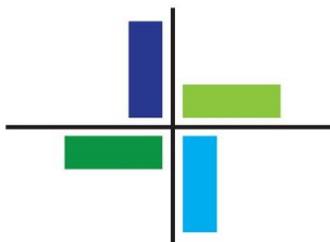


**MEMORANDUM IN SUPPORT OF AN
APPLICATION FOR CONSENT USE FOR AN
ADDITIONAL DWELLING UNIT AND
APPLICATION FOR A DEPARTURE
ON PORTION 113 OF THE FARM
GWAYANG 208**

**September
Project A1492**



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1. **MEMORANDUM IN SUPPORT OF AN APPLICATION FOR CONSENT USE FOR AN ADDITIONAL DWELLING UNIT IN TERMS OF SECTION 15(2)(o) OF THE GEORGE LAND USE PLANNING BY-LAW, 2023 ON PORTION 113 OF THE FARM GWAYANG 208.**

AND

2. **MEMORANDUM IN SUPPORT OF AN APPLICATION FOR DEPARTURE IN TERMS OF SECTION 15(2)(B) OF THE GEORGE LAND USE PLANNING BY-LAW, 2023 FOR A DEPARTURE FROM THE MAXIMUM FLOOR AREA OF AN ADDITIONAL DWELLING UNIT ON PORTION 113 OF THE FARM GWAYANG 208.**

1 INTRODUCTION

1. Application is hereby made in terms of Section 15(2)o of the George Land Use Planning By-Law, 2023 for Consent Use for an **additional Dwelling unit on Portion 113 of the farm Gwayang 208.**

It is the purpose of this application to obtain the necessary consent from Council to allow for an additional dwelling unit on the application site.

2. Application is hereby made for a Departure in terms of Section 15(2)(b) of the George Land Use Planning By-Law, 2023 for a departure from the maximum floor area of an additional dwelling unit on Portion 113 of the farm Gwayang 208.

The intention of the owner is to obtain relaxation of the maximum floor area for an additional dwelling unit from 175m² to 393m².

The application site is situated in an area where most properties is used for agricultural purposes. The aim of this memorandum is to motivate the merits of the consent use application on the property considering the context of the site.

2 GENERAL INFORMATION

2.1 Property Description

The property is known as Portion 113 of the farm Gwayang 208.

2.2 Property Size

Portion 113 of the farm Gwayang 208 measures **91.6423m²** in extent.

2.3 Ownership and Title Deeds

The Property is owned by PLATINUM MAC INVESTEMENTS (PTY) LTD in terms of Deed of Transfer, (T19722/2021).

2.4 Bond holders' consent

No bond is registered over the property.

2.5 Locality

Portion 113 of the farm Gwayang 208 is situated at G24 Gwaing Road, Gwayang Close, George, 6529.

2.6 Present Zoning

The farm zoned "Agricultural Zone I".

2.7 Restrictive Title Deed Conditions

Title Deed Condition 4C(2).

Our office submitted an Administrator's Consent application to SANRAL on 30/05/2025, and this is the feedback we received. Regarding the Title Deed condition **4C(2)**, limiting the property to one dwelling house and outbuildings without written approval from the National Transport Commission (per Act No. 21 of 1940, read with Act No. 44 of 1948), this condition is no longer applicable, as its successor, the South African National Roads Agency SOC Limited (SANRAL), has provided consent by confirming no jurisdiction or comment on the matter. This stems from the original restriction under the Advertising on Roads and Ribbon Development Act

21 of 1940, aimed at controlling development near national roads, but post-subdivision, Portion 113 of Farm Gwayang 208 no longer borders such a road and falls outside SANRAL's authority per the National Roads Act 7 of 1998—meaning the proposed works do not affect national infrastructure, rendering the condition obsolete.

Please refer to the attached SANRAL letter dated 08 September 2025 for confirmation.

3 MOTIVATION

3.1 Introduction

The aim of this application is to obtain consent of the Municipality for an additional dwelling unit on Portion 113 of the farm Gwayang 208 and to obtain municipal approval for the relaxation of the maximum floor area as prescribed in the **George Integrated Zoning Scheme**.

The development – consisting of an additional dwelling house – encroaches the 175m² maximum allowable floor area for additional dwelling units applicable to Agricultural Zone I properties. To permit this encroachment, a departure from the relevant development parameters is required. The property owner seeks approval for the relaxation of the maximum allowable floor area from **175m²** to **393m²**. The proposed encroachment is required to accommodate the additional dwelling unit on the farm.

The layout, size of the site and location of the existing dwelling house are all positive contributions in positioning an additional dwelling unit on the site.

The aim of this memorandum is to motivate the merits of the **consent use** and **departure application** of the property and the desirability of the density change in light of the land use character, built form, character of the area, need and desirability of the application, public interest, engineering services, open space, social amenities as well as the various National, Provincial and Municipal council policies, frameworks and SPLUMA Principles.

3.2 Context of the area

The site is situated southwest of George which is part of agricultural activities outside of town. The area is characterised by medium to large properties, well vegetated with large dwellings. The proposal as set out in this memorandum would thus not constitute a land use which is out of character with the current land use character. The immediate area surrounding the site is mostly agricultural in nature. Many of the farms in the area have second dwellings and additional dwellings to accommodate farm managers and farm workers.

The aerial photo below illustrates the location and layout of the site and shows the built form of the area and location of surrounding properties to the application site. The development will be **compatible with its surroundings and** will occur in such a manner that it is **orderly and controlled**.



3.3 Desirability of the proposal

This section of the memorandum motivates the desirability of the proposed Consent Use application for the development of an additional dwelling unit on the agricultural property. The purpose of the additional dwelling is to accommodate the second co-owner and his family, thereby ensuring both legal compliance and practical, long-term occupation that supports shared land ownership.

The property measures approximately 91.6 hectares, providing more than sufficient space to accommodate an additional dwelling without altering the rural character, impacting neighbouring properties, or placing strain on environmental or engineering resources.

In terms of the **George Integrated Zoning Scheme (GIZS), 2023**, the property already enjoys a primary right for an existing main dwelling (376m²) and an existing second dwelling (156m²) of up to 175m². The zoning further permits up to four (4) additional dwellings with the necessary consent use approval, provided that they support bona fide agricultural operations or family accommodation in an appropriate manner.

The proposed dwelling, although larger than 175m², is located in a low-density, agricultural setting, far removed from any formal residential areas. There are no direct neighbouring dwellings in close proximity that could be affected in terms of privacy, overshadowing, or visual intrusion. The expansive nature of the site means that the structure can be appropriately sited to ensure full spatial separation and screening, maintaining the visual and environmental integrity of the area.

Moreover, this type of proposal is not unusual in the broader region. Many large-scale rural and agricultural properties accommodate multiple dwelling units for families, co-owners, and staff—especially where no subdivision is intended, and tenure is shared. These developments have shown no adverse effects on the rural environment or surrounding land uses, and in many cases, have contributed to the long-term sustainability and management of the properties.

It is anticipated that concerns that often arise in urban environments—such as overlooking, noise, loss of privacy, or densification—do not apply in this rural context due to the large land area, low impact of the development, and private nature of the proposed use.

The proposal respects the underlying character and zoning of the land, promotes functional co-ownership, and does not threaten the existing use rights or amenity of any surrounding landowners. It aligns with the spatial objectives of the Municipality, supports efficient rural land use, and facilitates long-term tenure security

without introducing pressures associated with urban expansion or subdivision.

3.4 Need for the proposed land use change:

In the previous section, the desirability of the application was motivated. This section seeks to motivate the need for the proposed land use change considering the following:

- Interest of the General Public (Section 42.(1)(c)(i) of SPLUMA); and
- Benefit of the proposed land use change.

3.5 Interest of the General Public (Section 42.(1)(c)(i) of SPLUMA)

This application for a Consent Use to permit an additional dwelling unit exceeding 175m² responds not only to the specific needs of the property owners but also to broader public interest considerations as outlined in Section 42(1)(c)(i) of SPLUMA.

The subject property is a large agricultural holding of approximately 91.6 hectares, co-owned by two individuals. The application seeks to enable both families to reside permanently on the property in a legally compliant and dignified manner. In doing so, the proposal promotes long-term tenure stability, shared agricultural oversight, and more inclusive and functional use of rural land—key considerations in achieving spatial justice and sustainability in the South African land use context.

Although this application does not represent urban densification in the traditional sense, it does reflect a shift toward more flexible rural land occupation models, which are increasingly necessary in the face of rising land values, co-ownership arrangements, and changing generational approaches to land stewardship. Allowing the second co-owner to reside on-site supports efficient land management, avoids the need for subdivision, and helps retain the integrity of the land as a single productive agricultural unit.

The property is entirely self-sufficient in terms of engineering services and will not increase demand on municipal infrastructure or services. In fact, the long-term occupation of the site by both owners promotes sustained investment in private service infrastructure, security, and land productivity—contributing to the health and resilience of the broader rural economy.

Unlike urban densification strategies, which aim to reduce the per capita cost of infrastructure in built-up areas, this application supports non-fragmented rural living that remains environmentally low impact while enabling a diverse range of residential needs to be met on agricultural land. This is particularly relevant as many rural landowners and families seek multi-generational or co-habitation options that are not adequately accommodated in existing land use models.

In this regard, the proposal promotes the public interest by:

- Supporting inclusive access to land and housing through shared tenure,
- Encouraging non-sprawling development patterns in rural areas,
- Promoting productive, long-term agricultural land use, and
- Avoiding unnecessary subdivision or loss of agricultural land for fragmented residential use.

The application is therefore fully aligned with the development principles of SPLUMA, particularly those related to spatial resilience, efficiency, and equitable access to land, while maintaining the long-term functionality and integrity of the agricultural holding.

With regards to the **Section 42 of SPLUMA**, 2013 (Act 16 of 2013), specific mention is made to:

(i) the public interest;

Section 3.4.1 of this motivating memorandum discusses how the interest of the public finds support in the context of this application.

(ii) the constitutional and transformation imperatives and the related duties of the State;

The constitutional and transformation imperatives and related duties of the State are encompassed within the

wider context of the RSDF, MSDF, IDP, NSDP and other legislation pertaining to land development in George and are discussed in Sections 4.2, 4.3 and 4.4 and 4.5 of the memorandum in the broad context.

(iii) the facts and circumstances relevant to the application;

The application is motivated in the context of the facts and circumstances (tangible and intangible) surrounding the development of the site. Factors such as surrounding land uses, policy frameworks, engineering services, development trends and the like are discussed and related to the application throughout the motivating memorandum.

(iv) the respective rights and obligations of all those affected;

Section 3.3 of the motivating memorandum discusses the Desirability of the proposed use and should be read bearing in mind Section 3.4 (need for proposed land use change). These sections highlight potential concerns arising from the land use change, more specifically how the development will affect the surrounding land uses and indeed landowners. The application is in line with Council development policies and as such it is reasonable to assume that the application is thus fundamentally sensitive of the rights and obligations of all those affected (general public, the developer, surrounding property owners etc.).

