



MARLIZE DE BRUYN PLANNING
Consulting Town & Regional Planning

marlize@mdbplanning.co.za | +27 766 340 150 | www.mdbplanning.co.za

PO Box 2359, George, 6530
PO Box 540, Mossel Bay 6500

**PROPOSED CONSENT USE
BOVEN LANGE VALLEY 189-84
GEORGE MUNICIPALITY & DIVISION**

FOR NA DE FREITAS



CONTENTS

1. BACKGROUND INFORMATION & PROPERTY DETAILS.....	3
2. APPLICATION DETAILS.....	3
3. CONTEXTUAL INFORMANTS	4
3.1 LOCALITY.....	4
3.2 ZONING & LAND USE.....	4
3.3 CHARACTER OF THE PROPERTY & AREA	4
4. DEVELOPMENT PROPOSAL	7
4.1 ENVIRONMENTAL CONSIDERATION	7
4.2 PUBLIC INTEREST.....	9
4.3 MUNICIPAL ENGINEERING SERVICES & ACCESS	9
5. CONSIDERATION OF THE APPLICATION.....	10
4.1. STATUTORY INFORMANTS.....	10
4.1.1. SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)	10
4.1.2. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)	11
4.1.3. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2015	12
4.1.4. GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS).....	13
4.2. SPATIAL PLANNING INFORMANTS	14
4.2.1. WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) (2014)	14
4.2.2. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023)	15
4.2. NEED & DESIRABILITY	18
6. PRE-APPLICATION CONSULTATION.....	19
5. CONCLUDING	20

Annexures

1. Land use approval 2014
2. Power of Attorney
3. Copy of Title Deed
4. Bondholder's consent
5. SG diagrams
6. Conveyancer's Certificate
7. Locality plan
8. Previously approved building plans
9. Draft Site development plan
10. Floor plans & Elevations
11. OSCAE condonation
12. Pre-application consultation

Aerial images:

<https://gis.elsenburg.com/apps/cfm/#>

<https://gis.george.gov.za/portal/apps/webappviewer/index.html?id=0283eccf869641e0a4362cb099290fca>

<https://www.google.com/earth/>

Authors of this report:

Marlize de Bruyn

Professional Planner
A/1477/2011

B. Art. et. Scien. Planning

Denise Janse van Rensburg

Candidate Planner
C/9531/2021

MSc. Urban and Regional Planning

Copyright

Copyright © 2024 by Marlize de Bruyn Planning except where expressly transferred by written agreement to the Client and the Municipality. Any unauthorised reproduction, adaptation, alteration, translation, publication, distribution or dissemination (including, but not limited to, performances in public, broadcasting and causing the work to be transmitted in a diffusion service) of the whole or any part of this Document in any manner, form or medium (including, but not limited to, electronic, oral, aural, visual and tactile media) whatsoever will constitute an act of copyright infringement in terms of the Copyright Act 98 of 1978 and will make the Doer/Transgressor liable to civil action and may in certain circumstances make the Doer/Transgressor liable to criminal prosecution. All trademarks and registered trademarks mentioned in this document are the property of their respective owners. Nothing contained in this document should be construed as granting any license or right to use any trademarks without the prior written permission of Marlize de Bruyn Planning.

PROPOSED CONSENT USE: BOVEN LANGE VALLEY 189/84 GEORGE MUNICIPALITY & DIVISION

1. BACKGROUND INFORMATION & PROPERTY DETAILS

Boven Lange Valley 189/84 is an agricultural property along the N2 just south of Bo-Langlei. In 2014, land use approval was granted for a consent use on the property, allowing for the development of a tourist facility (restaurant/coffee shop and farm store) (see **Annexure 1**). Following this, building plans were submitted and approved. However, it was later confirmed that not all conditions of the initial approval were met, resulting in the lapsing of the 2014-approval. Additionally, a second dwelling unit was approved and built in 2016, and an occupation certificate was issued. The land use approval in 2016 for the second dwelling unit was therefore confirmed. Given the successful operation of the tourist facility and farm store over the past decade, we are now proposing to resubmit a land use application for consent use tourist facility and farm store.

Marlize de Bruyn Planning was appointed to address the land use requirements for the tourist facility on Boven Lange Valley 189/84 by applying for the necessary consent use/s again. The power of attorney attached as **Annexure 2** to this report. The table below includes relevant information regarding Boven Lange Valley 189/84.

Property Description:	Boven Lange Valley 189/84
Physical Address:	N2, Boven Lange Valley
Owner:	NA de Freitas
Title Deed No:	T21740/2010 (Annexure 3)
Bond	Yes, consent from Nedbank (Annexure 4)
Size of the property:	9.8391 ha
Zoning of the property	Agriculture Zone I (Agriculture)
SG Diagram	SG 8822/83 (Annexure 5)

The attached conveyancer's certificate (**Annexure 6**) confirms that the title deed includes no restrictions regarding the land use application proposed for Boven Lange Valley 189/84.

The SG diagrams attached hereto shows access servitudes over the property. The farms located towards the south of Boven Lange Valley 189/84 obtained access via a 15m wide servitude over this property. Initially the subject property (and therefore also the properties enjoying access via the 15m wide servitude), had direct access from the N2-route. This direct access was closed during 2018, and a new access was constructed towards the west. Boven Lange Valley 189/84 and the properties towards the south, now has a 3.5m access servitude from the west for access from the N2-route. The northern section of Boven Lange Valley 189/84, now Boven Lange Valley 189/122 was expropriated by SANRAL, but not yet registered accordingly in the Deeds Office. See the SG diagrams attached for more detail.

2. APPLICATION DETAILS

This land use application for Boven Lange Valley 189-84 entails the following:

- **Consent Use** in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-law (2023) for a tourist facility.

3. CONTEXTUAL INFORMANTS

3.1 LOCALITY

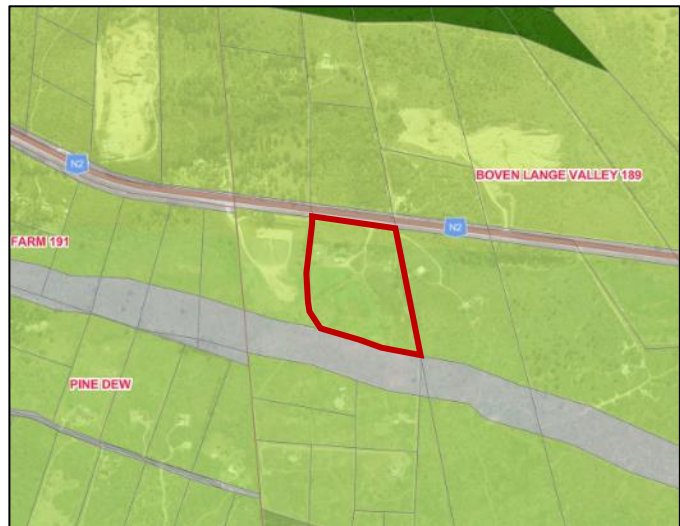
Boven Lange Valley 189-84 is an agricultural property located on the N2 about 10km east of the Wilderness ‘CBD’, about 3.5km east of Kleinkrantz, and about 14km from Hoekwil. The property is just south of the Bo-Langvlei and the N2 and just over 1km north of the beach. A locality plan is attached hereto as **Annexure 7**.

3.2 ZONING & LAND USE

The subject property is zoned Agricultural Zone I (Agriculture) in terms of the George Integrated Zoning Scheme By-law (GIZS). The dominant zoning for the area is Agriculture Zone I.

The property is used for low impact farming and livestock grazing from time to time and has a popular tourist facility (Oysters R Us) thereon.

The tourist facility includes the restaurant/coffee shop and the farm store. The owners also reside on the property in the main dwelling and there is a second dwelling on the property too.



The zoning and use of the property will remain unchanged following this land use application. The existing, previously approved land use, although currently lapsed, have been in operation for over a decade and is proposed to continue as is. The owner where just not aware that all conditions were not met. Building plans were approved following the 2014-land use approval but the detail on the plans were not correct and did not reflect the land use approval correctly.

No new development is proposed; the application only seeks consent for these existing uses. The tourist facility aligns with the tourism in the rural area character of the surrounding area.

3.3 CHARACTER OF THE PROPERTY & AREA

The property is situated in Boven Lange Valley directly south of Bo-Langvlei between the N2 and the beach. The property has a relatively gradual topography with no extreme slopes. The southern section of the property falls within the 1km highwater mark. There is a dwelling house and outbuildings, a second dwelling with a small store shed, and a tourist facility on the property. All the structures on the property are at least 80m outside (north) of the 1km mark.

Access to the property is via a gravel road from the N2 that goes over Boven Lange Valley 189/83.

The area is characterized by mainly agricultural land uses, sand quarries, guest houses, tourist facilities and rural living. The property used to also be a sand quarry but stopped operating around 2012 after the current owners bought the property. The sand mine was rehabilitated. There are no rivers on the property.

The property has 20m building lines all-around. The house, more than 25 years old, is the only structure that encroaches on the building line. The rest of the structures all comply with the 20m building lines on the property.





Farm shop



Farm shop



Restaurant Seating area

4. DEVELOPMENT PROPOSAL

Boven Lange Valley 189-84 is an agricultural property along the N2, located 10km east of Wilderness just south of Bo-Langvele. The area is mainly characterized by agricultural properties with mostly houses, guest houses, and tourist facilities. In 2014, consent use was approved for a tourist facility (restaurant/coffee shop and farm store) on Boven Lange Valley 189/84. Building plans were submitted and approved (**Annexure 8**), but some conditions of approval were not met, causing the consent use approval to lapse. A second dwelling was approved and built in 2016. The property has been operating as a successful and popular tourist facility for a decade. The tourist facility consists of a small farm shop that is integrated into the restaurant/coffee shop which is the main attraction of the tourist facility. A farm shop is now a primary land use right for properties zoned Agriculture Zone I. Oysters are grown and kept in tanks. It can be purchased from the farm shop or enjoyed in the seating area. Other foods such as cheeses and sushi is also provided.

Since the original approval, the owners added a new seating area, wash-up area, and staff area with a total floor area of about 148m². These additions will be submitted for approval with the as-built plans following this land use application. The owners also added two new carports (84m² total) and a new storage shed (3m²). These additions will also be submitted with the as-built building plans but are not relevant for this application as they comply with the necessary development parameters.

Consent use - tourist facility

The tourist facility has a total floor area of about 268m² which includes the original structure and the additions. The farm shop makes up about 86m² of the tourist facility and the restaurant's seating area ±112m². The remaining area consist of a new wash up area, storage and ablution. Given the successful operation of the tourist facility, we now propose to submit another land use application for consent use for the tourist facility on Boven Lange Valley 189/84.

Access & Parking

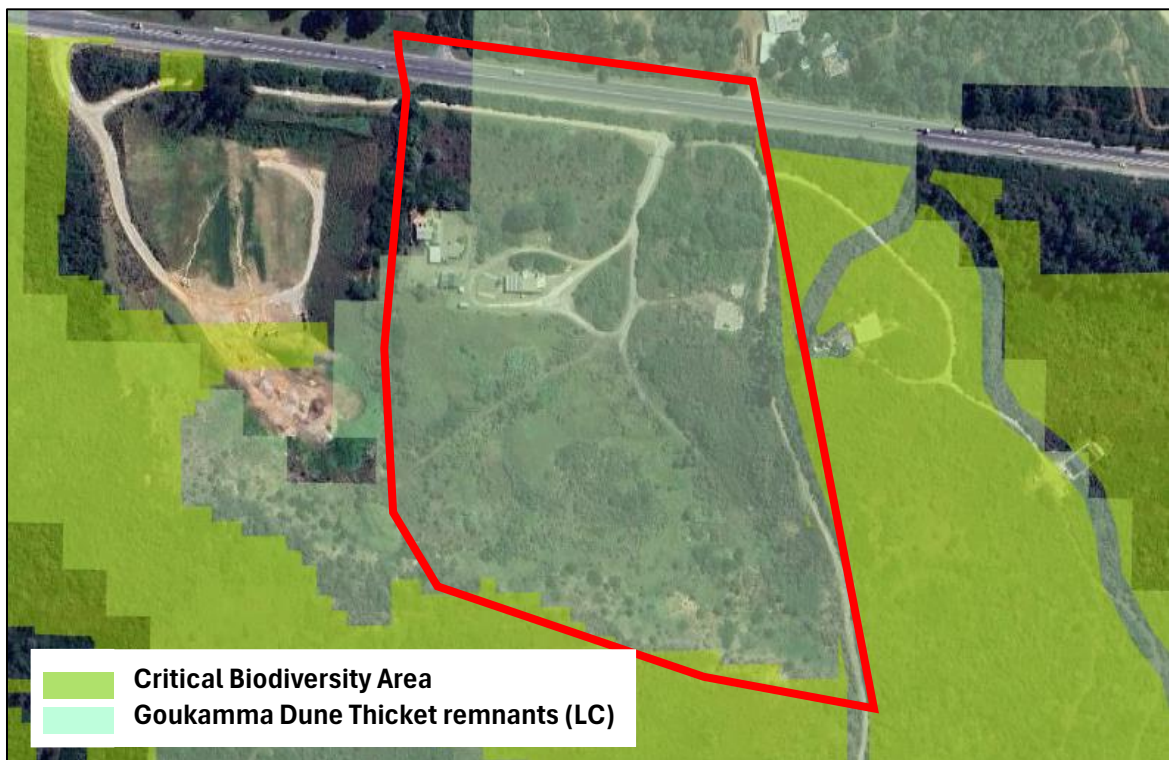
The existing joint access from the N2 over Boven Lange Valley 189/83 and via the servitude road on Boven Lange Valley 189/84 will continue to be used as is. No access changes are proposed. This access arrangement gives access to four agricultural properties from the N2 namely, 189/83, 189/84, 189/93, 189/103.

There is ample space around the tourist facility for sufficient parking provisions. The restaurant and farm shop require 4 parking bays per 100m² GLA. The total floor area is 268m² which will require 11 parking bays. The GLA is an estimated 220m² which would require 9 parking bays. As seen on the draft SDP (**Annexure 9**) there are provisions for about 30 parking bays around the tourist facility. The two houses require a total of 4 parking bays. Each house has sufficient garage/carport parking. The floor and elevation plans are attached as **Annexure 10**.

