

Collaborator No.: 2598305
Reference / Verwysing: Erf 301, Hoekwil
Date / Datum: 31 July 2026
Enquiries / Navrae: Primrose Nako

Email: planning@mdbplanning.co.za

MARLIZE DE BRUYN PLANNING
P O Box 2359
GEORGE
6530

**APPLICATION FOR REMOVAL OF RESTRICTION, REZONING, CONSENT USE, DEPARTURE AND
ADMINISTRATORS CONSENT: ERF 301, WILDERNESS HEIGHTS, HOEKWIL**

Your application in the above regard refers.

The Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided:

- A. That the application for Permanent Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the increase in the wall plate height of the primary dwelling unit on Erf 301, Hoekwil from 6.5m to ± 7 m (South Elevation), ± 7.8 m (East Elevation) & ± 8 m (West Elevation) **IS NOT REQUIRED** for the following reason:

REASON FOR DECISION:

There are no set development parameters for properties zoned Open Space Zone III, thus the application for permanent departure is not necessary as development parameters are determined by the Municipality as conditions of approval and/or on submission of the site development plan.

- B. That, notwithstanding the objections and comments received, the application for Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2023 of Erf 301, Hoekwil from "Agricultural Zone II" (Smallholding) to "Open Space Zone III" (Nature Conservation Area); **BE APPROVED** in terms of Section 60 of the Land Use Planning Bylaw for George Municipality, 2023 for the following reasons:

REASONS FOR DECISION:

- The property is zoned Agricultural Zone II for a smallholding but holds no potential to be developed for small-scale farming purposes. Its use is therefore limited to extensive residential (rural living).
- The property is also encumbered by significant bio-physical constraints, including steep slopes and natural forest on large sections thereof. There are areas of environmental disturbance on the property requiring rehabilitation, with the entire property requiring concerted environmental management.
- The proposal reached enables the owner to implement his/her existing development rights while also supporting the effective management of the site and enabling the formal protection of the environment.

- d) The proposal will not result in any enhanced or additional development rights and thus cannot have a negative impact on the surrounding area, streetscape, natural environment, character of the neighbourhood, or neighbours' rights and amenities.
- e) The proposal is also consistent with the George Municipal Spatial Development Framework, 2023 which encourages the protection of areas within CBA and ESA, through the zoning of properties to Nature Conservation Areas.
- f) Notwithstanding the comments / objections (concerns raised) by interested and affected parties, Environmental Authorization has been issued by a competent authority for the development, though it has subsequently been set aside through an appeal process. It is also noted that the development of the property is subject to OSCAE and that environmental impacts can be effectively mitigated through said environmental management instruments. Notwithstanding, conditions have been imposed to establish development parameters for the structures to be built on the property.
- g) It is also recognised that the development (as presently proposed) cannot be implemented in the absence of an Environmental Authorization issued by the Department of Environmental Affairs and Development Planning. The owner can however opt to submit a revised proposal that does not trigger listed activities in terms of NEMA and/or NEMBA should he/she wish to implement their new zoning rights.

Subject to the following conditions imposed in terms of Section 66 of the said Planning By-Law:

CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT:

General Conditions:

1. That in terms of the provisions of the Land Use Planning By-law for George Municipality, 2023, the approval shall lapse if not implemented within a period of five (5) years from the date of approval comes into operation.

Conditions applicable to rezoning application:

2. A Site Development Plan (SDP) for the development must be submitted to the satisfaction of this Directorate for consideration and approval, in accordance with the provisions of Section 23 of the George Integrated Zoning Scheme By-Law, 2023 and the conditions of approval prior to submission of building plans.
3. Access approval from the Western Cape: Department of Infrastructure must be submitted with the SDP.
4. The developer must appoint an Environmental Control Officer (ECO) to ensure compliance with all relevant environmental requirements, recommendations and comments from Cape Nature, SANPARKS and the Department of Environmental Affairs and Development Planning (Environmental Authorisation)
5. The ECO must confirm that the SDP submitted (including the footprint of the disturbance area) complies with all the relevant environmental conditions, recommendations and/or legislation.
6. The developer must submit an Environmental Management Plan to this Directorate with the SDP for approval.
7. The finishing of the proposed structures must make extensive use of natural colours that allow these structures to blend into the surrounding natural landscape.
8. The SDP must indicate appropriate screening (natural / landscaping) from the access road.
9. The height of all structures must comply with development parameter (a) of "dwelling house", except that the wall-plate height may vary in height but may not be higher than 8m.

