

Collaborator No.: 3874728
Reference / Verwysing: Erf 1684, Hoekwil
Date / Datum: 16 October 2026
Enquiries / Navrae: Petro Botha

Formaplan cc
PO Box 9824
GEORGE
6530

Attention: Phillip Theron

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APPLICATION FOR PERMANENT DEPARTURES
ERF 1684, HOEKWIL

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegation 4.17.3.13 of 24 April 2025, decided:

- A. That the application for Permanent Departures in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023, applicable to Erf 1684, Hoekwil for the following building line relaxations:
- a) Southern boundary building line from 10m to 2.5m and 5.6m respectively to legalise the existing shade port.
 - b) Western boundary building line from 10m to 2.5m and 5.2m respectively to legalise the existing shade port;

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

REASONS:

- (i) No motivation was provided to validate the desirability of the existing shade port in the current location.
- (ii) The existence of the structure does not, in itself, constitute sufficient justification for the proposed building line relaxation.
- (iii) The shade port can reasonably be accommodated within the building lines and relocated closer to the property entrance and dwellings, rather than being situated at the lower end of the site, at the bottom of the slope.
- (iv) Although the dwellings are situated in proximity to the waterbodies indicated, the distance of the shade port to the waterbody is close and the impact thereof on said water body is unknown and may not be desirable in terms of an environmental perspective.

B. That the following applications for Permanent Departures in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023, applicable to Erf 1684, Hoekwil:

- a) Relaxation of the following building lines:
 - (i) Northern boundary building line from 10m to 6m to allow for the proposed main dwelling.
 - (ii) Western boundary building line from 10m to 4.5m to allow for the proposed main dwelling.
 - (iii) Western boundary building line from 10m to 4.5m, 7m and 9m respectively to allow for the proposed second dwelling.
- b) Departure from condition 3 of approval letter dated 4 November 2022 to allow for structures on Erf 1684, Hoekwil closer than 32m from a waterbody or wetland;

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

REASONS:

- (i). There will be no negative impact on the adjacent property owners' rights or amenity in terms of views, privacy or overshadowing.
- (ii). The proposal was not opposed by neighbouring properties and from this perspective it can be derived that it does not affect these properties.
- (iii). The slope of the property is taken into consideration for the optimal and functional location of the main and second dwelling.
- (iv). The location of the structures more to the west may be beneficial to preserve the green corridor / river to the east.
- (v). The streetscape will not be altered or negatively affected by these departures as the property is not visible from the street and is accessed by a servitude right of way.
- (vi). Referring to the area affected by buffers from water bodies, no development would be possible on the subject property. Therefore, consideration of the departure from the condition of approval is deemed favourable.

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

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.
2. This approval shall be taken to cover only the departure applications as applied for and as indicated on the site layout plan, plan no. H1684CP dated 1 March 2024, drawn by VPM Surveys and attached as "**Annexure A**" which bears Council's stamp and shall not be construed as to depart from any other Council requirements.
3. In response to comments received from neighbouring property owners, vegetation must be planted along the western boundary to provide a privacy screen for both properties.
4. Permeable paving (grass blocks) and natural materials must be used for the driveway and parking areas to promote stormwater infiltration, reduce surface runoff, and maintain the natural aesthetic character of Hoekwil, especially noting the downward slope to indicated waterbodies.
5. The above approval will be considered as implemented on commencement of building works in accordance with approved building plans.

Town Planning Notes:

- (i) *The existing shade port and shed structure must be removed from its current position and relocated closer to the proposed dwellings.*
- (ii) *A building plan must be submitted for approval in accordance with the National Building Regulations.*
- (iii) *Building plans to comply with SANS 10400 and any other applicable legislation.*
- (iv) *No construction may be commenced with until such time as a building plan has been approved.*

- (v) *Stormwater must be managed and dispersed responsibly, and appropriate stormwater management and retention measures must be indicated on the building plans. The building plans must also illustrate the natural drainage patterns on site.*
- (vi) *Restrictive title condition will be void when development charges are calculated for the second dwelling and paid at approval of building plans.*

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 06 November 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

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.

SENIOR MANAGER: TOWN PLANNING
SENIOR ARBESTJURDER: STATSBEPLANNING

Remainder 72

1. Erf Size: 2447 sqm
2. Total footprint buildings:
 - a. Total of New Buildings : 339.40sqm
 - b. Total of Existing Structures: 28.25sqm
3. Coverage: 14.9%
4. Height Restriction: Main House 8.5m
Second Dwelling 6.5m
Wall Plate Height 6.5m
5. Parking: 4 Bays

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OIR & OIR consultants**

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CLIENT

ROB NOWICKI

PROJECT

Contour / Site Plan

TITLE

ORG NO
H1604CP

new

BENCHMARK LIST (WG 23) METERS

NAME	Y	X	HEIGHT	DESCRIPTION
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BM1	35135.328	3760834.040	203.982	12mm iron peg
F1	35141.248	3760822.528	205.732	8mm iron peg

Middle of kloof

537

PROJECT
Contour / Site Plan

TITLE

ORG NO
H1604CP

new