

Collaborator No.: 3665759
Reference / Verwysing: Erf 524, Hoekwil
Date / Datum: 27 February 2026
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APPLICATION FOR PERMANENT DEPARTURES: ERF 524 HOEKWIL

Your application in the above regard refers.

The Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.3.13 of 24 April 2025 decided that the application for Permanent Departures in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023, for the relaxation of the following building lines applicable to Erf 524, Hoekwil:

- a) Northern common boundary building line from 20m to 19.525m to allow for the veranda;
- b) Northern common boundary building line from 20m to 5.415m and 6.675m respectively to allow for the existing dwelling;
- c) Northern common boundary building line from 20m to 2.680m and 3.445m respectively to accommodate the existing braai area (covered entertainment area);
- d) Street building line from 20m to 3.985m and 7.150m respectively to accommodate the home office (converted and added to from the carport/stable building); and
- e) Northern common boundary building line from 20m to approximately 10m to accommodate the existing swimming pool (limited to the status quo);

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

REASONS

- (i) The proposal will not have a detrimental impact on the character of the area.
- (ii) The structure in the street boundary building line is aesthetically appropriate, especially noting the improvement from the stables from which it was converted.
- (iii) The proposal will not have a negative impact on the amenity of the affected neighbouring properties in terms of privacy, sunlight and/or views.
- (iv) Significant vegetation creates a buffer between the covered entertainment area and the neighbouring property.
- (v) The living areas on the neighbouring property is located a significant distance from the structures, and therefore no impact is anticipated.

- (vi) The application serves to legalise structures that are existing and can be accommodated within the property boundaries.
- (vii) No objection from neighbouring property owners or internal departments were received.
- (viii) Given that no harm is demonstrated or detriment to public interest observed, a condonation is deemed fair and acceptable to include the swimming pool located within the building lines, in the decision, as the structure was indicated on the site plans circulated to interested parties.

Subject to the following conditions imposed in terms of Section 66 of the said By-law, namely:

CONDITIONS: DIRECTORATE PLANNING AND DEVELOPMENT

1. That in terms of the provisions of the Land Use Planning By-law for George Municipality, 2023, the approval shall lapse if not implemented within a period of two (2) years from the date of approval.
2. This approval shall be taken to cover only the departure application as applied for and as indicated on Site Plan No. -000 Rev 03 dated 22 April 2025, drawn by Loom Architecture Studio, and attached as “Annexure A” which bears Council’s stamp and shall not be construed as to depart from any other Council requirements or legal provisions.
3. The outside toilet located in the street boundary building line must be removed prior to the submission of building plans.
4. A contravention levy of **R28 668.95 (Including VAT)** must be paid to the Directorate on the submission of building plans.
5. The above approval will be considered as implemented on the approval of the building plans for the as-built structures.

Town Planning Notes:

- i. It is noted that the swimming pool in the building line did not form part of the application; however, is included in the decision to avoid an unnecessary additional land use application.*
- ii. All development parameters (including height) of all relevant structures must be correctly indicated on building plans and to comply with the Zoning Scheme.*
- iii. The property owner must comply with all fire safety requirements to be imposed at building plan stage in terms of the National Building Regulations.*
- iv. A building plan must be submitted for approval in terms of the National Building Regulations.*
- v. The subject property is listed in the (OSCAE) and an application for OSCAE condonation must be submitted for approval prior to building plan application submission.*
- vi. Electrical overhead line infrastructure in close proximity of the proposed works. A clearance of 3m shall be maintained from the existing electrical lines according to safety regulation to any proposed buildings or structures. No building to be erected under the Overhead lines. No work to be done under the lines and/or in close proximity of the lines without approval and/or supervision by the Municipality.*
- vii. Stormwater must be dispersed responsibly, and the stormwater management and erosion measures must be addressed on the building plans.*
- viii. The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.*
- ix. Additional building plan application fees, calculated in terms of the approved tariffs, will be applicable should structures already be commenced with or completed without the approval of the Local Authority.*
- x. Building plans to comply with SANS 10400, and any other applicable legislation.*
- xi. The property may only be used for the intended purpose once a Certificate of Occupation has been issued.*
- xii. The existing dwelling was not included in the calculation as it is seen on previous approved building plans.*
- xiii. The extents used to determine the contravention levy was calculated based on the town planner’s guesstimate, as the specific areas were not clearly indicated on the submitted plans. The applicant was provided with more than sufficient time, with follow up requests, to provide the extents.*
- xiv. The contravention levy is calculated as follows:*
 - ~Area of unauthorised use: 148.39m².*
 - ~Municipal Valuation / Area of Property = Per m² value of property.*
 - ~R2 020 000 / 21 375 m² = R94.50/m².*
 - ~10% of R94.50/m² = R9.45/m² which is less than R168.00/m².*

~Therefore, as per the George Municipality Tariff Book, R168/m² will be utilised for the calculation of the levy.

~R168 x 148.39m² = R24 929.52 (VAT Excluded)

~Plus VAT @15% = R28 668.95 (Including VAT)

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee in terms of Section 79(2) of the Land Use Planning By-Law for George Municipality, 2023.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George **on or before 20 MARCH 2026**, and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

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

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

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

Yours faithfully



C PETERSEN
SENIOR MANAGER: TOWN PLANNING

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