FOR REMOVAL OF RESTRICTIVE CONDITIONS, SUBDIVISION AND
PERMANENT DEPARTURE (BUILDING LINE RELAXATIONS): ERF 1577 HOEKWIL**

Attached hereto please find an application in terms of

- Section 15(2)(f) of the Land Use Planning By-Law for the George Municipality, 2023 for the removal of a restrictive condition, Condition E.b. from Title Deed T48179/2024, the title deed of Erf 1577 Hoekwil.
- Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the Subdivision of Erf 1577, Hoekwil into a Portion 1 (±3,12ha) and a Remainder of Erf 1577 Hoekwil (±3,12ha).
- Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2023 for a permanent departure for the relaxation of building lines to legalise the existing outbuildings, crop covers and labourers' cottage on the proposed Remainder of Erf 1577 Hoekwil.

Your prompt consideration of the application will be appreciated.

Thanking you in anticipation.

Jan Vrolijk

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SACPLAN REG No. A/1386/2010

MOTIVATION REPORT
APPLICATION FOR REMOVAL OF RESTRICTIVE CONDITIONS, SUBDIVISION AND
PERMANENT DEPARTURE (BUILDING LINES)
ERF 1577 HOEKWIL

7 August 2025



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MOTIVATION REPORT
APPLICATION FOR REMOVAL OF RESTRICTIVE CONDITIONS, SUBDIVISION AND
PERMANENT DEPARTURE (RELAXATION OF BUILDING LINES)
ERF 1577 HOEKWIL

1. BACKGROUND

Erf 229 Hoekwil was subdivided into a Portion A and a Remainder in 2010. The Municipal approval of the subdivision application is attached hereto as **Annexure "L"**. Portion A is now known as Erf 1577 Hoekwil.

In terms of the subdivision approval dated 4 January 2010 certain conditions were laid down by the Department: Planning and Housing which are applicable to the subdivided portions which includes Erf 1577 Hoekwil. These conditions refer inter alia

- to a height restriction of 2 storeys and / or 8 metres ;
- restricts the total foot print of the dwelling house and its outbuildings including decks, patios, verandas and porches to 300m²;
- prohibits development on areas steeper than 1:4;
- prohibits development within the 1:50 year flood line of any river or natural water body;
- to certain requirements with regard the finishes of the dwelling house and the associated outbuildings.

As can be seen from Section A-A on the site plan and building plans attached hereto as **Annexure "D"** the existing dwelling house does not exceed a height of 5 metres and is as such approximately 3.0 metres lower than the height restriction that applies to the erf. The dwelling house and its outbuildings has furthermore a size of approximately 205m² which is also considerably smaller than the 300m² which is permitted in terms of the conditions of approval. As can also be seen from the contours on the plans attached hereto as **Annexure "D"** no development on the erf is located on areas with slopes steeper than 1:4 or in the 1:50 year flood line area. As can be seen from the various photos through out the remainder of this motivation report the construction material of the existing buildings on the erf consists of various types of

material which has been painted in a colour which can be regarded as being sympathetic to the surrounding area.

From the above it is thus clear that the existing development on Erf 1577 Hoekwil complies with the conditions of approval as per the approval dated 4 January 2010. No departure application is thus required.

2. APPLICATION

- Application is made in terms of Section 15(2)(f) of the Land Use Planning By-Law for the George Municipality, 2023 for the removal of the restrictive condition, Condition E.b. from Title Deed T48179/2024, the title deed of Erf 1577 Hoekwil.
- 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 1577 Hoekwil into a Portion 1 (±3,12ha) and a Remainder (±3,12ha).
- 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 to legalize the existing structures on the proposed Remainder of Erf 1577 Hoekwil:
 - ⇒ the north-eastern boundary building line from 20.0 meters to 7.300 meters varying to 5.500 meters in respect of the labourer cottage;
 - ⇒ the eastern boundary building line from 20.0 meters to
 - 10.708 metres varying to 3.766 metres in respect the existing crop cover structure (1);
 - 15.582 metres for the existing store room;
 - 2.230 metres varying to 1.982 metres in respect of the existing crop cover structure (2);
 - 7.285 metres varying to 4.692 metres in respect of the existing carport, pump room and water tanks;

- ⇒ the proposed southern boundary building line from 20.0 meters to 10.789 metres in respect of the existing carport, pump room and water tanks.

The proposed subdivision plan is attached hereto as **Annexure “A”** whilst the completed application form for the removal of restrictive conditions, subdivision and permanent departure (building line relaxations) is attached hereto as **Annexure “B”**.

3. DEVELOPMENT PROPOSAL

Erf 1577 Hoekwil is 6,2354 hectares in extent and the current owner intends to subdivide the property into two equal portions. i.e. a Portion 1 (±3,12 hectares) and a Remainder (±3,12 hectares).

The dwelling house which includes an outbuilding consisting of an outside braai room, a double garage and a storeroom, crop covers, a separate carport, a storeroom with water tanks and a laborer’s cottage (no kitchen) will be located on the proposed Remainder.

An existing second dwelling unit of 33.1m² in extent will be located on the proposed Portion 1. The existing owner intends to develop a new dwelling house on the proposed Portion 1. Thus, the new dwelling house and the existing second dwelling unit will be located on the proposed Portion 1.

The title deed T48179/2024 has a restrictive condition E.b. on page 3 that restricts Erf 1577 Hoekwil to one dwelling house. The town planner explained to the owner that the Administrator’s consent could be obtained for a second dwelling unit. Although, the owner understands that the restrictive condition may be lifted by means of the Administrators consent, he requested to remove this condition from the title deed to ensure that there are no problems in the future. Based on the instruction from the owner, application is therefore made for the removal of the restrictive condition E.b. from Title Deed T48179/2024, the title deed of Erf 1577 Hoekwil. A copy of the title deed of Erf 1577 Hoekwil is attached hereto as **Annexure “C”**. Condition E.b. reads as follows:

“E. SUBJECT FURTHER to the following conditions imposed by the Administrator of the Province of Cape the Good Hope in mentioned Deed of Transfer Number 19598/1962, by Subdivision in terms of Section 196 of Ordinance Number 15/1952, as amended, of the Farm Wildernesshoogte Number 157, which may be amended or mitigated by him:

- b. Geen geboue uitgesonder een woning vir die 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.”*

The existing structures on Erf 1577 Hoekwil consist of a dwelling house which includes an outbuilding consisting of an outside braai room, a double garage and a storeroom, a second dwelling, crop covers, a separate carport, a storeroom with water tanks and a laborer’s cottage (no kitchen). The only structure which has approved building plans is the dwelling house. No building plans exist for the other structures mentioned.

The following photo indicates the north-eastern elevation of the existing main dwelling house on Erf 1577 Hoekwil. The main dwelling house will be located on the proposed remainder once the subdivision is approved.



The outbuilding adjacent to the dwelling house consisting of an outside braai room, a double garage and a storeroom was built in a similar architectural style to the main dwelling unit, as can be seen in the following two photos. The photo below indicates the southern elevation of the garage and carport, looking north.



The photo below indicates the northern elevation of the braai-room and carport, behind the garage, looking south, with the main dwelling unit west of the braai-room. The outbuildings were constructed without approved building plans.



The following photos indicate the existing carport, storeroom with water tanks and the crop covers which will remain on the proposed Remainder. These structures are, however, located in the building line applicable along the eastern boundary of the Remainder and thus require building line relaxation.



The laborer's cottage is an old structure and consists of a bedroom and bathroom and is very basic as can be seen in the photo below. There is no kitchen in the laborer's cottage. The laborer's cottage is also located in the building line applicable along the eastern street boundary of the Remainder and thus requires building line relaxation.



The following photo indicates the well-kept second dwelling , which will be located on Portion 1 and will comply with the new building line of 20 metres applicable to Portion 1.



The existing dwelling house with the mentioned outbuildings and the second dwelling is surrounded by a well-kept lawn, with a few shrubs and mature trees, whilst the remainder of the property is overgrown with alien and indigenous trees and shrubs.

Some small-scale farming took place, like the plant nursery, however this was not a plant nursery that sold plants to the public and was only a hobby of a previous owner. The current owner does not intend to continue using the plant nursery and therefore a consent use application is not required, and the area will be rehabilitated.

The dirt road access to the proposed Remainder from Tien Myl Avenue will remain unchanged, as illustrated in the following photo. The access to the proposed Portion 1 will be in the south-eastern corner, where an existing dirt road exists. Access to the second dwelling unit will also be from this road.



The proposed subdivision of Erf 1577 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 3,12ha each as indicated on the subdivision plan attached hereto as **Annexure “A”**. 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 some of the existing structures (carport, storeroom with water tanks, crop covers and laborer's cottage) transgress the eastern street boundary building line, an application is also required 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 eastern street boundary building line to legalize these structures.

The structures mentioned above are indicated on the proposed site and as-built building plans attached hereto as **Annexure “D”**.

The land use application will also include the removal of the restrictive title condition in terms of Section 15(2)(f) of the Land Use Planning By-law for George Municipality, 2023 to allow for a second dwelling on both subdivided portions.

4. PRE-APPLICATION CONSULTATION

The pre-application of the proposed development was discussed by the relevant officials of George Municipality on 10 October 2024. The signed pre-application consultation application form, which is attached hereto as **Annexure “E”**, contains the following comments:

“Town Planning

- ⇒ *No need for removal of the condition as proposed. Administrators consent may be applied for (can be done simultaneously with the building line relaxation application).*
- ⇒ *Need to address compliance with MSDF, WLH LSDF, SPLUMA, Zoning Scheme etc.*
- ⇒ *Normal building line relaxation application is applicable.*
- ⇒ *To identify each structure on site and motivate why structures cannot be accommodated within the building lines.*

Although the pre-application as discussed on 10 October 2024 did not include the subdivision, a pre-application for the subdivision into two portions is not required. This is in line with the e-mailed directive in this regard to various consultants by the Municipal Town Planners, which was issued by e-mail dated 10 May 2022.

5. GENERAL INFORMATION REGARDING ERF 1577 HOEKWIL

4.1 Locality

Erf 1577 Hoekwil is situated in the eastern extent of the “Wildernis Hoogte” in close proximity to the Touw River and Garden Route National Park. The property gain access via the Seven Passes Road and Tien Myl Avenue. “Wildernis Hoogte” smallholding area is located east of George and north of Wilderness Town.

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

4.2 Existing land use

The application property is currently used for rural residential purposes, and the second dwelling is rented out for short-term stays. Erf 1577 Hoekwil is at present developed with structures as indicated in point 2 above.

4.3 Extent

Erf 1577 Hoekwil is 6,2354 hectare in extent.

4.4 Present zoning

In terms of the George Integrated Zoning Scheme By-Law, 2023, the zoning of Erf 1577 Hoekwil is Agricultural Zone II (Smallholding).

4.5 Surveyor General Diagram

A copy of the Surveyor General Diagram of Erf 1577 Hoekwil is attached hereto as **Annexure "G"**.

4.6 Title Deed

Erf 1577 Hoekwil is registered in the name of Peter John Lazarus. A copy of Title Deed T48179/2024, the title deed of Erf 1577 Hoekwil, is attached hereto as **Annexure "C"**. The title deed of Erf 1577 Hoekwil, inter alia, the following condition:

"E. SUBJECT FURTHER to the following conditions imposed by the Administrator of the Province of Cape the Good Hope in mentioned Deed of Transfer Number 19598/1962, by Subdivision in terms of Section 196 of Ordinance Number 15/1952, as amended, of the Farm Wildernesshoogte Number 157, which may be amended or mitigated by him:

- b. Geen geboue uitgesonder een woning vir die 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."*

Condition E.b. restricts the use of the erf to a single dwelling house and require the removal of the restrictive title condition to accommodate a new primary dwelling house and second dwelling on the proposed Portion 1. The proposed removal of the mentioned restrictive condition is discussed further in point 7 of this motivation report.

4.7 Power of Attorney

A Power of Attorney, whereby Jan Vrolijk Town Planner / Stadsbeplanner is appointed by Peter John Lazarus, the registered owner of Erf 1577 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 "H"**.

4.8 Bondholders' Consent

Erf 1577 Hoekwil is encumbered by a bond. The consent of Investec Bank Limited is attached hereto as **Annexure "I"**.

4.9 Conveyancer Certificate

A Conveyancer Certificate in respect of Erf 1577 Hoekwil is attached hereto as **Annexure "J"**. The Conveyancer Certificate confirms that the title deed contains a restrictive condition as far as the development of a second dwelling is concerned.

6. DESIRABILITY OF THE APPLICATION FOR SUBDIVISION IN RESPECT OF ERF 1577 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 gentle slope adjacent the northern and north-eastern Tien Myl Street boundary of the erf. The existing dwelling house and its outbuilding have been erected on this portion of the erf. The existing carport, storeroom with water tanks, the crop covers, and laborer's cottage are also located on this portion of the erf. The topography of the property has therefore already been taken into consideration when these existing structures were developed on the erf.

Thereafter the slope gradually increases downwards from the north-east to the south-west. This portion of the erf was previously partially used for small-scale farming.

The topography of the property will therefore not have a negative impact on the proposed subdivision as applied for in this application. The proposed new dwelling house will be designed in sympathy with the slope of the property from north-east to south-west, however maintaining the prescribed 20-meter building line.

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

In terms of this application, it is proposed to subdivide the property into two portions and to develop a new dwelling house on the proposed Portion 1, the portion on which the existing second dwelling unit is located. Care will be taken to ensure that the design and siting of the proposed new 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 Portion 1 of Erf 1577 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 submitted after the successful subdivision of Erf 1577 Hoekwil.

The owner of Erf 1577 Hoekwil is an environmental specialist and has indicated that he will undertake the necessary environmental actions required to choose the most optimal position for the new dwelling house on the proposed Portion 1 and will do the necessary environmental applications including OSCAE permit, at that stage.

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 Portion 1 of Erf 1577 Hoekwil and any

future development on the proposed Remainder of Erf 1577 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

The application property will still be used for rural living, in line with the current land use of the surrounding area and the relevant stipulations of the George Integrated Zoning Scheme By-Law, 2023.

The proposed Remainder of Erf 1577 Hoekwil will possibly be sold to create an opportunity for another family who respects the environment and seeks a rural lifestyle, while the current owner intends to construct his new primary dwelling house on the proposed Portion 1 of Erf 1577 Hoekwil.

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 through improved access to and use of land.	Complies with.	The subdivision will comply with the minimum size for a smallholding and 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).

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 Wildernishoogte 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 environmental management instruments.	Complies with.	The subject property is located in an area known as priority natural area in the Municipal Spatial Development 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 alien clearing), as well as security risk associated with large properties, the development of large rural-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.
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Spatial resilience		
Criteria	Compliance	Planning Implication
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.	Complies with.	The application property is situated within an area earmarked for "Smallholding" development. The proposed subdivision will contribute to the viability of the application property.

Good administration		
Criteria	Compliance	Planning Implication
All spheres of government ensure an integrated approach to land use and land development that is guided by	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

the spatial planning and land use management systems as embodied in this Act.		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 1577 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 Heights 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 3,12 hectare 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 on the proposed Remainder and to construct a new primary dwelling house on the proposed Portion 1 with the existing second dwelling of 33.1m² to remain the second dwelling unit on Portion 1 of Erf 1577 Hoekwil.