4.1 ENVIRONMENTAL CONSIDERATION

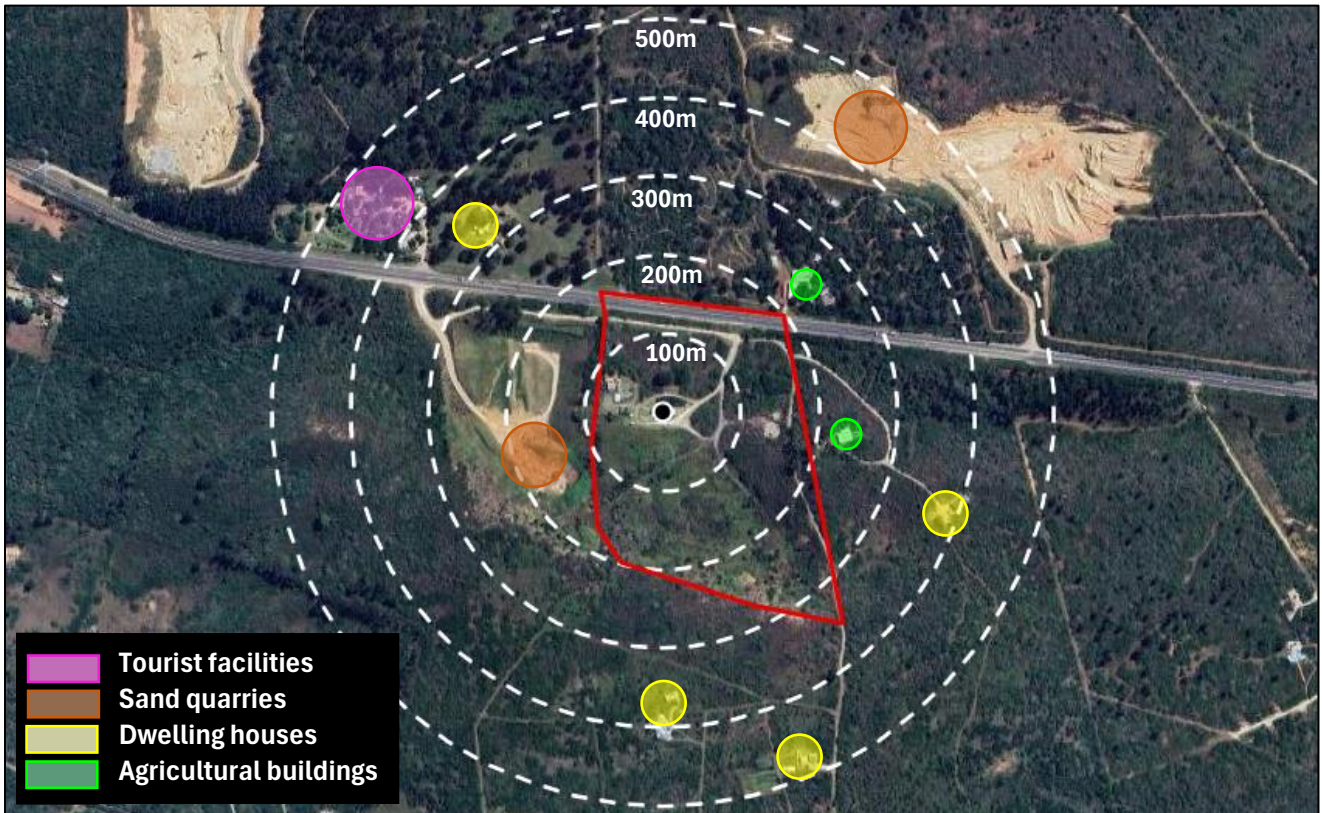
There are no rivers or dams on the property. No new development is proposed within 32m any watercourses. The additions to the structures did not require the removal of any trees as all the additions were made where the vegetation was already out. The property used to be a sand quarry for decades before the current owners bought the property in 2010 and opened the tourist facility. As mentioned earlier, the sand mine was rehabilitated by the former operators. The tourist facility is positioned in a grassed section where there was no vegetation and the one or two trees that were there were retained. An OSCAE condonation for removal of vegetation / earthworks was issued by the Municipality per letter dated 13 August 2024 (**Annexure 11**).

See aerial images of the property to show the extent of the sand quarry and of the environmental features on the property as seen from above in 2000 and 2024. The third image shows the extent of vegetation & CBA's on the property.



4.2 PUBLIC INTEREST

The proposed consent land uses on Boven Lange Valley 189/84 are not expected to have a negative effect on the neighbouring properties as the tourist facility has been operating for a decade on the property and no new land uses are proposed. The nearest dwelling houses are more than 300m from the tourist facility. The closest neighbouring elements to the tourist facility are agricultural buildings and a sand quarry. There is also another tourist facility about 400m northwest of the tourist facility on Boven Lange Valley 189/84.



Tourist facilities in the Wilderness to Sedgefield rural coastal area is common and within character. The tourist facility complements and makes the most of the peaceful rural character of the area and will thus not encourage or contribute to any loud music or noisy activities. The restaurant is especially popular among locals from the area and tourists from all over the world.

The tourist facility is not visible from the N2 as the property has a solid vegetation buffer along its fence and access road that runs parallel with the N2.

The public interest of this land use application is therefore regarded as limited as the tourist facility align with the spatial objectives and the character of the Wilderness rural area. It does not impede on any rights of the public and it creates the opportunity for local families and visitors to experience the rural landscape.

4.3 MUNICIPAL ENGINEERING SERVICES & ACCESS

Municipal engineering services are not available in this area. Electricity to the property is provided by ESKOM. Access to Boven Lange Valley 189/84 is via a gravel road from the N2 that serves at least four farms south of the N2.

5. CONSIDERATION OF THE APPLICATION

The criteria for the consideration of land use applications as per the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SLPUMA), the Western Cape Land Use Planning Act, (Act 3 of 2014) (LUPA) and the George Municipality: By-law on Municipal Land Use Planning (2015) builds on each other. SLPUMA introduced legislative and procedural changes to the management of land use planning in South Africa. The Western Cape Province followed with LUPA, George Municipality with the Municipal Land Use Planning By-law (2015) and the Western Cape Land Use Planning Guidelines: Rural Areas. What is relevant to this land use application is discussed in the paragraphs to follow.

4.1. STATUTORY INFORMANTS

4.1.1. SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)

Section 7 of this Act sets out the five development principles that are applicable to spatial planning, land development and land use management and section 42 of SPLUMA then refers to the factors that must be considered by a municipal tribunal when considering a land use planning application, which include but are not limited to:

- Five SPLUMA development principles
- Public interest
- Constitutional transformation
- Respective rights and obligations of all those affected
- State and impact of engineering services, social infrastructure, and open space requirements
- Compliance with environmental legislation

Relevant aspects not addressed earlier in this report, are addressed below:

4.1.1.1. FIVE DEVELOPMENT PRINCIPLES

The five development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration are not all directly relevant to this land use application.

Spatial justice as described in Section 7(a) of SPLUMA is not relevant to this land use application.

Spatial sustainability as described in Section 7(b) of SPLUMA is relevant to this land use application:

- The effective and equitable functioning of land markets is not negatively affected by this land use application.
- No negative impacts are expected on surrounding properties as discussed earlier in this report.
- Prime and unique agricultural land will not be negatively impacted as the existing structures are located in a section that was already grassed back when it was built and the majority of the property used to be a sand quarry.

Efficiency as described in Section 7(c) of SPLUMA is not fully relevant to this land use application. The property will continue to be used to its full potential considering its location, spatial objectives, and the needs of the property owners.

Spatial resilience as described in Section 7(d) of SPLUMA is not fully relevant to this land use application.

Good Administration as described in Section 7(e) of SPLUMA indicates the responsibilities of all involved in any land use matter.

The paragraphs above show that the land use application for Boven Lange Valley 189/84 supports the relevant development principles of SPLUMA.

4.1.2. WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)

LUPA requires that local municipalities consider the following when deciding on land use applications:

- Applicable spatial development frameworks;
- Applicable structure plans;
- Land use planning principles referred to in Chapter VI (Section 59) which is an expansion of the five development principles of SPLUMA;
- Desirability of the tourist facility; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of tourist facility.

The land use planning principles expands on the five development principles of SPLUMA which is discussed in foregoing paragraphs and desirability of the tourist facility is addressed in Paragraph 4.2. Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans. Considering the aim of this land use application Boven Lange Valley 189/84, no conflict was found with the George Municipal Spatial Development Framework (GMSDF).

4.1.2.1. WESTERN CAPE LAND USE PLANNING GUIDELINES: RURAL AREAS

*“Together with the coastline, the **mountain ranges** belonging to the Cape Fold Belt are without doubt, the most significant assets in **scenic terms**, providing ample leisure opportunities and consequently the **foundation** of the Western Cape’s **tourism** economy making the Western Cape the country’s premier tourism destination.”*

The Rural Areas Guidelines state that development in the rural area should not:

- *have a significant negative impact on biodiversity, ecological system services or the coastal environment; **The proposed continuation of a tourist facility in the rural area will not negatively impact on the biodiversity, ecological system services, or the coastal environment. No structures required removal of vegetation, and the tourist facility is not in a CBA or threatened vegetation section.***
- *lead to the loss or alienation of agricultural land or has a cumulative impact there upon; **No agricultural activities are negatively impacted by the tourist facility.***
- *compromise existing or potential farming activities; **No agricultural activities are impacted negatively by the tourist facility.***
- *compromise the current and future possible use of mineral resources; **not relevant.***
- *impose real costs or risks to the municipality delivering on their mandate; **not relevant.***
- *lead to inefficient service delivery or unjustifiable extensions to the municipality's reticulation networks; **not relevant.***
- *be inconsistent with the cultural and scenic landscape within which it is situated; **the tourist facility is a successful and popular destination for locals and the general public to experience the scenic landscape of the rural area.***
- *infringe on the authenticity of the rural landscape; **Boven Lange Valley 189/84 makes use of the rural landscape by using its potential to provide agri-tourist activities.***

Chapter 11 & 12 of the Western Cape Land Use Planning Guidelines for Rural areas focuses on tourist & recreational facilities and rural business. The objectives of these chapter are:

Ch. 11:

- To diversify the Western Cape's rural economic base into the tourism and recreation sectors and develop these sectors on a sustainable and equitable basis.
- To offer a range of appropriate nature, cultural and Agri-based rural tourism facilities, and recreational opportunities across the rural landscape (e.g., animal sanctuary, paintball, shooting ranges, and conference facilities).
- To provide citizens access to resources, the coast, and the rural landscape.

Ch. 12:

- To facilitate the development of rural businesses serving the needs of local communities, rural tourists, and agricultural production.
- To provide guidance on suitable locations for appropriate development along main tourism routes.

The tourist facility on Boven Lange Valley 189/84 contributes to diversifying the economic base in the rural area by offering an agri-based tourist facility and providing public access to the rural landscape.

Whilst tourist and recreational facilities should be accommodated across the rural landscape (i.e., in all SPCs), the nature and scale of the facility provided needs to be closely aligned with the environmental characteristics of the local context. The appropriate nature and scale of a facility within a particular context should be determined by considering:

- the extent of the cadastral portion, and
- the sensitivity of, and impact on, the receiving environment (i.e. agricultural or natural).

The tourist facility on Boven Lange Valley 189/84 is not affected by any noticeable significant/restricting environmental characteristics as the structures positioned in an existing clearing where the property was already grassed and previously disturbed by a sand quarry.

The scale of the facility is reasonable and modest and does not dominate the agricultural integrity of the farm. The tourist facility covers less than 1% of the farm. No conflict between the proposed consent uses and the rural areas guidelines where identified.

4.1.3. GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2015

The general criteria for the consideration of applications in terms of this By-law are included in Section 65 which, inter alia, includes:

- Desirability of the proposed utilisation of land;
- Impact of the proposed development on municipal engineering services;
- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans;
- Relevant municipal policies;
- Western Cape Provincial Spatial Development Framework;
- Section 42 of SPLUMA (public interest, constitutionality);
- Land use planning principles transposed from LUPA; and
- Provisions of the applicable zoning scheme.

The above is addressed elsewhere in this report as relevant.

4.1.4. GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS)

Boven Lange Valley 189/84 is zoned Agricultural Zone I (Agriculture) (AZI) in terms of the George Integrated Zoning Scheme By-law (GIZS) (2023). The zoning of the property will not change following the approval of this land use application for the tourist facility. The tourist facility is agri-based and tourism-oriented. The consent use applied for is:

1	2	3
Zoning	Primary use	Consent use
AGRICULTURAL ZONES		
Agricultural Zone I (AZI)		
<p><i>The objective of this zone is to promote and protect agriculture on farms as an important economic, environmental and cultural resource. Limited provision is made for non-agricultural uses to provide rural communities in more remote areas with the opportunity to increase the economic potential of their properties, provided these uses do not present a significant negative impact on the primary agricultural resource.</i></p>	<p>Primary use</p> <ul style="list-style-type: none"> Agriculture 	<p>Consent uses</p> <ul style="list-style-type: none"> Abattoir Additional dwelling units Airfield Animal care centre Aqua-culture Camping site Farm grave yard Farm shop Freestanding base telecommunication station Function venue Guest house Helicopter landing pad Off-road trail Plant nursery Quarry Renewable energy structure Shooting range Tourist facilities Utility service

This land use application is for consent use to have a tourist facility on Boven Lange Valley 189-84. A farm shop is a primary land use included in AZI (agriculture). The land use descriptions for tourist facility and farm shop are:

“agriculture”

Land use description: “agriculture” means the cultivation of land for raising crops and other plants, including plantations, the keeping and breeding of animals, birds or bees, insects, stud farming, game farming, intensive horticulture; intensive animal farming; a riding school or natural veld, green infrastructure, natural areas and—

(a) includes—

(vii) farm shop; and

Where a farm shop and a camping site are operated from the same property the combined floor area of the farm shop and convenience store may not exceed 100m².

“tourist facilities”

Land use description: “tourist facilities” means amenities for tourists or visitors and—

(a) includes lecture rooms, restaurants, gift shops, restrooms, farmers’ market, museum, micro-brewery, micro-distillery and recreational facilities; and

(b) does not include an off-road trail, a hotel, wellness centre; or tourist accommodation.

Development parameters:

Development parameters applicable to the primary land use apply.

The farm shop, restaurant, and coffee shop are all integrated as the tourist facility. The tourist facility has a total floor area of 268m² of which about 68m² is the farm shop and the remaining 200m² is the restaurant and coffee shop. The restaurant’s GLA is about 155m².

The property has a 20m building line on all its boundaries. The dwelling house encroaches on the western side building line but was built more than 25 years ago by previous owners. The additions that the current owner made were two carports and a store which all comply with the building lines and all other development parameters. The second dwelling was approved in 2016 and also complies with the development parameters. The tourist facility also complies with all the necessary development parameters.

According to zoning scheme, the following parking provisions are required:

Dwelling house	=	2 per dwelling house	= 2
Second dwelling	=	2 per dwelling house	= 2
Restaurant, coffee shop & farm shop	=	4 per 100m ² GLA (220)	= 9

Total = 13 bays required.

As seen on the SDP (**Annexure 9**), the parking area provides about 30 parking bays for tourists visiting the tourist facility. The houses each have sufficient parking bays either in garage or carport. The tourist facility will comply with the relevant parameters (see **Annexures 9 & 10**).

4.2. SPATIAL PLANNING INFORMANTS

4.2.1. WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) (2014)

The PSDF aims to restructure the urban and rural landscape of the Western Cape to offer socio-economic opportunities for all. The focus is strong on the communities dependent on the agricultural economy and land reform. In addressing the vulnerability of farm workers, it is stated that rural livelihoods and income opportunities should be diversified. The tourist facility on Boven Lange Valley 189/84 could be seen as an employment opportunity in a rural tourism in the rural area.

Guiding principles

The guiding principles for the PSDF is spatial justice, sustainability & resilience, spatial efficiency, accessibility, quality & liveability.

Regarding sustainability the proposal for the subject property does not involve impacts on high potential agricultural land and it will not compromise sensitive ecosystems as the property is mostly a recovered sand quarry. The property will continue to be used for small-scale farming and storing/provision of oysters.

Regarding spatial efficiency, the proposal will not lead to urban sprawl as it is not within the urban edge. No additional residential land uses are proposed, and no rural residence will be encouraged. Regarding quality & liveability, the area is characterised by rural living and tourism in the rural area. The tourist facility supports the tourism in the rural area objectives of the area and promote the rural landscape by providing a diversified destination for tourists locally and nationally.

This proposal for Boven Lange Valley 189/84 will not negatively impact on any coastal landscapes and is not within the 1km highwater mark. The proposed development on Boven Lange Valley 189/84 is found to not be in conflict with the Provincial SDF.

4.2.2. GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (GMSDF) (2023)

“Wilderness is one of the most popular tourism and residential destinations along the Garden Route, based on its unique terrestrial, aquatic and marine assets, outstanding rural and townscape qualities, and recreational amenity value. Threats to the area include the subdivision of smallholdings, expansion of poorly located and serviced informal areas, and insensitive building development.”

Boven Lange Valley 189/84 is located in the rural area between the N2 highway and the coastline, situated between Wilderness and Sedgefield. The property is not mentioned in the GMSDF. Considering the spatial vision directives of the GMSDF, the proposal for the subject property is found to support the 5 normative development principles of SPLUMA (see Paragraph 4.1.1.1). It is also our view that this land use application for a tourist facility in the rural area supports the rural objectives of the SDF to further connect the area with the rural tourism identity of George.

The GMSDF is informed by six themes, namely:

Theme A: Infrastructure

As limited municipal engineering services are provided to rural areas, the impact of this theme is limited.

Theme B: Economic Growth

The tourist facility on Boven Lange Valley 189/84 strengthens the economic character of the Wilderness rural area and creates direct and indirect employment opportunities.

Theme C: Growth Management

The tourist facility supports economic activities in the rural area in keeping with the character. The urban edge is not impacted on by this land use proposal as urban considerations are not relevant. The proposal is associated with the rural areas.