(v) the state and impact of engineering services, social infrastructure and open space requirements;

Section 5 of the motivating memorandum discusses matters related to the engineering services, social facilities and open space in the area surrounding the application site. The engineering departments shall provide comments indicating the additional strain on the existing municipal infrastructure and what the contributions will be for the additional dwelling unit.

(vi) the effect of the land development application on the environment and environmental legislation;

We trust that the application is satisfactory with regards to the above point. No red data species are found near the application site, and the subject property is not subject to an EIA process.

It is thus put forward that the application is desirable given the fact that it will provide additional, quality housing which is well-supported by community facilities. The benefit of the proposed density change is discussed below.

3.6 Benefit of the proposed use

One of the key advantages of the subject property is its significant size (± 91.6 hectares) and low-density rural context, which allows for additional residential accommodation to be provided without compromising agricultural land use or the character of the surrounding area.

In this case, the benefit of the proposed additional dwelling unit is twofold:

It will accommodate the second co-owner and his family, thereby supporting long-term, functional co-ownership of the farm; and

It will ensure that the property continues to be managed, maintained, and inhabited in a stable, responsible and sustainable manner.

From a practical standpoint, allowing a larger-than-usual additional dwelling enables both ownership families to reside on the land without the need for subdivision, loss of productive farmland, or construction of multiple smaller structures that could be more disruptive to the rural character of the property. Instead, the proposed layout and size provide an efficient, consolidated housing solution that respects the landscape and long-term land management goals.

From an aesthetic and investment perspective, the new dwelling will represent a modern, well-designed addition to the site that complements the existing homestead and aligns with broader rural architectural character. Rather than detracting from the visual quality of the farm, the structure will enhance the overall appearance and sense of permanence on the land.

Furthermore, the proposal allows for the continued productive use of the farm, avoids the pitfalls of absentee landownership, and contributes to a more inclusive rural housing model—one that allows for shared

ownership without resorting to urbanisation or land fragmentation.

Unlike urban densification, this proposal does not rely on external engineering services or community facilities. It remains fully self-serviced, limiting any burden on the municipality while still contributing indirectly to the rural economy through employment during construction, long-term land stewardship, and reinvestment in agricultural infrastructure.

In summary, the proposed additional dwelling unit:

- Promotes efficient land and resource use,
- Encourages stable and inclusive rural cohabitation,
- Enhances the built form and value of the agricultural property, and
- Maintains alignment with SPLUMA’s development principles of sustainability, spatial equity, and resilience.

The application is not only desirable but presents a necessary and low-impact land use solution that supports long-term ownership stability and rural development goals—both locally and within the wider George Municipal area.

The next section looks at the policy framework applicable to the application.

4 SPLUMA PRINCIPLES, PLANNING POLICY AND THE RSDF

4.1 Section 7 SPLUMA Principles

The planning policy landscape has seen a big change with the coming into operation of the Spatial Planning and Land Use Act, 2013 (SPLUMA). This Act brings with it a change in the way development planning needs to be addressed and places a greater emphasis on the engineering aspects of the urban environment as well as encouraging a more holistic approach to land use planning as a whole.

SPLUMA sets out Development Principles in Section (7) of the Act. These principles apply to spatial planning, land development and land use management. **The context and legislation by which an application is brought before the Local Authority shall determine which principles are applicable and should be adhered to.** The principles can be summarised as follows:

- a) **Spatial justice** (past development imbalances);
- b) **Spatial sustainability** (realistic land development, environmental concerns, limit urban sprawl);
- c) **Efficiency** (optimize existing land and infrastructure);
- d) **Spatial resilience** (ensure flexibility to absorb and cope with economic and environmental shocks);
and
- e) **Good administration** (integrated approach to land use and development, holistic spatial frameworks, clear policy directives).

PRINCIPLE	COMPLIANCE
SPLUMA Principle 7(a): The principle of spatial justice -	
(i) past spatial and other development imbalances must be redressed through improved access to and use of land;	Job creation is critical in rectifying past spatial imbalances and social/economic exclusion.
(ii) 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;	The George MSDF was compiled with the best interests of the residents of George in mind. Factors such as access to employment, stimulating growth in key areas and working towards rectifying the imbalances that exist in George have been considered and are reflected in this policy. This principle is endorsed.
(iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged	N/A

communities and persons;	
(iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;	The George Integrated Zoning Scheme is applicable to all areas in the Metropolitan.
(v) land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and	N/A
(vi) 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 the application;	This principle is endorsed.
SPLUMA Principle 7(b): The principle of spatial justice sustainability, whereby spatial planning and land use management systems must—	
(i) promote land development that is within the fiscal, institutional and administrative means of the Republic;	This application complies with the principle of fiscal, institutional and administrative sustainability.
(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;	The application site under consideration is not prime or unique agricultural land.
(iii) uphold consistency of land use measures in accordance with environmental management instruments;	The land under consideration does not constitute a listed activity in terms of the National Environmental Management Act.
(iv) promote and stimulate the effective and equitable functioning of land markets;	The creation of one additional dwelling unit will stimulate competitiveness in the land markets as the market is in itself a competitive market.
(v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;	The approval of the application is in the best interest of the general public, as the available land will be more fully utilised as a result of this application. The owner will have to upgrade services if required to do so.
(vi) promote land development in locations that are sustainable and limit urban sprawl; and	No urban sprawl is generated by the approval of this application.
(vii) result in communities that are viable;	The proposed permission application will create an additional dwelling unit within an established and sustainable residential area. This will only increase the viability of the area.
SPLUMA Principle 7(c): The principle of efficiency, whereby -	
(i) land development optimises the use of existing resources and infrastructure;	Approval of the application as set out in this memorandum will further improve the use of the existing land uses and infrastructure.
(ii) decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and	The approval of the application will in fact avoid negative financial, social, economic or environmental impacts given that the development of the site depends on it.
(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties;	In terms of the application process all stakeholders will ensure efficiency thereof and timeframes stipulated by Government officials are strictly adhered to.
SPLUMA Principle 7 (d) the principle of spatial resilience, whereby 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; and	The application is consistent with all planning policies at national, provincial and local level. The application thus complies with this principle.
SPLUMA Principle 7(e): The principle of good administration, whereby -	
(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;	This principle should be implemented with the preparation of planning policies by authorities.

(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;	With the drafting of policies, it is the responsibility of the relevant authorities to liaise and integrate all factors and inputs.
(iii) the requirements of any law relating to land development and land use are met timeously;	This principle is endorsed. Any timeframes stipulated by the Municipality shall be strictly adhered to.
(iv) 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; and	In terms of the application process all relevant engineering stakeholders will be afforded the opportunity to submit objections and-or representations in respect of the application.
(v) policies, legislation and procedures must be clearly set in order to inform and empower members of the public.	This principle is endorsed by the applicant. Land use procedures make provision for a consultation process where the inputs of all role players will be considered and assessed.

In conclusion, the application for an additional dwelling unit and development of a new dwelling unit finds support in the SPLUMA land development principles. It is important to keep in mind the overall goal of the SPLUMA legislation – to ensure that land development in its many shapes and forms, is considered and implemented in a holistic and inclusive way.

The next section provides a brief overview of the Spatial Development Frameworks and other policies applicable to the application.

4.2 National Development Plan, 2030 and National Spatial Development Perspective, 2006

The National Development Plan (NDP), 2030 identifies the need to transform human settlements and outlines 5 objectives to achieve transformation:

- Strong and efficient spatial planning system;
- Well-integrated across the spheres of Government;
- Upgrade all informal settlements on suitable, well-located land by 2030;
- More people living closer to their places of work;
- Better quality public transport; and
- More jobs in or close to dense, urban townships.

The table below sets out these principles in line with the application for consent use for an additional dwelling on Portion 113 of the farm Gwayang 208.

Promotes the concept of reversing entrenched spatial inequalities;	The proposed consent use application in order to develop and additional dwelling unit will result in different type of housing typologies in the area.
Promotes compaction of the city and reduces urban sprawl;	N/A
Promotes the use of public transport and integration with land uses (shorten travel distances);	N/A
Promotes the concept of a walkable city;	N/A
Contributes to the provision of a mix of housing types within the neighbourhood;	N/A
Provision of quality basic services and infrastructure;	The site does not fall in an area which is currently services by municipal infrastructure.
Accelerate higher and shared economic growth and development;	This application will stimulate economic growth by generating employment during the construction phase.
Densification will contribute to economic well-being of the area;	N/A

Fight poverty build clean, healthy, safe and sustainable communities;	The principle of clean, healthy, safe and sustainable communities is fully endorsed.
Effective use of existing infrastructure;	The application will contribute to the optimal use of the application site, and moreover the existing road infrastructure.

The NDP does not address the area in which the subject property is located in particular, but emphasizes the holistic approach to development, re-development and transformation of human settlements.

The current spatial form of South Africa's cities are fragmented and disrupted as a result of apartheid city planning. To eradicate these injustices and damages that occurred during apartheid the **National Spatial Development Perspective (NSDP), 2006** was implemented.

The NSDP is a framework focussed on intervention by the State in equitable and sustainable development. The NSDP states that this perspective is: "a key instrument in the State's drive towards ensuring greater economic growth, buoyant and sustained job creation and the eradication of poverty."

The ultimate purpose of the NSDP is to reconfigure apartheid spatial relations and to implement spatial priorities that will provide basic services to all and alleviating poverty and inequality. This application does its part to promote the concept of reversing these spatial inequities by making use of the available built form and human capital within George. To this end, the application can be submitted as being compliant with the goals and objectives of the NSDP.

The NSDP, 2006 is based on 5 normative principles which, inter alia, states that future settlements and economic development should be channelled into activity corridors and nodes adjacent to major growth centres. Public transport is more effective and more affordable in corridor developments, which will suite the fragmented form of South African Cities and especially George.

The NSDP, 2006 focusses on spatial challenges and highlights the importance of the role that is played by spatial dispensation and the nature of the space economy of the country/region that has certain consequences for meeting the social, economic and environmental objectives of government. The example set out in the NSDF, 2006 illustrates the high costs and difficulties that arise to maintain and service settlements that are scattered and fragmented over vast distances.

4.3 Western Cape Provincial Spatial Development Framework

One of the most significant planning directives in the province is the Western Cape Provincial Spatial Development Framework (WC PSDF). In addition to outlining a new spatial development pattern for the province, the framework makes it apparent where development is permitted and where it is not. Therefore, any development proposal must consider the development framework's provisions.

Spatial justice, sustainability, resilience, efficiency, accessibility, quality of life, and excellent administration are among the concepts that are mentioned in relation to the framework and that spatial planning must adhere to.

The framework does not go to 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.

The next section takes a closer look at the site in the context of the George SDF, which provides a more detailed reference point/guideline in the evaluation of land uses

4.4 George Spatial Development Framework

According to the Municipal Systems Act, 32 of 2000, Section 35 it is stated that the Municipality "has to have regard to its IDP of which the Municipal Spatial Development Framework (MSDF) is a component off."

The aim of the IDP for George Local Municipality is to present a coherent plan to improve the quality of life for people living in George. The IDP also focuses on issues of national and provincial importance and one of its requirements was to seek alignment with national and provincial priorities, policies and strategies. Section 26

of the Municipal Systems Act, 32 of 2000 states that the MSDF must be aligned to the IDP and all other spatial plans must be aligned with the MSDF. This means that no spatial plan of the George Local Municipality may contradict the MSDF or the IDP.