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” (LSDF) indicates that the application property is located 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 1577 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. The proposed Portion 1, where a new primary dwelling house is envisaged is more than 100m from the Garden Route National Park. 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 proposed Remainder of Erf 1577 Hoekwil will be used for rural residential purposes and will include the following structures: a dwelling house, associated outbuildings, crop covers and a laborers' cottage.

The proposed Portion 1 will currently only have the small second dwelling, however the current owner wants to develop its own new dwelling house and keep the existing well-kept second dwelling to be rented on short term basis to tourists. The proposed Remainder 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 1577 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**;
- (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 and therefore a land use application is not required for the existing second dwelling on the proposed Portion 1. It should be noted that the existing second dwelling will be the only dwelling on the proposed Portion 1, until the owner develops its new primary dwelling house.

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 T48179/2024, of Erf 1577 Hoekwil, contains inter alia the following condition:

“E. SUBJECT FURTHER to the following conditions imposed by the Administrator of the Province of Cape the Good Hope in mentioned Deed of Transfer Number 19598/1962, by Subdivision in terms of Section 196 of Ordinance Number 15/1952, as amended, of the Farm Wildernesshoogte Number 157, which may be amended or mitigated by him:

- b. Geen geboue uitgesonder een woning vir die 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 E.b. the erf may only be used for the purposes of erecting thereon one dwelling unit. The proposal to develop a new dwelling house on the proposed Portion 1, where the existing second dwelling is located, is in conflict with this title condition. The Administrators consent could be obtained; however, the owner wants to remove the restrictive condition to ensure that there is no future issues with regards to the interpretation of this title condition.

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 Policies 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, eastern and southern boundary is adjacent to Tien Myl Avenue and is located in the eastern extent of the area known as "Wildernis Hoogte" smallholdings. The smallholdings are being restricted to a minimum size of 3 hectare each. The subject property is 6,2354 hectares in extent and it is proposed to subdivide the property into two equal portions of 3,12 hectare 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 "Wildernis 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 Erf 1577 Hoekwil is located in the priority natural area, there is only a very small portion in the north-western corner that is identified as a critical biodiversity area 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 3,12 hectare. 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 and groundworks 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 Portion 1 of Erf 1577 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 be affected by the proposed subdivision into two portions.

5.7 Potential of the property

Erf 1577 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 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 Tien Myl Avenue, a gravel road from 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 most of the property borders Tien Myl Avenue the width of the street frontage of the subdivided portions complies 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 house. 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.

The proposed Remainder of Erf 1577 Hoekwil, have an existing double garage and carports and complies with the parking provision. The proposed Portion 1 will provide adequate parking with the development of the proposed new dwelling house as well as for the existing small second dwelling unit.

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.

7. DESIRABILITY OF THE APPLICATION FOR PERMANENT DEPARTURE (RELAXATION OF BUILDING LINES) IN RESPECT OF ERF 1577 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 currently renting 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 3,12 hectares in extent and smallholdings smaller than 4 hectares have 20 metre building lines. Therefore, the existing outbuildings and laborers’ cottage require building line relaxations as they are located in the 20-metre building line. The existing laborers’ cottage, crop covers and carport, pump room and water tanks are located in the north-eastern and eastern street boundary building line. These structures are not visible from Tien Myl Avenue because of the dense vegetation on site.

The relaxation of the street boundary building line, 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 outbuildings, crop covers and laborer’s cottage.

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 existing structures that require building line relaxation are screened by the dense vegetation adjacent to Tien Myl Avenue and are not visible from the road or any adjacent properties north and east of Erf 1577 Hoekwil.

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 none of the existing structures that require building line relaxation is visible from the street. Care will be taken to preserve the rural character when the position of the proposed new dwelling unit on the proposed Portion 1 will be determined.

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 existing structures are common on smallholdings. 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 boundary building lines in respect of the existing structures are at the closest 1.9 metres from the street. However, the structures are not visible from the street and as such, the proposed relaxation of the mentioned building lines cannot have a negative 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.

8. DESIRABILITY OF APPLICATION FOR REMOVAL OF RESTRICTIVE CONDITIONS IN RESPECT OF ERF 1577 HOEKWIL

Title Deed T48179/2024, the Title Deed of Erf 1577 Hoekwil, contains inter alia the following condition:

“E. SUBJECT FURTHER to the following conditions imposed by the Administrator of the Province of Cape the Good Hope in mentioned Deed of Transfer Number 19598/1962, by Subdivision in terms of Section 196 of Ordinance Number 15/1952, as amended, of the Farm Wildernesshoogte Number 157, which may be amended or mitigated by him:

- b. Geen geboue uitgesonder een woning vir die 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 E.b. the erf may only be used for the purposes of erecting thereon one dwelling unit. The proposal to develop a new dwelling house on the proposed Portion 1 of Erf 1577 Hoekwil, which already have the well-kept small second dwelling, will thus be in conflict with this condition. The Administrators consent will thus be required to allow for a primary and second dwelling on each subdivided portion. However, the owner wants to remove this restrictive title deed condition and therefore an application is submitted for the removal of the title deed condition.

In terms of Section 39 (5) of Part 7 of the Western Cape Land Use Planning Act, 2014, (Act 3 of 2014) and in terms of Section 33(4) of the Land Use Planning By-law for George Municipality, 2023, the municipality must have regard to at least the following when considering an application for removal of a restrictive condition:

- the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;
- the personal benefits which accrue to the holder of rights in terms of the restrictive condition;
- the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is removed, suspended or amended;

- the social benefit of the restrictive condition remaining in place in its existing form;
- the social benefit of the removal, suspension or amendment of the restrictive condition; and
- whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.

The following motivation is provided in support of the application.

- Condition E.b. which restricts the number of dwelling houses that may be allowed on Erf 1577 Hoekwil to one dwelling, was laid down by the Administrator, 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 Removal of the Restrictive Condition. It is argued that no adjoining erf owner’s property will be negatively affected by the granting of the removal of the restrictive condition for a second dwelling on Erf 1577 Hoekwil for the following reasons:

- ⇒ Erf 1577 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 existing second dwelling is only 33.1m² in extent and the owner wish to construct a new primary dwelling unit on the proposed Portion 1 of Erf 1577 Hoekwil. 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 removal as proposed in the application.
- ⇒ The proposed subdivision and second dwelling on the proposed Portion 1 of Erf 1577 Hoekwil 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 condition prevents the approval of the development proposal as contemplated in this application. The granting of the removal of the restrictive condition will enable the owner to develop the application erf to its maximum potential, without the development having a negative influence on adjacent development.

In so far as the aspects addressed in the Act, and Municipal By-law it can be indicated unequivocally that:

- in its present form, the mentioned restrictive condition holds no financial value for the owner of the erf or for any other entity;
- the restrictive condition has no personal advantage for the owner of the erf, but restricts the rights of the owner;
- the owner of the erf will gain personal advantage as a result of the removal of the restrictive condition, as he will be able to develop the erf to its full potential;

- the non-removal of the restrictive condition or the removal of the restrictive condition will hold no social advantages;
- the removal of the restrictive condition will not detract from the existing rights of the erf owner.

Subsequent to the approval of the application, the owner will appoint lawyers to deal with the endorsement of the title deed. A copy of the endorsed title deed will be submitted to the municipality.

9. CONCLUSION

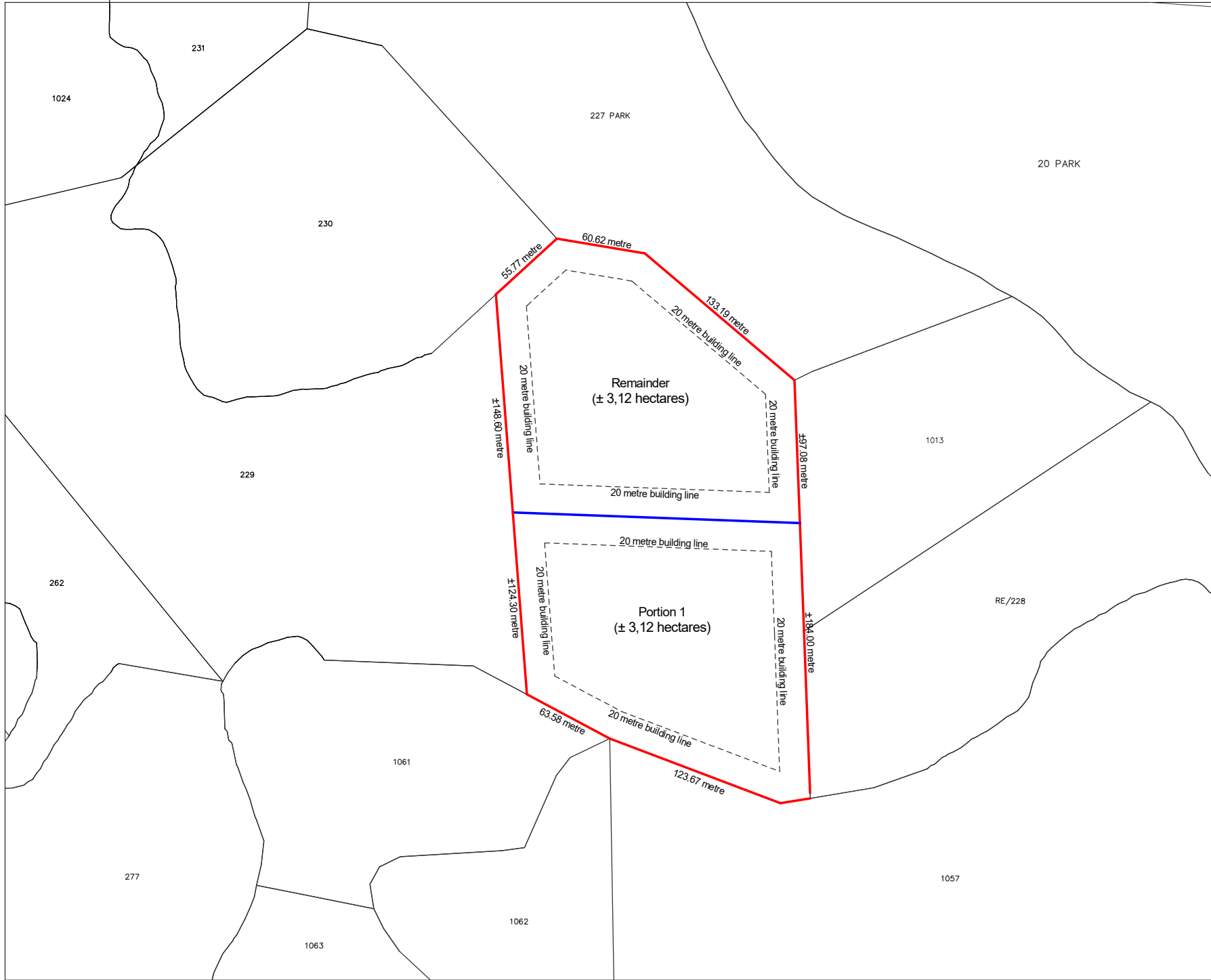
Application is made for Erf 1577 Hoekwil in terms of Section 15(2)(f) of the Land Use Planning By-Law for the George Municipality, 2023 for the removal of a restrictive title condition, subdivision into two portions in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 as well as building line relaxations in terms of Section 15(2)(b) of the Land Use Planning Bylaw for George Municipality.

As indicated in this report the proposed application for removal of restrictive conditions, 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.

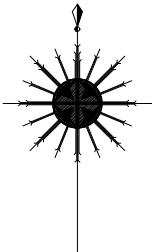
ANNEXURE "A": SUBDIVISION PLAN



**APPLICATION FOR SUBDIVISION OF ERF 1577
HOEKWIL**

1. Application is made in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 for the subdivision of Erf 1577 Hoekwil into a Portion 1 (± 3.12 hectares) and a Remainder (± 3.12 hectares).
2. Zoning

Portion 1 – Agricultural Zone II
Remainder – Agricultural Zone II



REVISION	DATE	DESCRIPTION	BY
WYSPESING	DAATUM	BESKRYFWING	OPSTELLER

DESCRIPTION: Erf 1577 Hoekwil

TITLE: Subdivision plan



SCALE: NTS

PLANNED ONTWIK	PLAN NO. PLANNR.	1577/1/Rev 1
DRAWN GETREK	REV NO. WYSG. Nr.	Erf 1577 Hoekwil
DATE DAATUM	NAME NAAM	Subdivision plan

ALL MEASUREMENTS APPROXIMATE
ALLE AFMETINGS BY BENADERING

KOPIEREG VOORBEHOU / COPY RIGHT RESERVED

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	Peter John Lazarus		
Address	1577 Tien Myl Avenue		
	Wilderness Heights	Postal code	6538
E-mail	peterlazarus@counsel.co.za		
Tel	N/a	Fax	N/a
Cell	0832827615		

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

Property Description [Erf / Erven / Portion(s) and	Erf 1577 Hoekwil
-------------------------------------------------------	------------------

Farm number(s), allotment area.]											
Physical Address	1577 Tien Myl Avenue, Wilderness Heights										
GPS Coordinates					Town/City		Wilderness				
Current Zoning	Agricultural Zone II			Extent	6.2354ha			Are there existing buildings?	Y	N	
Current Land Use	Rural residential										
Title Deed number & date	T48179/2024										
Any restrictive conditions prohibiting application?	Y	N	If Yes, list condition number(s).		Condition E.b. of Title Deed T48179/2024						
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	Robert Janse van Rensburg			Reference number	Collab no. 3452404		Date of consultation		10 October 2024		

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

- **Section 15(2)(f) of the Land Use Planning By-Law for the George Municipality, 2023 for the removal of a restrictive condition, Condition E.b. from Title Deed T48179/2024, the title deed of Erf 1577 Hoekwil.**
- **Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 for the Subdivision of Erf 1577, Hoekwil into a Portion 1 (±3,12ha) and a Remainder of Erf 1577 Hoekwil (±3,12ha).**
- **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 to legalize the existing structures on the proposed Remainder of Erf 1577 Hoekwil:**
 - **the north-eastern boundary building line from 20.0 meters to 7.300 meters varying to 5.500 meters in respect of the labourer cottage;**
 - **the eastern boundary building line from 20.0 meters to:**
 - **10.708 metres varying to 3.766 metres in respect the existing crop cover structure (1);**
 - **15.582 metres for the existing store room;**
 - **2.230 metres varying to 1.982 metres in respect of the existing crop cover structure (2);**
 - **7.285 metres varying to 4.692 metres in respect of the existing carport, pump room and water tanks;**
 - **the proposed southern boundary building line from 20.0 meters to 10.789 metres in respect of the existing carport, pump room and water tanks.**

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

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

Is the following compulsory information attached?							
Y	N	Completed application form			Y	N	Pre-application Checklist (where applicable)
Y	N	Power of Attorney / Owner's consent if applicant is not owner			Y	N	Bondholder's consent (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)				Management: Air Quality Act, 2004 (Act 39 of 2004),
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)				National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008),
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations				National Environmental Management: Waste Act, 2008 (Act 59 of 2008),
						National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y	N/A		(strikethrough irrelevant)
Y	N/A					Other (specify)
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				
Y	N	If required, do you want to follow an integrated application procedure in terms of section 44(1)of the Land-Use Planning By-law for George Municipality?				