Theme D: Integrated Housing

This theme is not related to this land use application.

Theme E: Wealth of natural assets and resilience

This theme emphasizes the protection of natural resources including ecological functioning and rural character. This land use application shows that the tourist facility on Boven Lange Valley 189/84 does not negatively impact on natural resources and functioning. The proposal also reflects the rural character of the area.

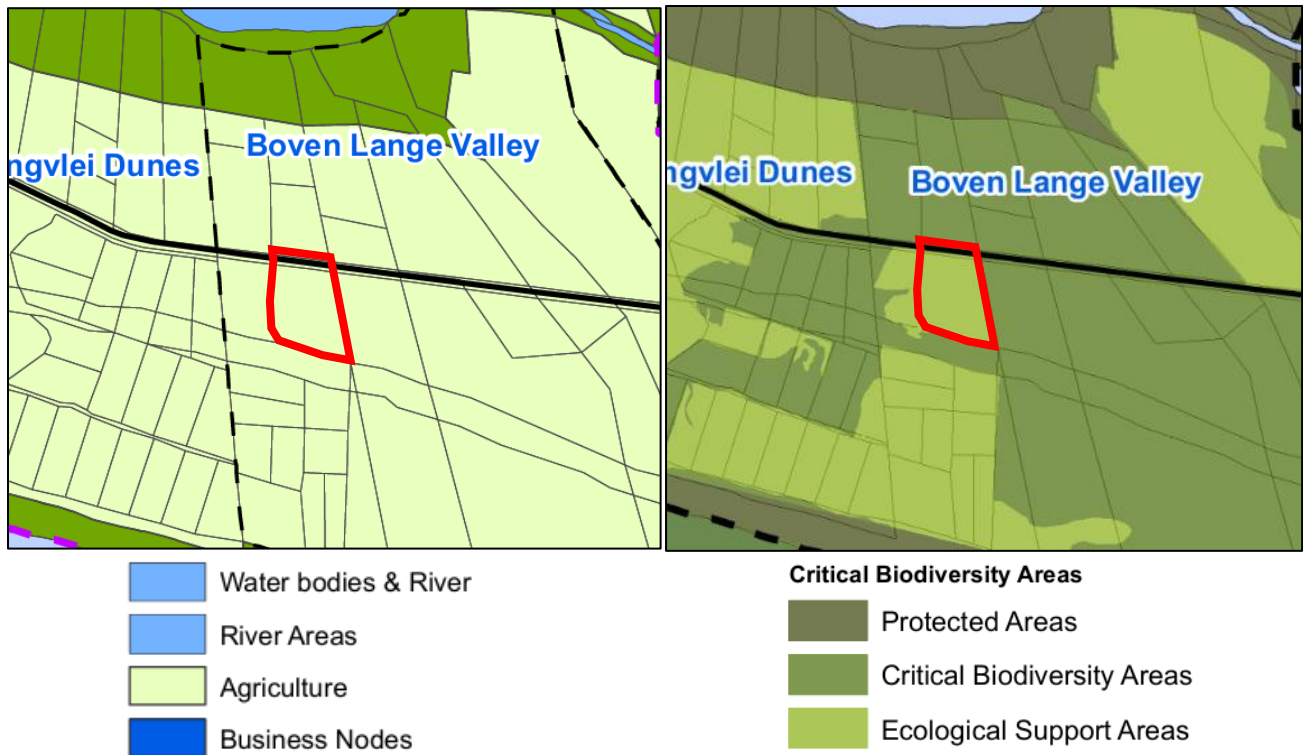
Theme F: Heritage

The theme is not directly relevant to this land use application for Boven Lange Valley 189/84.

Considering all aspects of the GMSDF, 2023 we identified no conflict between this spatial framework and the proposal for Boven Lange Valley 189/84. The tourist facility will sufficiently uphold to the rural objectives of the GMSDF (2023).

4.2.2.1. WILDERNESS-LAKES-HOEKWIL LOCAL SPATIAL DEVELOPMENT FRAMEWORK, 2015

According to the 2015 LSDF for the area, the property falls within the Agricultural area just east of Kleinkrantz and is demarcated as an Ecological Support Area. The LSDF does not demarcate the property as a protected area or a CBA.



In terms of the WLH LSDF, the approach towards agricultural land is to:

- Promote consolidation of farming landscapes and prevent their fragmentation – **not relevant.**
- Provide for land and agrarian reform – **not relevant.**
- Improve the viability of farming by diversification of the farm economy – **supported.**
- Promote sustainable farming practices – **not relevant.**
- Promote protection of indigenous vegetation on agricultural land in the study area – **supported.**
- Promote conservancies, and particularly identify and protect significant natural corridors (fauna and flora) – **not relevant.**
- Be mindful of the effects of farming practices on the protected lakes area (drainage and water pollution) – **not relevant.**

The area designated for agriculture includes all land not earmarked for any of the other land use categories (i.e. protected area, Residential and Urban as well as Small Holdings). This does not mean that every portion of these properties could be used for agricultural purposes. Like any of the other land use categories agricultural land also includes areas with fynbos, remnants of forest and water bodies that is protected in terms of other legislation or guidelines. The agricultural land use category is the most suited for this area, however. All land that is currently irrigated or cultivated, however, should be regarded as “intensive agriculture” and should be protected from development as provided for in the PSDF. – **not relevant. Boven Lange Valley 189/84 is not used for intensive agriculture.**

In addition to the PSDF and the GSDF, the following policies regarding agricultural areas are adopted:

- Agriculture must be protected as the dominant land use in the rural landscape – **not affected by this application.**
- Restrict further fragmentation of agricultural landscapes and promote their consolidation – **not affected by this application.**
- Maintain viable agricultural units and encourage sustainable farming practices – **not affected by this application.**
- Provide for small scale farming and facilitate land and agrarian reform – **supported.**
- Sensibly accommodate nuisance and space extensive agricultural enterprises and ancillary on-farm activities (e.g. sand mines, feedlots, sawmills, etc.) – **not affected by this application.**
- Improve the economic viability of farms through intensification, diversification and “value adding” of land use on farms -**supported.**
- Careful management of water courses to avoid contamination of Lakes system – **not affected by this application.**
- Protection of sensitive vegetation and removal of alien vegetation on farmland – **noted.**

Guidelines for Development Applications on Agricultural Land

- a) Subdivision of Agricultural Land The guidelines for farm subdivisions of the Department of Agriculture: Western Cape should be applied. (“Guidelines for the Subdivision of Agricultural Land in the Western Cape”) The guidelines stipulate optimum unit sizes, water requirements and livestock carrying capacity. The subdivision of farms into units smaller than the recommended optimum unit sizes are undesirable and should be discouraged. No further small holdings should be created outside of areas indicated for this purpose (Refer to par. 4.4.3). – **not relevant for this application, no subdivision is proposed.**
- b) Additional Dwelling Units Additional dwelling units for short term rental, in terms of the Zoning Scheme By-Laws allowing 1 additional dwelling unit per 10 ha to a maximum of five additional units, is retained. However, as the farms in the Garden Route are generally small, the proliferation of these structures along major tourist routes should be prevented. – **not relevant, no guest accommodation is proposed on Boven Lange Valley 189/84 through this application.**
- c) Ancillary On-farm Activities Whilst the policy encourages diversification and intensification of land use on agricultural land units to improve economic viability, these ancillary activities should not detract from the functionality, and integrity of farming landscapes. The following activities and land uses are considered appropriate on agricultural properties, in addition to activities and uses directly related to the primary agricultural enterprise:
 - Small scale rural holiday accommodation (e.g. farm stay, B&B, guesthouse, boutique hotel)
 - Restaurant – **supported.**
 - Rural lifestyle retail – **supported.**
 - Function venue facility
 - Farm store and farm stall – **supported.**
 - Home occupation (farm product processing)
 - Local product processing (e.g. winery, dairy and olive pressing) – **supported.**
 - Rural recreational facilities (e.g. riding school)

When considering applications for the above-mentioned activities, it should be ensured that these activities are of appropriate scale so as not to detract from farming production, that it diversifies farm income and adds value to locally produced products. **The tourist facility on Boven Lange Valley 189-84 is of appropriate scale and does not detract from any farming production. The tourist facility is sensitive to the rural landscape and is a successful and popular destination for local and national visitors.**

4.2. NEED & DESIRABILITY

Need and desirability is the balancing of various factors.

Need depends on the nature of a development proposal and is based on the principle of sustainability. This report has shown that the consent use for a tourist facility on Boven Lange Valley 189/84 does not impact negatively on the character of the property with no negative impact on surrounding properties and no negative visual impacts expected. The property owner hopes to continue their successful and popular restaurant and farm shop where tourists and visitors can relax and experience the unique rural landscape. This has been a significant investment of more than a decade which she wishes to retain.

Desirability, from a planning perspective, is defined as the degree of acceptability of a proposed development on a property. The relevant factors include the physical characteristics of the property, existing planning in the area, character of the area, the locality and accessibility of the property as well as the provision of services.

Physical characteristics of the property

The topography of Boven Lange Valley 189/84 is relatively level, and no physical characteristics are affected by the tourist facility or the additions to the tourist facility. The tourist facility is located on an area that was already cleared of vegetation decades ago for a sand quarry.

Existing planning in the area

This land use application is not in conflict with the George Municipal Spatial Development Framework (GMSDF) and is supported by the Western Cape Land Use Planning Guidelines: Rural Areas.

Character of the area

As discussed, and shown earlier in this report, the tourist facility does not have a negative effect on the character of the greater rural area. The tourist facility is in line with the vision of the Wilderness rural area and does not impede on the agricultural integrity of the property or the area.

Provision of services

Limited municipal engineering services are provided to the rural areas. Access will remain as is via a joint gravel road from the N2 and a servitude.

Economic impact

The tourist facility on Boven Lange Valley 189/84 remain in accordance with the agricultural / rural character of the property and has a positive local economic impact.

Direct impact on surrounding properties

No neighbour is overshadowed or disturbed by the tourist facility as the farms are large and the nearest residential home is more than 300m away. The closest 'activity' to the tourist facility is a sand quarry less than 200m to the west.

It is our view that the need and desirability of the tourist facility on Boven Lange Valley 189/84, showed no negative impacts.

6. PRE-APPLICATION CONSULTATION

The pre-application consultation form is attached to this report as **Annexure 12**. The minutes from 21 October 2024 is shown and addressed below:

Town Planning

- In principle, the tourist facility is in line with the spatial policies of the area. The applicant to motivate development compliance with the spatial policies i.e. George Municipal Spatial Development Framework (2023), Rural Development Guidelines, George Integrated Zoning Scheme (2023) etc.

Noted – see the relevant paragraphs of this report.

- Note that a farm shop is a primary land use right in terms of the George Integrated Zoning Scheme (2023), thus, should the use comply with the land use description, an application is not required for a farm store (shop).

Noted – as shown on the attached plans, the farm shop is ±86m².

- Departure applications may be required for building structures that are not in line with the Zoning Scheme.

We found no reason to include a permanent departure with this land use application.

- It is recommended to include screening measures.

The tourist facility is not visible from general public view. Screening is therefore not regarded as needed.

- SANparks will have to be notified due to the property being a buffer area.

Noted. This will be part of the public participation process.

Civil Engineering Services

- Access to the property is restricted to existing servitude access, with only one access point permitted, in accordance with the George Integrated Zoning Scheme By-law, 2023 (GISZ 2023).
- The owner is required to register all necessary servitudes where necessary. All costs associated with the registration and maintenance of these servitudes will be the responsibility of the developer/owner.
- All parking must be provided on-site, adhering to the parking requirements outlined in the GISZ 2023 parking tables. No parking is allowed within the road reserve, and the owner may be held liable for any costs related to preventing parking in this area.
- Normal Development Charges (DCs) will apply according to the DC policy and the Town Planning By-law.
- Currently, there are no water or sanitation services available to service the site. The owner must provide these services at the developer's cost.
- If municipal services become available, the owner will be required, at their own expense, to connect to the relevant services and pay development costs based on the rates applicable at the time of connection.
- The developer must comply with the relevant Stormwater By-law.
- SANRAL comments/approval will be required.

Noted.

Electrotechnical Services

- Applicant to discuss electrical requirements with ETS.

The property is served by ESKOM and not George Municipality.

5. CONCLUDING

The tourist facility on Boven Lange Valley 189/84 uplifts the existing rural tourism character of the greater George area. The tourist facility provides visitors an opportunity to experience the serene rural landscape with related activities to enjoy, especially for families.

The proposed tourist facility is popular among local, national and international visitors and has a positive economic effect on the surrounding local rural community, and the greater George area, and directly supporting the rural economy and agri-tourism sector.

From this report, it is our opinion that the tourist facility application for Boven Lange Valley 189/84 is consistent with all relevant considerations as prescribed by the planning legislation. It does not create conflict with the overall spatial objectives for the area.



Marlize de Bruyn Pr. Pln

November 2024



G E O R G E

MUNISIPALITEIT
Wes Kaap

UMASIPALA WASE
Intshona - Koloni

MUNICIPALITY
Western Cape

Postbus / P.O. Box 19 George 6530 Tel: 044 8019111 Fax: 044 8733776
E-mail: marina@george.org.za

VERW/REF Farm Boven Lange Valley 189/84

NAVRAE:
ENQUIRIES:

Ms M Welman

TEL:

044 – 801 9171

DELplan

2014 -08- 2 0

URBAN AND REGIONAL PLANNING

Registered Mail

12 August 2014

Delplan
PO Box 9956
GEORGE
6530

**APPLICATION FOR SUBDIVISION AND CONSENT USE: FARM BOVEN
LANGE VALLEY 189/84: DIVISION GEORGE**

Abovementioned application as well as the municipality decision letter dated 20 August 2013 refers.

Attached please find letter from PGWC: Department Environmental Affairs and Development Planning.