Implementation of the rights:

10. The above approval will be considered as implemented on approval of the site development plan and related building plans.

Planning Notes:

- (i) Building plans for the property may only be submitted after approval of the site development plan.
- (ii) Development to comply with the OSCAE permit and all other environmental requirements including any requirements relating to lighting of paths, prevention of light pollution, fencing, stormwater management, finishing of external walls, treatment of retaining structures, rehabilitation of disturbed areas, etc.
- (iii) Extent of structures to comply with the Environmental Authorization / applicable environmental laws.
- (iv) Clarification to be provided on the need and approval of the road to the south of the property.

- (v) The owner to note that the necessary permits from the competent authority will be required before clearing of any protected vegetation / forestry on the property.
 - (i) Owner should consider entering into a stewardship agreement with Cape Nature to formalise the long term protection of the CBA areas on the property.
 - (ii) Building plan to be submitted in terms of Section 4 of the National Building Regulations. 8. Building plans to comply with SANS 10400 and any other applicable legislation.
 - (iii) No construction may be commenced with until such time as a building plan has been approved.
 - (iv) The property may only be used for the intended purpose once a Certificate of Occupation has been issued
- C. That the application for Administrator Consent in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for the amendment of conditions D(a) & (b) of Deed of Transfer T45493/2021 in order to allow for the property to be used a "Nature Conservation Area" and to allow for more than one dwelling as per the zoning scheme; **BE APPROVED.**

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

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George **on or before 21 AUGUST 2026**, and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

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

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

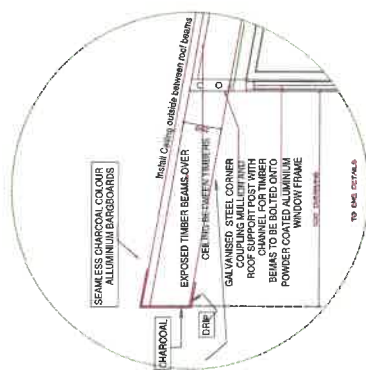
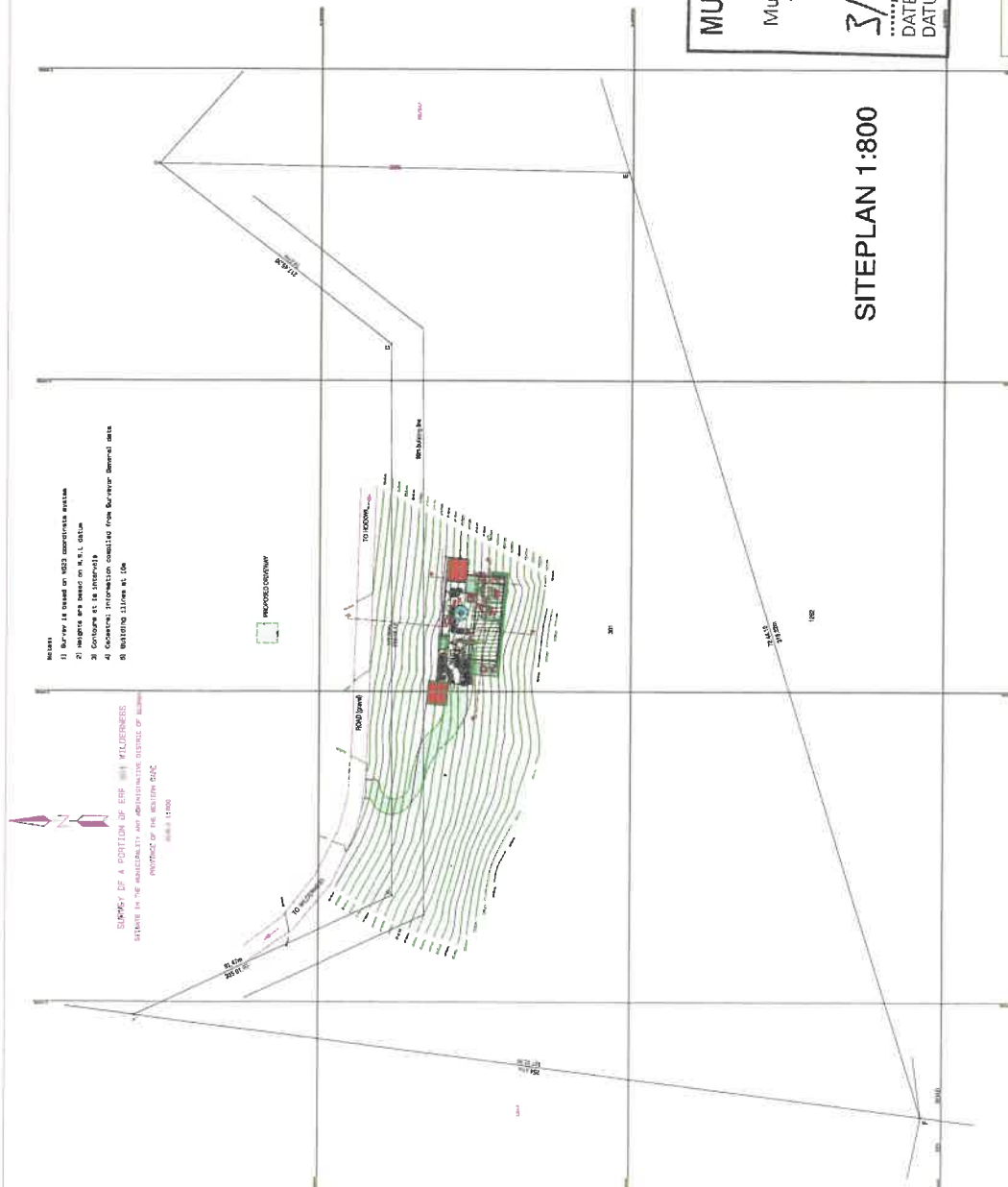
Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully



C PETERSEN
SENIOR MANAGER: TOWN PLANNING

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Approved in terms of Section 60 of the George Municipality Land Use Planning By-law (2023) subject to the conditions contained in the covering letter.

3/17/2026

DATE

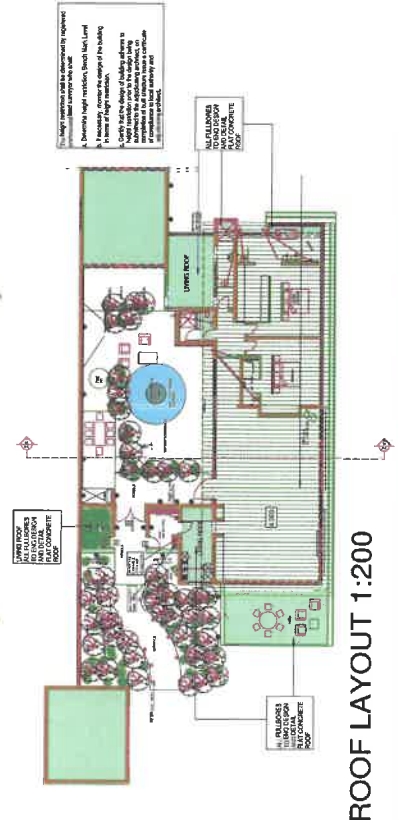
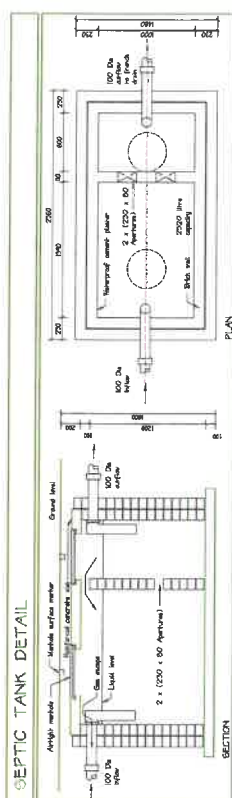
DATUM

SENIOR MANAGER: TOWN PLANNING

SENIOR BESTUURDER: STADSEPLANNING

SITEPLAN 1:800

SEPTIC TANK CAPACITY						
NUMBER OF PERSONS	LINES PER PERSON	INTERNAL SIZE			LEADED CAPACITY	INCREASE THE SIZE OF THE TANK TO ACCOMMODATE THE INCREASED NUMBER OF PERSONS
		LENGTH	WIDTH	DEPTH		
4	6	420	2000	1800	12000	22520 lb
		315	2200	1800	13000	33416 lb
10	3	398	2500	1800	13000	30775 lb
		336	2400	17000	14000	40392 lb
16 TO 20	275	2600	19000	14000	43868 lb	



ROOF LAYOUT 1:200

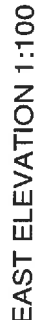
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to the conditions contained in the covering letter.

31/07/2026

SENIOR MANAGER: TOWN PLANNING
SENIOR BUSINESSURDER: STATSBEPLANNING

DATA

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