SECTION I: DECLARATION

I hereby wish to confirm the following:

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

7 August 2025

Full name:

Johannes George Vrolijk

Professional capacity:

Professional Town Planner

SACPLAN Reg. Nr:

A/1386/2010

ANNEXURE "C": TITLE DEED

DEON RENS - ATTORNEY
438 Karee Crescent
Blair Atholl, Lanseria

Prepared by me

CONVEYANCER
DEON JOHANNES RENS (M05469)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 6 495 00,00	R. 3092,00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg. Act/Proc.

VERIFIED	
R. 5 845 500,00	
B000021887 / 2024	
2024-08-01	

DATA / CAPTURE
06 AUG 2024
Anitha Manyisana

T 000048179 / 2024

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT

TASHREEQ JAFFAR

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

GITTE ODENDAAL
Identity Number 910118 0440 08 0
Married out of community of property

which said Power of Attorney is dated 23 APRIL 2024 and signed at
WILDERNESS

DATA / VERIFY
05-08-2024
VOLVO MTYATVA

AND the said appearer declared that his/her principal had, on 19 March 2024, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by these presents, cede and transfer to and on behalf of:

PETER JOHN LAZARUS
Identity Number 621129 5095 08 4
Married out of community of property

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

ERF 1577 HOEKWIL
IN THE MUNICIPALITY AND DIVISION GEORGE
PROVINCE OF WESTERN CAPE

IN EXTENT 6,2354 (SIX COMMA TWO THREE FIVE FOUR) HECTARES

FIRST REGISTERED by Certificate of Registered Title No.T68858/2014 with
Diagram S.G. No. 933/2010 relating thereto and Held by Deed of Transfer
T38047/2020

- A. SUBJECT to such conditions as referred to in Certificate of Registered Title Nr T68858/2014.
- B. SUBJECT to the terms of Notarial Deed of Servitude Number 134/56 dated November 1955 endorsed on Deed of Transfer 5973 dated 23 April 1952 on 16 March 1956, which endorsement read as follows:

"Kragtens Notariële Akte Nommer 134/56 gedateer 30/11/55 is die Restant van Olifants Hoek Forest Reserve 94,2999 Hektaar, hieronder gehou onderhewing aan die volgende voorwaardes:

- a. Sulke regte van opdam, stoor en waterleiding soos in die gesegde Notariële Akte uiteengesit.
- b. 'n Reg van pyplyn aangedui deur die letters A gekromde blou lyn B op Serwituut Kaart 8673/54.
- c. Die reg van gebruik, hernuwig en instandhouding van gesegde installasies.
- d. Die reg van toegang tot voornoemde installasies.

Watter voorwaardes opgelê is ten gunste van Gedeelte 22('n Gedeelte van Gedeelte 21) van die Plaas Klein Kranz gehou onder T19388/54 soos meer breedvoerig sal blyk met verwysing na gesegde Notariële Akte 'n afskrif waarvan heiraan geheg is."

- C. FURTHER SUBJECT to the following uniform condition imposed by the Minister contained in Certificate of Uniform Title Number 14471/1961, subject to the following right reserved in favour of the State:-

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

- D. SUBJECT FURTHER to a 9,45 metre servitude right of way as indicated by the figure defghFGHJkK middle of gorge d on aforementioned Diagram Number 8094/60 as contained in Notarial Deed of Servitude Number 377/1962 and referred to in the endorsement dated 7 July 1962 on said Certificate of Uniform Title Number 14471/1961 which read as follows:

Kragtens Notariële Akte Nommer 377/62 gedateer 19 Mei 1962 en hede geregistreer is die plaas Wildernishoogte groot 1224,1548 hektaar gehou hieronder onderhewig aan Serwituutreg tot paaie en regte van weg aangedui op Serwituutkaart Nommer 1180/1962 weggeleë as (Commonage Plan Nommer 121) geskep ten gunste van Algemene Publiek soos meer ten volle sal blyk uit voormelde Notariële Akte van Serwituutkaart weggeleë onder (Commonage Plan Nommer 121). (Welke serwituut nou aangedui word deur die figuur jkmnEFGH op Diagram Nommer 933/2010)"

- E. SUBJECT FURTHER to the following conditions imposed by the Administrator of the Province of Cape the Good Hope in mentioned Deed of Transfer Number 19598/1962, by Subdivision in terms of Section 196 of Ordinance Number 15/1952, as amended, of the Farm Wildernishoogte Number 157, which may be amended or mitigated 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."

- F. SUBJECT FURTHER to the terms of the endorsement dated 7 January 1972 on said Deed of Transfer Number 13625/1971, which endorsement read as follows:-

"Servitude 15/72

Die binnegemelde grond is onderhewig aan 'n serwituut met betrekking tot verdeling van water in terme van 'n bevel van die Waterhof (Waterhof Distrik Kaap) gedateer 26/5/71 soos meer volledig sal blyk uit gemelde bevel, waarvan afskrif hieraan geheg is"

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

GITTE ODENDAAL, Married as aforesaid

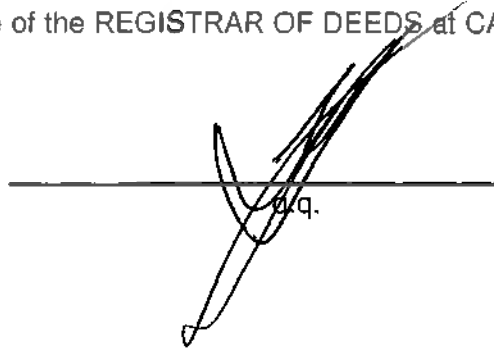
heretofore had to the premises, did in consequence also acknowledge her to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

PETER JOHN LAZARUS, Married as aforesaid

his Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price of the property hereby transferred to be the sum of R6 495 000,00 (SIX MILLION FOUR HUNDRED AND NINETY FIVE 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 01 AUG 2024



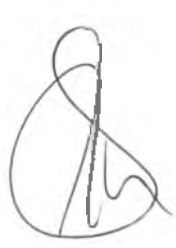
A handwritten signature in black ink, appearing to be 'G. Q.', is written over a horizontal line.

In my presence



A handwritten signature in black ink is written over a horizontal line.

REGISTRAR OF DEEDS



A handwritten signature in black ink, possibly 'S. B.', is written on the left margin.


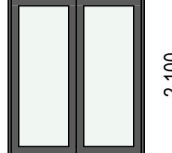
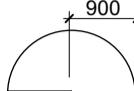
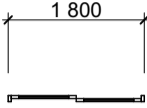



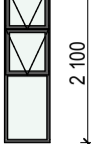
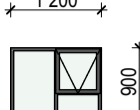
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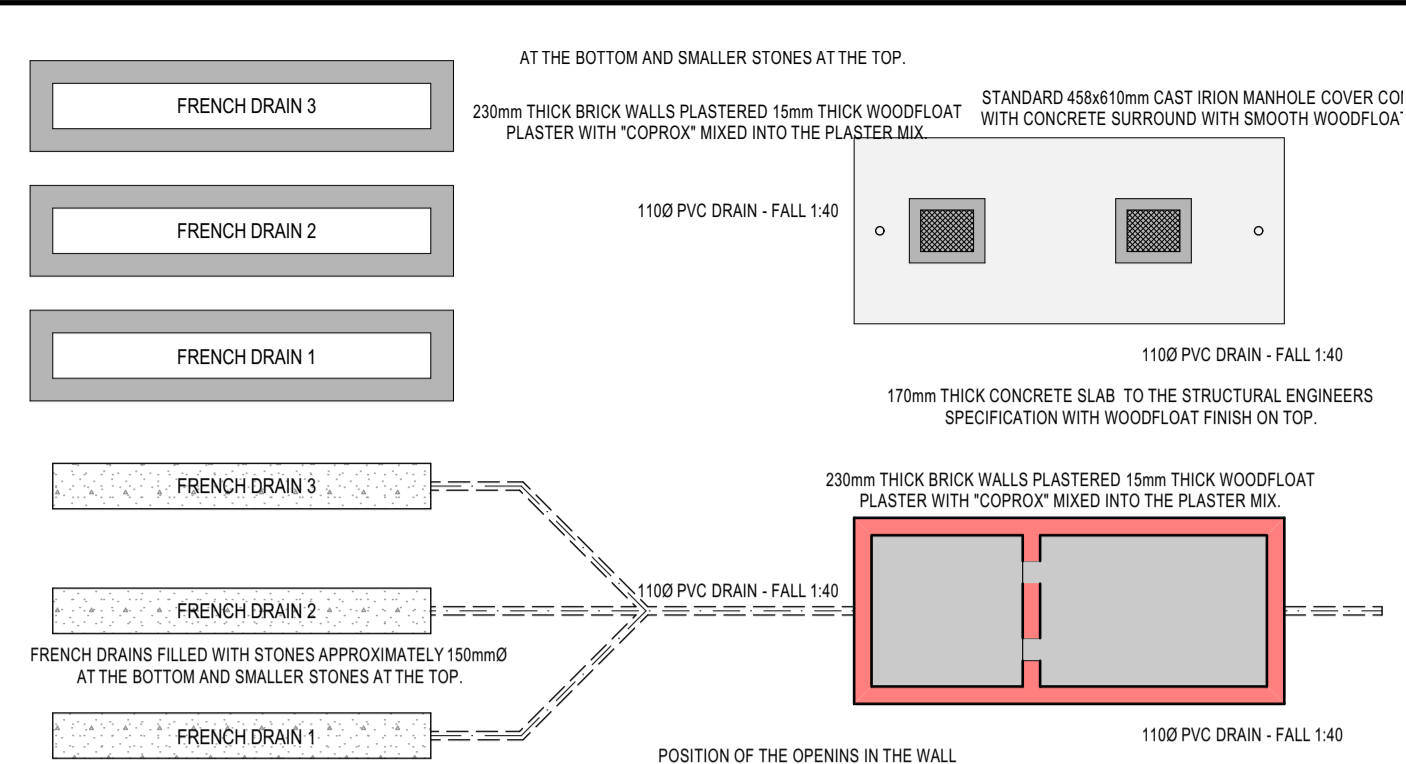
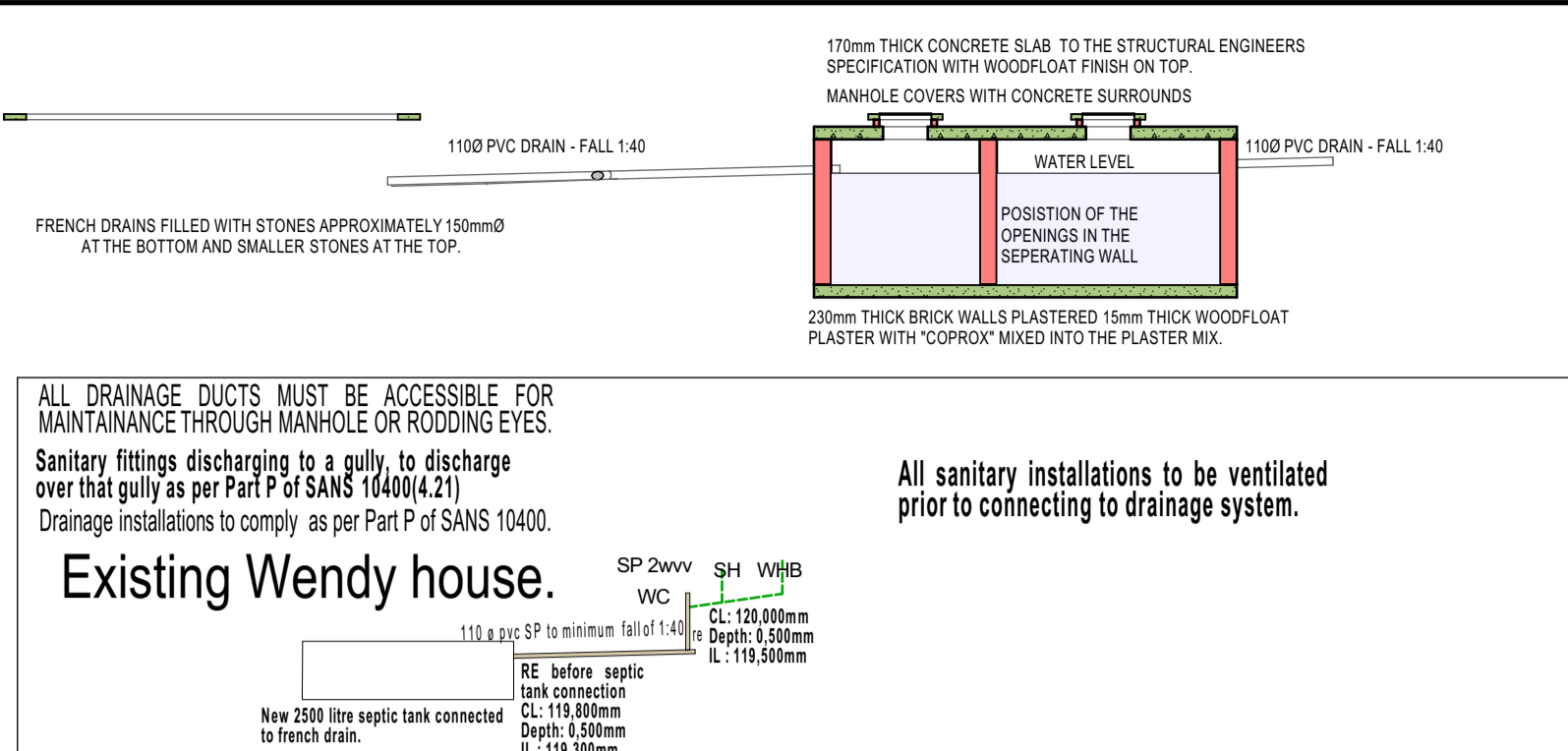
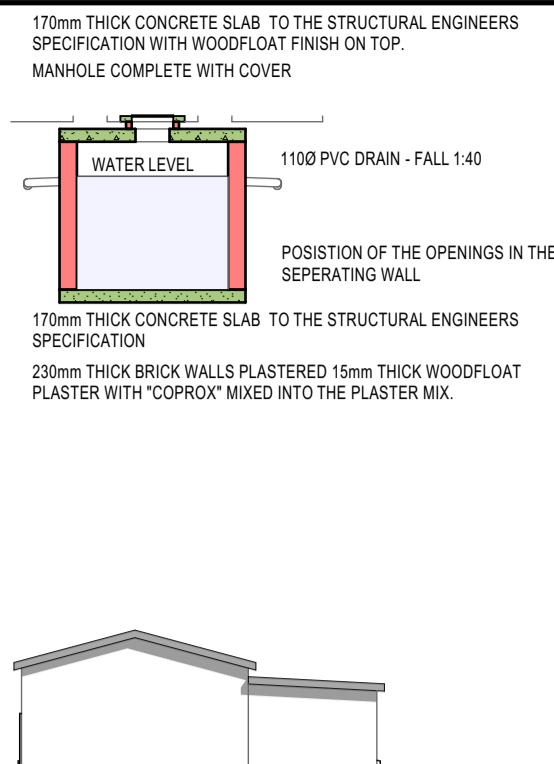


A handwritten signature in black ink is written on the bottom right of the page.