According to the MSDF: “The MSDF leads the Municipality’s policy-driven Land Use Management System. The MSDF provides the long-term spatial framework for decisions made in terms of the Land Use Planning By-Law for George (2023) and George Integrated Zoning Scheme By-Law (2023). These by-laws standardise land use regulations across the municipal jurisdiction aligned to the long-term spatial development outcomes sought by the MSDF and its policies. It is important to note that a MSDF does not confer or take away land use rights, but guides decisions associated with the award and management of such rights. When deciding on an application, the Municipal Planning Tribunal, or any other authority required or mandated to make a land development decision which is consistent with the MSDF (Section 22 of SPLUMA, 2013).

The purpose of the George Municipal Spatial Development Framework (MSDF), as set out in the Spatial Planning & Land Use Management Act (2013) (SPLUMA), is to:

- a) Interpret and represent the spatial development vision of the municipality – informed by a long-term spatial development vision statement and plan.
- b) Guide planning and development decisions across all sectors of government and specifically the municipality and provincial government in its spatial planning and land use management decisions.
- c) Contribute to a coherent, planned approach to spatial development across the spheres of government.
- d) Provide clear and accessible information to the public and private sector and provide direction for investment purposes.
- e) Include previously disadvantaged areas, rural areas, informal settlements, slums and landholdings of state-owned enterprises and government agencies and address their inclusion and integration into the spatial, economic, social, and environmental objectives of the relevant sphere.
- f) Address historical spatial imbalances in development
- g) Identify the long-term risks of spatial patterns of growth and development and the policies and strategies necessary to mitigate those risks.
- h) Provide direction for strategic developments, infrastructure investment, promote efficient, sustainable, and planned investments by all sectors and indicate priority areas for investment in land development.
- i) Promote a rational and predictable land development environment to create trust and stimulate investment.
- j) Assist in integrating, coordinating, aligning, and expressing development policies and plans emanating from the various sectors of the spheres of government as they apply within the municipal area, specifically as it relates to environmental management; and
- k) Outline specific arrangements for prioritising, mobilising, sequencing, and implementing public and private infrastructural and land development investment in the priority spatial structuring areas identified.

4.5 Land Use Planning Act, 2014 (Act 3 of 2014)

This application is submitted in terms of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA), which provides the statutory framework for land use planning and development management in the Western Cape. In accordance with LUPA and the applicable George Municipality Land Use Planning By-law, this application seeks consent use rights to allow for an additional dwelling unit on a property zoned Agricultural Zone I.

LUPA empowers local municipalities to consider and decide on land use applications, including consent uses and deviations from standard zoning provisions, provided such applications are consistent with applicable zoning schemes, spatial planning frameworks, and the principles contained in the Act.

This application has been compiled with due regard to the planning principles outlined in LUPA, including:

Spatial justice-by enabling co-owners of the agricultural land to share secure residential tenure on a single property.

Spatial sustainability-by avoiding unnecessary subdivision or urban sprawl and promoting efficient use of land and infrastructure.

Spatial efficiency-by accommodating additional residential use within the existing footprint of a large rural property that remains viable for agricultural purposes.

The proposed consent use is context-sensitive, appropriate to the size and rural character of the property and aligned with the objectives of responsible land use management under LUPA and the George Integrated Zoning Scheme.

5 ENGINEERING SERVICES, OPEN SPACE AND SOCIAL AMENITIES

In alignment with the requirements of the Spatial Planning and Land Use Management Act (SPLUMA), it is essential to address the engineering services applicable to the property and its broader rural context. While the property is not situated within an urban serviced zone, the proposal has been designed to remain fully self-sufficient and service-responsible, consistent with its agricultural zoning and remote location.

The subject farm is located outside the formal urban edge and does not rely on municipal bulk infrastructure for water, sanitation, or stormwater disposal. Instead, the property is already equipped with its own private services, including:

- On-site water supply through boreholes or local collection methods,
- On-site sanitation systems such as septic tanks or soakaways, and
- Electricity supply, which is either municipal or independently managed (e.g., Eskom or solar backup),
- Access to basic telecommunications infrastructure in the area (e.g., mobile and landline networks).

The introduction of an additional dwelling will not place any pressure on municipal services, as the proposed unit will make use of the same independent infrastructure currently in place. All stormwater will be managed on-site, and no stormwater runoff will affect surrounding properties or public infrastructure.

Furthermore, the size of the property (± 91.6 ha) ensures that adequate space is available for the proper functioning and expansion of private service infrastructure, without posing any risk to environmental health or service capacity in the wider area.

The proposal reflects a responsible and context-sensitive approach to land use and infrastructure, consistent with SPLUMA's principles of sustainable, efficient and coordinated development

5.1 Western Cape Rural Guidelines, 2019

The Western Cape Rural Guidelines, 2019 provides comprehensive guidelines for land use applications on farms in rural areas of the Western Cape. It emphasizes the importance of assessing environmental impacts, land compatibility, and landscape significance.

The Western Cape Rural Guidelines indicate that the establishment of additional dwelling units on farm portions should be carefully managed to prevent overdevelopment and the fragmentation of agricultural land. Specifically, they state that:

- The subdivision of agricultural land to facilitate the addition of supplementary dwellings should be discouraged and only considered as a last resort. This is to avoid fragmenting high-potential agricultural land and to maintain the integrity of farming landscapes.
- All other options for providing housing, such as long-term lease agreements, shareholding arrangements, or restrictions via the title deed, should be explored before resorting to subdivision to create new lots for additional dwelling units.
- When additional dwelling units are permitted, they should be situated to minimize impacts on the primary agricultural operations and should respect the scale, form, and materials consistent with local vernacular architecture.
- The placement of additional dwelling units should consider environmental constraints, such as flood lines and proximity to rivers or coastal zones, to preserve ecological stability and biodiversity

In summary, the guidelines advocate for caution and moderation in the size and distribution of additional dwellings, with a strong preference for integrating them within existing settlements and ensuring they do not compromise agricultural land or the rural environment as per the zoning scheme's provisions.

5.2 Pre-Application Minutes

A pre-application consultation was held on 11 June 2025 with the George Municipality regarding a proposed consent use and possible departure application on Portion 113 of the Farm Gwayang No. 208, Division George. The application seeks consent to allow for additional dwelling units on the 91.6ha agricultural property, as well as administrator's consent to permit such uses in terms of the applicable restrictive title conditions.

In terms of the zoning provisions, the property permits a main dwelling, a second dwelling unit up to 175m², and a maximum of four additional dwelling units with consent. A deviation is proposed from the 175m² limit to allow for a second dwelling of approximately 393m². This deviation is motivated on the basis of the agricultural use and scale of the property.

During the consultation, it was noted that several structures, including possible labourer accommodation units and a separate dwelling to the east, exist on the property but were not reflected in the initial layout. **A detailed and updated site layout plan has been prepared to address this, clearly indicating all existing and proposed structures, their sizes, and uses.**

A consent letter from the Western Cape Department of Agriculture may be required should any existing labourer accommodations be confirmed. In addition, due to a restrictive title deed condition limiting the number of dwellings, the application includes a request for administrator's consent from the Western Cape Department of Infrastructure. **We have contacted the Department of Agriculture to request the required consent letter and are currently awaiting their response. We will forward the letter as soon as it has been received. We have also lodged an application with the Western Cape Department of Infrastructure to obtain administrators consent regarding the restrictive title deed condition.**

The Civil Engineering Services (CES) department provided key input, noting that access from the provincial road network must be confirmed by the provincial roads' authority. All parking and manoeuvring must occur on-site in accordance with the George Integrated Zoning Scheme, 2023. No parking will be permitted within the road reserve. Development charges may be levied where applicable, and the developer will be responsible for providing water, sanitation, and stormwater infrastructure at their own cost, in line with relevant municipal policies and by-laws.

6 CONCLUSION AND RECOMMENDATION

Application is hereby made in terms of Section 15(2)o of the George Land Use Planning By-Law, 2023 for Consent Use for an additional Dwelling unit on Portion 113 of the farm Gwayang 208.

AND

Application is hereby made for a Departure in terms of Section 15(2)(b) of the George Land Use Planning By-Law, 2023 for a departure from the maximum floor area of an additional dwelling unit on Portion 113 of the farm Gwayang 208.

It is the purpose of this application to obtain the necessary permission from Council to allow for an **additional dwelling unit** on the application site and to obtain **relaxation of the maximum floor area for an additional dwelling unit from 175m² to 393m².**

This application is submitted in line with the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), the Land Use Planning Act, 2014 (LUPA), and the current spatial development objectives and planning policy of the George Local Municipality.

The proposal seeks to exercise the owner's land use rights under Agricultural Zone I, by applying for consent use to allow for an additional dwelling unit on a 91.6-hectare agricultural holding, already approved with a main dwelling and a second dwelling. The additional dwelling, proposed at 393m², is intended to accommodate the second co-owner and his family on the same property, promoting shared tenure and long-term land stability.

The application will formalise and legalise an additional unit within the thresholds allowed by the zoning scheme (up to four additional dwellings with consent), thereby aligning the total number of dwellings with the

permissible density for a property of this size. The development will have no adverse effect on the rural character or agricultural productivity of the land and will remain fully self-serviced.

This proposal is in harmony with the character of the rural surroundings, does not affect neighbouring properties, and supports key development priorities such as tenure security, responsible agricultural land use, and spatial efficiency.

The application thus aligns with the principles of SPLUMA, the provisions of LUPA, and the development objectives of the George Local Municipality by enabling responsible, inclusive, and sustainable rural land occupation.

It is strongly submitted that there are sufficient merits to support the application, and that Council will consider the application favourably and to grant it with the controls as indicated.

If any further information is required, it will be forwarded upon Council's request.

Certificate issued by the Commissioner of Companies & Intellectual
Property Commission on Thursday, January 21, 2021 at 13:02



Companies and Intellectual
Property Commission
a member of the dti group

Notice of Incorporation

COR 14.1A

Registration Number: K2021337364
Enterprise Name: PLATINUM MAC INVESTMENTS



Tracking Number: 9339769667



Customer Code: MARFLE

INITIAL DIRECTOR DETAILS

Full Name	Occupation	ID Number / Date of Birth & Country	Appoint. Date	Cellphone Number	Address
VAN DER WESTHUIZEN, MARIUS		8401065183081 South Africa	21/01/2021	0823512366	Postal: PO BOX 4466, DURBANVILLE, DURBANVILLE, WESTERN CAPE, 7551 Residential: 19 GROENBERG WAG, DURBANVILLE, DURBANVILLE, WESTERN CAPE, 7550
BOTMA, DIEDERIK JOHANNES		9104045182087 South Africa	21/01/2021	0825602309	Postal: PO BOX 2635, NELSPRUIT, NELSPRUIT, MPUMALANGA, 1200 Residential: FARM 251 BRONDAL, ROODEWAL, NELSPRUIT, MPUMALANGA, 1200

The incorporators confirm that each person named above has consented to being appointed in terms of section 66(7)(b) as a director of the company, whose Memorandum of Incorporation is attached.