FINAL APPROVAL is hereby granted for the following applications for Consent Use in terms of the provisions of paragraph 4.6 of the Section 8 Zoning Scheme Regulations, 1988 to permit the following on the farm Boven Lange Valley 189/84, Division George:

1. A tourist facility comprising a restaurant / coffee shop;
2. A farmstore;

subject to the following conditions imposed in terms of Section 4.8 of the Section 8 Zoning Scheme Regulations, 1988 namely:

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

1. That approval of the Consent Uses shall lapse if not implemented in whole or in part, if not implemented within 2 years from date of approval being communicated to the applicant and/or if the conditions mentioned hereunder are not complied with;
2. That a site development plan showing the position of the tourist facility and the farmstore within or in close proximity to the existing farmstead precinct as well as within the 30m building line restriction as well as the following be submitted to the satisfaction of the Directorate: Human Settlements, Land Affairs and Planning for approval prior to the submission of building plans:

- a) Erf boundaries and dimensions;
 - b) All servitudes applicable to the erf;
 - c) Building restriction areas;
 - d) Service connection points including wastewater (sewage) disposal;
 - e) Contours at 1 (one) m intervals;
 - f) All existing land unit features such as trees, existing buildings, etc.;
 - g) All the development and features on adjoining land units;
 - h) Height and layout of all proposed buildings;
 - i) Functional open spaces, landscaping patterns and private open spaces;
 - j) Entrances to and from the land unit, internal roads and parking areas, including for the disabled;
 - k) Elevation treatment of all buildings and structures;
 - l) Provision made for refuse removal;
 - m) Elevation, section diagrams or perspective drawings of the proposed land unit layout;
 - n) Proposals regarding site boundaries (i.e. fences)
3. That a minimum of two (2) owners parking bays and public parking at a ratio of 4 parking bays per 100m² of total floor area shall be provided on site. No vehicles may be parked in the street;
 4. That no outdoor advertising signage shall be erected on the property without Council's and/or SANRAL's approval. All outdoor advertising on site is to comply with the applicable By-Laws;
 5. That all food preparation areas and the handling of foodstuffs is to comply with regulations R185 of 1987, implemented in terms of the Health Act, Act 63 of 1977;
 6. That the owner apply for a Service Licence for the preparation of meals as stipulating by the Business Act, Act 71 of 1991;
 7. That the tourist facility be restricted to a total footprint of 300m² including all patios, decks, stoops, verandas and outbuildings;
 8. That the footprint of the farmstore be as per the applicable zoning scheme regulations;
 9. That the height of the tourist facility and the farmstore be restricted to a single (1) storey with a total height of 6,5m as measured from natural ground level to the top of the roof;
 10. That if required a maximum fire break of ten metres (10m) wide be established around the tourist facility and the farmstore;
 11. That only soft landscaping be allowed in the fire break area;
 12. That the tourist facility and the farmstore be painted in an "earthy" colour should a "plastered brick" or "handi-plank" structure be considered;
 13. That the roof of all new structures be painted in a colour that is harmonious with the surrounding natural environment – dark greens, dark browns, greys, black, etc;
 14. That the architectural style of all structures within the development be in harmony with the surrounding natural and rural environment to the satisfaction of the Directorate: Human Settlements, Land Affairs and Planning;
 15. That no structure be erected within 30m of the highly sensitive indigenous forest thicket areas and/or on slopes with a gradient greater than 1:4;

16. That any internal roads for the development be no more than four metres (4m) wide;
17. That any cuts and/or fills required for the development of the internal road network be kept to a minimum;
18. That all pipes and cabling within the development be placed underground;
19. That the footprint of the entire development, which includes all dwellings, outbuildings, firebreaks, landscaping and infrastructure required for the disposal of sewage, supply of electricity, stormwater management and water reticulation, may not exceed 1500m² in extent;
20. That the poles used for the lighting of any walkways or roads within the development or any open space area shall not be more than 1m in height and be designed to shine towards and limit light pollution into the surrounding area;
21. That the lighting of any structure on the property, including boundary walls be designed to shine towards and minimize light spillage so as to limit light pollution into the surrounding environment;
22. That the use of water and energy saving devices be utilised in the guesthouse and additional dwelling unit, and that energy efficiency principles be incorporated into the overall design;
23. That a rainwater harvesting system be installed on the property, with the necessary water harvesting tanks;
24. That, at the property owner's expense, a OSCA permit application, undertaken by a qualified environmental consultant, be submitted to and approved by the Directorate: Human Settlements, Land Affairs and Planning prior to any construction and/or earthworks commencing;
25. That, at the property owners expense, a post construction report be submitted by a qualified environmental consultant to the satisfaction of the Directorate: Human Settlements, Land Affairs and Planning upon completion of the structures mentioned in Condition 24 above;
26. That at the owner's and/or operator's expense, the environmental application for the closure and rehabilitation of the sand mine located on the eastern and southern portions of the subject property, be submitted to the relevant approving authority, prior to the submission of any building plans for the tourist facility and farm store;
27. That building plans for the tourist facility and the farmstore and/or any other improvements on site be submitted to the Directorate: Human Settlements, Land Affairs and Planning for approval prior to the commencement of the respective construction and/or earthworks;
28. That the architectural design of the buildings adhere to the Aesthetical Guidelines of the George Municipality;
29. That the above approval will only be regarded as implemented on the issuing of the approved site development plan as well as an occupation certificate for the abovementioned structures;

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

1. Capital contributions are payable by the developer for each new equivalent portion created as per standard tariffs for George applicable on transfer of a portion or the approval of building plans, whichever occurs first. The total amount payable will be determined by the Dept: CES, and will be subject to annual adjustment. Contributions payable may be adjusted should the actual water usage exceed the accepted normal daily

usage based on the Guidelines for Human Settlement Planning and Design.

2. No municipal water/sewer/roads services are available at present. Should a municipal networks in future be extended to this area, the owner will be compelled, at own cost, to connect to the network. A capital contribution for water/sewer/roads will then become payable as per standard tariff for each equivalent erf applicable at the time of connection.
3. Any existing municipal service damaged during construction is to be repaired at the owners' expense, and in accordance with municipal standards.
4. All civil services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council and "The Guidelines to Human Settlement Planning and Design" specifications. All drawings and plans are to be submitted to the Dept: Civil Engineering Services (hard copy and electronically) for approval prior to any construction work taking place. All work is to be carried out under the supervision of the consulting engineer who is to provide the Dept: CES with a certificate on completion, and as-built plans in electronic format. All costs will be for the developer.
5. Only municipal water for residential use is provided.
6. Storm water runoff from individual erven and proposed roads need to be addressed by developer. (Condition 4). All costs related are for the developer.
7. Internal parking requirements (i.e. within the development area) , position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic must be addressed and all measures indicated on plans and drawings submitted for approval.
8. No parking is allowed in the road reserve.
9. The District Roads Engineer (DRE) and SANRAL are to comment on the development application.
10. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
11. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required.
12. The developer is to adhere to the requirements of the OHS Act at all times, as well as all conditions stipulated by any other authority whose approval was required and obtained for this development

Yours faithfully



T BOTHA
MUNICIPAL MANAGER



**Western Cape
Government**

Environmental Affairs and
Development Planning

DIRECTORATE LAND USE MANAGEMENT: REGION 3

SENIOR LAND USE MANAGEMENT REGULATOR

Mr. Y. Xashimba

Email: Yanga.Xashimba@westerncape.gov.za

Reference: 15/3/1/3/D2/19/Farm 189/89

DELplan Urban & Regional Planning
PO Box 9956
GEORGE
6530

DELplan

2014 -07- 2 2

URBAN AND REGIONAL PLANNING

Dear Sir/Madam

GEORGE MUNICIPALITY: APPEAL IN TERMS OF SECTION 44(1) OF THE LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985): PORTION 84 OF FARM BOVEN LANGE VALLEY NO. 189, GEORGE

1. Your appeal dated 11 September 2013 refers.
2. The Competent Authority for the administration of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), as amended, has resolved that the appeal against the Municipality's decision to refuse an application for the subdivision of Portion 84 of the Farm Boven Lange Valley No. 189 into three portions (Portion A = 3,8ha, Portion B = 3,0ha), **be dismissed** in terms of section 44 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), as amended.
3. The reasons for the decision are as follows:
 - 3.1 It is noted that the Knysna-Wilderness-Plettenberg Bay Regional Structure Plan has been repealed and therefore no longer has standing.
 - 3.2 The proposed subdivision is not in line with the Spatial Development Framework for George as well as the draft Local Structure Plan for Wilderness, the Lakes, Hoekwil and the adjacent agricultural areas.
 - 3.3 Though the National Department of Agriculture, Forestry, and Fisheries had no objection to the proposed subdivision per se, the department required support from the Municipality. The Municipality did not support the proposed subdivision and therefore the department's decision is deemed void. The Western Cape Department of Agriculture on the other hand does not support the proposed subdivision.
 - 3.4 The proposed subdivision is not considered to be desirable in terms of Section 36 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), as the proposal would impact negatively on the character of the area in that it would lead to further fragmentation of the rural landscape.
 - 3.5 The alternative proposal put forward by the Municipal Planner should rather be considered by the applicant.

4. Access to Information

- 4.1 Please be advised that since the Minister has discharged of his decision-making powers when making the decision, he is *functus officio* in this regard. In the circumstances he cannot reconsider the decision taken in this matter.
- 4.2 You are reminded that you may apply to view the file in question in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000). The contact person in this regard is Mrs A. de Villiers on telephone number: (021) 483 8315 should you wish to make the necessary arrangements.

Yours faithfully



HEAD OF DEPARTMENT

DATE: 11/07/2014

POWER OF ATTORNEY

I, **Natasha Anne de Freitas** [REDACTED] the registered owner of **Boven Lange Valley 189/84, George Municipality and Division, Western Cape Province**, hereby instruct **Marlize de Bruyn and Denise Janse van Rensburg of Marlize de Bruyn Planning** to submit the land use application for the property in terms of Section 15(2) of the Land Use Planning By-law.



NA de Freitas

Date 18/11/24

Witness



Date 18/11/2024

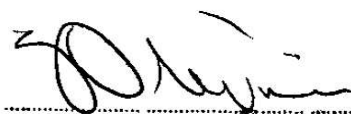
165

CHARNOCK & WESSELS
POSBUS 1, GREEN POINT 8051

Opgestel deur my,


TRANSPORTBESORGER
HARPER G M

FEE
R. 600,00

VERBIND		MORTGAGED	
VIR		FOR R 1130700,00	
B	012408/10		
10 MAY 2010		REGISTRATEUR/REGISTRAR	

T 021740/10

TRANSPORTAKTE

SY DIT KENNELIK AAN ALMAL WIE DIT MAG AANGAAN

Dat GREGORY MARK HARPER

voor my, Registrateur van Aktes, verskyn het, te KAAPSTAD, die genoemde komparant synde behoorlik daartoe gemagtig deur 'n volmag aan hom/haar verleen deur

JAN PETRUS STANDER

Identiteitsnomme 

Getroud buite gemeenskap van goedere

gedateer die 23STE MAART 2010

en geteken te KAAPSTAD

DATA / VERIFY
28 MAY 2010
OLIVIER VOLANDI

DATA / CAPTURE
28 MAY 2010

En genoemde komparant het verklaar dat voormelde TRANSPORTGEWER waarlik en wettiglik verkoop het op **11 Maart 2010** en dat hy/sy, in sy/haar voornoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

NATASHA ANNE DE FREITAS

Identiteitsnommer [REDACTED]

Ongetroud

Haar Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes

in volle en vrye eiendom

GEDEELTE 84 VAN DIE PLAAS BOVEN LANGE VALLEY NR. 189

IN DIE MUNISIPALITEIT GEORGE

AFDELING GEORGE

PROVINSIE WES-KAAP

GROOT: 9,8391 (Nege Komma Agt Drie Nege Een) Hektaar

AANVANKLIK GETRANSPORTEER kragtens Transportakte Nr T29278/1984 met Kaart Nr 8822/83 wat daarop betrekking het en gehou kragtens Transportakte Nr T37268/1987

- A. ONDERHEWIG** aan die voorwaardes waarna verwys word in Sertifikaat van Gewysigde Titel gedateer 19 Oktober 1916 (George Erfpagte Boekdeel 15 nr. 12), Transportaktes nrs. 10522/1943, 8171/1923, 5927/1953, 14652/1962, 2213/1918, 20132/1966.
- B. ONDERHEWIG VERDER** aan en GEREKTIG op die voorwaardes met betrekking tot waterregte en regte van weg insoverre hulle van toepassing is, vervat in Aanhangsel "A" tot Transportaktees nrs T2207, T2211 en T2214, almal gedateer 18 Maart 1918, synde 'n uittreksel van Ooreenkoms van Verdeling gedateer 31 Mei 1912.

Weshalwe die Komparant afstand doen van al die regte en titel wat

JAN PETRUS STANDER

voorheen op genoemde eiendom gehad het, en gevolglik ook erken dat die TRANSPORTGEWER/S geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie, en dat kragtens hierdie akte, bogenoemde TRANSPORTNEMER

NATASHA ANNE DE FREITAS

Haar Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes

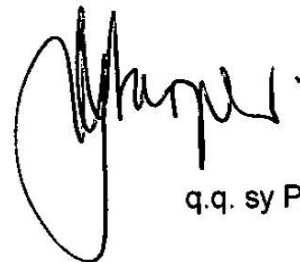
tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat; en erken hy/sy ten slotte dat die hele Koopsom die bedrag van

R1 250 000,00 (Een Miljoen Twee Honderd en Vyftig Duisend Rand)

bedra, wat ten volle betaal of verseker is.

Ten Bewyse waarvan ek, die genoemde Registrateur, tesame met die Komparant, hierdie Akte onderteken en dit met die Ampseël bekragtig het.

ALDUS GEDOEN en verly op die Kantoor van die Registrateur van Aktes, te KAAPSTAD
op 10 MEI 2010.



q.q. sy Prinsipaal/ale

In my teenwoordigheid,



REGISTRATEUR VAN AKTES.



Ms N de Freitas
Email: info.oystersrus@gmail.com

24 March 2023

Your ref: Natasha De Freitas

Our ref: Theona Hilder

Dear Sir/Madam

HOME LOAN IN THE NAME OF : Ms N A de Freitas
ACCOUNT NUMBER : 8000776660801
SECURITY DESCRIPTION : Ptn 84 of the Farm Bovenlange Valley No 189

We refer to your request dated 22 March 2023 and advise as follows:

We have no objection to the proposed subdivision of the abovementioned property into 3 (three) portions, subject to municipal approval.

If you have any further questions regarding this matter, kindly contact Theona Hilder on 010 234 7719.

Yours faithfully

T. Hilder

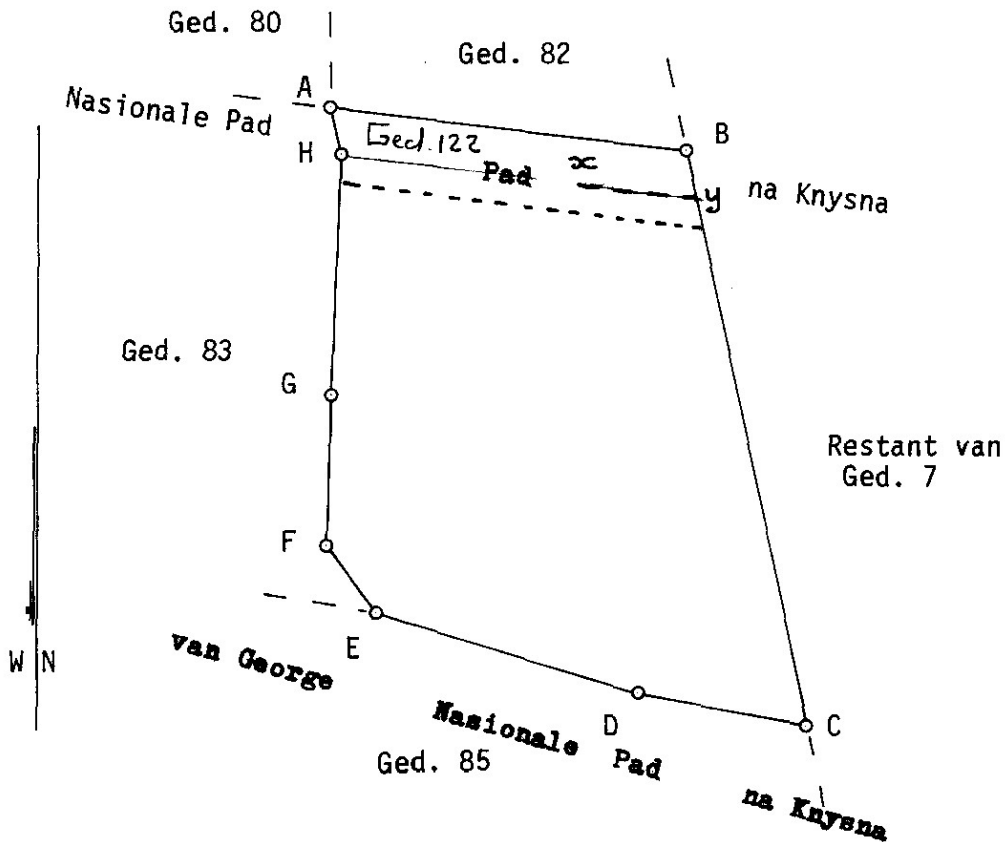
THEONA HILDER
Administrator
Administrations
Gauteng Home Loans

cc

SYE Meter		RIGTINGS -HOEKE	KOÖRDINATE Stelsel Lo 23 ⁰ X			L.G. Nr.
		Konstante	Y			
			±	0,0	+3700 000,0	8822-83
AB	235,1	277 08 00	A	+ 28 790,9	+ 63 542,3	Goedgekeur
BC	397,8	348 43 30	B	+ 28 557,6	+ 63 571,5	<i>J. Smits</i>
CD	113,0	100 30 20	C	+ 28 479,8	+ 63 961,6	Landmeter-generaal
DE	180,7	107 47 00	D	+ 28 590,9	+ 63 941,0	1983-12-09
EF	55,6	146 08 20	E	+ 28 763,0	+ 63 885,8	
FG	103,6	175 57 30	F	+ 28 794,0	+ 63 839,6	
GH	162,6	185 53 50	G	+ 28 801,3	+ 63 736,3	
HA	32,9	168 57 50	H	+ 28 784,6	+ 63 574,6	
		Berg 14	Δ	+ 38 455,57	+ 55 217,28	
		Knys 31	Δ	+ 31 442,81	+ 61 120,07	

Bakens

Alle bakens 150 mm x 150 mm betonbaken



Skaal: 1 : 5 000

Die figuur A B C D E F G H

stel voor 9,8391 Hektaar

grond, synde

Gedeelte 84 van die plaas Boven Lange Valley Nr. 189

geleë in die

Administratiewe Distrik George

Provinsie Kaap die Goeie Hoop

Opgemaak in Augustus - Oktober 1983

deur my,

J. Smits

Landmeter

Hierdie kaart is geheg aan
Transportakte
Nr. T.29278/1984
gedateer t.g.v.