ANNEXURE "D": SITE PLAN AND AS-BUILT BUILDING PLANS

ID	D02	D 01
QUANTITY	2	1
W x H Size	900x2 100	1 800x2 100
3D FRONT VIEW		
2D SYMBOL		

ID	W01	W02	W03
Quantity	4	1	1
W x H Size	600×900	600×2 100	1 200×900
3D Front View			



COPYRIGHT AND REPRODUCTION OF THIS DRAWING
IS AN INFRINGEMENT OF THE RIGHTS OF THE DESIGNER

GENERAL NOTES:

QUALITY OF ALL MATERIALS TO COMPLY WITH THE RELEVANT
SAS AND SSS SPECIFICATION.

THE CONTRACTOR IS RESPONSIBLE FOR CORRECT SETTING
OUT AND TO CHECK AGAINST THE DRAWING INTERNAL WALLS
WITH PARTICULAR REFERENCE TO BOUNDARIES, BUILDING
LINES, SERVICES, ETC.

THE CONTRACTOR IS TO VERIFY ALL HEIGHTS, HEIGHTS AND
DIMENSIONS OF SITE AND TO CHECK BARE GROUND AGAINST
DRAWINGS BEFORE PUTTING ANY WORK IN HAND.

THE CONTRACTOR IS TO CHECK ALL DETAILS SHOWN ON THIS
DRAWING FOR COMPLIANCE WITH GOOD BUILDING PRACTICE
WITH PARTICULAR REFERENCE TO SPECIAL REQUIREMENTS
RELEVANT TO THE DESIGN OF WALLS, GRILLES OR OTHER OPENINGS
AND TO REPORT ANY COMMENT TO THE DESIGNERS.

THE CONTRACTOR IS TO ENSURE THAT ALL DETAILS AS SHOWN
ON THIS DRAWING ARE IN COMPLIANCE WITH THE LOCAL
BUILDING REGULATIONS AND REGULATIONS.

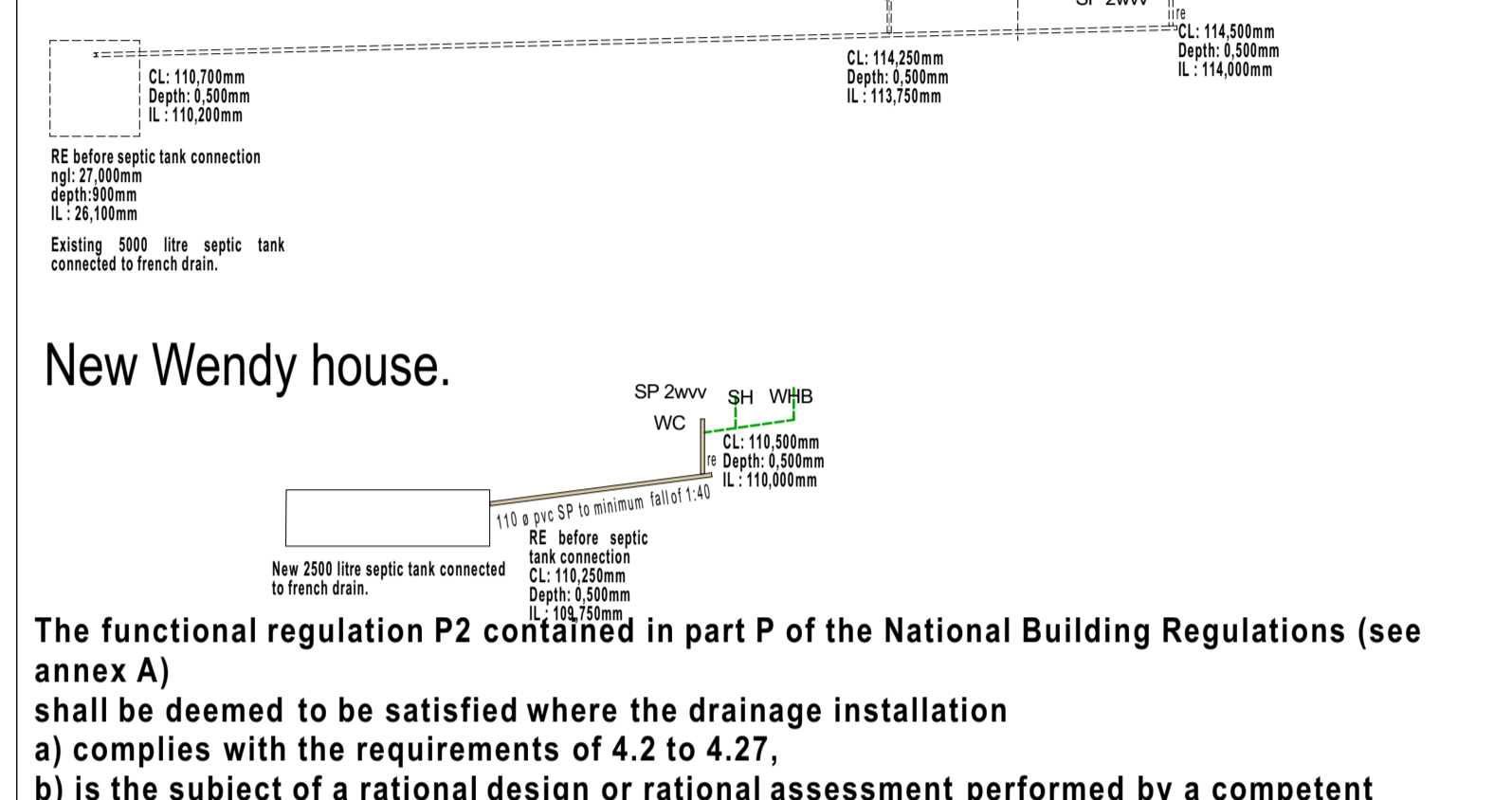
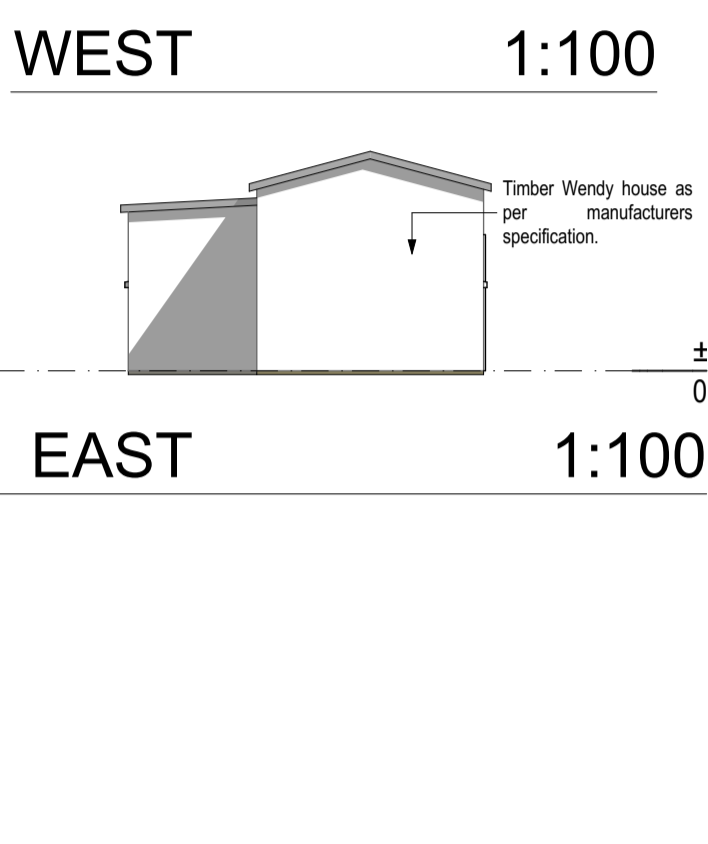
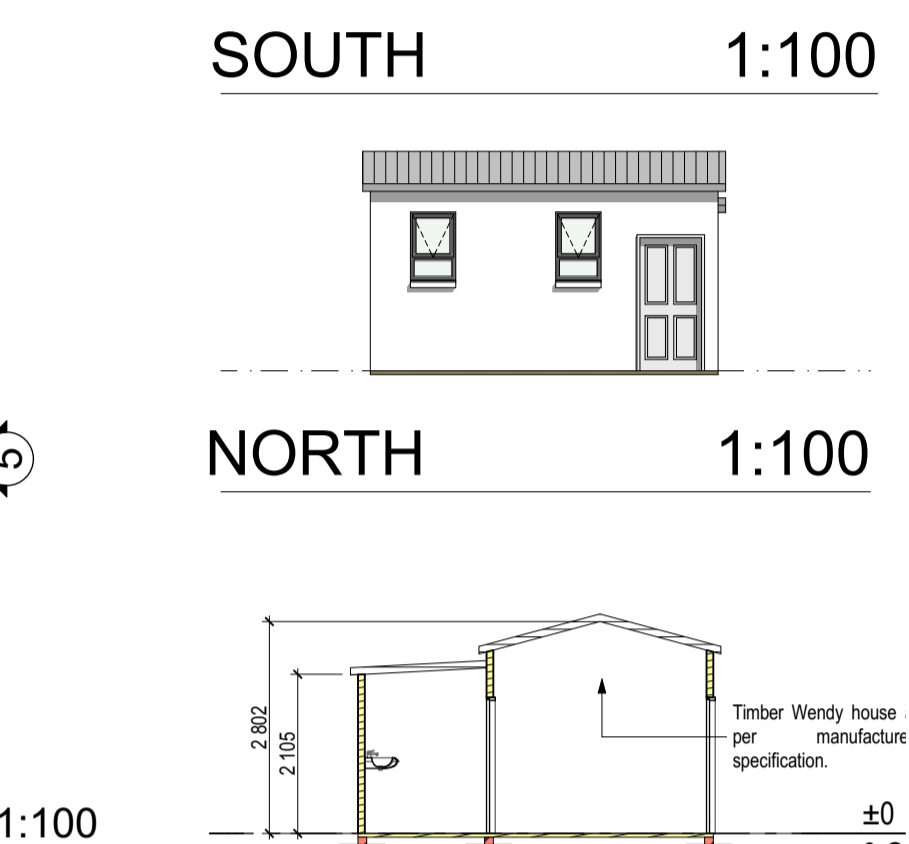
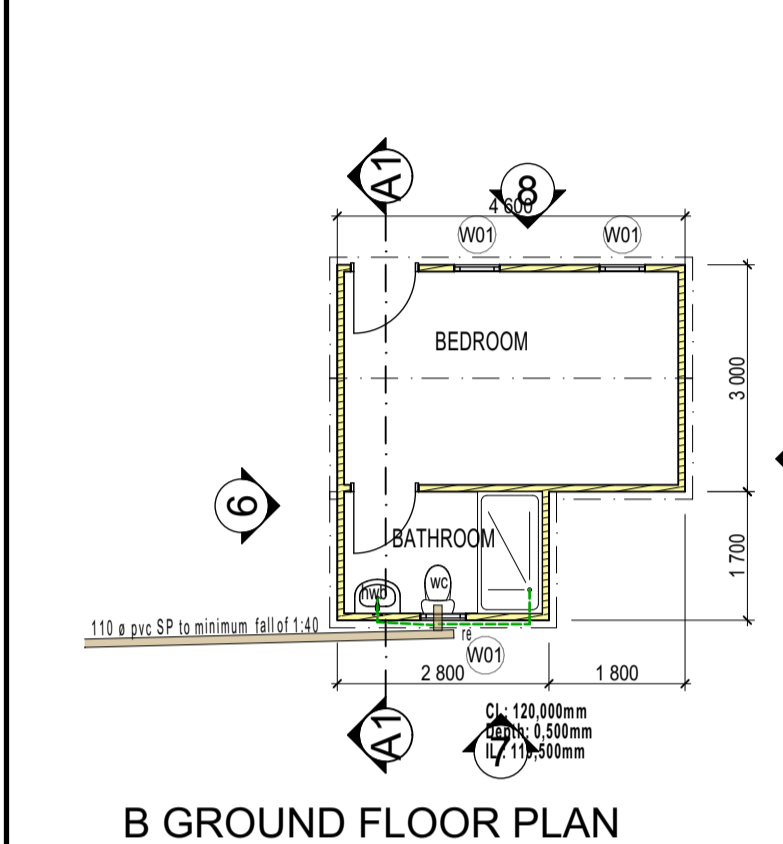
THE CONTRACTOR IS TO LOCATE AND IDENTIFY EXISTING
SERVICES ON SITE AND IS TO PROTECT THESE FROM DAMAGE
THROUGHOUT THE DURATION OF THE WORKS.

ANY ERRORS, DISCREPANCIES OR OMISSIONS OF ANY NATURE
ARE TO BE REPORTED TO THE DESIGNERS IMMEDIATELY.

THE CONTRACTOR IS TO BUILD IN APPROVED DPCS (WEATHER
RESISTANT) AND TO SHOW ON THE DRAWINGS TO ALL
EXTERNAL WALLS AT EACH FLOOR LINE OR PARAPET LEVEL
AND TO PROVIDE TO ALL GRILLES OR OTHER OPENINGS
IN EXTERNAL WALLS. CAVITY WALLS TO HAVE STEPPED DPCS
AND VERTICAL DPCS TO BE USED AT ALL LEVEL CHANGES.

ANY QUERIES ARISING FROM ANY OF THE ABOVE MUST BE
REPORTED IMMEDIATELY TO THE DESIGNERS FOR CLARIFICATION BEFORE
ANY CLERKING IS DONE.

THIS DRAWING IS NOT TO BE SCALED. FIGURED DIMENSIONS
ARE TO BE USED AT ALL TIMES.