CONVEYANCER CERTIFICATE

I, the undersigned,

Willem Jacobus Van Wyk
(LPCM80688)

a duly qualified and admitted Practising Conveyancer in the employ of Van Wyk Van Heerden Attorneys Incorporated, do hereby certify as follows:

1. I have searched and perused the relevant Title Deeds relating to the following Property, namely:

Remainder of Portion 113 of the Farm Gwayang No. 208, situate in the Municipality and Division of George, Western Cape Province

In extent 91, 6423 (Ninety-One comma Six Four Two Three) Hectares

Held by Deed of Transfer Number T19722/2021

("Property")

Registered in the name of:

PLATINUM MAC INVESTMENTS (PTY) LTD

Registration Number: 2021/337364/07

2. I also herewith* annex a true copy of Diagram S. G. No. 379/1996, marked Annexure "B", being the diagram relating to the above Property. The Property has been consolidated from various components.
3. That component of the Property indicated by the figure u, t, q, p, b, g, F, G, H, h, v on the said Diagram S. G. No. 379/1996 is subject to the following special conditions, contained in Deed of Transfer Number T17027/1959 imposed by the Controlling Authority in terms of Section 11 (3) and (6) of Act No. 21 of 1940, as set out in paragraphs numbered "1, 2, 3 and 4" on the extracted page 4 of the relevant title deed, annexed* hereto marked Annexure "A".
4. The remainder of the above Property does not contain any restrictive conditions relating to the number of dwelling units, and or the size thereof.

5. The only other condition which may be interpreted as a restriction as relevance to that portion of the above Property, indicated by the figure t, q, p, j middle of the water furrow f, F, G, H, J, K, L, m middle of water furrow n, P, Q, r middle of Norga River s, T, u on the said Diagram S. G. No. 379/1996 namely:

“an Endorsement in terms of Section 31(6) of Act No. 47 of 1937 (as amended)

To the effect that portions of the Property in total measuring +- 656m² have been expropriated by the Provincial Administration of the Cape in terms of Section 27 of the Ordinance on Roads No. 19 of 1976, Vide Expropriation Notice No. D17/2-9/4, dated 11 December 1986.”

Willem Jacobus Van Wyk
LPCM80688
Date: 26 August 2025

WILLEM JACOBUS
VAN WYK
TRANSPORTBESORGER/CONVEYANCER
LPCM 80688

1. The land may not be subdivided without the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
2. Not more than one dwelling house, together with such outbuildings as are ordinarily required to be used in connection therewith shall be erected on the land except with the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
3. The land shall be used for residential and agricultural purposes only and no store of place of business or industry whatsoever may be opened or conducted on the land without the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
4. No building or any structure whatsoever shall be erected within a distance of 300 Cape Feet from the centre line of the National Road without the written approval of the National Transport Commission as Controlling authority as defined in Act No. 31 of 1940, read in conjunction with Act No. 44 of 1948."

5. **AS REGARDS** the figure v, h, H, J, T on said Diagram S.G. No. 379/1996:

SUBJECT to the conditions contained in three Deeds of Transfer Nos. T4977/1912 dated 26 June 1912, No. T11016/1913 dated 6 December 1913 and No. T6578/1924 dated 21 July 1924, and to the conditions contained in Annexure "A" to Deeds of Transfer Nos, T4977/1912, T4979/1912 and T4980/1912 all dated 26 June 1912 relating to water and roads.

6. **AS REGARDS** the figure l, K, L, M middle of the water furrow n, P, Q, R, r middle of the Norga River S, T on said Diagram S.G. No. 379/1996:

A. **SUBJECT** to the conditions referred to in Deeds of Transfer Nos. T4981/1912 dated 26 June 1912, No. T8340/1912 dated 9 October 1912 and No. T6578/1924 dated 21 July 1924.

B. **SUBJECT FURTHER** to the conditions contained in Annexure "A" to the three Deeds of Transfer Nos. T4979/1912, T4980/1912 and T4981/1912 all dated 26 June 1912 in so far as they relate to water and roads.

AS REGARDS to figure p, B1 middle of the water furrow f, g, b on said Diagram S.G. No 379/1996:

A. **SUBJECT** to the conditions as referred to in Deed of Transfer No. T20454/1951 dated 26 November 1951;

WILLEM JACOBUS
VAN WYK
TRANSPORTBESORGER/CONVEYANCER
T.P.C.N 80688

ANNEXURE "B"
1/3

SYE Meter	HOEKE	KOORDINATE		L.G. No.
		Y	Steisel Lo 23° X	
	Konstante	±	0,00	+3 700 000,00
AB	1110,37	83 49 20	A	
BC	188,94	186 53 00	B	
CD	371,91	133 39 20	C	
DE	180,38	142 46 00	D	+ 54 035,01
EF		107 28 50	E	+ 54 037,15
FG			F	+ 62 114,21
GH			G	+ 62 294,59
HJ			H	
JK			J	
KL			K	
LM	98,58		L	+ 54 432,80
MN	142,66	104 40 30	M	+ 54 362,27
NP	182,93	75 03 10	N	+ 54 432,83
PQ	144,08	297 49 20	P	+ 54 563,12
QR	64,33	126 46 20	Q	+ 54 604,68
RS	49,37	100 45 50	R	+ 54 665,13
ST	192,47	127 25 10	S	+ 54 690,38
TU	406,92	281 36 30	T	+ 54 615,76
UV	409,31	178 11 50	U	+ 55 014,94
VW	419,61	88 12 30	V	+ 55 413,76
WX	259,44	267 37 30	W	+ 55 306,59
XA	244,11	99 20 10	X	+ 55 554,72

379/1996
Goedgekeur
JH Bailey
Landmeter-generaal
1996-03-01

VEL 1 VAN 3 VELLE

vervolg op vel 2

Komponente :

1) Die figuur a, B, c, middel van Gwayangrivier d1, d2, middel van Gwayangrivier moeras e, f, middel van watersloot a1, Z, Y, C1, p, q, t, u, U, V, W, x, middel van Norgarivier synde Gedeelte 108 van die Plaas GWAYANG Nr 208. Sien kaart 2497/92 geheg aan Sertifikaat van Gekonsolideerde Titel 1993.59..2907

2) Die figuur t, q, p, j, middel van watersloot, f, F, G, H, J, K, L, m, middel van watersloot, n, P, Q, r, middel van Norgarivier s, T, u synde die restant van Gedeelte 64 van die Plaas GWAYANG Nr 208. Sien kaart 5934/63 geheg aan Sertifikaat van Gekonsolideerde Titel No 1965.164.8160

Die figuur a, B, c, middel van Gwayangrivier d1, d2, middel van Gwayangrivier moeras e, F, G, H, J, K, L, m, middel van watersloot n, P, Q, r, middel van Norgarivier, s, T, U, V, W, x, middel van Norgarivier uitgesluit die figuur Y, Z, a1, middel van sloop j, C1 stel voor 92,7299 hektaar grond synde water

Gedeelte 113 van die Plaas GWAYANG NR 208 bevattende 1. en 2. hierb geleë in die Administratiewe Distrik van George, Provinsie Weskaap
Saamgestel in Januarie 1996
deur my.

JH Bailey
Professionele Landmeter
J H Bailey PLS 0019

Hierdie kaart is geheg aan
No. T 39093/96
gedateer
t.g.v.

Die oorspronklike kaarte
is soos bo aangehaal

Lêer No. Geor 208
M.S. No.Saamgestel
Komp.BL-7DDC (4134)

WILLEM JACOBUS
VAN WYK
TRANSPORTESORGER/CONVEYANCER
LPCM 80688

2/3

SYE Meter	HOEKE		KООRDINATE Y Stelsel Lo 23°		
	Konstante		+	0, 00	+3 700 000, 00
Uitgesluite figuur.					
YZ	116,60	268 17 20	Y	+ 54 374,98	+ 62 098,21
ZA1	91,43	229 05 00	Z	+ 54 258,71	+ 62 103,73
A1B1			A1	+ 54 202,14	+ 62 175,55
B1C1			B1	+ 54 209,35	+ 62 204,61
C1Y	111,47	275 58 20	C1	+ 54 383,53	+ 62 209,35
Konneksies.					
VD1	271,88	180 00 00	UVD1	D1+	+ 55 678,65 + 62 186,22
RE1	57,30	180 00 00	RE1	E1+	+ 54 719,57 + 62 656,30
		180 00 00	C1jB1		
		180 00 00	Lm		
		180 00 00	Pn		
		180 00 00	Qr		
		180 00 00	Ts		
Geo 3			Δ	+ 51 650,26	+ 62 036,32
Brakkefontein			Δ	+ 56 611,25	+ 68 014,29

L.G. No.
379/1996
Goedgekeur
A.P. Coenraad
Landmeter-generaal
1996-03-01

VEL 2 VAN 3 VELLE

Beskrywing van bakens :

- D, M, N, R - ingeplante klip gelyk met die grond
- E - 25mm ysterpen 900mm lank wat 225mm uitsteek
- L, P - 25mm ysterpen 900mm lank wat 150mm uitsteek
- Q, T - ingeplante klip wat 300mm uitsteek
- S - ingeplante klip wat 450mm uitsteek
- U - 350mm X 200mm ingeplante klip wat 450mm uitsteek
- V, W - 25mm ysterpen 900mm lank aan oostekant van betonblok wat 150mm uitsteek met aanduidingsmerke
- X - 300 x 200mm ingeplante klip wat 300mm uitsteek met aanduidingsmerke
- Y, C1 - 20mm ysterpen
- Z, A1 - 25mm ysterpen 900mm lank wat 150mm uitsteek
- B1 - 20mm ysterpen aan oostekant van betonblok wat 150mm uitsteek
- D1 - 200 X 150mm ingeplante klip wat 675mm uitsteek met aanduidingsmerke
- E1 - ingeplante klip wat 600mm uitsteek

Serwituutnota :

Die figuur e1, A, B, c, middel van Gwayangrivier, f1, g1, h1, j1, middel van Norgarivier, stel voor 'n Elektriese kraglynserwituutgebied volgens kaart Nr 2624/75 serwituutakte Nr 958/85

J. Bily

Gedeelte 113 van die Plaas GWAYANG NR 208
geleë in die Administratiewe Distrik van George.
Provinsie Weskaap
Saamgestel in Januarie 1996

Professionele Landmeter

WILLEM JACOBUS
VAN WYK
TRUSSELOERSORGER/CONVEYANCER
LPCMA 80688

3/3

Inlas 1 Skaal 1: 5000

Inlas 2 Skaal 1: 7500

L.G. No.