Die oorspronklike kaart is.
Nr. 1180/1916 geheg aan
Transport/Grondbrief
Nr. Geo. Q. 15. 12

Lêer Nr. Geor. 189.
M.S. Nr. E 2479/83
Komp. AL-2AB (3595)

Registrateur van Aktes

VIR ENDOSBEMERKING
SIEËN KEERSY VAN K...

DRUKKOR - GEORGE

189/84

B

C

S

SERWITUTE/HOORKONTHAKOEBIEDING				
MEETSTUKKE	KAARTNO.	BESKRYWING	AKTE	GEPARAFEEER
E2928/97	7302/97	Die Lyn x y C stel voor die noordelike en oostelike grense van 'n reg van weg servituut 15m wyd.	K983/2016	77
E1266/13	2688/13	The line Hx represents the northern bdy of an access servitude 3,5m wide		

FOLLOWING DETAILS HAVE BEEN MADE FROM THIS DIAGRAM						
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMRD.
E1212/2006	3027/2006	Pen 122	7425 m ²			

GOEDGEKEUR Kragtens die WET OF REELING VAN GROND-TITELS. NO. 94/1972.
GEORGE

G S SAVAGE & ASSOCIATES

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System Lo 23° X		S.G. No.
		Constant:	±	0,00	+3 700 000,00
AB	77,5	277 11 00	A	+ 28 627,8	+ 63 594,6
BC	364,4	348 42 40	B	+ 28 550,9	+ 63 604,3
			C	+ 28 479,6	+ 63 961,7
	SILVER RIVER No 073	Δ	+ 42 300,10	+ 51 645,96	
	WILDERNESS No 445	Δ	+ 39 968,75	+ 62 307,62	

7302/1997

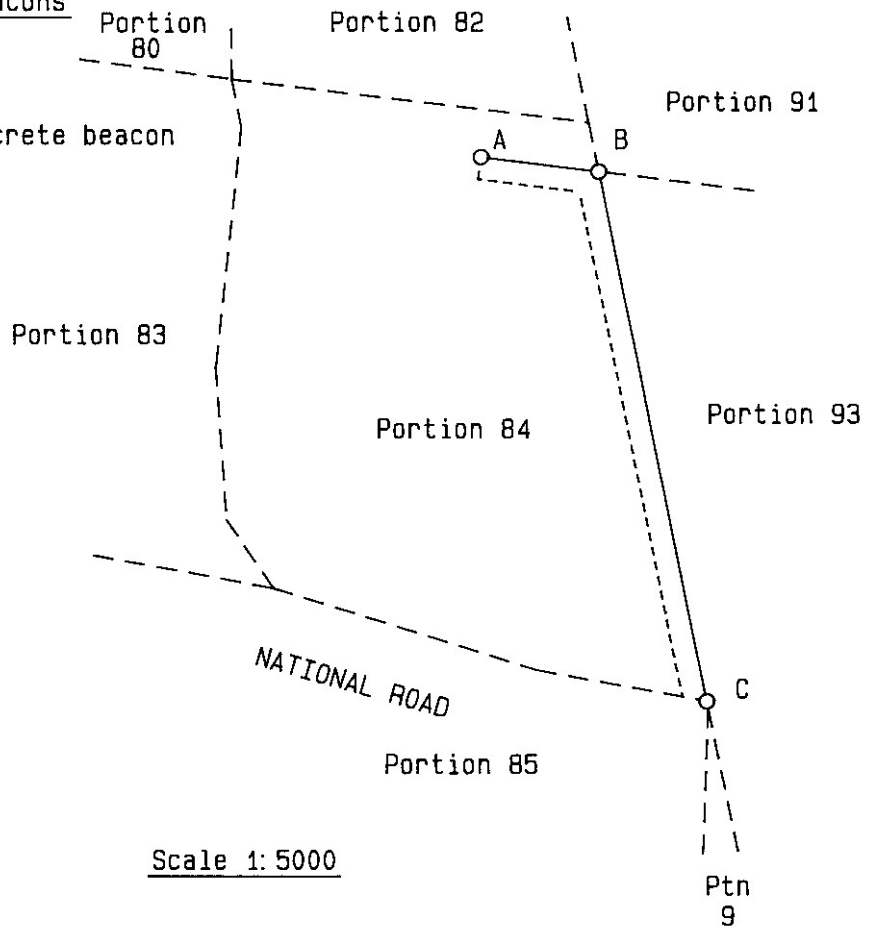
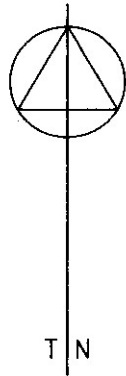
Approved

G. Savage

for Surveyor-General
1997-11-19

Description of Beacons

- A : Iron standard
- B : 20mm iron peg
- C : 150x150mm concrete beacon



The line A B C represents the northern and eastern boundaries of a servitude right of way 15 metres wide as shown, over

PORTION 84 of the Farm BOVEN LANGE VALLEY No 189

situate in the Administrative District of George
Province of the Western Cape

Surveyed in July - August 1986, September 1997
by me

G. Savage
Professional Land Surveyor
G S Savage PLS 0543

This diagram is annexed to No: <i>K933/2016^S</i> Dated i.f.o. Registrar of Deeds	The original diagram is No. 8822/1983 annexed to Transfer No. 29278/1984	File No. GEOR 189 S.R. No. E1874/198 E 2928/1997 Comp. AL-2AB (3595)


Job No W4017: LAC No L00465

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG 23° X		
		Constants		+ 0,00	+3700000,00
AB	235,41	277 08 00	A	+28839,00	+ 63837,83
BC	33,41	348 42 40	B	+28605,41	+ 63867,06
CD	77,50	97 10 00	C	+28598,87	+ 63899,82
DE	158,20	97 16 30	D	+28675,77	+ 63890,16
EA	32,90	168 57 50	E	+28832,70	+ 63870,12
		227 KNYS 30	Δ	+29526,33	+ 63235,44
		452 KNYS 32	Δ	+33988,32	+ 63707,81

SG No

3027/2006

Approved



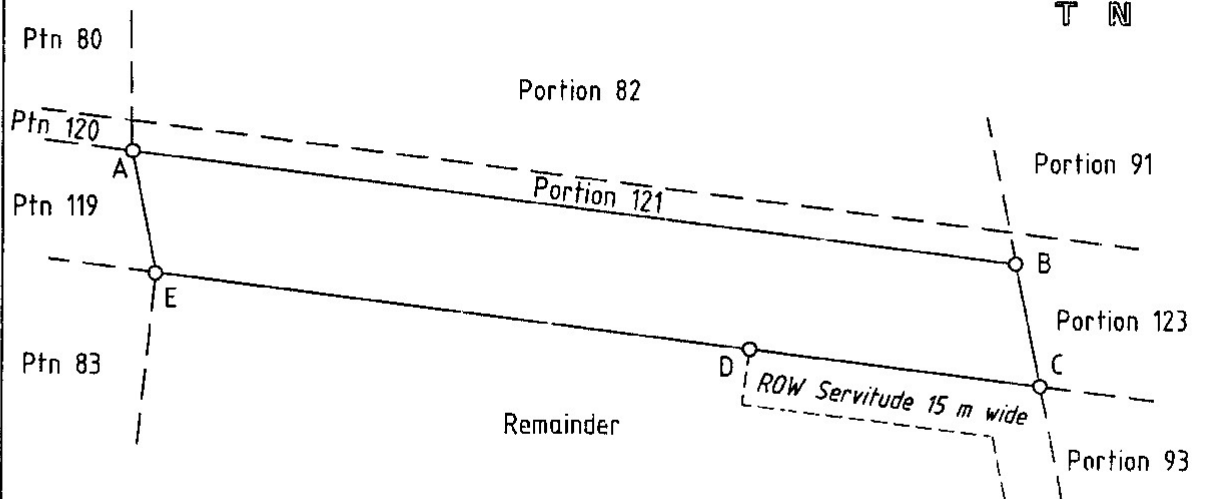
for Surveyor-General

Date: 2006.06.09

Scale 1/2000

Beacon Descriptions:


- A, B Not beacons
- C 16 mm round iron peg
- D, E Y section iron standard



The figure A B C D E represents 7425 Square Metres of land, being

PORTION 122 (a portion of Portion 84)
of the Farm BOVEN LANGE VALLEY NO 189

Situate in the Municipality of George
Administrative District of George Province of the Western Cape
Surveyed in March - May 2006 by me


U. UYS (PLS 0628) Pr Land Surveyor

EXEMPT FROM PROVISIONS OF ACT 70 OF 1970
 SECTION 2(a)
 EXEMPT FROM PROVISIONS OF CHAPTER III OF ORD. 15/1985

VP

This diagram is annexed to No dated i.f.o. Registrar of Deeds	The original diagram is No 8822/1983 annexed to Deed of Transfer No 1984- -29278	SG File No: Geor 189 S.R. No: E 1212/2006 Comps: AL-2AB (3595) LPI C0270000
---	--	--

SERVITUDE DGM.

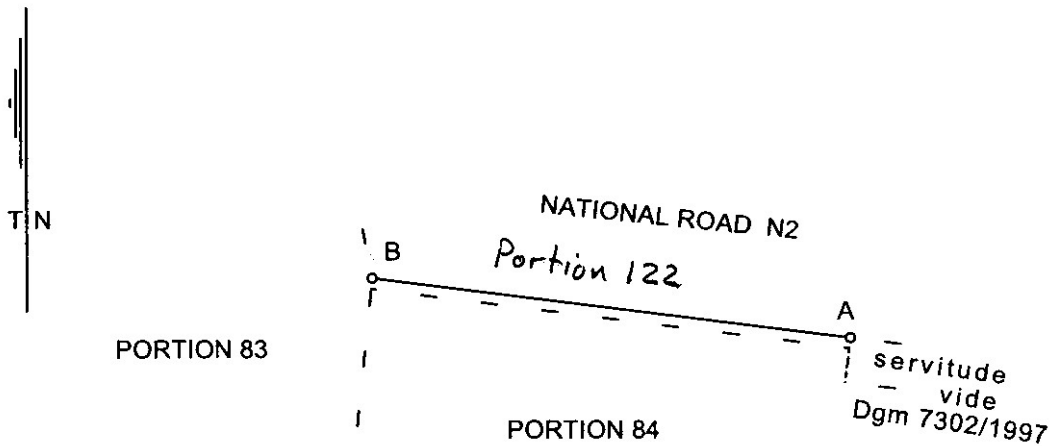
G Savage & Associates Professional Land Surveyor George

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES			S.G. No. 2688/2013
		Y	System	WG 23 X	
AB 158,14	Constant		+0,00	+3700000,00	Approved <i>G. Savage</i> for Surveyor-General 25-11-2013
	97 02 50	A	+28675,72	+63890,35	
		B	+28832,68	+63870,95	
	TR073	▲	+42348,33	+51941,48	
	TR445	▲	+40016,88	+62603,27	

BEACONS:

Iron standard: A
150x150 concrete block: B
↳ mm

ABX



Scale 1:2500

The line AB represents the Northern boundary of a 3,5m wide ACCESS SERVITUDE OVER PORTION 84 OF THE FARM BOVEN LANGE VALLEY NO 189

situate in the George Municipality.
Administrative District of George.
Province of Western Cape
Surveyed in October 2013 by me.

G. Savage

G Savage (PLS 0543)
Professional Land Surveyor.

This diagram is annexed to
No.
dated
i. f. o.

The original diagram is
No. 8822/1983 annexed to
Transfer
No. T29278/1984

File No. Geor 189 (V2)
S.R. No. 1266/2013
Comp AL-2AB (3595)

Registrar of Deeds

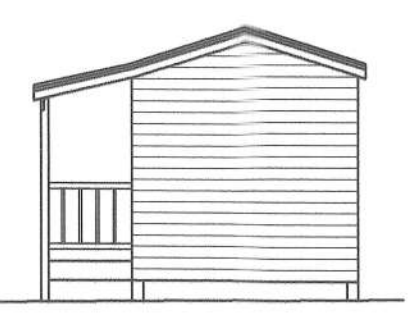
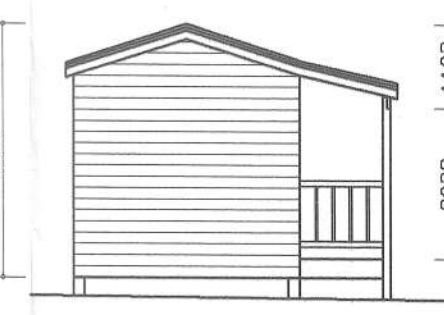
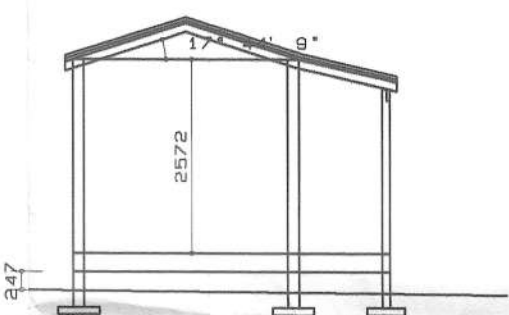
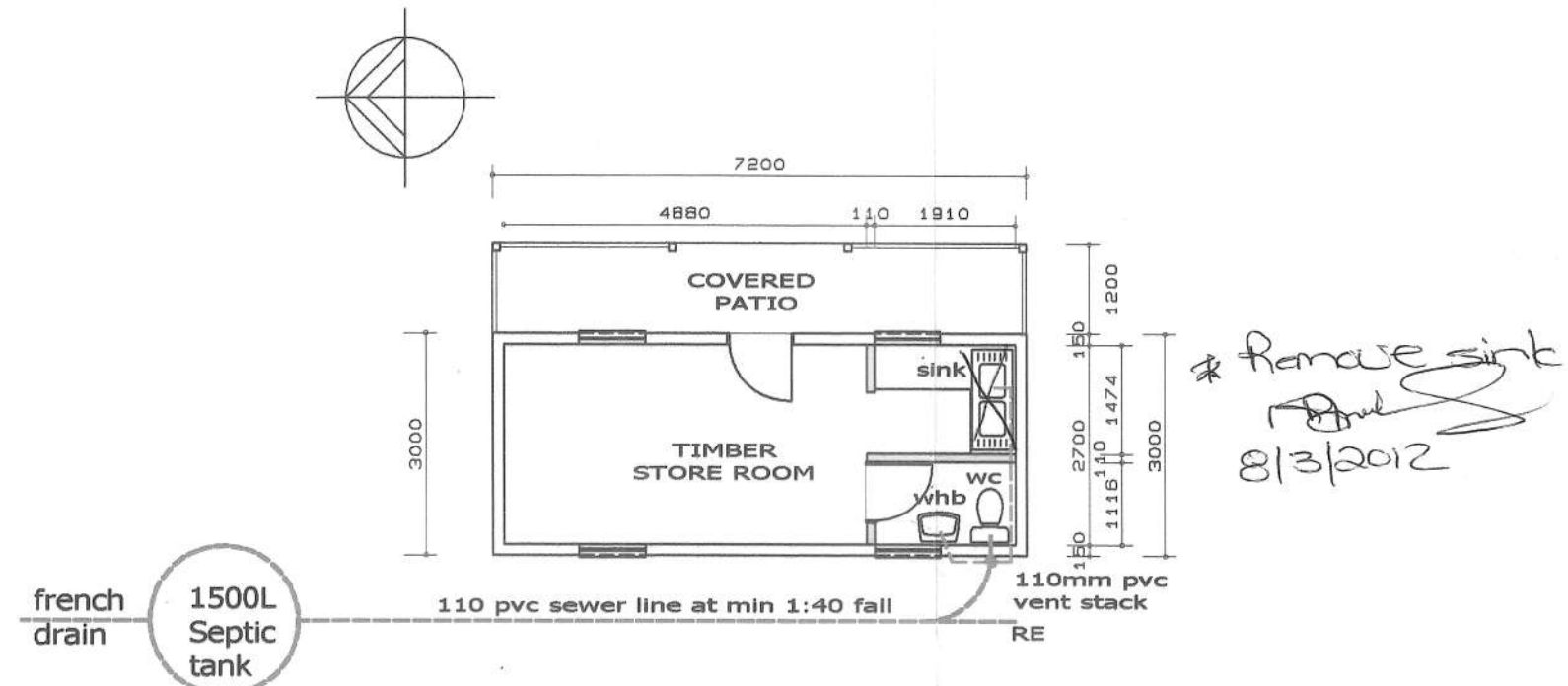
LPI C0270000

EXEMPT FROM PROVISIONS OF ACT
70 OF 1970
Court Order No: 11962/11

EXEMPT FROM PROVISIONS
OF CHAPTER III
OF ORD. 15/1985
Court Order No: 11962/11
Dd: 2012-08-07

SERVITUDE DGM.