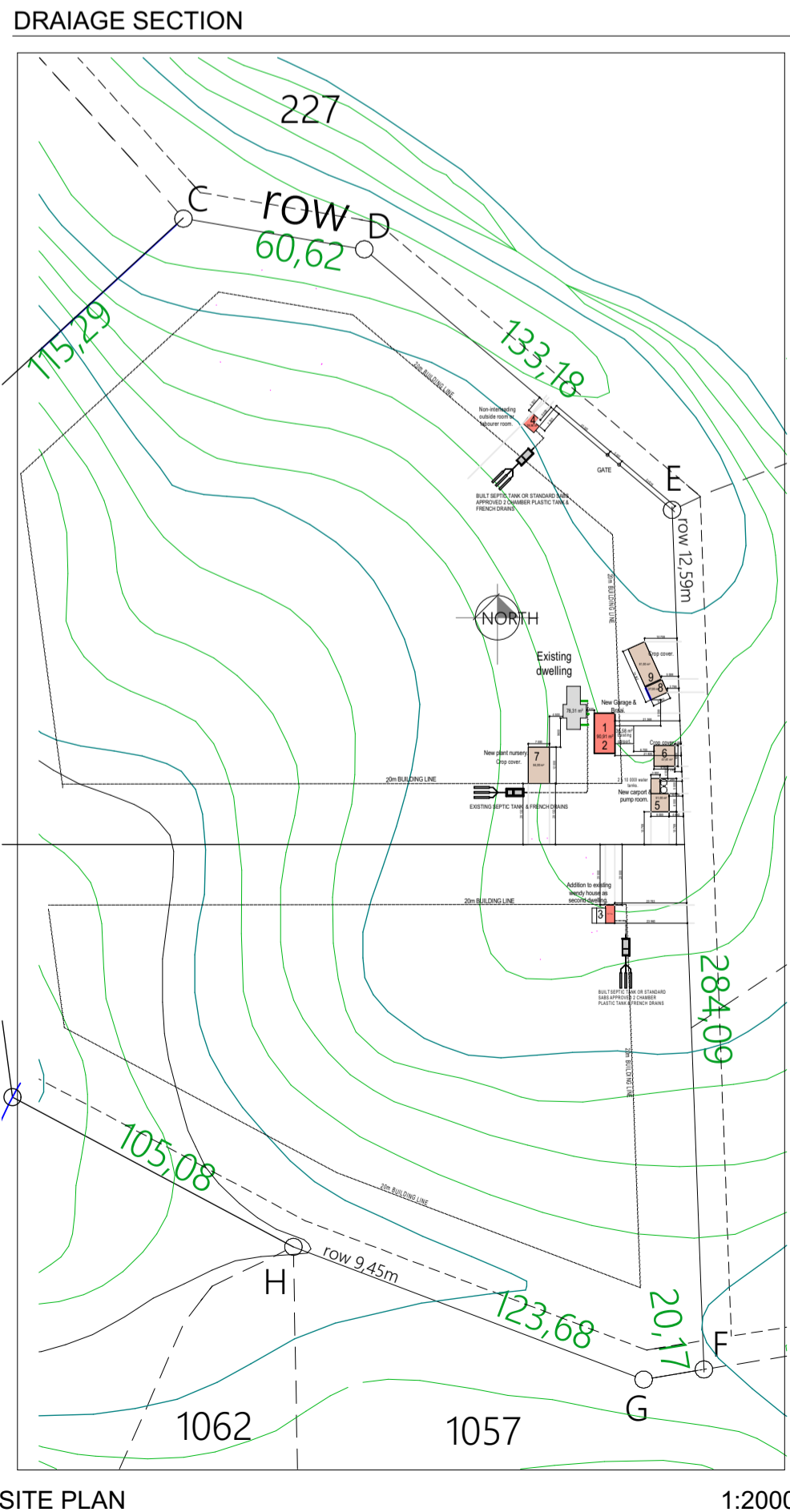
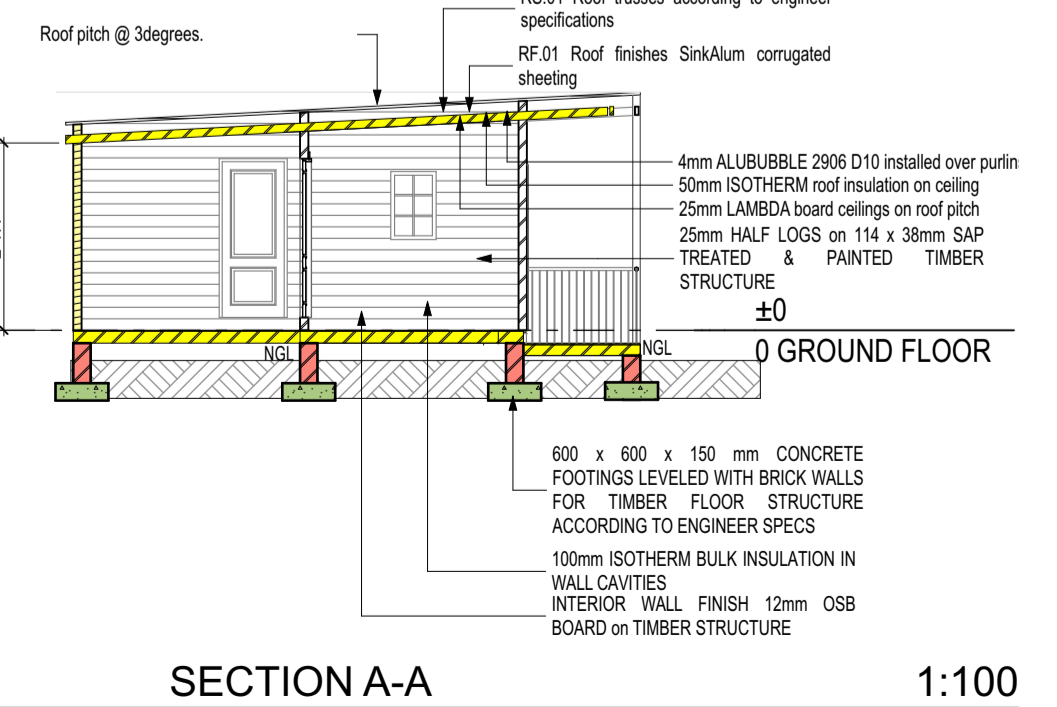
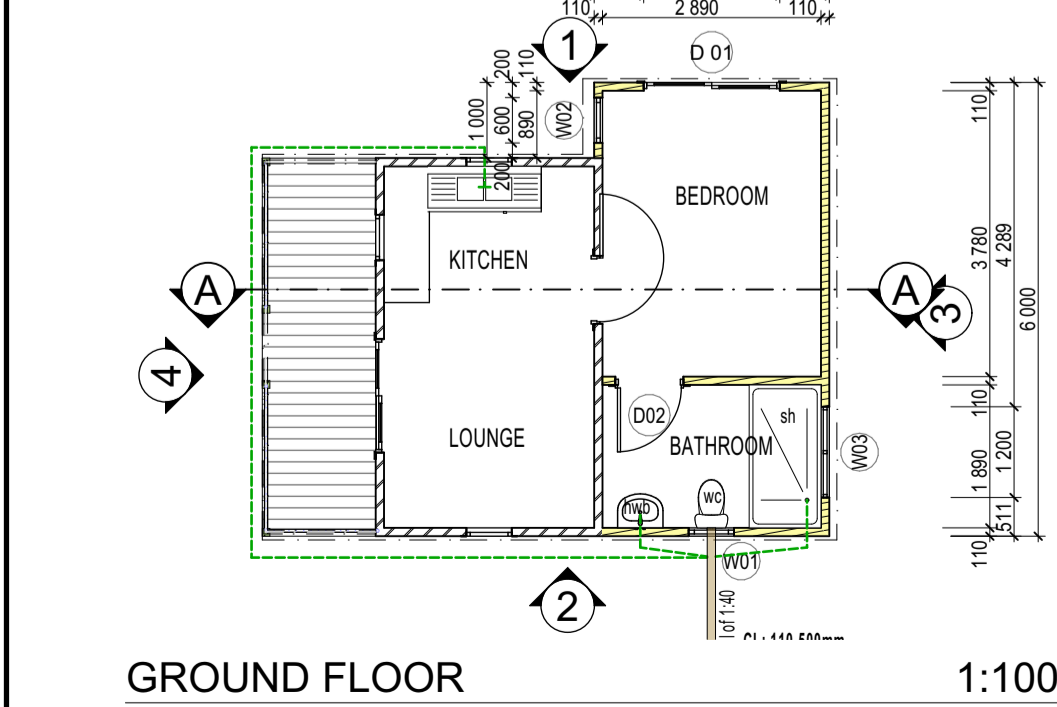
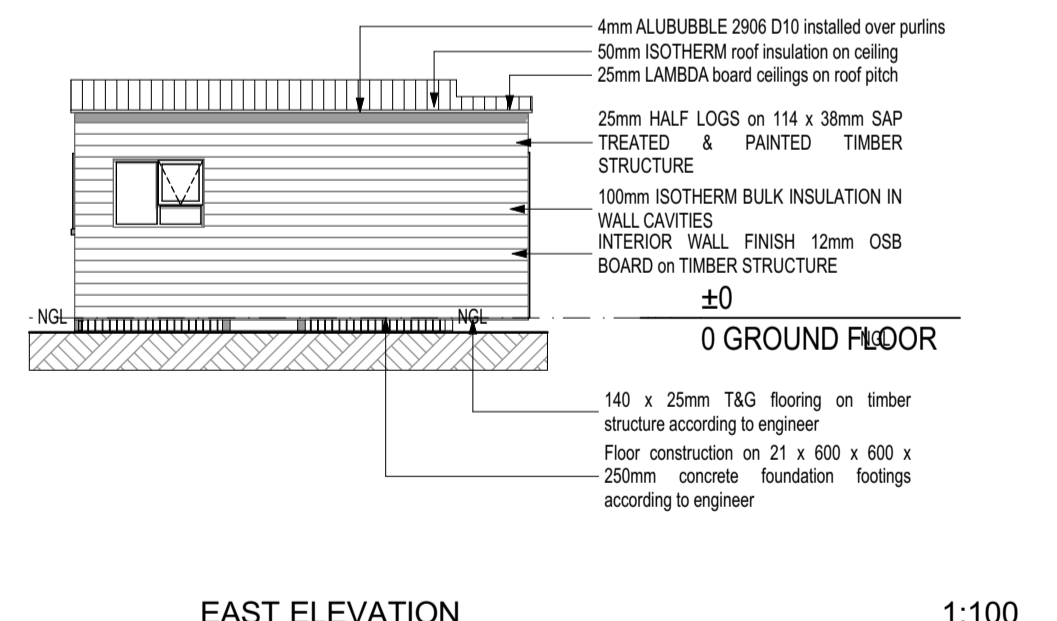
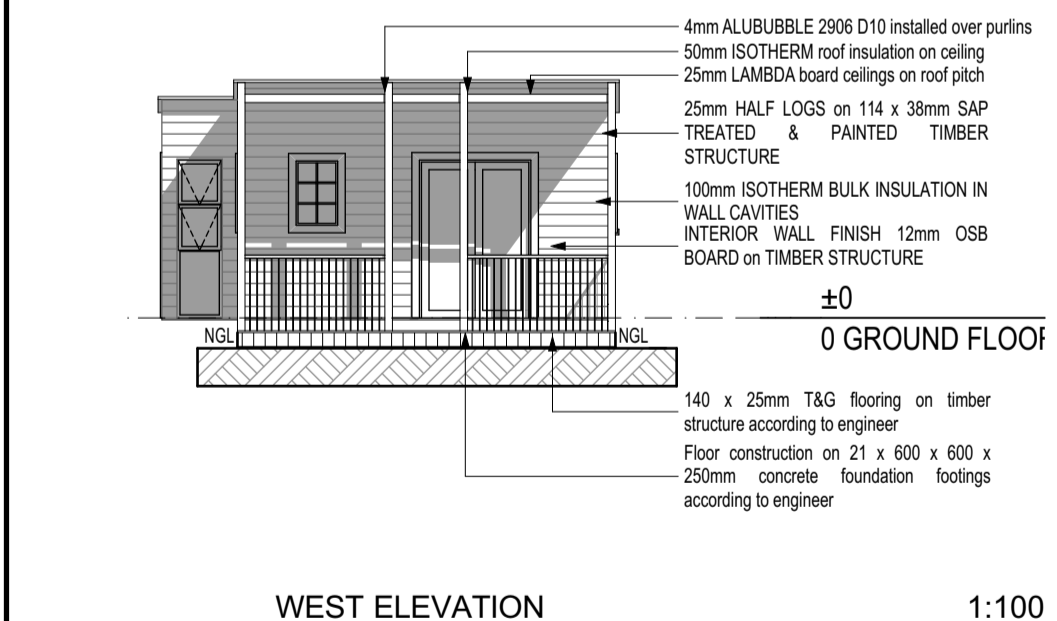
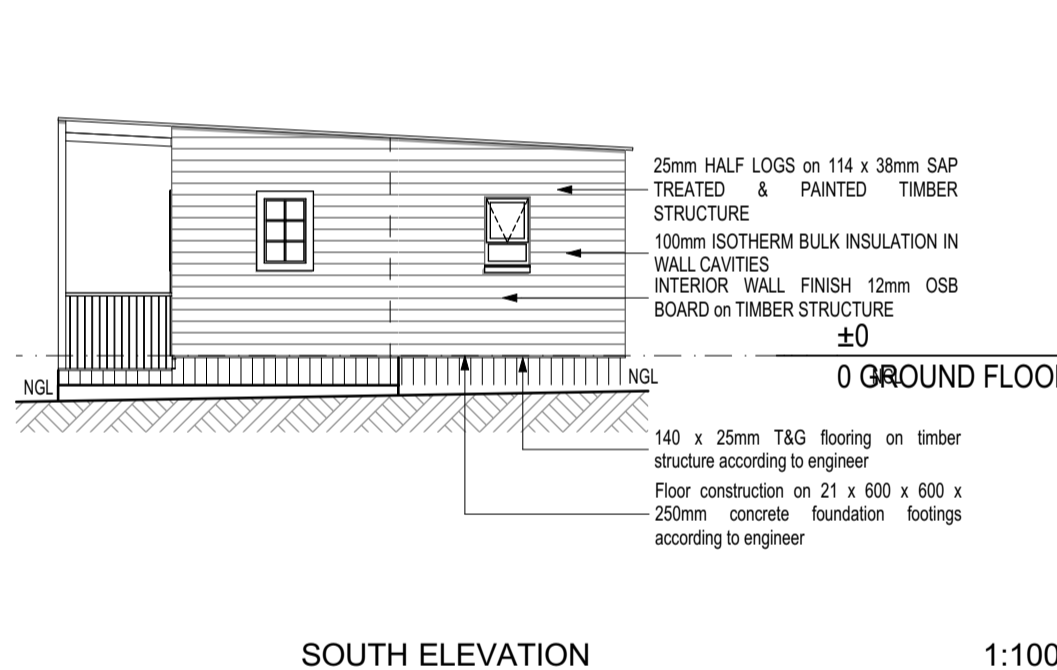
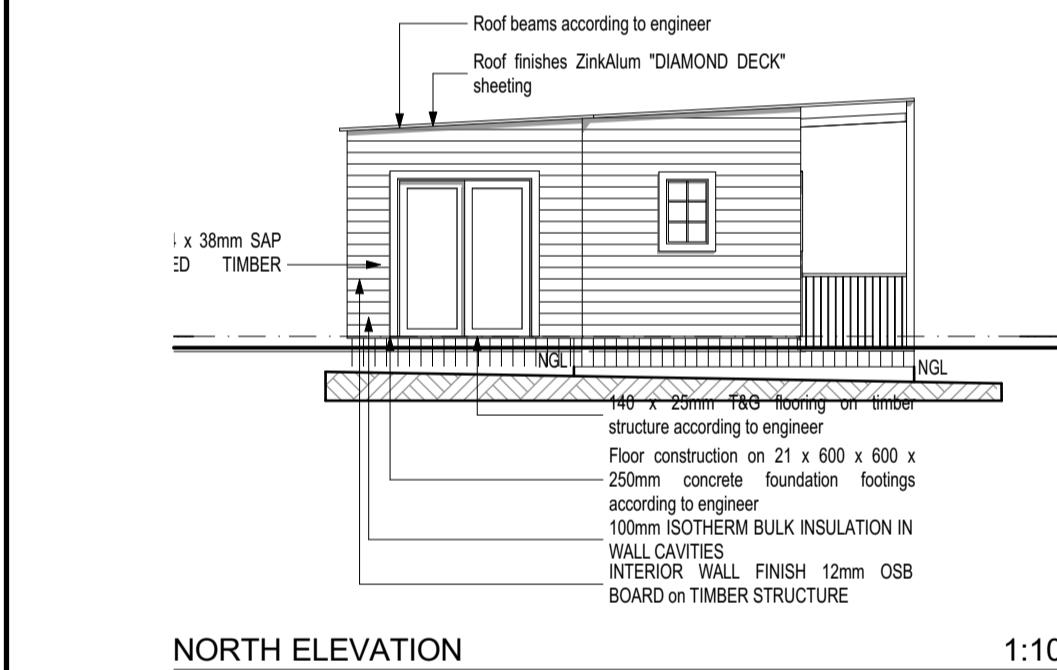
The functional regulation P2 contained in part P of the National Building Regulations (see annex A)