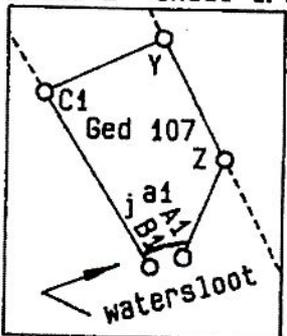
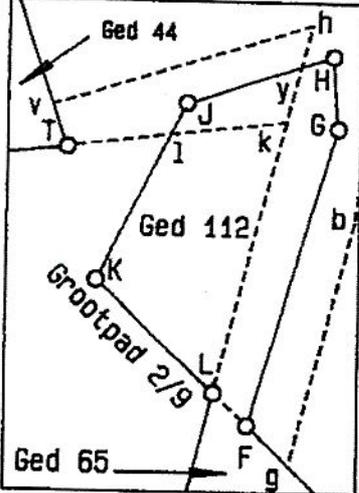
379/1996

Goedgekeur

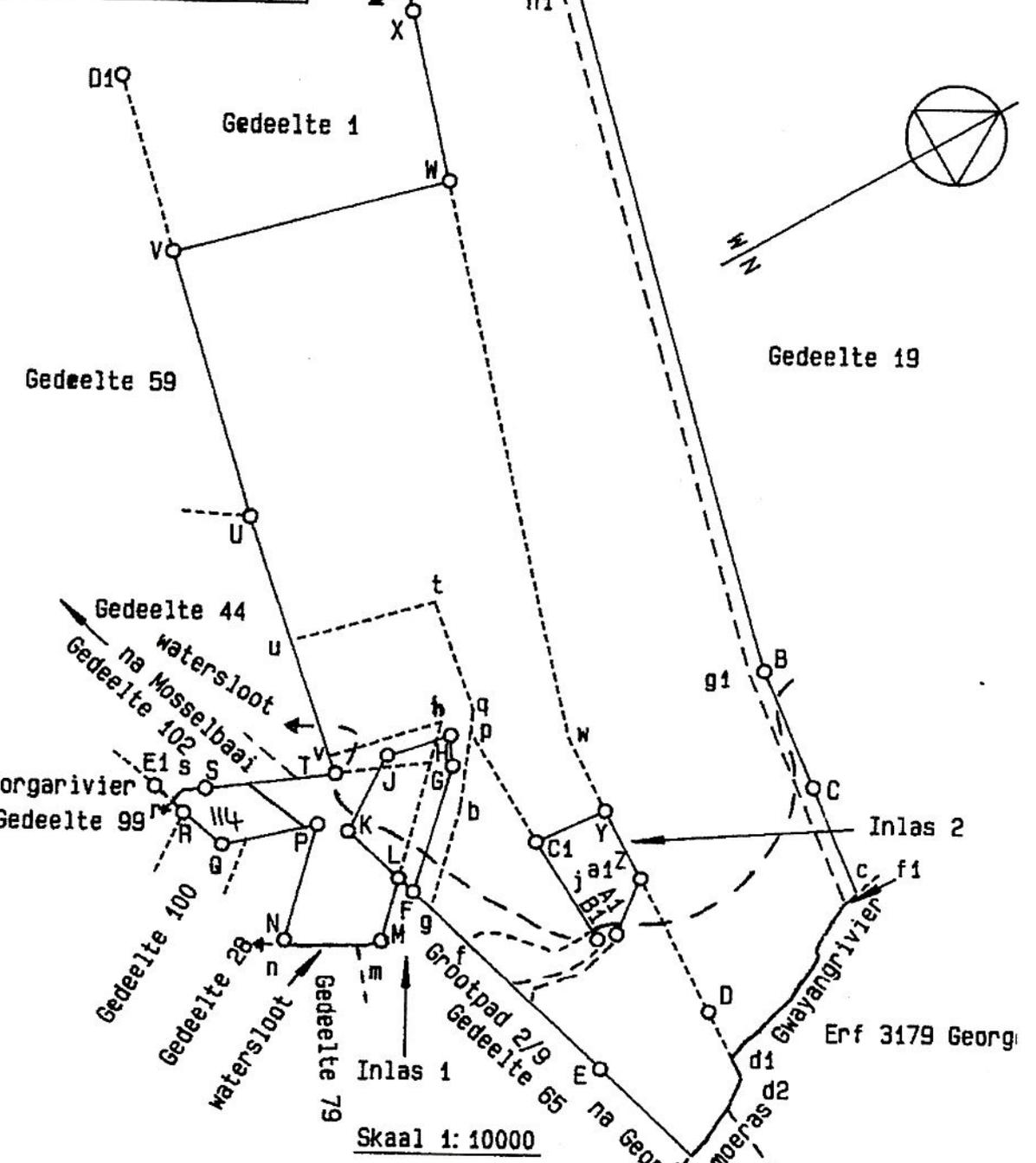
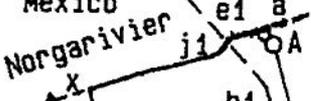
M.P. Coeney

Landmeter-genera
1996-03-01

VEL 3 VAN 3 VELLE



Gedeelte 38 Mexico Gedeelte 24



Gedeelte 113 van die Plaas GWAYANG NR 208
 geleë in die Administratiewe Distrik van George,
 Provinsie Weskaap
 Saamgestel in Januarie 1996

J.P. Bailey
 Professionele Landmeter

WILLEM JACOBUS
 VAN WYK
 TRANSPORTREORGANEER/CONVEYANCER
 L.P.C.M. 80688

Reference: 11/5/1 -GEN Fax Number: +27 (0) 21 910 1699
Date: 08 September 2025 Direct Line: +27 (0) 21 957 4600
Email: PekulaS@nra.co.za Website: www.nra.co.za

SANRAL



BUILDING SOUTH AFRICA
THROUGH BETTER ROADS

Cnr Brooklyn & 1st Street
Menlopark
Pretoria
0081

Email: arno@ntas.co.za

Dear Arno

**PROPOSED BUILDING WORKS ON PORTION 113 OF THE FARM GWAYANG 208,
GEORGE ROAD.**

Your email dated 29 July 2025 has reference.

The South African National Roads Agency SOC Limited (SANRAL), has no jurisdiction regarding the above application and therefore has no comment.

Yours Sincerely

SPekula.....

Sinazo Pekula

STATUTORY CONTROL

ID: 30486360

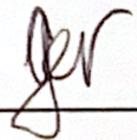
SPECIAL POWER OF ATTORNEY

I, **Marius van der Westhuizen** (ID NO.8401065183081) the undersigned, acting on behalf of **PLATINUM MAC INVESTMENTS PROPRIETARY LIMIT (2021/337364/07)** do hereby nominate, constitute and appoint **ANDRE ALBERTUS JANSEN VAN NIEUWENHUIZEN**, of the firm **NEW TOWN TOWN PLANNERS (CK95/00647/23)**, with power of substitution, to be our lawful representative in our name, place and stead, to lodge an application for the **CONSENT OF THE CONTROLLING AUTHORITY, CONSENT USE AND DEPARTURE ON REMAINDER OF PORTION 113 OF THE FARM GWAYANG 208** to such authorities as may be necessary and generally for effecting the purpose aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as we might or could do if personally present and acting herein, hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever our whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as we might or could do if personally present and acting herein, hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever our Agent shall lawfully do, or cause to be done, by virtue of these present.

In addition to apply for such amendments of the Town Planning Scheme, as may be deemed necessary and to make any other necessary applications and further to represent us at any enquiry in relation to the above-mentioned matters and generally do whatever may be necessary or desirable to procure the approval of the application

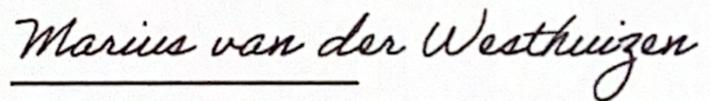
Signed at George on this 27 day of **May 2025** in the presence of the undersigned Witnesses.

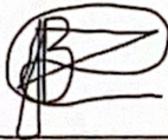
AS WITNESSES:

1. 

2. 

SIGNATURE





RESOLUTION

PASSED AT GEORGE,

ON THIS __ DAY OF MAY 2025

RESOLVED THAT

1. I, Marius van der Westhuizen ID No: 8401065183081, in my capacity as a Director of **PLATINUM MAC INVESTMENTS PROPRIETARY LIMIT (2021/337364/07)** makes application to the authorities as may deemed necessary for **CONSENT OF THE CONTROLLING AUTHORITY, CONSENT USE AND DEPARTURE ON REMAINDER OF PORTION 113 OF THE FARM GWAYANG 208**
2. **ANDRE ALBERTUS JANSEN VAN NIEUWENHUIZEN**, of the firm **NEW TOWN ASSOCIATES (CK 95/00647/23)** is hereby given Power of Attorney to sign applications and any other documents, which may be deemed necessary to give effect hereto.
3. I, **Diederik Johannes Botma ID 9104045182087**, a Director of **PLATINUM MAC INVESTMENTS PROPRIETARY LIMIT (2021/337364/07)** is hereby authorised to sign any documents on behalf of the trust, which may be deemed necessary to give effect to the resolution.

CERTIFIED AS A TRUE EXTRACT

SIGNATURE

Marius van der Westhuizen

Marius van der Westhuizen

Director

SIGNATURE



Diederik Johannes Botma

Director

53

Van der Vyver Inc.
PO Box 10457
George
6530

Prepared by me



CONVEYANCER
LOUIS RUDOLPH LE ROUX
(LPCM NO 82492)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 16 250 000,00	R. 4 292,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

T 000019722 / 2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

LYNNE BOTHA (LPCM 82076)

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

ZELPY 1287 PROPRIETARY LIMITED
Registration Number 2002/006833/07

which said Power of Attorney was signed at CAPE TOWN on 1 MARCH 2021

DATA / CAPTURE
29-04-2021
VUYELWA LAMANI

And the appearer declared that his/her said principal had, on 10 February 2021, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

PLATINUM MAC INVESTMENTS PROPRIETARY LIMITED
Registration Number 2021/337364/07

or its Successors in Title or assigns, in full and free property

REMAINDER OF PORTION 113 OF THE FARM GWAYANG NO 208
IN THE MUNICIPALITY AND DIVISION OF GEORGE, WESTERN CAPE
PROVINCE

IN EXTENT 91,6423 (NINETY ONE COMMA SIX FOUR TWO THREE)
Hectares

FIRST REGISTERED by Certificate of Consolidated Title Number
T39093/1996 with Diagram S.G No. 379/1996 relating thereto and held by
Deed of Transfer Number T10420/2012

1. **AS REGARDS** to the figure W, w, Y, C1, p, q, t, u, V on said Diagram S.G. No.
379/1996:

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number
T20454/1951.

B. **SUBJECT FURTHER** to the conditions contained in Annexure "A" of
Deeds of Transfer Numbers T4977/1912, 4979/1912 and 4980/1912, all
dated 26 June 1912 in so far as they relate to water and roads.

C. **ENTITLED** to all benefits in terms of the following endorsement dated 1
April 1965 on Deed of Transfer Number T20454/1951:

"Para 4 Gedeelte 62-4,0085 Hektaar.
Getransporteer aan Boedel wyle JJ Stander No. 8159 Restant 52,1705
Hektaar sonder Waterregte."