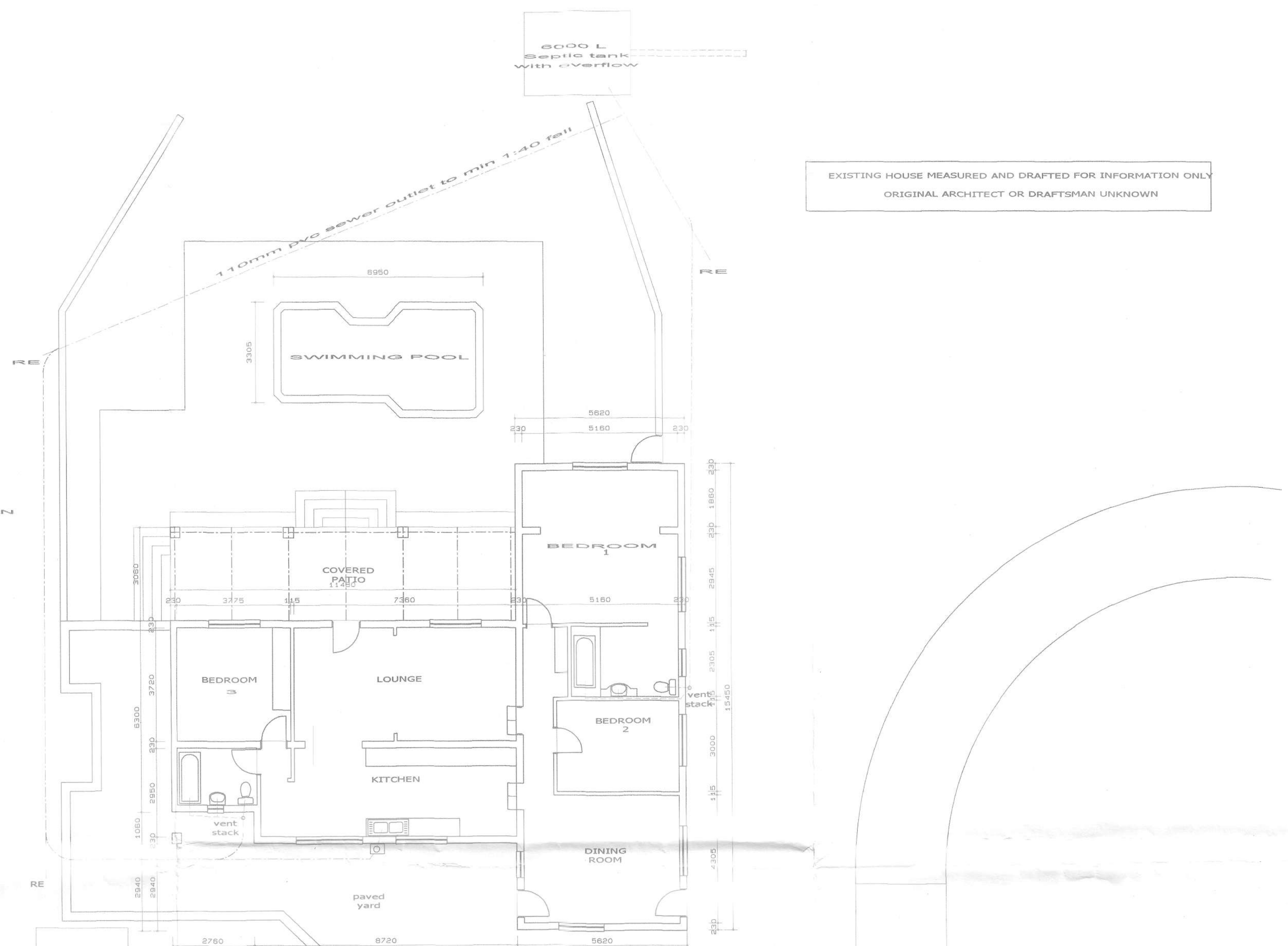
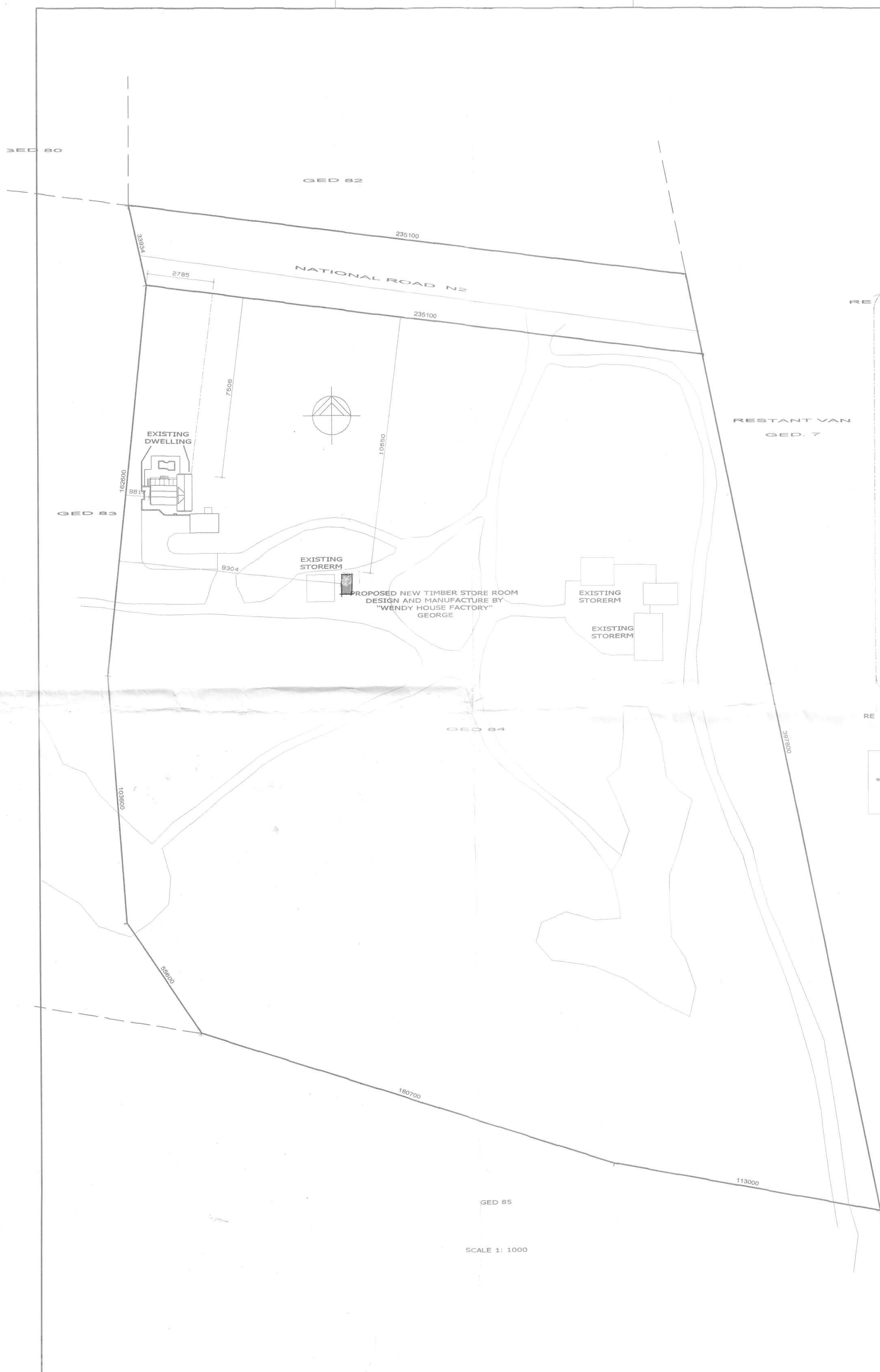




EXISTING APPROVED NEW TIMBER STORE ROOM
DESIGN AND MANUFACTURE BY
"WENDY HOUSE FACTORY"
TO RECEIVE TOILET & KITCHENNETTE
WITH SEPTIC TANK

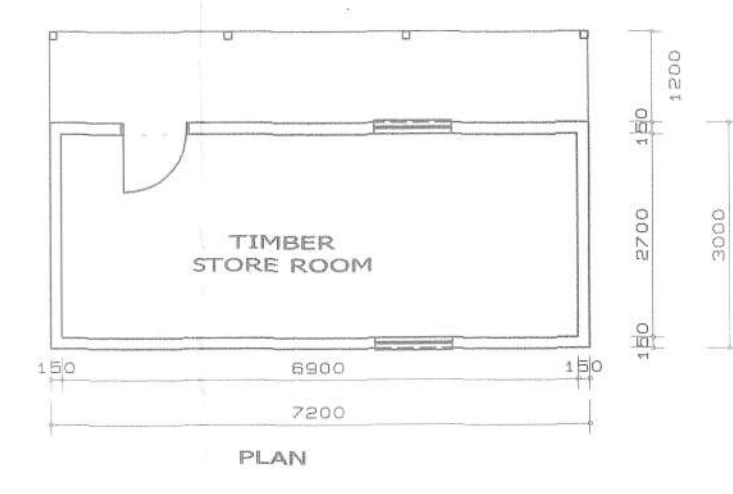
GEORGE MUNICIPALITY
APPROVED
DATE: 17/3/12 PLAN NO: 2012/12
M. N. De Freitas
Municipal Engineer

Stewart Scott professional architects 764, 5th Ave Wilderness 6530 044-8771243 082-4477 228 SACAP 6469	
project NEW BATHROOM AND KITCHENNETTE TO EXISTING STOREROOM ERF 189 GED.84 KLEINKRANTZ GEORGE OWNER - MS. N. De FREITAS	
drawing FLOOR PLAN & SITE PLAN	
scale 1:100 & 1:1000	drawn ss
date 2011/03/06	checked [Signature]
drawing no. 31/W01	revision 0



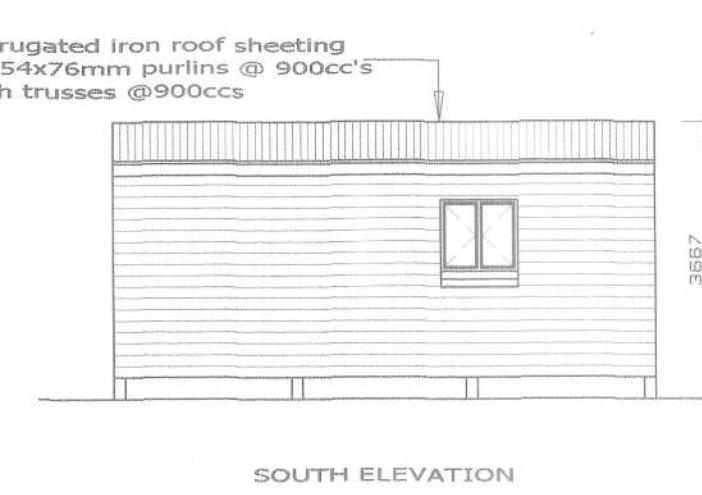
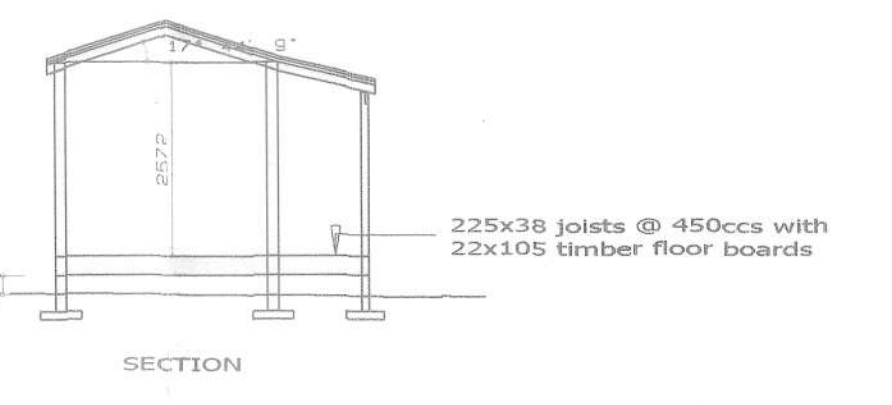
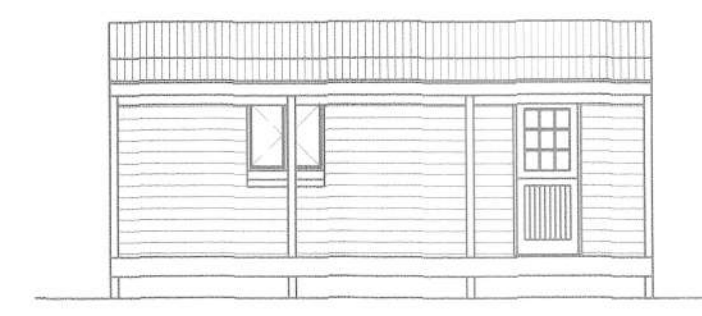
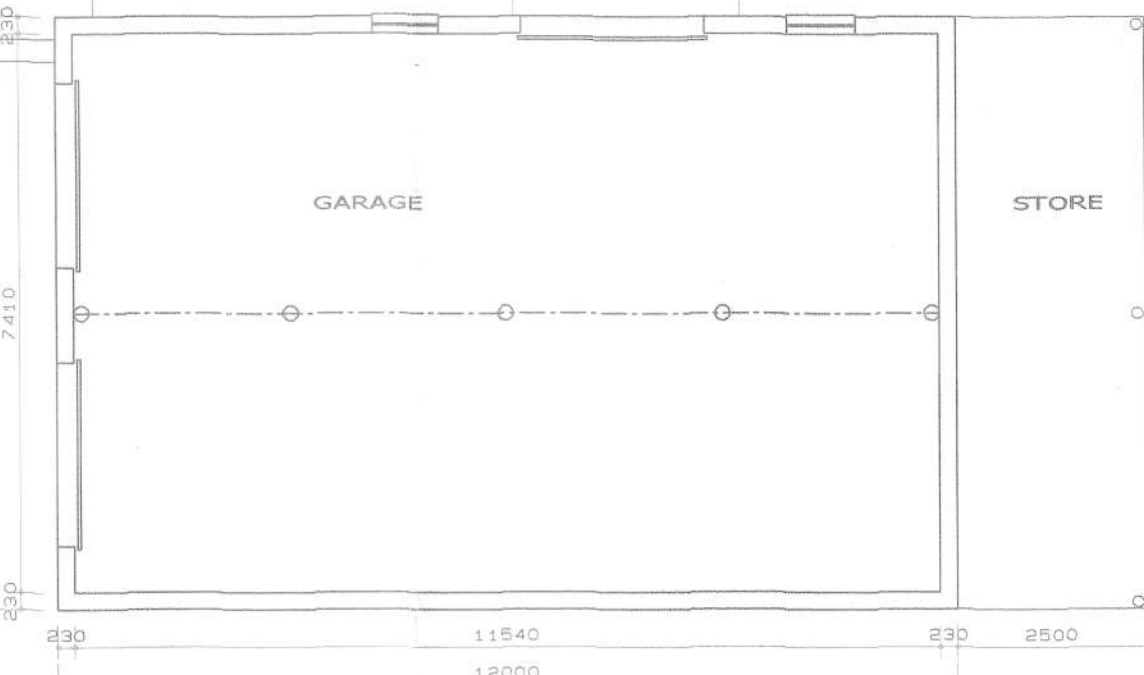
EXISTING HOUSE MEASURED AND DRAFTED FOR INFORMATION ONLY
ORIGINAL ARCHITECT OR DRAFTSMAN UNKNOWN