shall be deemed to be satisfied where the drainage installation

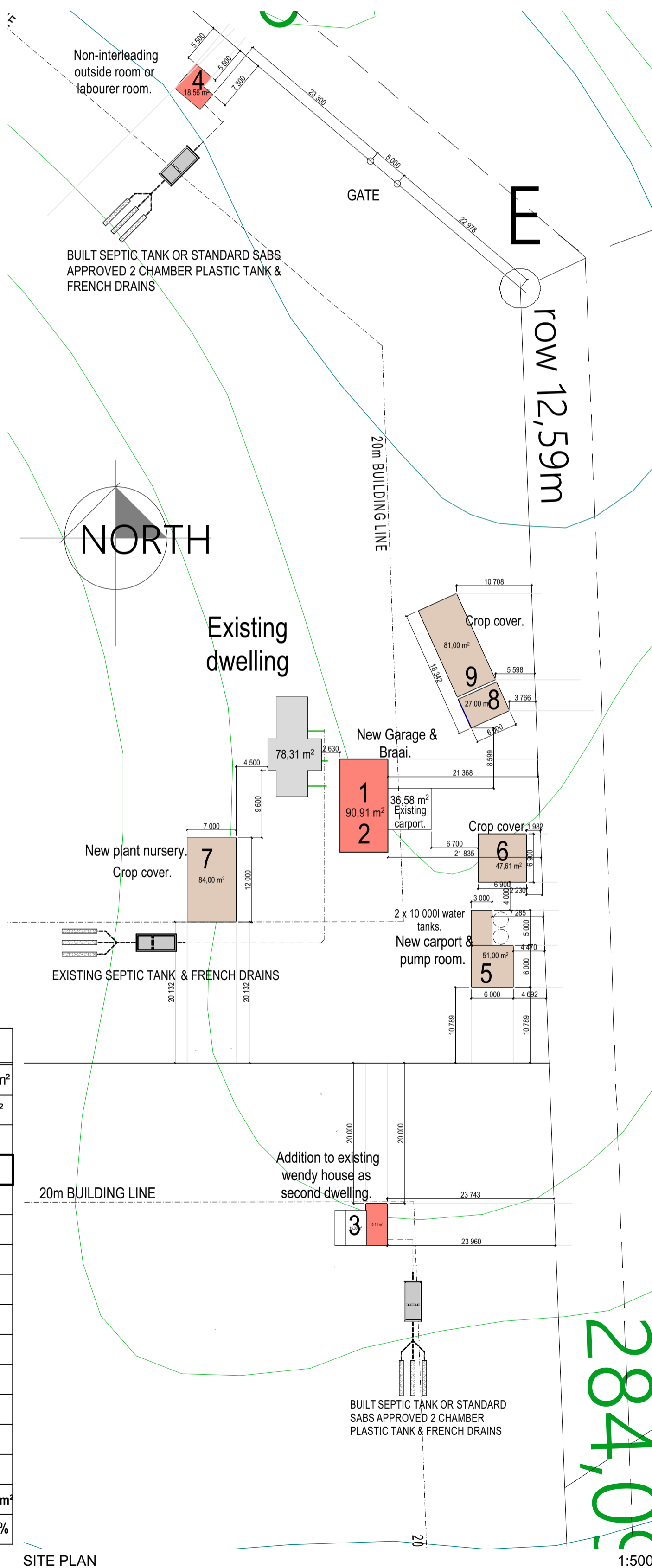
a) complies with the requirements of 4.2 to 4.27,

b) is the subject of a rational design or rational assessment performed by a competent person (sanitation), and using the principles for the design, installation and testing of sanitary drainage contained in this part of SANS 10400; or

c) is the subject of an Agrément certificate and the system, element or component is used within the scope, conditions and limitations prescribed in the certificate and the element or component is compatible with other elements or components of the drainage system.



SCHEDULE OF AREAS		AREA
EXISTING DWELLING		78,27m²
EXISTING CARPORT CONVERT TO STOREROOM		35,9m²
1. NEW BRAAI AREA		39,3m²
2. NEW GARAGE		51,6m²
NEW TOTAL AREA		90,9m²
3. EXISTING WENDY HOUSE		15,0m²
ADDITION TO EXISTING WENDY HOUSE		18,1m²
4. NEW LABOURER'S WENDY		18,6m²
5. NEW SHADENET CARPORT		51,0m²
6. NEW SHADENET CHICKEN COOP		47,6m²
7. NEW SHADENET PLANT NURSERY		84,0m²
8. NEW PLANTING TUNNEL		27,0m²
9. NEW FENCED VEGETABLES GARDEN		81,0m²
SITE AREA		62 354 000m²
COVERAGE	238,2/62 354 000	0,0038%



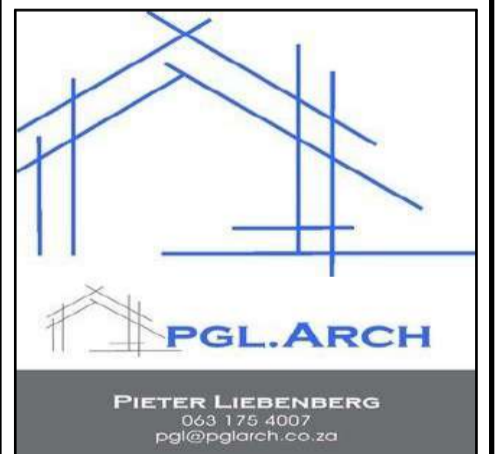
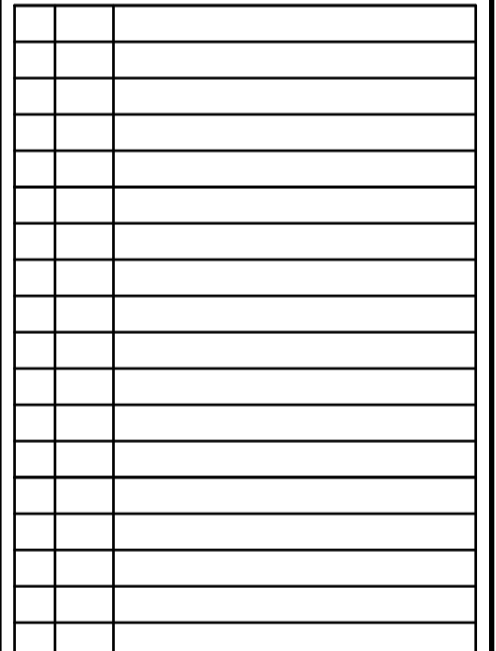
OWNERS OF ADJOINING PROPERTIES APPROVAL FOR SECOND HOUSE & BUILDING LINE APPLICATION		
ERF NO	SIGNATURE	DATE

	SIGNATURES	DATE
OWNER		
ARCH TECH		

ESTATE STAMP OF APPROVAL

COUNCIL NOTES:

Chimney as per part 'V' of NBR
Pool safety to comply with NBR & SABS 1390
Glazing as per NBR part 'N'



PROJECT TITLE	PROJEKTITTEL
<p>PROPOSED ADDITIONAL BUILDINGS FOR PETER JOHN LAZARUS ON ERF 1577, HOEKWIL</p>	

DRAWING TITLE	TEKENINGTITEL
PLANS, ELEVATIONS, SECTIONS, WINDOW & DOOR SCHEDULES & SITE PLAN	

DRAWING NO		TEKENING NR	
24/02/		102	
D11: 2025/LAZARUS/LAZARUS 2025-07-04.glt			
SCALE	SKAAL	DRAWN	GETEKEN
		PL & JM	
DATE	DATUM	LAST PLOT DATE	
JULY 2025		2025/07/04	
		05	
		WYS/GING	

ANNEXURE "E": PRE-APPLICATION

LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

Pre-application consultation is an advisory session and is required prior to submission of an application for rezoning, consent use, temporary departure and subdivision. It does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.

PART A: PARTICULARS

Reference number: **Collab no. 3452404**

Purpose of consultation: **'n Aansoek om opheffing van beperkende titelvoorwaarde en afwyking (boulyne).**

Brief proposal: **Die doel van die aansoek is om**

- **'n beperkende titelvoorwaarde op te hef sodat 'n tweede wooneenheid op die erf ontwikkel kan word; en**
- **boulynverslapping te verkry vir sekere geboue wat die oostelike boulyn oorskry.**

Property(ies) description: **Erf 1577 Hoekwil**

Date: **10 Oktober 2024**

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Robert J.v. Rensburg	George Municipality	044 801 9477	rhjansevanrensburg@george.gov.za
Official	Ilané Huyser	George Municipality	044 801 9477	ihuyser@george.gov.za
Pre-applicant	Jan Vrolijk	Jan Vrolijk Town Planners	082 464 7871	janvrolijk@jvtownplanner.co.za

Documentation provided for discussion:

(Include document reference, document/plan dates and plan numbers where possible and attach to this form)

Titelakte van erf

Lugfoto liggingsplan

L G Diagram

Terreinplan en gebou planne

Has pre-application been undertaken for a Land Development application with the Department of Environmental Affairs & Development Planning (DEA&DP)?

(If so, please provide a copy of the minutes)

YES	NO
-----	----

ONTWIKKELINGSVOORSTEL

Die titelakte van die erf (Titelakte No T48179/2024) bevat 'n voorwaarde E.b. wat die aantal wooneenhede op die erf tot 1 beperk. Die voorwaarde sal opgehef moer word om die omskepping van 'n bestaande buitegebou in 'n tweede wooneenheid moontlik te maak.

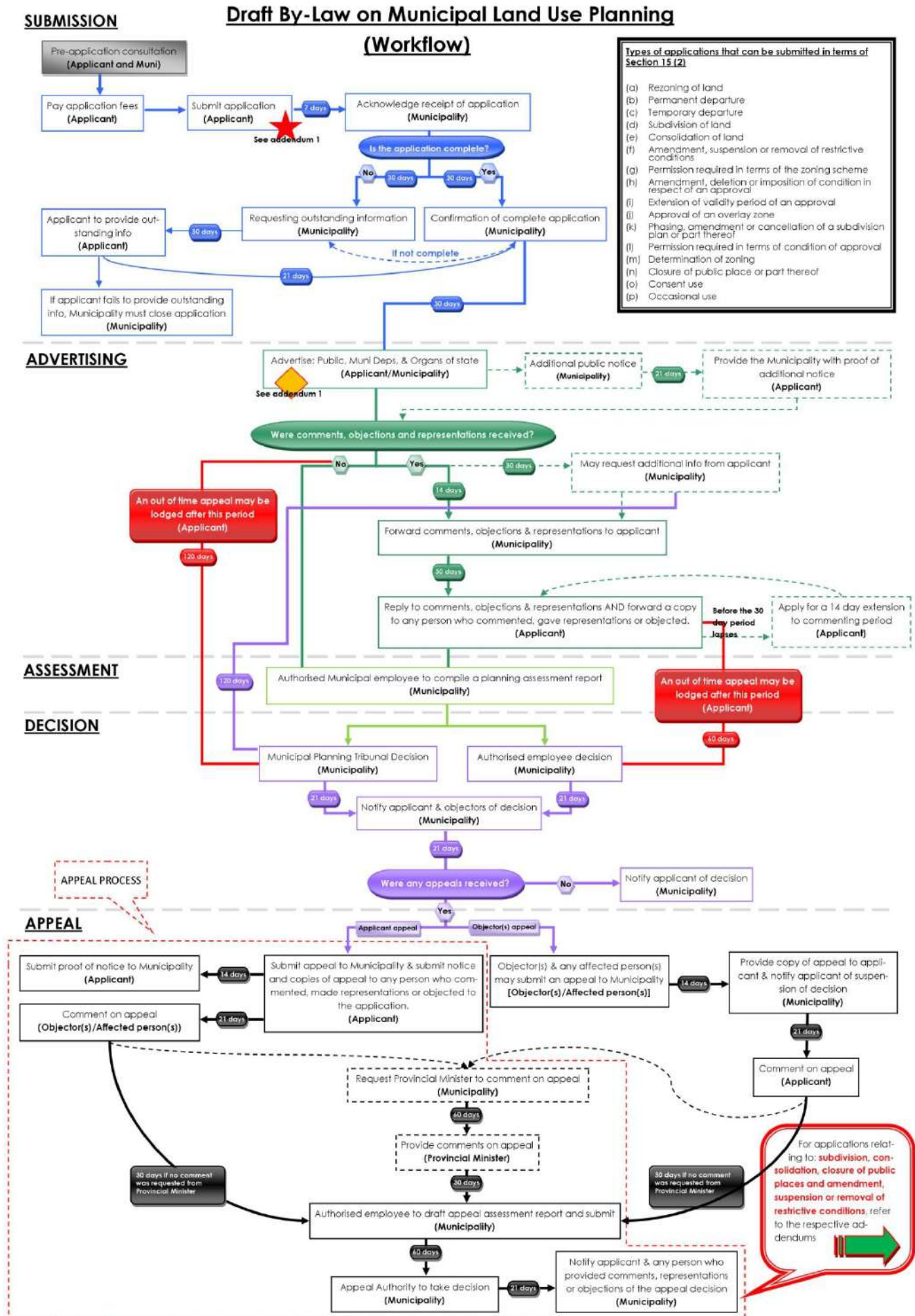
Verder kom daar 'n aantal onwettige strukture op die erf voor wat die oostelike sygrensboulyn oorskry. Die strukture word op die aangehegde planne aangetoon. Aansoek sal ook gedoen moet word vir die verslapping van die boulyn ten einde hierdie strukture te wettig.

AANSOEK

- Aansoek sal in terme van Artikel 15(2)(f) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die opheffing van voorwaarde E.b. uit Titelakte No T 48179/2024 ten einde die omskepping van 'n bestaande buitegebou in 'n tweede wooneenheid moontlik te maak.
- Aansoek sal in terme van Artikel 15(2)(b) van die Verordening op Grondgebruikbeplanning vir George Munisipaliteit, 2023 gedoen moet word vir die verslapping van die oostelike sygrensboulyn ten einde sekere bestaande strukture te wettig.