D. **ENTITLED** to the benefits under the following special condition contained
in the said Deed of Transfer Number T8161/1965, namely:

"Die Transportnemer en sy opvolgers in Titel as geregistreerde eienaar
van die eiendom hierdeur getransporteer sal geregtig wees op alle
waterregte waarop die gemelde Transportgewer geregtig was as
geregistreerde eienaar van:

SEKER stuk opgehefte erfpaggrond geleë in die Afdeling van George,
synde die restant van Gedeelte 1 van die plaas Gwayang;

GROOT: 60,9091 Morge;

GEHOU kragtens Transportakte Nr. T20454/1951 gedateer 26 November
1951.

Die Transportgewer en sy Opvolgers in Titel as geregistreerde eienaars soos voormeld sal in die toekoms nie geregtig wees op sulke waterregte nie."

2. **AS REGARDS** to the figure Z, d1 middel of Gwayang River Swamp e, f middle of water furrow A1 on said Diagram S.G. No. 379/1996:
 - A. **SUBJECT** to the conditions referred to in Deed of Transfer dated 26 November 1951, No. T20454/1951;
 - B. **SUBJECT FURTHER** to the conditions contained in Annexure A to Deeds of Transfer dated 26 June 1912, Nos. 4977, 4979 and 4980, in so far as they relate to water and roads.

3. **AS REGARDS** the figure x middle of Norga River a, B, c middle of Gwayang River, d1, w on said Diagram S.G. No. 379/1996.
 - A. **SUBJECT** to the conditions referred to in Deeds of Transfer dated 26 June 1912, Nos 4978, 4979 and 4980, in so far as they relate to water and roads.
 - B. **SUBJECT FURTHER** to an endorsement dated 3 September 1985 on Certificate of Consolidated Title No. T972/1970, namely:

"Kragtens Notariële Akte Nr. K958/1985s is die binnevermelde eiendom onderhewig aan die reg ten gunste van ESKOM om elektrisiteit daaroor te lei, tesame met bykomende regte en onderhewig aan voorwaardes, soos vollediger sal blyk uit die gesegde Akte (en Kaart), afskrif waarvan hieraan geheg is."

This servitude area is respresented by the figure e1, A, B, c middle of Gwayang River f1, g1, h1, j1 middle of Norga River on said Diagram S.G. No 379/1996.

4. **REGARDING** the figure u, t, q, p, b, g, F, G, H, h, v on said Diagram S.G. No. 379/1996:
 - A. **SUBJECT** To the conditions referred to in Deed of Transfer No. T20454/1951 dated 26 November 1951.
 - B. **SUBJECT FURTHER** to the conditions contained in Annexure "A" to Deeds of Transfer Nos. 4977,4979 and 4980 all dated 26 June 1912, in so far as they relate to water and roads.
 - C. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T17027/1959 dated 19 November 1959, imposed by the Controlling Authority in terms of Section 11 (3) and (6) of Act No. 21 of 1940:

1. The land may not be subdivided without the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
 2. Not more than one dwelling house, together with such outbuildings as are ordinarily required to be used in connection therewith shall be erected on the land except with the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
 3. The land shall be used for residential and agricultural purposes only and no store of place of business or industry whatsoever may be opened or conducted on the land without the written approval of the National Transport Commission as Controlling Authority as defined in Act No. 21 of 1940, read in conjunction with Act No. 44 of 1948.
 4. No building or any structure whatsoever shall be erected within a distance of 300 Cape Feet from the centre line of the National Road without the written approval of the National Transport Commission as Controlling authority as defined in Act No. 31 of 1940, read in conjunction with Act No. 44 of 1948."
5. **AS REGARDS** the figure v, h, H, J, T on said Diagram S.G. No. 379/1996:
SUBJECT to the conditions contained in three Deeds of Transfer Nos. T4977/1912 dated 26 June 1912, No. T11016/1913 dated 6 December 1913 and No. T6578/1924 dated 21 July 1924, and to the conditions contained in Annexure "A" to Deeds of Transfer Nos, T4977/1912, T4979/1912 and T4980/1912 all dated 26 June 1912 relating to water and roads.
6. **AS REGARDS** the figure l, K, L, M middle of the water furrow n, P, Q, R, r middle of the Norga River S, T on said Diagram S.G. No. 379/1996:
- A. **SUBJECT** to the conditions referred to in Deeds of Transfer Nos. T4981/1912 dated 26 June 1912, No. T8340/1912 dated 9 October 1912 and No. T6578/1924 dated 21 July 1924.
 - B. **SUBJECT FURTHER** to the conditions contained in Annexure "A" to the three Deeds of Transfer Nos. T4979/1912, T4980/1912 and T4981/1912 all dated 26 June 1912 in so far as they relate to water and roads.
7. **AS REGARDS** to figure p, B1 middle of the water furrow f, g, b on said Diagram S.G. No 379/1996:
- A. **SUBJECT** to the conditions as referred to in Deed of Transfer No. T20454/1951 dated 26 November 1951;

B. **SUBJECT FURTHER** to the conditions contained in Annexure "A" to the three Deeds of Transfer Nos. T4977/1912, T4979/1912 and T4980/1912 dated 26 June 1912 insofar as they relate to water and roads.

8. **AS REGARDS** the figure t, q, p, j middle of the water furrow f, F, G, H, J, K, L, m middle of water furrow n, P, Q, r middle of Norga River s, T, u on said Diagram S.G. No 379/1996 namely:

"Endossement in terme van Artikel 31(6) van Wet 47 van 1937 (soos gewysig)

Gedeeltes van die eiendom hierin vermeld gesamentlik groot +- 656m² is onteien deur die Provinsiale Adm. Van die Kaap in terme van Artikel 27 van die Ord. op Paaie Ord 19 van 1976 Vide Onteieningskennisgewing Nr. D17/2-9/4 d.d. 11.12.1986 geliasseer as Onteienings Caveat planne in tweevoud geliasseer EX545/86."

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

ZELPY 1287 PROPRIETARY LIMITED
Registration Number 2002/006833/07

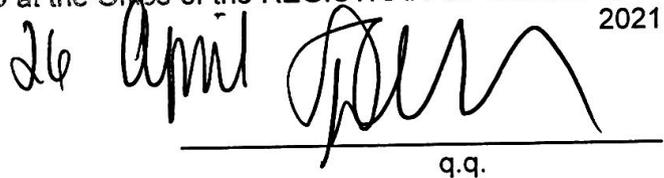
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

PLATINUM MAC INVESTMENTS PROPRIETARY LIMITED
Registration Number 2021/337364/07

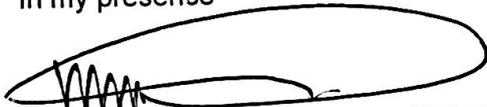
or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R16 250 000,00 (SIXTEEN MILLION TWO HUNDRED AND FIFTY THOUSAND RAND) .

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

26 April 2021

q.q.

In my presence


REGISTRAR OF DEEDS

Reference Details

Transfer Duty Reference Number: TDE0422112

Details

Details of Seller / Transferor / Time Share Company			
Surname / Registered Name ZELPY 1287 PROPRIETARY LIMITED		Full Name ZELPY 1287 PROPRIETARY LIMITED	
Company / CC / Trust Reg No. 200200683307		Marital Status	
Details of Purchaser / Transferee			
Full Name PLATINUM MAC INVESTMENTS PROPRIETARY LIMITED		Surname / Registered Name PLATINUM MAC INVESTMENTS PROPRIETARY LI	
Company / CC / Trust Reg No. 202133736407		Marital Notes if applicable	
Details of the Property			
Date of Transaction/Acquisition (CCYYMMDD) 2021-02-10			
Total Fair Value R 16250000.00		Total Consideration R 16250000.00	
Calculation of Duty and Penalty / Interest			
Transfer Duty Payable on Natural Person R 0.00			
Property Description			
1 REMAINDER OF PORTION 113 OF THE FARM GWAYANG NO 208 IN THE MUNICIPALITY AND DIVISION OF GEORGE, WESTERN CAPE PROVINCE IN EXTENT 91,6423 (NINETY ONE COMMA SIX FOUR TWO THREE) Hectares			

Exemption Certificate

Exemption Certificate Details	
Transfer Duty Reference No. TDE0422112	Exempt in terms of Section 9 of the Transfer Duty Act Other
Exemptions allowed by another Act Section 9(15)	

Declaration by Conveyancer / Attorney

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXXXXXXXXXXXXXXX
**LOUIS RODOLPH
 LE ROUX**
 Please ensure you sign over
 the 2 lines of "X"s above
 ff9f4b66a2c8828558a569
 dc6d772559b3069f71

Date (CCYYMMDD) **20210414**

For enquiries go to www.sars.gov.za or call 0800 00 SARS (7277)



CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000) (AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY GEORGE LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to George Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): PATIENCE
Erven: 208
Portion: Remainder of 113
Extension: GWAYANG
Zoning:
Registration division / Administrative District:
Suburb:
Town:
Sectional Title unit number:
Exclusive use area and number as referred to on the registered plan:
Real right:
Scheme registration number:
Sectional Title Scheme Name:
Registered owner: ZELPY 1287 PROPRIETARY LIMITED (2002/006833/07)
Name and Identity/ Registration Number of all purchaser/s: PLATINUM MAC INVESTMENTS PROPRIETARY LIMITED (2021/337364/07)

This Certificate is valid until: 14/06/2021
Given under my hand at GEORGE on 15/04/2021

Digitally signed by George Municipality
Signee: Winnifred Kennedy
Sign date: 15/04/2021 05:58:08.045 PM
Expiration date: 26/02/2022 11:22:02 AM