AREAS	
ERF AREA	90 833 m ²
GARAGE	94.4m ²
HOUSE	168.3m ²
HOUSE AREA	262.7m ²



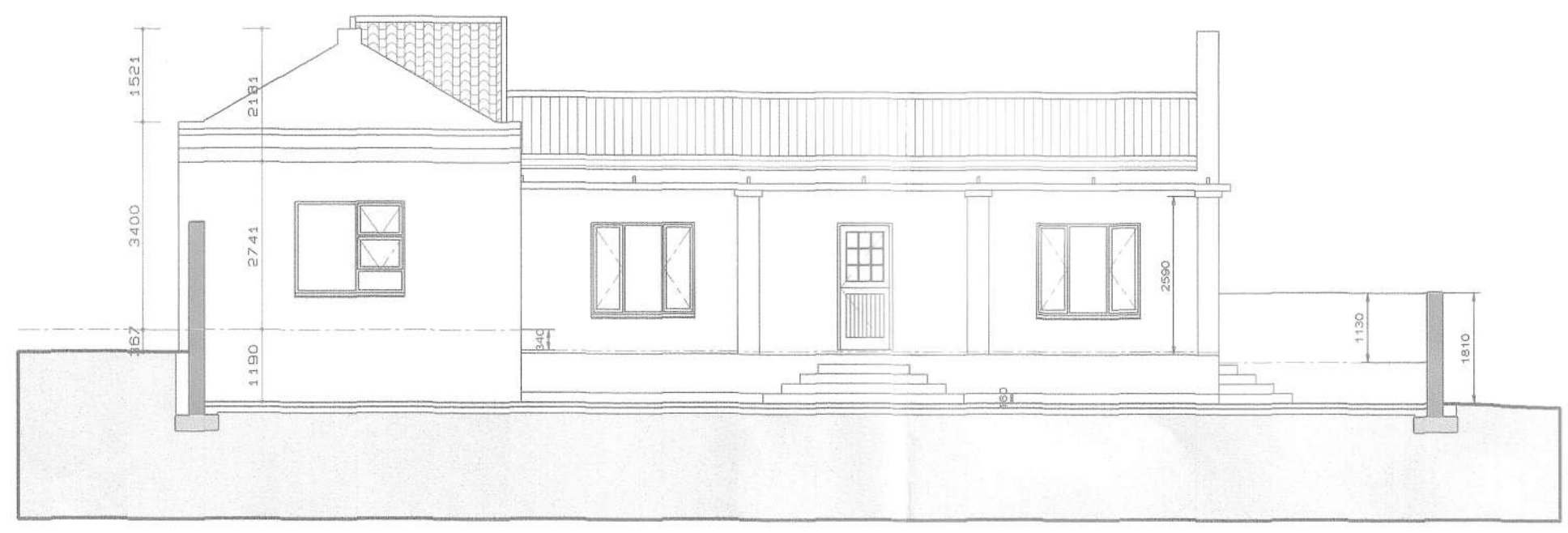
PROPOSED NEW TIMBER STORE ROOM
DESIGN AND MANUFACTURE BY
"WENDY HOUSE FACTORY"
GEORGE

NEW STORE RM AREA 21.6m²

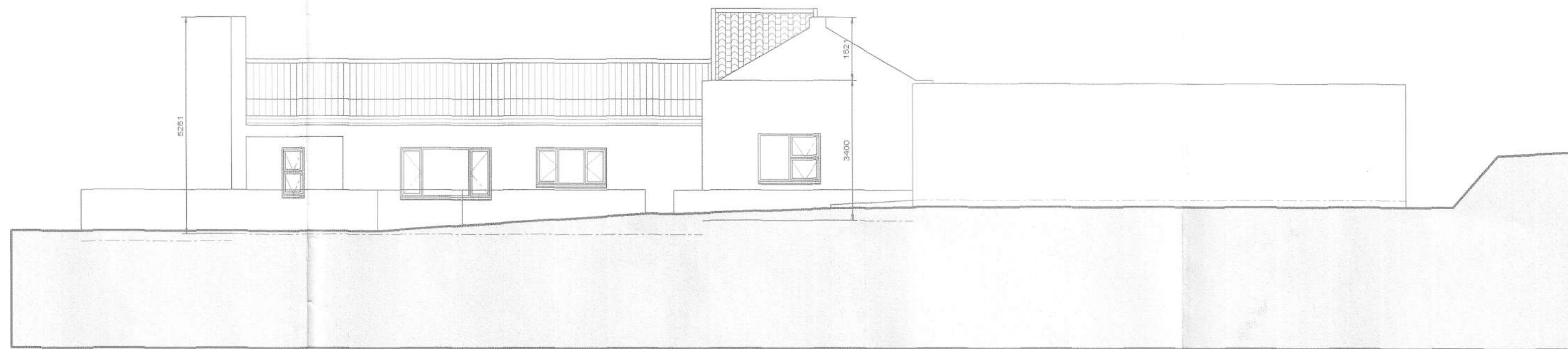


GEORGE MUNICIPALITY
APPROVED
DATE: 5/10/10 PLAN NO: 77/10
Plans Examiner

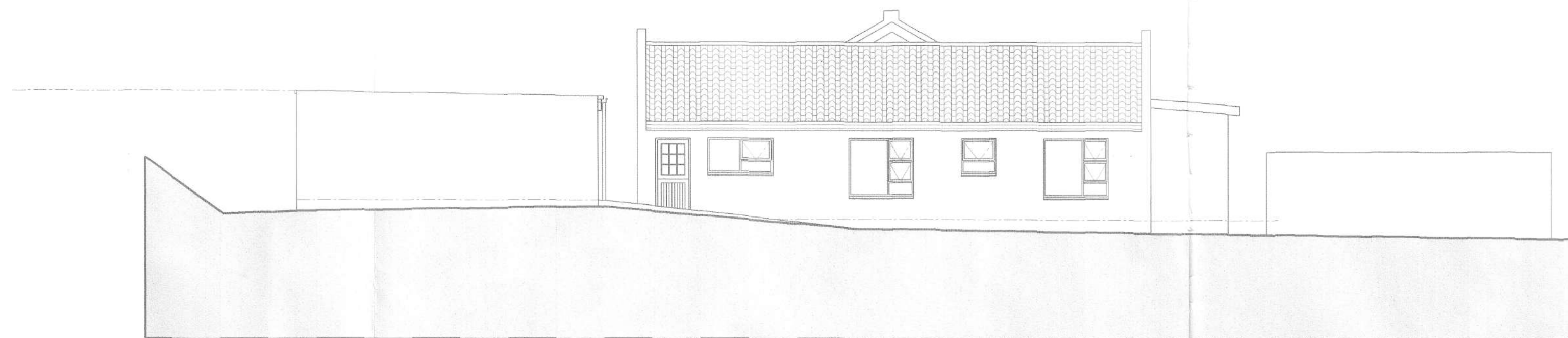
architects	
project	
EXISTING HOUSE ON ERF 189 GED.84 KLEINKRANTZ GEORGE OWNER - MS. N. De FREITAS	
drawing	
FLOOR PLAN & SITE PLAN	
scale	drawn
1:100	ss
date	checked
2010/02/04	
drawing no.	revision
27/W05 A	0



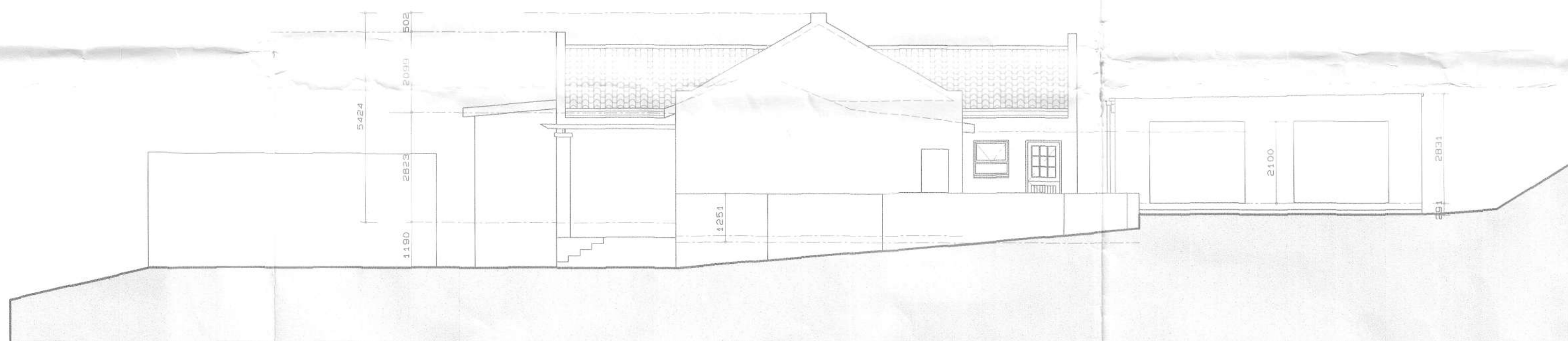
NORTH ELEVATION



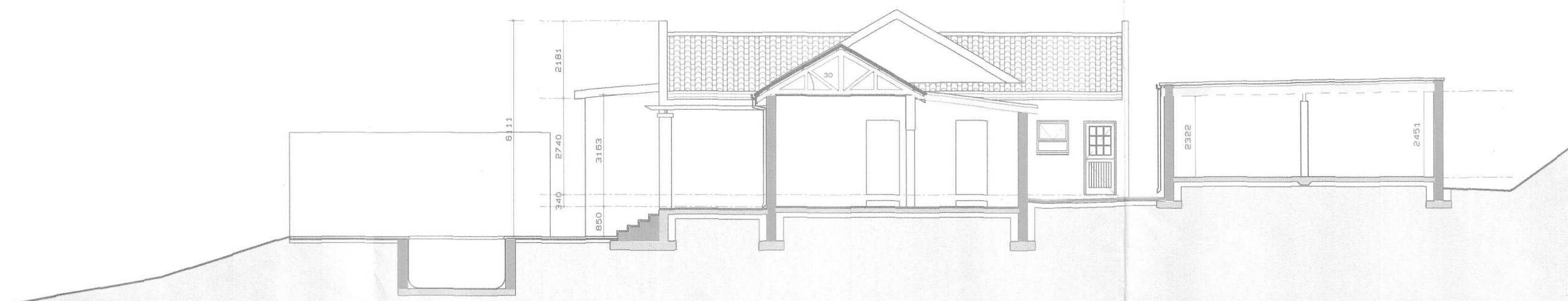
SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