PART B: APPLICATION PROCESS

(WILL FULLY APPLY ONLY ONCE LUPA REGULATIONS ARE IN FORCE)



PART C: QUESTIONNAIRES**SECTION A:****DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES**

Tick if relevant		What land use planning applications are required?	Application fees payable
	2(a)	a rezoning of land;	R
x	2(b)	a permanent departure from the development parameters of the zoning scheme;	R
	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e)	a consolidation of land that is not exempted in terms of section 24;	R
	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
	2(g)	a permission required in terms of the zoning scheme;	R
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(i)	an extension of the validity period of an approval;	R
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l)	a permission required in terms of a condition of approval;	R
	2(m)	A determination of a zoning;	R
	2(n)	A closure of a public place or part thereof;	R
	2(o)	a consent use contemplated in the zoning scheme;	R
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a home owner's association;	R
	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
Tick if relevant		What prescribed notice and advertisement procedures will be required?	Advertising fees payable
Y	N	Serving of notices (i.e. registered letters etc.)	R
Y	N	Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.)	R

Y	N	Additional publication of notices (i.e. Site notice, public meeting, local radio, website, letters of consent etc.)	R
Y	N	Placing of final notice (i.e. Provincial Gazette etc.)	R
TOTAL APPLICATION FEE* (VAT excluded):			To be confirmed

PLEASE NOTE: * Application fees are estimated on the information discussed and are subject to change with submission of the formal application and/or yearly application fee increase.

SECTION B:

PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	TO BE DETERMINED	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?			George Ruimtelike Ontwikkelingsraamwerk 2019 en die Wilderness-The Lakes – Hoekwil Plaaslike Ruimtelike Ontwikkelingsraamwerk 2015	Sal bepaal word
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]			X	Conveyancer certificate to confirm
Any other Municipal by-law that may be relevant to application? (If yes, specify)			X	
Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? Die George Geintegreerde Soneringskema Verordening, 2023 What is the current zoning of the property? Landbousone II What is the proposed zoning of the property? Landbousone II Does the proposal fall within the provisions/parameters of the zoning scheme? Ja Are additional applications required to deviate from the zoning scheme? (if yes, specify) Ja, boulynverslappings				

QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS	YES	NO	TO BE DETERMINED	COMMENT
---------------------------------------------------	-----	----	------------------	---------

Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents?			X	
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?			X	

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?		X		Western Cape Provincial Department of Agriculture
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		X		National Department of Agriculture
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		X		Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP)
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strikethrough irrelevant)		X		National Department of Environmental Affairs (DEA) & DEA&DP
Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X		National Department of Water & Sanitation (DWS)
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		X		South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC)
Will the proposal have an impact on any National or Provincial roads?		X		National Department of Transport / South

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
				Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW)
Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		X		National Department of Labour (DL)
Will the proposal affect any Eskom owned land and/or servitudes?		X		Eskom
Will the proposal affect any Telkom owned land and/or servitudes?		X		Telkom
Will the proposal affect any Transnet owned land and/or servitudes?		X		Transnet
Is the property subject to a land / restitution claims?		X		National Department of Rural Development & Land Reform
Will the proposal require comments from SANParks and/or CapeNature?		X		SANParks / CapeNature
Will the proposal require comments from DEFF?		X		Department of Environment, Forestry and Fishery
Is the property subject to any existing mineral rights?		X		National Department of Mineral Resources
Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? (strikethrough irrelevant)		X		Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

SECTION D:

SERVICE REQUIREMENTS

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM: (list internal department)
Electricity supply:			X	Directorate: Electro-technical Services

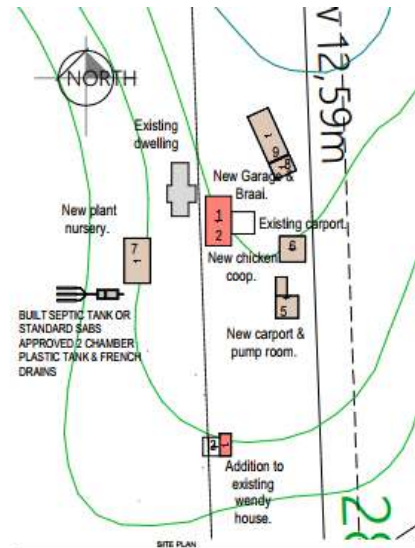
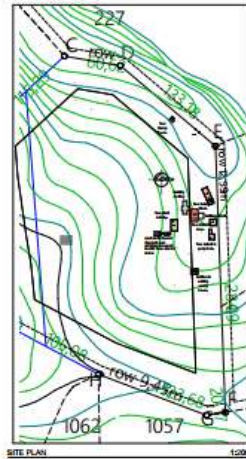
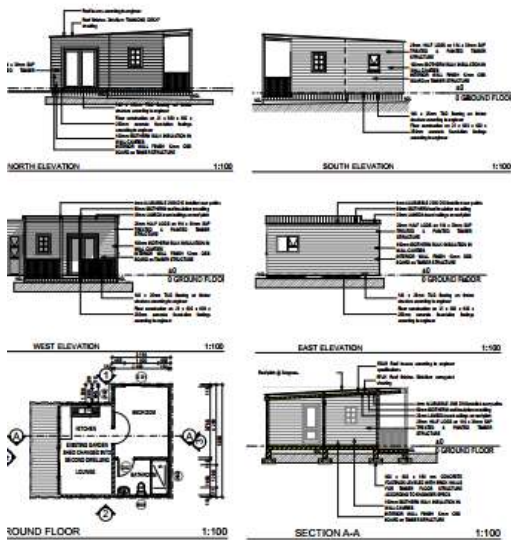
Water supply:			X	Directorate: Civil Engineering Services
Sewerage and waste water:			X	Directorate: Civil Engineering Services
Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

COMPULSORY INFORMATION REQUIRED:					
Y	N	Power of Attorney / Owner's consent if applicant is not owner (if applicable)	Y	N	S.G. noting sheet extract / Erf diagram / General Plan
Y	N	Motivation report / letter	Y	N	Full copy of the Title Deed
Y	N	Locality Plan	Y	N	Site Layout Plan
Y	N	Proof of payment of fees	Y	N	Bondholder's consent
MINIMUM AND ADDITIONAL REQUIREMENTS:					
Y	N	Site Development Plan	Y	N	Conveyancer's Certificate
Y	N	Land Use Plan	Y	N	Proposed Zoning plan
Y	N	Phasing Plan	Y	N	Consolidation Plan
Y	N	Abutting owner's consent	Y	N	Landscaping / Tree Plan
Y	N	Proposed Subdivision Plan (including street names and numbers)	Y	N	Copy of original approval letter
Y	N	Services Report or indication of all municipal services / registered servitudes	Y	N	Home Owners' Association consent
Y	N	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	1 : 50 / 1:100 Flood line determination (plan / report)
Y	N	Other (specify)	Y	N	Required number of documentation copies

PART E: DISCUSSION

The pre application meeting dated 16 October 2024 refers. The plan presented at the meeting is illustrated below:



Town Planning

- No need for removal of the condition as proposed. Administrators consent may be applied for (can be done simultaneously with the building line relaxation application).
- Need to address compliance with MSDF, WHL LSDF, SPLUMA, Zoning Scheme etc.
- Normal Building line relaxation application is applicable.
- To identify each structure on site and motivate why structures cannot be accommodated within the building lines.

PART F: SUMMARY / WAY FORWARD

Refer to comments in part E.

OFFICIAL: Rpbert Janse van Rensburg
(FULL NAME)

PRE-APPLICANT: **Johannes George Vrolijk**
(FULL NAME)

SIGNED: _____

SIGNED: _____

DATE: 23/10/2024__

DATE: 10 Oktober 2024

OFFICIAL: **Ilané Huyser**
(Senior Town Planner)

A handwritten signature in black ink, appearing to be 'P. Hys', is positioned above the signature line.

SIGNED: _____

DATE: ____24.10.2024____

**Please note that the above comments are subject to the documents and information available to us at the time of the pre-application meeting and we reserve our rights to elaborate on this matter further and/or request more information/documents should it deemed necessary.*

Erf 1577 Hoekwil _ ROR and Building line relaxation

ANNEXURE "F": LOCALITY PLAN



ANNEXURE "G": SURVEYOR GENERAL DIAGRAM

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG 23° X			S.G. No. 933/2010
AB	55,77	227.26.00	A	0,00	+3 700 000,00	Approved <i>Stoussberg</i> for Surveyor-General 07 APR 2010
BC	60,62	279.41.00	B	+37 378,18	+60 504,90	
CD	133,19	310.16.30	C	+37 337,11	+60 467,17	
DE	284,08	357.52.10	D	+37 277,35	+60 477,37	
EF	20,24	80.32.50	E	+37 175,73	+60 563,48	
FG	123,67	110.45.50	F	+37 165,18	+60 847,36	
GH	63,58	118.01.30	G	+37 185,14	+60 850,68	
HA	272,90	175.31.40	H	+37 300,78	+60 806,84	
				+37 356,91	+60 776,97	
Touwsberg 79 Δ			+33 790,14		+55 057,40	
Knys 3 200 Δ			+39 012,48		+61 494,67	

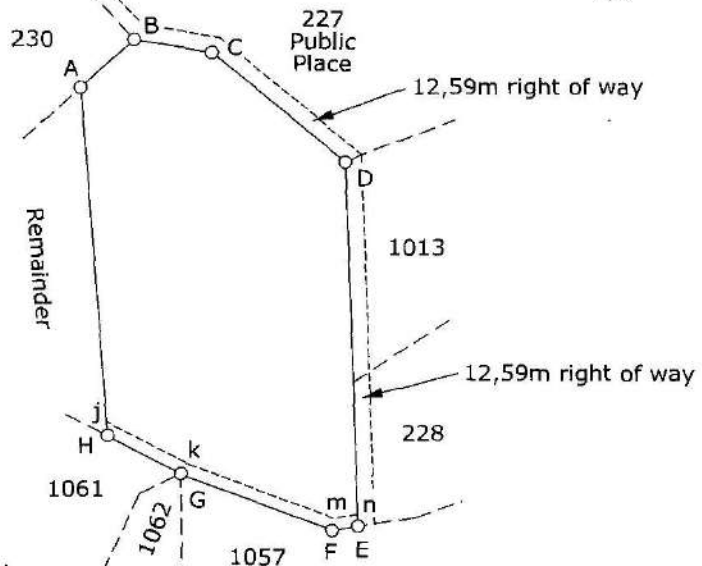
Beacon Descriptions:

A,B,C,E,F,H 16mm iron peg
D 20mm iron peg
G 12mm hole in concrete

Servitude Note:

The figure jkmnEFGH represents a Servitude of right of way 9,45m wide.
Vide Diagram S.G. No. 1180/1962, annexed to Deed

Scale 1: 5000



The figure A B C D E F G H
represents 6,2354 hectares of land, being
Erf 1577 (a portion of Erf 229) HOEKWIL

Situate in the Municipality and
Administrative District of George
Province of the Western Cape
Surveyed in February 2010
by me

J H Bailey

J H Bailey (PLS0019) Professional Land Surveyor

This diagram is annexed to
No. T68858/2014
dated
i.f.o.

Registrar of Deeds

The original diagram is
SG. No. 8094/1960
annexed to Transfer

No. 1962. .19594

File No. GEOR157
S.R. No. 423/2010
Comp. BL-8CCD (4139)

LPI C0270005
G.P. 1730 LD

Erf 1577 Hoekwil

S

ANNEXURE "H": POWER OF ATTORNEY

POWER OF ATTORNEY

I, the undersigned

Peter John Lazarus

the registered owner of

Erf 1577 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)(f) of the Land Use Planning By-Law for the George Municipality, 2023 for the removal of the restrictive condition, Condition E.b. from Title Deed T48179/2024, the title deed of Erf 1577 Hoekwil.
- 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 1577 Hoekwil into a Portion 1 (±3,12ha) and a Remainder (±3,12ha).
- 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 buildings on the proposed Remainder of Erf 1577 Hoekwil.

Signed at Johannesburg on 4 August 2025

A handwritten signature in black ink, appearing to be 'P. Lazarus', followed by a long horizontal line extending to the right.

Peter John Lazarus

ANNEXURE "I": BONDHOLDERS CONSENT

18 July 2025

JANVROLIJK TOWN PLANNER
Email: janvrolijk@vtownplanner.co.za

Client Name: Adv PJ Lazarus
Client Number: 806085007
Property: Erf 1577 Hoekwil

Bondholders Consent

Investec Bank Limited, in its capacity as the holder of a mortgage bond registered over the aforementioned property, consents to,

- the subdivision of property into Portion 1 (+/-3,12ha) and Remainder (+/-3,12ha) of Erf 1577 Hoekwil.
- the removal of restrictive title condition E.b. from Title Deed T48179/2024.
- a permanent departure for the relaxation of certain building lines on Erf 1577 Hoekwil.

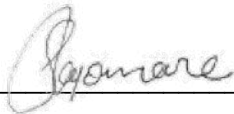
The views expressed in this letter are expressed in good faith, based solely on information available to Investec as at the date of this letter. Investec does not accept responsibility for any loss or damage that you or any third party may suffer as a result of this letter being issued.

This letter is to be treated in the strictest of confidence and may only be used in the context in which it is given. Furthermore, the information provided in no way constitutes a guarantee on the part of Investec or its holding companies, subsidiaries or any affiliated companies or divisions.

Contact Reinhard Indermaur at 011 291 0657 should you have any queries.

Yours Faithfully

Investec Bank Limited


_____

ANNEXURE "J": CONVEYANCER CERTIFICATE

Prepared by me



CONVEYANCER

DEON JOHANNES RENS (M05469)

CONVEYANCER'S CERTIFICATE

In terms of Section 38(1)(n) of the GEORGE Municipality: Land Use Planning By-Law, 2023

I, the undersigned

DEON JOHANNES RENS (M05469),

duly qualified and admitted Conveyancer, practicing as Deon Rens Attorneys, 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:

T48179/2024 (current Title Deed)

in respect of:

**ERF 1577 HOEKWIL
IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF WESTERN CAPE**

IN EXTENT 6,2354 (SIX COMMA TWO THREE FIVE FOUR) Hectares

HELD BY Deed of Transfer T48179/2024

Registered in the name of

**PETER JOHN LAZARUS
Identity Number 621129 5095 08 4
Married out of community of property**

2. I have appraised myself with the details of the abovementioned Land Development Application.
3. The abovementioned Title Deed contains the following condition restricting the contemplated Land Use in terms of the abovementioned Land Development Application.