MUNICIPAL MANAGER
George Local Municipality

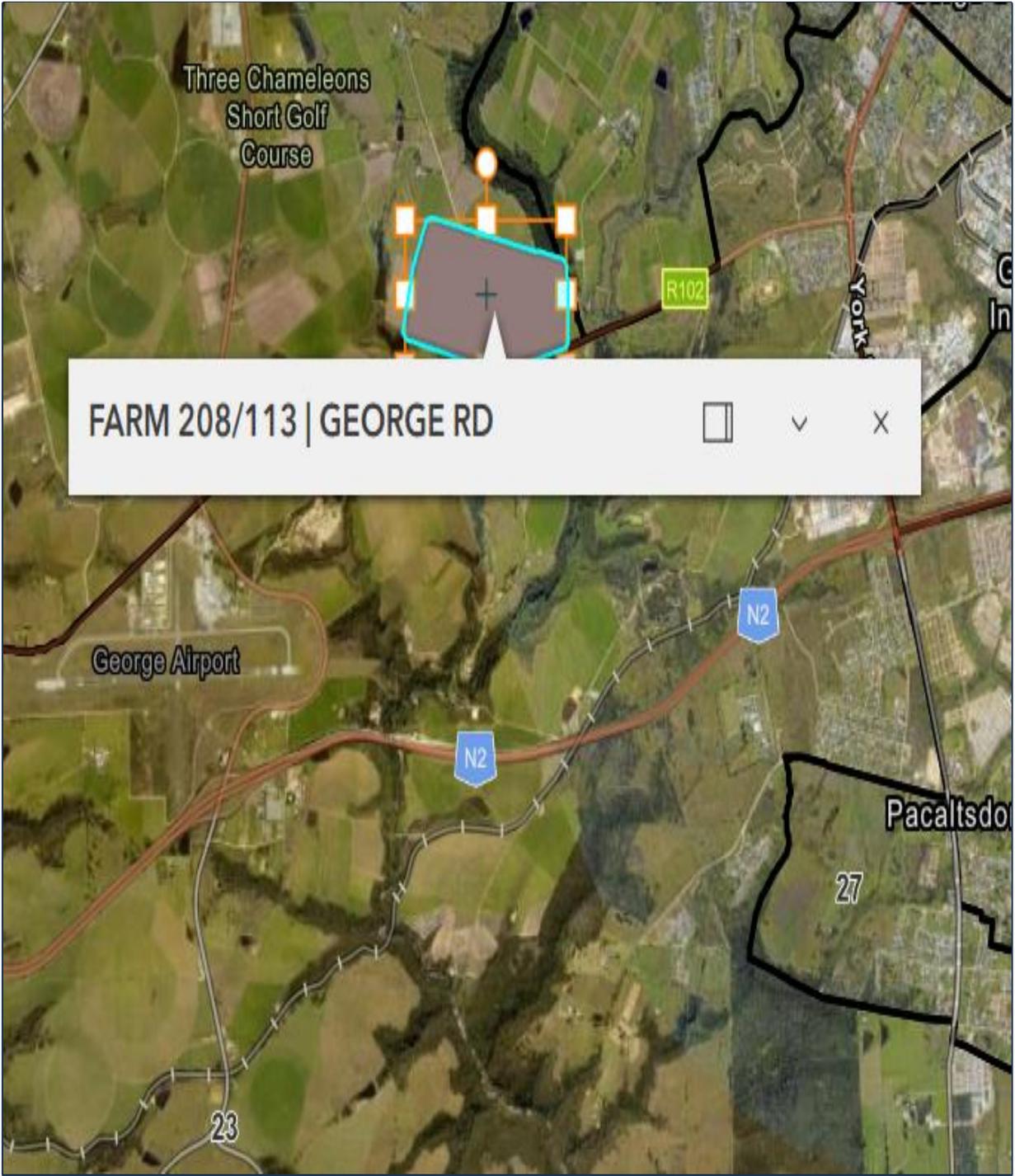
Date issued: 15/04/2021
Authorised Officer: Winnifred Kennedy

Certificate By Conveyancer: LOUIS RUDOLPH
I LE ROUX (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the George Local Municipality.

Conveyancer

Date

16-4-2021



FARM 208/113 | GEORGE RD



Locality Plan

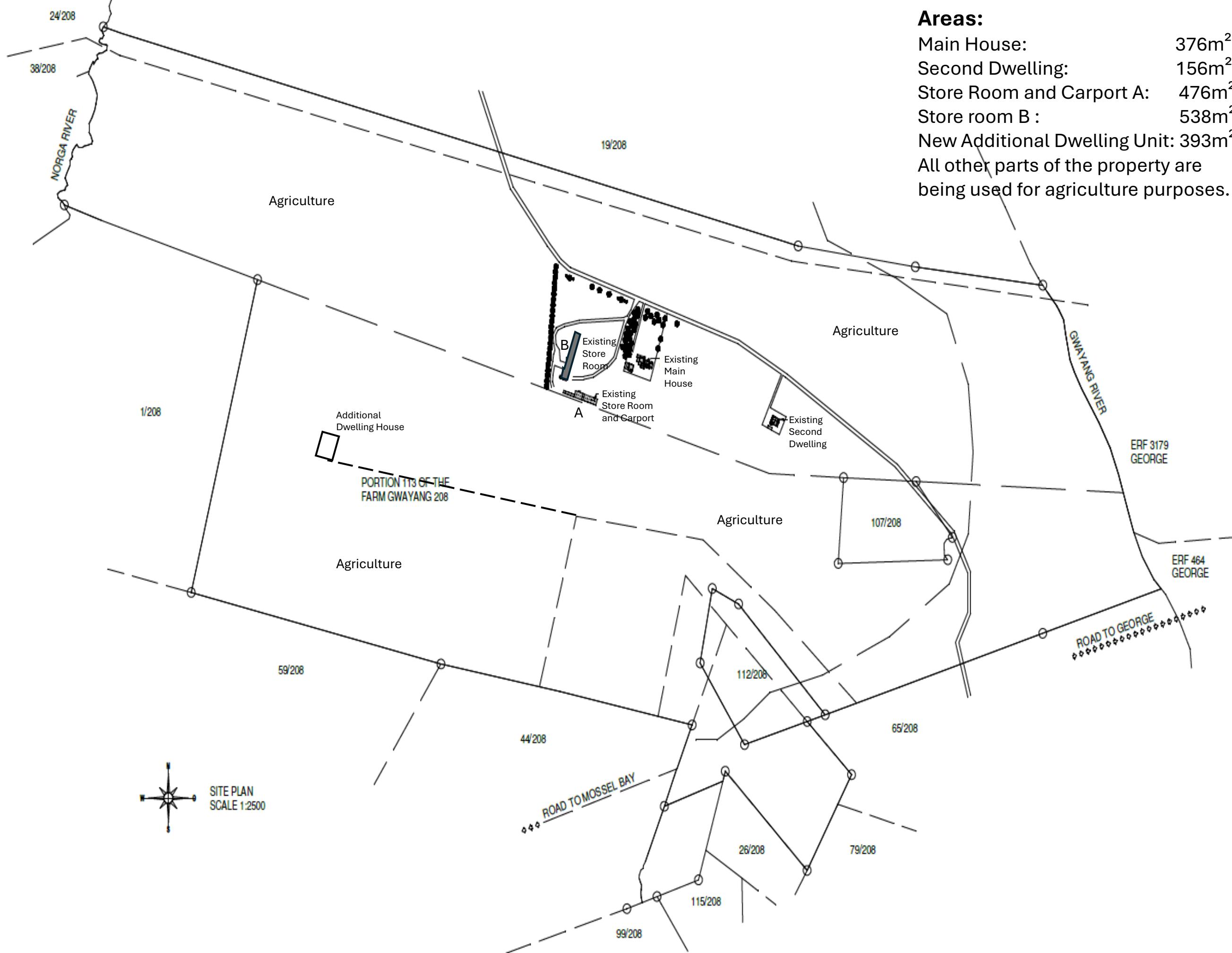
Portion 113 of the farm
Gwayang 208

The site 

Ref. A1492

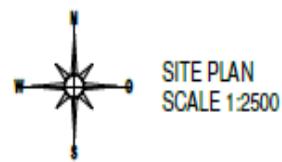


Cnr Brooklyn & 1st Street
Menlo Park
P.O Box 95617
Waterkloof
0145
Tel: (012) 358 3204
Email: andre@ntas.co.za



Areas:

Main House:	376m ²
Second Dwelling:	156m ²
Store Room and Carport A:	476m ²
Store room B :	538m ²
New Additional Dwelling Unit:	393m ²
All other parts of the property are being used for agriculture purposes.	



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: 3736934

Purpose of consultation: Getting clarity if council would support the proposed Administrators' Consent and Departure applications.

Brief proposal: The property owner intends to regularize an existing additional dwelling unit of approximately 393m² that has been constructed on the agricultural property without prior land use approval. The dwelling exceeds the size typically permitted for agricultural worker accommodation under the George Integrated Zoning Scheme, which restricts such units to a maximum of 175m².

In order to bring the development into compliance with municipal planning regulations, the owner will submit the necessary land use applications. These include a departure application in terms of Section 15(2)(b) of the George Municipal Planning By-Law to depart from the maximum 175m² floor area, and a consent use application to allow for the additional dwelling unit on the Agricultural Zone I property.

In addition, the property is subject to a restrictive title deed condition that limits the number of dwellings permitted on the land. To address this, the owner will also apply for Administrator's Consent at the Provincial Government Roads Authority to relax the relevant condition in the title deed

The intention is to formalize the existing structure and ensure that all development on the site aligns with the applicable zoning scheme, title deed restrictions, and municipal requirements.

Property(ies) description: Remainder of Portion 113 of the farm Gwayang

Date: 2025/06/11

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Ilané Huyser	George Municipality	044 801 9477	ihuyser@george.gov.za
Official	Fakazile Vava	George Municipality	044 801 9477	fvava@george.gov.za
Pre-applicant	Andre van Nieuwenhuizen	New Town Town Planners	082 900 1745	andre@ntas.co.za
	Arno Kruger	New Town Town Planners	071 485 3813	arno@ntas.co.za

Documentation provided for discussion:

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

Title Deed

Site Layout Plan

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

YES	NO
-----	-----------

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

Comprehensive overview of proposal:

Application for Consent Use & Land Use Departure

This proposal is submitted in anticipation of a formal application and serves to initiate a pre-application discussion with the Municipality. The objective is to clarify the required processes and determine whether the Municipality is likely to support the proposed consent use and departure application.

Restrictive Title Conditions

Condition 4(C)(2) restricts certain development rights unless consent is obtained from the Provincial Government Roads Authority.

Additional Dwelling and Departure.

The proposal involves the retrospective regularization of an additional dwelling unit of approximately 393m² that has been constructed on the property without prior land use approval.

Key Points: The property is zoned Agricultural Zone I in terms of the George Integrated Zoning Scheme.

According to the Scheme, additional dwellings for bona fide agricultural workers may be permitted, but are limited to a maximum of 175m². The existing 393m² unit therefore exceeds the permissible size, and a departure from the maximum floor area is required. A Consent Use application will also be submitted to permit additional dwelling on agricultural property.

Request for Municipal Input and Support

As part of this pre-application process, we kindly request confirmation from the Municipality on the following: To confirm the correct application process, obtain guidance on any additional requirements, and ensure that the proposed applications will address the identified contravention and align with municipal policy and procedure.

Summary of Proposed Applications

Consent Use Application – to permit the additional dwelling.

Departure Application – to allow the unit to exceed 175m².

Administrator’s Consent Application (Provincial Government Roads Authority) – to give consent regarding the restrictive title deed condition.

Outcome Sought

We aim to ensure alignment with municipal policy and expectations before submitting formal applications. We would appreciate any guidance Council can provide regarding the merits of the proposal and the likelihood of support for the consent use and departure.