"E. SUBJECT FURTHER to the following conditions imposed by the Administrator of the Province of Cape the Good Hope in mentioned Deed of Transfer Number 19598/1962, by Subdivision in terms of Section 196 of Ordinance Number 15/1952, as amended, of the Farm Wildernesshoogte Number 157, which may be amended or mitigated by him:

- b. Geen geboue uitgesonder een woning vir die 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."*

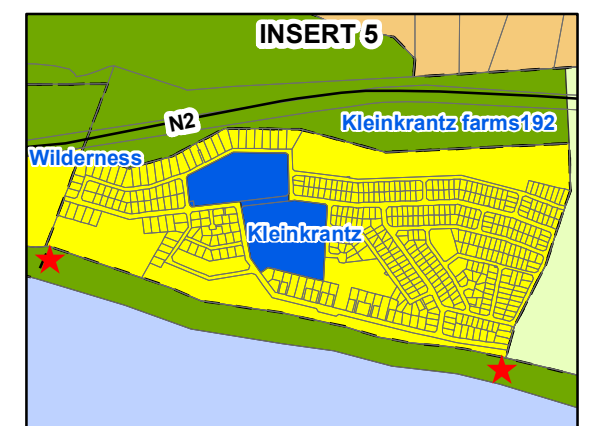
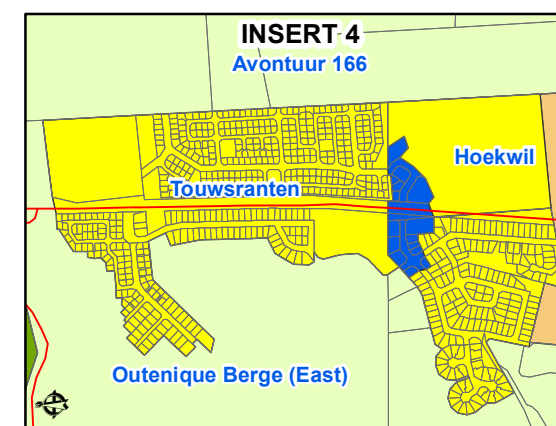
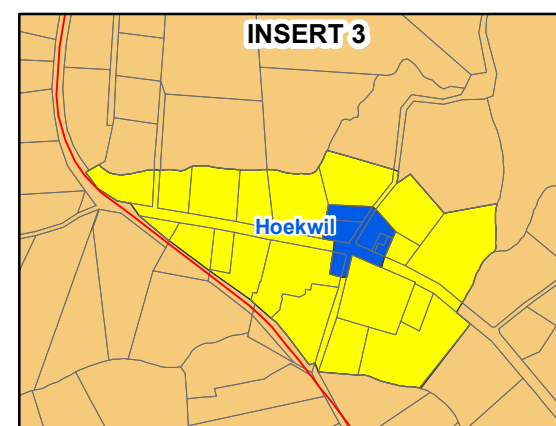
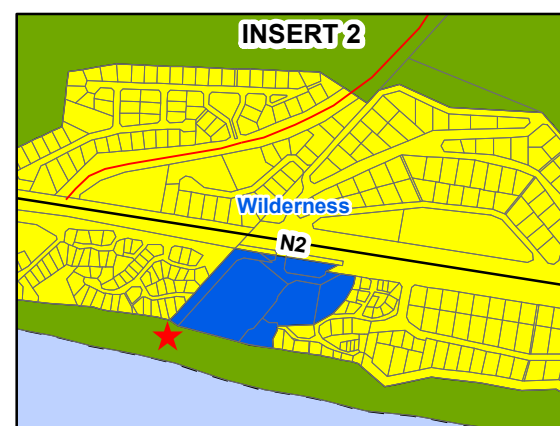
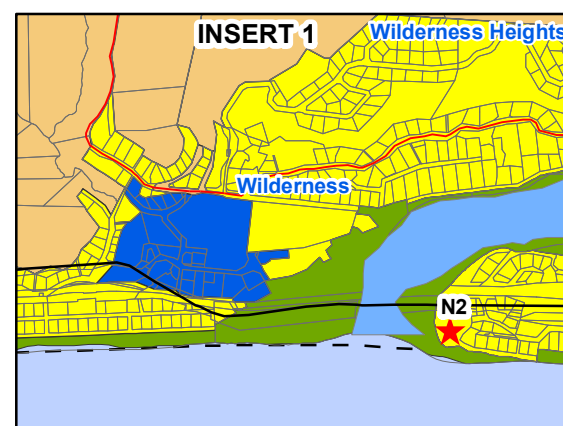
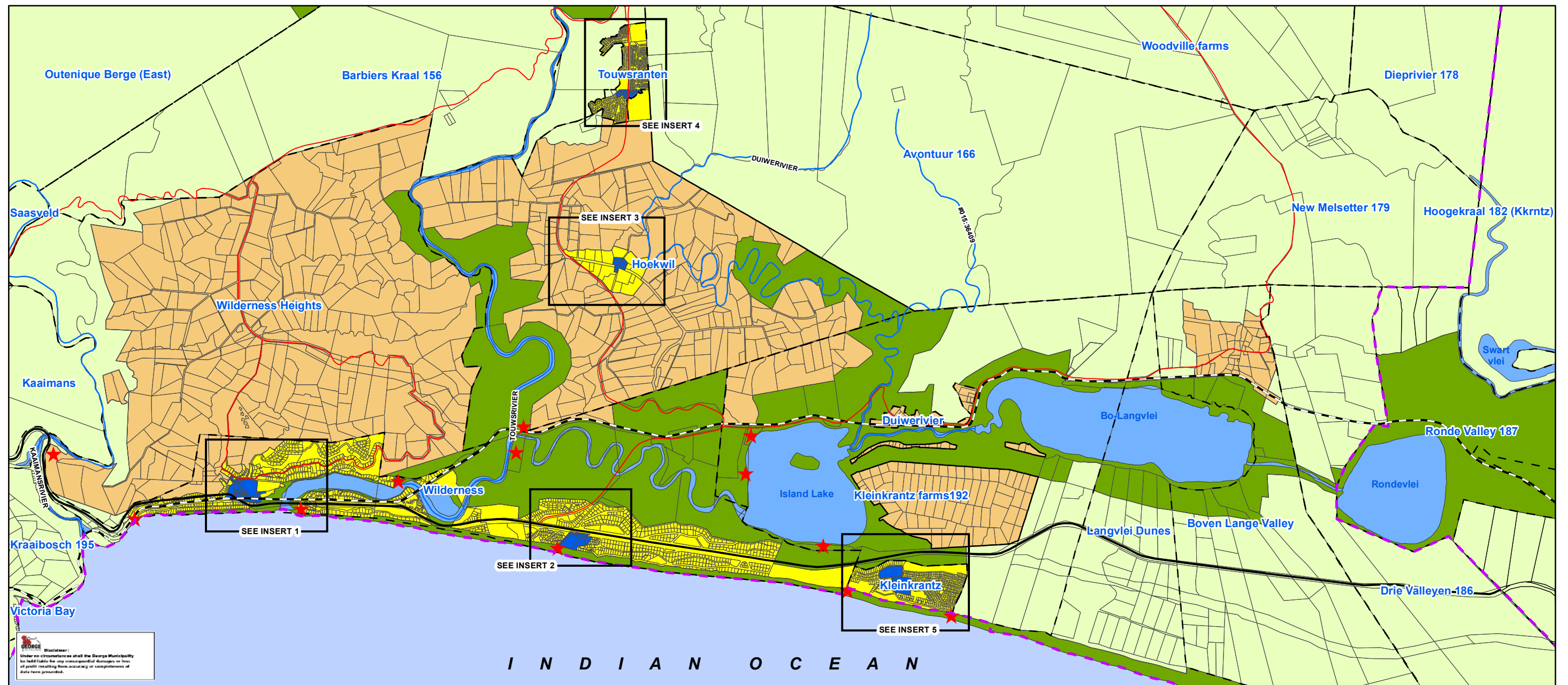
4. There is a bond registered over the property

SIGNED AT LANSERIA ON 08 AUGUST 2025



DEON JOHANNES RENS (M05469)

**ANNEXURE “K”: WILDERNESS-LAKES-HOEKWIL LOCAL SPATIAL DEVELOPMENT
FRAMEWORK, 2015**



ANNEXURE "L": MUNICIPAL APPROVAL DATED 4 JANUARY 2010

Copies: Chief: Financial Officer (Attention: Ms A Scheepers)
Senior Manager: Civil Engineering Services
Senior Manager: Electrotechnical Services
Senior Manager: Planning and Housing (Attention: Ms A Harris)
Surveyor-General, Private Bag X9028, Cape Town, 8000

E-pos: michellej@george.org.za
Erf 229, Hoekwil

Ms. M Joseph

044 - 801 9171

04 January 2010

Bailey & Le Roux
P O Box 9583
GEORGE
6530

REGISTERED MAIL

SUBDIVISION: ERF 229, HOEKWIL

Approval is hereby granted under *delegated authority* for the subdivision of erf 229, Hoekwil into two portions (Portion A = $\pm 6,21$ ha; Remainder = $\pm 7,69$ ha) in terms of Section 25(1) of the Land Use Planning Ordinance 1985 (Ordinance 15 of 1985) as indicated on the attached plan which bears Council's stamp.

Please note that the abovementioned approval is subject to the following conditions, imposed in terms of Section 42(1) of Ordinance 15 of 1985 as well as the conditions mentioned in Annexure "A":

A CONDITIONS BY THE DEPARTMENT: PLANNING AND HOUSING

1. That the approval shall lapse in accordance with the Ordinance if the conditions mentioned hereunder are not complied with;
2. That the two divided portions be zoned Agriculture Zone 1;
3. That the land use restrictions be as determined by the Section 8 Zoning Scheme Regulations;
4. That all new structures on the subdivided portions be restricted to two (2) storeys and/or a maximum height of 8.0m as measured from natural ground level to top of roof;
5. That these structures be designed so as to integrate harmoniously with the surrounding natural and rural environment;
6. That each dwelling unit and its outbuildings be restricted to a total footprint of 300m², including all decks, patios, verandas and porches;
7. That no structure be erected on a slope with a gradient greater than 1:4 or within the 1:50 year floodline of any river or natural water body;

8. That the building plans for each new dwelling unit, new outbuildings and any additions to the existing structures on site be submitted to and approved by the Department: Planning and Housing prior to any building works commencing;
9. That each new dwelling unit and/or its associated outbuildings be constructed from at least 25% natural and/or renewable (recyclable) materials;
10. That a new dwelling unit and/or its associated outbuildings be painted a natural "earthy" colour should a "plastered brick" or "handi-plank" structure be erected;
11. That the roof of a new dwelling unit be painted in a dark green, brown or grey/black colour to blend harmoniously with the surrounding natural environment;
12. That the architectural style of a new dwelling unit and its associated outbuildings be in harmony with the surrounding natural and rural environment to the satisfaction of the Department: Planning and Housing;
13. That all exterior lighting on the subdivided properties be no more than 1.0m above natural ground level and that such lighting be kept to minimum;
14. That water and energy saving devices (including rain water harvesting tanks, low flow shower heads, dual flush toilets, solar panels and solar geysers) be installed in all dwelling units on the property;
15. That, at their expense, the owners of the subdivided portions undertake an alien tree eradication and fynbos rehabilitation programme, under the guidance and approval of the Department of Water Affairs and Forestry;
16. That at the owner's expense, an Outeniqua Sensitive Coastal Area (OSCA) permit application, undertaken by a suitably qualified environmental consultant, be submitted to and approved by the Department: Planning and Housing (environmental section) prior to the erection of any structure on site;
17. That no building plans be approved until all conditions of approval has been met to the satisfaction of the Department: Planning and Housing;

B CONDITIONS BY THE DEPARTMENT: CIVIL ENGINEERING SERVICES

1. Capital contributions are payable for each new equivalent portion created as per standard tariffs for Wilderness, applicable on transfer of a portion or the approval of building plans, whichever occurs first.
2. An additional amount of R 1050-00 (excl VAT) is payable, per incident, should any road surface need to be repaired during the provision of a municipal connection. This amount is subject to annual escalation.
3. Any, and all, costs directly related to the development remain the developers' responsibility.
4. All civil services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with the Guidelines for Human Settlement and Design and Council specifications. All drawings and plans are to be submitted to the Dept: Civil Engineering Services (hard copy and electronically) for approval prior to any construction work taking place.
5. No municipal sewer services are available at present. Should a municipal sewer network in future be extended to this area, the owner will be compelled, at own cost, to connect to the network. A capital contribution for sewer will

then become payable as per standard tariff for each equivalent erf applicable at the time of connection.

6. Conservancy tanks are to be installed. The owner(s) is to appoint a registered private contractor to service the conservancy tanks. All costs will be for the owner(s).
7. Water demand and stormwater management plans are to be submitted and approved by the relevant departments/authority. All approved measures are to be implemented by the developer. The approved management plans must be incorporated into the home owners constitution
8. The discharge of surface stormwater is to be addressed by the developer. Condition (4) applies. All costs related is for the developer.
9. No development may take place on slopes steeper than 1:4 or in below the 1:100 year flood line.
10. Stormwater from higher lying erven is to be accommodated by the development.
11. The accommodation of stormwater over low lying erven must be negotiated between the affected owners. All costs related is for the developer.
12. Adequate parking with a hardened surface must be provided on the premises of the proposed development in accordions with condition (4).
13. The applicant is to ensure that adequate access is provided to the development.
14. No parking is permitted in the road reserve.
15. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required.
16. Any damage to municipal or private property service is to be repaired, in accordance with relevant standard to acceptance of the party affected, and to the developer's expense.
17. The developer is to adhere to the requirements of the OHS Act at all times, as well as all conditions stipulated by any other authority whose approval was required and obtained for this development.

**C CONDITIONS BY DEPARTMENT: ELECTROTECHNICAL SERVICES
(originally in Afrikaans)**

1. Kapitale bydraes word bereken deur die Departement: Elektroniese Dienste, gebasseer op die grootte van die aansluiting en gehê as deel van die aansluitingskoste, betaalbaar met die aansoek om 'n aansluiting.
2. Die Ontwikkelaar is verantwoordelik vir alle en enige koste wat gepaard gaan met die ontwikkeling. Dit sluit onder andere in die uitbreiding van die elektriese netwerk, registrering van serweituute, verkryging van goedkeuringsuitvoering van Omgewingsimpakstudie of wat ookal nodig mag wees.
3. 'n Geregistreerde raadgewende ingenieur moet die elektriese koppeldienste asook enige opgradering of verandering van die bestaande elektriese netwerk volgens die Raad se spesifikasie ontwerp en voorlê aan die Departement: Elektrotegniese Dienste vir goedkeuring. Alle ontwerpe en tekeninge moet op papier en op elektroniese formaat voor aanvang van werke ingedien word. Werke word onder die toesig van die raadgewende

ingenieur uitgevoer wat na afhandeling 'n voltooiingssertifikaat en 'n stel "soos gebou" tekeninge in elektroniese formaat aan die Departement: Elektrotegniese Dienste moet oorhandig.

Notwithstanding Council's decision you have the right of appeal against the conditions of approval in terms of Section 44 of Ordinance 15 of 1985, which right must be exercised and submitted in writing **within 21 days from date of registration (date stamp on envelope)** of this letter. The appeal must be directed to **The Director: Land Development Planning, Private Bag X9086, Cape Town, 8000** with a copy endorsed and submitted in writing to the George Municipality within the aforementioned time.

An appeal fee of 399-00 (VAT included) is payable to the George Municipality.

Yours faithfully



MR. SB ERASMUS

SENIOR MANAGER: PLANNING AND HOUSING

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