PART B: APPLICATION PROCESS

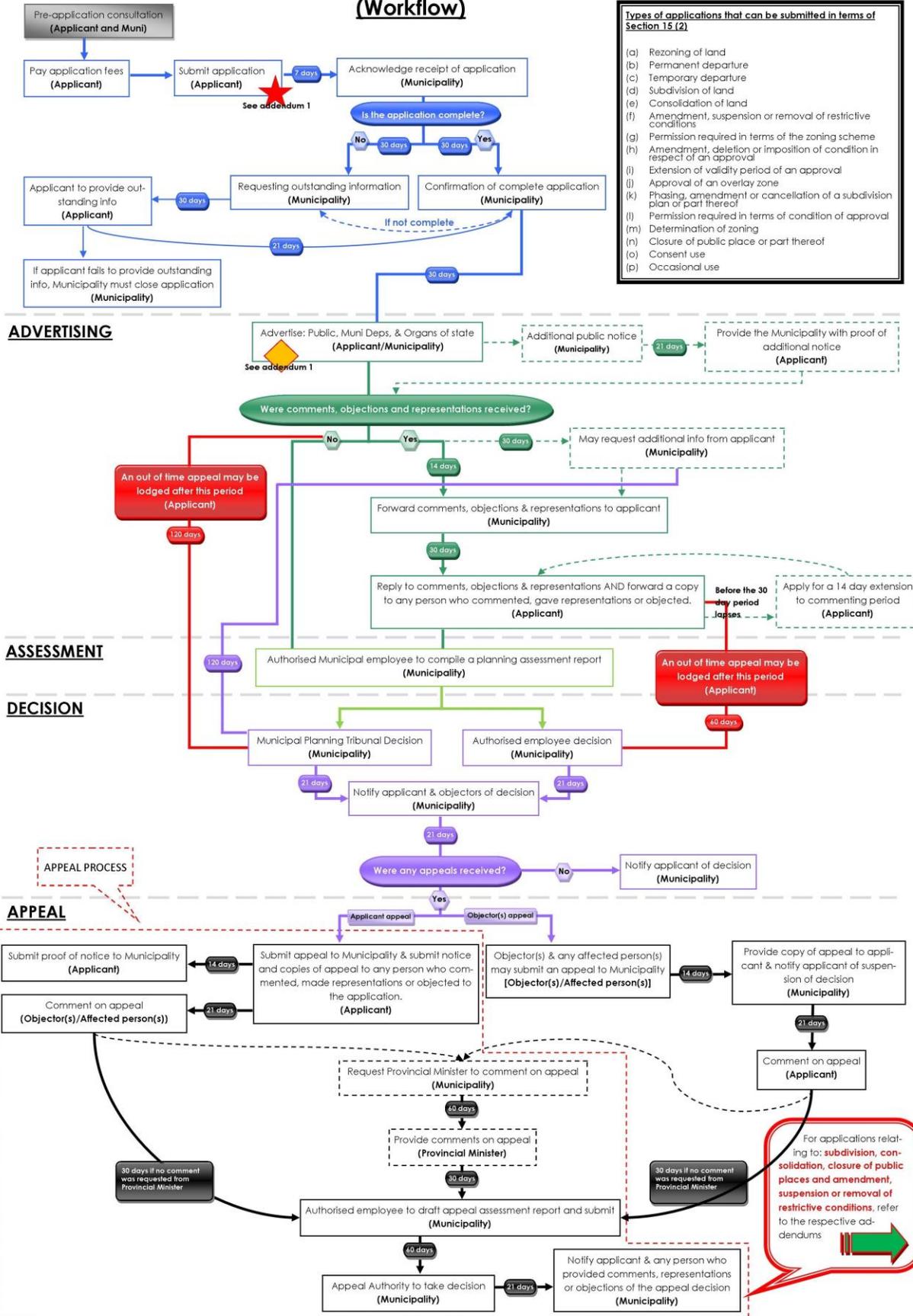
(WILL FULLY APPLY ONLY ONCE LUPA REGULATIONS ARE IN FORCE)

SUBMISSION

Draft By-Law on Municipal Land Use Planning

(Workflow)

- Types of applications that can be submitted in terms of Section 15 (2)**
- (a) Rezoning of land
 - (b) Permanent departure
 - (c) Temporary departure
 - (d) Subdivision of land
 - (e) Consolidation of land
 - (f) Amendment, suspension or removal of restrictive conditions
 - (g) Permission required in terms of the zoning scheme
 - (h) Amendment, deletion or imposition of condition in respect of an approval
 - (i) Extension of validity period of an approval
 - (j) Approval of an overlay zone
 - (k) Phasing, amendment or cancellation of a subdivision plan or part thereof
 - (l) Permission required in terms of condition of approval
 - (m) Determination of zoning
 - (n) Closure of public place or part thereof
 - (o) Consent use
 - (p) Occasional use



ADVERTISING

ASSESSMENT

DECISION

APPEAL PROCESS

APPEAL

For applications relating to: **subdivision, consolidation, closure of public places and amendment, suspension or removal of restrictive conditions**, refer to the respective addendums

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
	2(b)	a permanent departure from the development parameters of the zoning scheme;	To be determined
	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;	To be determined
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a homeowner's association;	R
	2(r)	to rectify a failure by a homeowner'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,	R

		letters of consent etc.)	
Y	N	Placing of final notice (i.e. Provincial Gazette etc.)	R
TOTAL APPLICATION FEE* (VAT excluded):			To be determined

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?	x			
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			Condition 4(C)(2) Controlling Authority Provincial Government Roads Authority
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? <u>George Integrated Zoning Scheme By-Law, 2023</u> What is the current zoning of the property? <u>Agricultural Zone I (AZI)</u> What is the proposed zoning of the property? <u>Agricultural Zone I (AZI)</u> Does the proposal fall within the provisions/parameters of the zoning scheme? <u>Yes</u> Are additional applications required to deviate from the zoning scheme? (if yes, specify) <u>Administrators Consent and departure</u>				

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 / 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 authorization 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 wastewater:			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.				
Development charges:				

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	Homeowners' 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

Pre-application as discussed on 11 June 2025 for a proposed consent use application to allow for additional dwelling units and possible departure on Gwayang Farm 208 Portion 113, Division George. Application also includes administrator's consent to permit the additional dwelling units. The following site layout plan was provided for discussion.



Town planning comments:

- It is noted that the property has an approved main dwelling house (376m²) and second dwelling (156m²).
- Due to the size of the property, you may still apply for additional dwelling units at the following ratio:

unit is as follows:

Area of land unit	Total number of additional dwelling units
up to 10ha	0
more than 10ha and up to 20ha	1
more than 20ha and up to 30ha	2
More than 30ha and up to 40ha	3
More than 40ha	4

* Property measures 91.6ha – with a primary right for a main dwelling, second dwelling up to 175m² and max 4 additional dwellings with consent.

- The deviation from the 175m² (to 393m²) is quite excessive and represents the size of 2x additional dwelling units. The latter must be motivated.
- It is noted that the property contains a number of structure/ (assuming that some are labourer accommodation units) which are not accounted for on this proposal. There is also another house far east. These must form part of the site layout plan.
- A consent letter confirming bona fide agricultural activities from the Western Cape department of Agriculture may be required should the property contain farmworker/labourer accommodation units that have not been approved on building plan.
- Applicant is advised to submit a detailed site layout plan, indicating all structures, sizes and uses on site.
- With regards to the restrictive title deed condition limiting the number of dwelling units, applicants are advised to get consent/permission from the Authorised Agent, Western Cape Department of Infrastructure. This condition may need to be removed as it contradicts the zoning scheme.

CES comments

- Access may be restricted to the existing provincial road network and comments from the provincial roads authority will be required.
- Access is permitted in accordance with the George Integrated Zoning Scheme (GIZS), 2023.
- All parking must be provided on-site, in compliance with the GIZS 2023 parking requirements.
- No parking is allowed within the road reserve, and the owner may be held liable for any costs incurred to prevent unauthorized parking in this area.
- All movability should be done on site.
- Normal Development Charges (DCs), if applicable, will be levied in accordance with the DC policy and the applicable By-law and/or policy.
- No municipal water and/or sanitation is available, and the developer will be required to provide the required services. The developer will be required to connect (at the developer cost) and pay for the relevant applicable DC's once applicable services become available.
- The developer must ensure full compliance with the relevant Stormwater By-law.

PART F: SUMMARY / WAY FORWARD

Refer to the comments above. Detailed site layout plans will be required.

OFFICIAL: 

Fakazile Vava (Town Planner)

SIGNED: 

Ilané Huyser (Senior Town Planner)

DATE: 2025.06.19

PRE-APPLICANT: Andre Albertus van Nieuwenhuizen
(FULL NAME)



SIGNED:

DATE: 2025/05/29

**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.*



Ref: DOI/CFS/RN/LU/REZ/SUB-12/234 (Application No: 2025-07-0024)

The Municipal Manager
George Municipality
PO Box 19
GEORGE
6530

Attention: Ms M Arries

Dear Madam

CONSENT USE FOR AN ADDITIONAL DWELLING UNIT AND A DEPARTURE: PORTION 113 OF FARM GWAYANG 208 (FARM 208/113), GEORGE MUNICIPALITY

1. The following refer:
 - 1.1 NTA Town Planners' letter A1492 dated 6 June 2025 to this Branch.
 - 1.2 NTA Town Planners' memorandum Project A1492 dated July (accepted by this Branch to be 2025).
2. Trunk Road 2 section 9 (TR00209; R102) and Divisional Road 1618 (DR01618), both Building Restriction Roads (Act 21 of 1940) for which this Branch is the Road Authority, are affected by this proposed application.
3. This Branch offers no objection to this application, provided that the following are adhered to:
 - 3.1 The existing vehicular access off TR00209 at \pm km21.10 RHS (Right Hand Side) may temporarily be retained for the limited agricultural uses on Farm 208/113 at that location south of TR00209. Any future development on Farm 208/113 south of TR00209 will require an alternative adequate (in terms of this Branch's Access Management Guidelines, 2020) access to be offered for approval.
 - 3.2 Due to not enough access spacing from the TR00209 / DR01618-intersection must the existing vehicular access off TR00209 at \pm km21.16 LHS (Left Hand Side) permanently be closed with material like the existing road reserve boundary fence at that location.

- 3.3 The new vehicular accesses that are constructed off DR01618 in favour of Farm 208/113 may be retained as approved accesses to Farm 208/113. Once the construction of DR1618 is completed in full must this final access information be carried over to this Chief Directorate for records purposes.
- 3.4 Except for the abovementioned approved accesses off TR00209 (paragraph 3.1) and DR01618 (paragraph 3.3) may no other access off the proclaimed provincial road network in favour of Farm 208/113 be constructed or continue to exist.
- 3.5 The 5m Building Lines (Roads Ordinance 19 of 1976) adjacent to both TR00209 and DR01618 must be maintained.
- 3.6 All non-*bona fide* farming structures within the 95m / 500m-radius Building Restrictions (Act 21 of 1940) along both DR01631 and DR01599 must be ensured to carry this Branch's approval.
- 3.7 Any advertisements in favour of Farm 208/113 that will be visible off the proclaimed provincial road reserves must carry the approval of George Municipality in terms of its approved Advertising By-Law.
- 3.8 It must be accepted by the developer that this Branch will not contribute to this proposed development in any fashion.
4. This Branch, the Controlling Authority in terms of Act 21 of 1940, gives its consent that the relevant restrictive conditions imposed in terms of the said Act in Title Deed T000019722/2021 paragraphs 4.C. and 4.C.2. need not to be adhered to in this instance and may George Municipality proceed to approve the additional dwelling for construction.

Yours Sincerely



DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 22 JANUARY 2026

ENDORSEMENTS

1. George Municipality
Attention: Ms M Arries (e-mail: marries@george.gov.za)

2. NTA Town Planners
Attention: Mr A Kruger (e-mail: arno@ntas.co.za)

3. District Roads Engineer
Oudtshoorn

4. Mr E Burger (e-mail)

5. Mr DD Fortuin (e-mail)

6. Mr J van der Merwe (e-mail)

7. Mr M Steyn (e-mail)