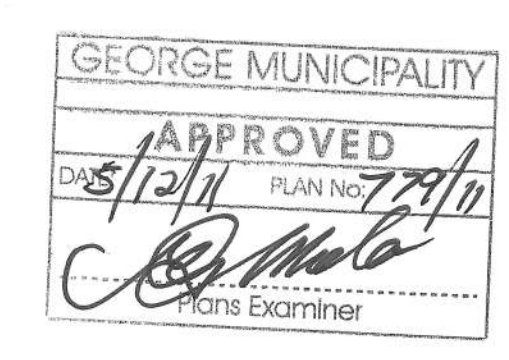


SECTION A-A

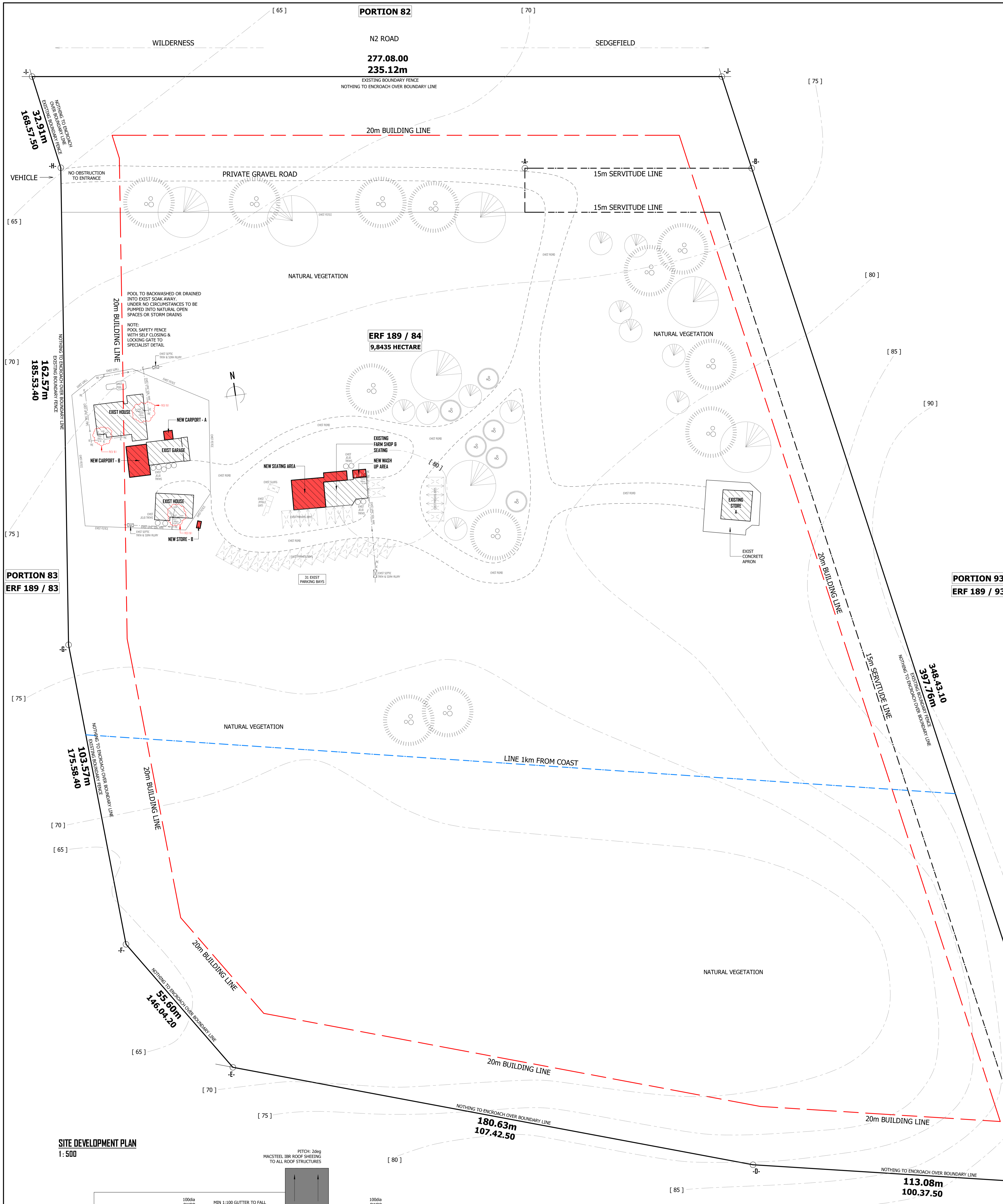
NOTES

- ROOF**
 Coverland elite grey cement roof tiles & zinc sheeting to manufacturer's fixing spec at pitch of 30 degrees to 38 x 50mm sawn softwood battens fixed to trusses at 345mm centres including 245mm wide underlay laid between rafters with all necessary flat iron flashings on 150x50mm roofbeams or premanufactured "gangnail" roof trusses at @350 cc/c or as specified by roof manufacturer secured to 110x38 wallplate with 50mm hoopiron built into 5 layers of top brickwork; or specification & fixing detail by Engineer.
- FLOOR CONSTRUCTION**
 Floor finish as noted on floorplan, on 30mm screed, 100mm surface bed, on 250 micron usb green dpm, on 50mm sandlayer on compacted fill in layers not exceeding 150mm to 98% AASHTO
- CONCRETE SURFACE BED**
 100mm thick (minimum 15MPa) cast level, a minimum of 228mm above ground level on one layer 250 micron green dpm, plastic dpm, U55 green waterproof sheeting sealed at laps with gunplastic pressure sensitive tape laid continuous under surface beds as indicated on architect's site engineers drawings.
 25mm thick river sand blinding layer on approved hardcore filling compacted to structural engineers specifications.
 Finish with 30mm cement / river sand (1:4) screed applied to a smooth and even finish to take floor finish.
- FLOOR FINISH ON VERANDAH**
 Approved tile finish with fall to outside of verandah on 30mm screed, 100mm surface bed, on 250 micron usb green dpm, on 50mm sandlayer, on compacted fill in layers not exceeding 150mm to 98% AASHTO
- FOUNDATION WALLS**
 concrete strip foundations & surfacebed thickening to Engineers spec. Foundation walls to be concrete filled to underside of 375 micron dpm in walls.
 Expansion & control joints according to engineers spec.
- WALLS**
 Smooth plaster finish to 280mm stock brick cavity walls. Waterproof & smooth plaster plinth to external brick walls below d.p.c. Plaster & paint finish to internal walls.
 PVC Butterfly wall ties at 420mm cc
- WINDOWS AND DOORS**
 Hardwood timber doors and windows.
 Front door and garage door to be hardwood timber.
 Interior doors to be semi-solid.
 All glazing must comply with Part N of NBR.
- RAINWATER GOODS**
 Seamless aluminium - charcoal colour - square profile gutters and downpipes.
- DRAINAGE NOTES :**
1. ALL DRAINAGE IS TO COMPLY WITH THE NATIONAL BUILDING REGULATIONS.
 2. PROVIDE INSPECTION EYES AT ALL BENDS AND JUNCTIONS
 3. PROVIDE INSPECTION EYES AT ALL CHANGE OF DIRECTION
 4. DRAINAGE PIPING UNDER BUILDINGS TO BE PROTECTED AGAINST THE IMPOSED LOAD.
 5. PROVIDE DEEP SEAL TRAPS TO WASTE FITTINGS WHICH ARE TO BE ACCESSIBLE FOR REPAIRS AND MAINTENANCE
 6. WASTE PIPE SIZE TO BE 50mm DIAMETER
 7. SHOWER WASTE PIPE SIZE TO BE 75mm DIAMETER
 8. SOIL PIPE SIZE TO BE 100mm DIAMETER
 9. WASTE PIPES EXCEEDING 90 TO BE VENTED
 10. GRADIENT OF DRAINS TO BE 1:60 FALL MINIMUM, 1:40 FALL MAXIMUM.
 11. SOIL AND WASTE PIPES TO BE CONCEALED
 12. FIRST FLOOR TO BE FITTED WITH DEEP SEAL TRAPS
- STRUCTURAL NOTES :**
1. ALL STRUCTURAL CONCRETE AND SIZES TO BE SPECIFIED AND INSPECTED BY ENGINEER AT EACH STAGE
- SWIMMING POOL NOTES : TO COMPLY WITH PART D NBR**
1. CONCRETE AND BRICKWORK STRUCTURE TO BE DESIGNED BY ENGINEER
 2. POOL BACKWASH TO BE CONNECTED TO SEWER LINE
 3. SURE FLOW SALT WATER CHLORINATOR
 4. PUMP TO BE ENCLOSED IN SOUND PROOF HOUSING
 5. PIPE SIZE TO BE 50mm DIAMETER PVC HI-PRESSURE
 6. PIPES TO BE CONCEALED
 7. CIRCULATION SYSTEM TO BE DESIGNED AND BUILT BY POOL SPECIALIST.
- GAS INSTALLATION**
 TO COMPLY WITH SANS 10087 PART 1 & TO BE CARRIED OUT BY REGISTERED INSTALLER
- MECHANICAL VENTILATION**
 TO COMPLY WITH PART O OF NBR

EXISTING HOUSE MEASURED AND DRAFTED FOR INFORMATION ONLY
 ORIGINAL ARCHITECT OR DRAFTSMAN UNKNOWN

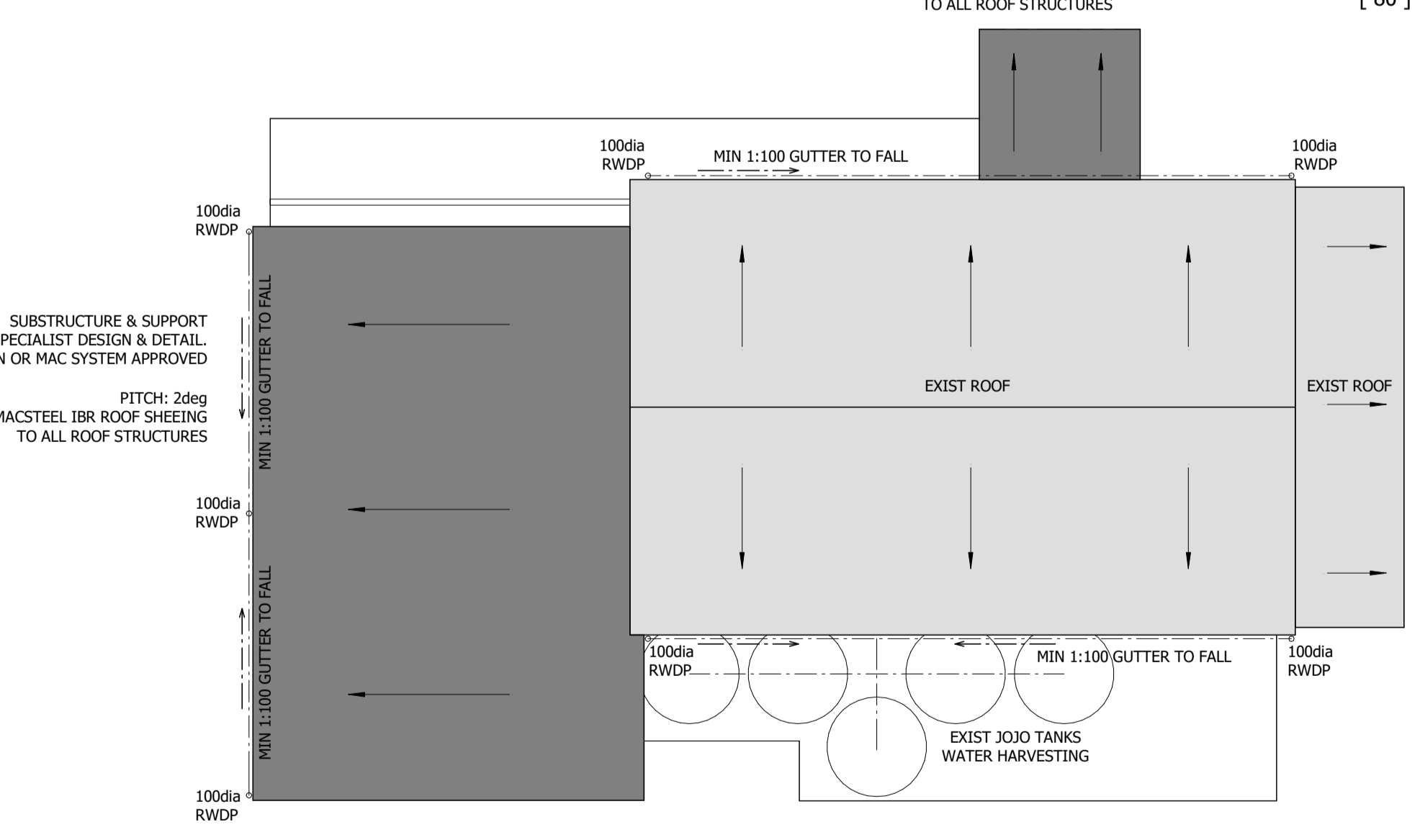


architects	
project	
EXISTING HOUSE ON ERF 189 GED.84 KLEINKRANTZ GEORGE OWNER - MS. N. De FREITAS	
drawing	
ELEVATIONS & SECTIONS	
scale	drawn
1:100	ss
date	checked
2010/02/04	
drawing no.	revision
27/W05 A	0

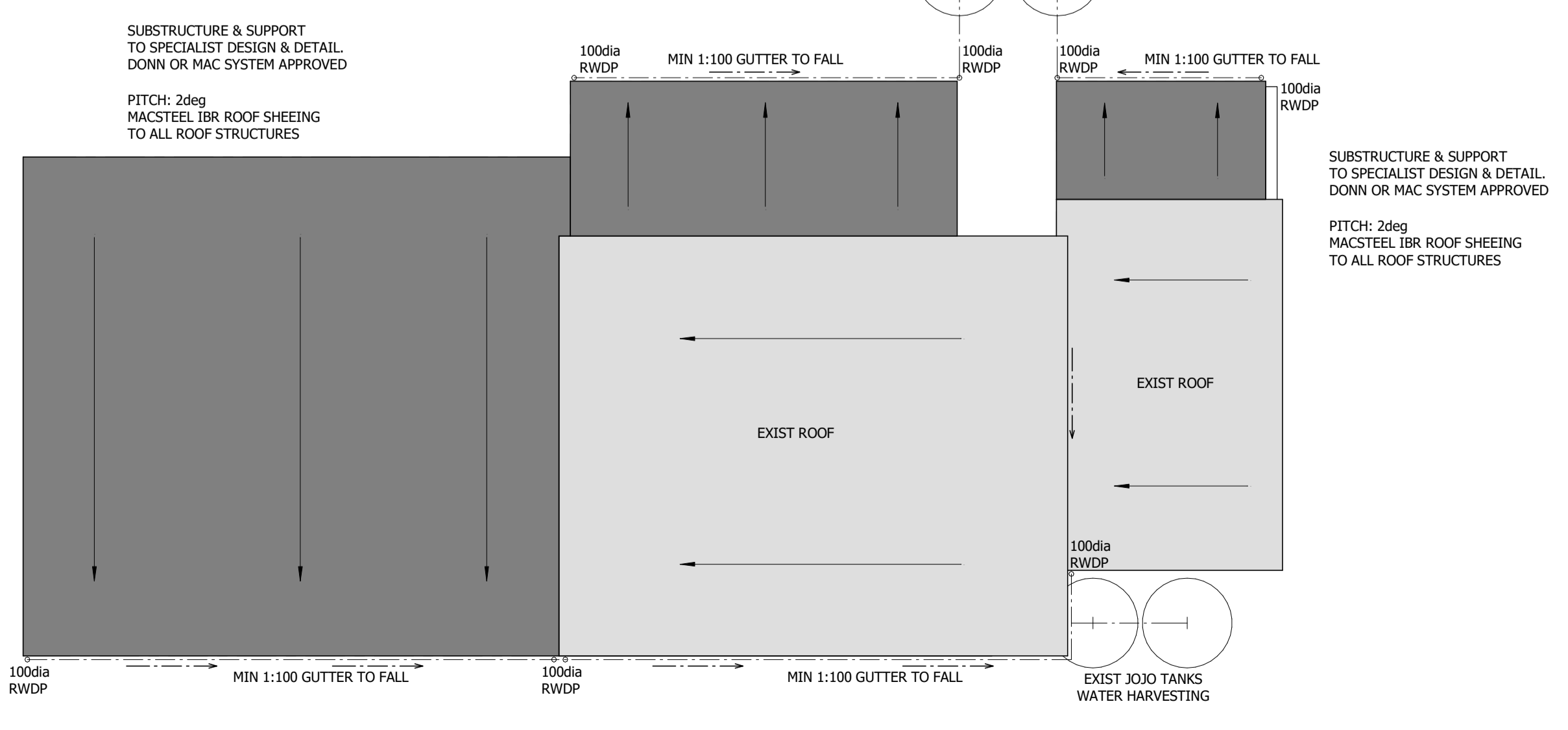


- GENERAL NOTES:**
- Contractor to ensure compliance to SANS 10400 in all relevant clauses and requirements.
 - All levels, dimensions and positions to be checked on site and verified before any work commences.
 - Any errors, discrepancies or omissions to be reported to the architect immediately.
 - All work to be in accordance with good and accepted local building practice.
 - Figured dimensions to be taken in preference to scaled dimensions.
 - These architectural drawings are to be read in conjunction with engineers and consultants drawings, where applicable.
 - All building by-laws, health and fire requirements to be strictly adhered to.
 - The contractor will be held responsible for the correct setting out of the works. Any doubt as to the accuracy of boundary pegs or lines to be reported to the client immediately.
 - Any errors or discrepancies to be reported immediately for clarification prior to any work being undertaken.
 - Levels indicated are provisional and must be checked on site referring to top of foundation.
 - Foundations to boundary walls not to encroach over boundary lines.
 - All electrical and drainage work is to be executed by registered tradesmen.
 - Care to be taken when excavating for new work, to comply with SANS 10400 - G. All existing pipes, cables, etc. exposed to be pointed out to client and/or architect, who shall advise necessary action to be taken.
 - The contractor shall take all necessary precautions to avoid any damage whatsoever, to existing buildings and fences.
 - All Occupational safety regulations as set by Dept. of Labour to be complied with and to comply with SANS 10040 - B.
- SAFETY:** to comply with SANS 10400 - D
- All safety distances to be checked on site and must be in compliance with sams 10087, part 1 standards.
 - Installation to comply to local authority and sams 10087 regulations.
 - All building work to comply to sams 0400.
 - All electrical work to comply to sams 0108.
 - All mandatory fire equipment to be present and maintained. Area around site cage to be kept clear of all combustible materials.
 - All warning and safety notices to be displayed as per sams 1186.

SITE DEVELOPMENT PLAN
1:500



ROOF PLAN - CARPORT
1:100



ROOF PLAN - FARMSTORE
1:100

PORTION 85
ERF 189 / 103

COVERAGE SCHEDULE		
ZONING	AGRICULTURAL ZONE - 1	
F.A.R	ALLOWED	ACTUAL
COVERAGE	---	0.8%
SITE AREA	9.8391 hectare	
DWELLING PER DWF	1	
EXISTING MAIN HOUSE AREA	166.9 sqm	
EXISTING MAIN GARAGE AREA	101.0 sqm	
NEW CAR PORT - A AREA ADDED	9.0 sqm	
NEW CAR PORT - B AREA ADDED	75.0 sqm	
NEW AREA ADDED TO MAIN DWELLING TOTAL	84.0 sqm	
NEW MAIN DWELLING TOTAL AREA	351.9 sqm	
EXISTING SECOND DWELLING AREA	60.3 sqm	
EXISTING SECOND DWELLING GARAGE AREA	21.0 sqm	
EXISTING SECOND DWELLING COVERED STOEP AREA	18.3 sqm	
EXISTING SECOND DWELLING TOTAL AREA	99.6 sqm	
EXISTING FARM SHOP & SEATING AREA	86.0 sqm	
EXISTING BATHROOMS, STORE AREA & COLD ROOM	33.0 sqm	
NEW WASH - UP AREA ADDED	12.0 sqm	
NEW SEATING & STAFF AREA ADDED	136.0 sqm	
NEW AREA ADDED TOTAL	148.0 sqm	
EXIST STORE ROOM - A AREA	102.0 sqm	
NEW STORE ROOM - B ADDED	3.0 sqm	
NEW STORE ROOMS TOTAL AREA	105.0 sqm	
TOTAL AREA	823.1 sqm	
NEW TOTAL AREA ADDED	235.0 sqm	

Rev	Date	Description
01	16/10/2024	Est-Design correction indicated

STATUS: COUNCIL

ARCHITECT: SCOTT ARCHITECTS professional architects

CLIENT: NATASHA DE FREITAS

PROJECT: OYSTERS R'US

SITE: ERF 189 - 84 WILDERNESS EAST

DRAWING: SITE DEVELOPMENT PLAN & ROOF PLAN

SCALE AS SHOWN: DRAWN JM P/Arch 67215468

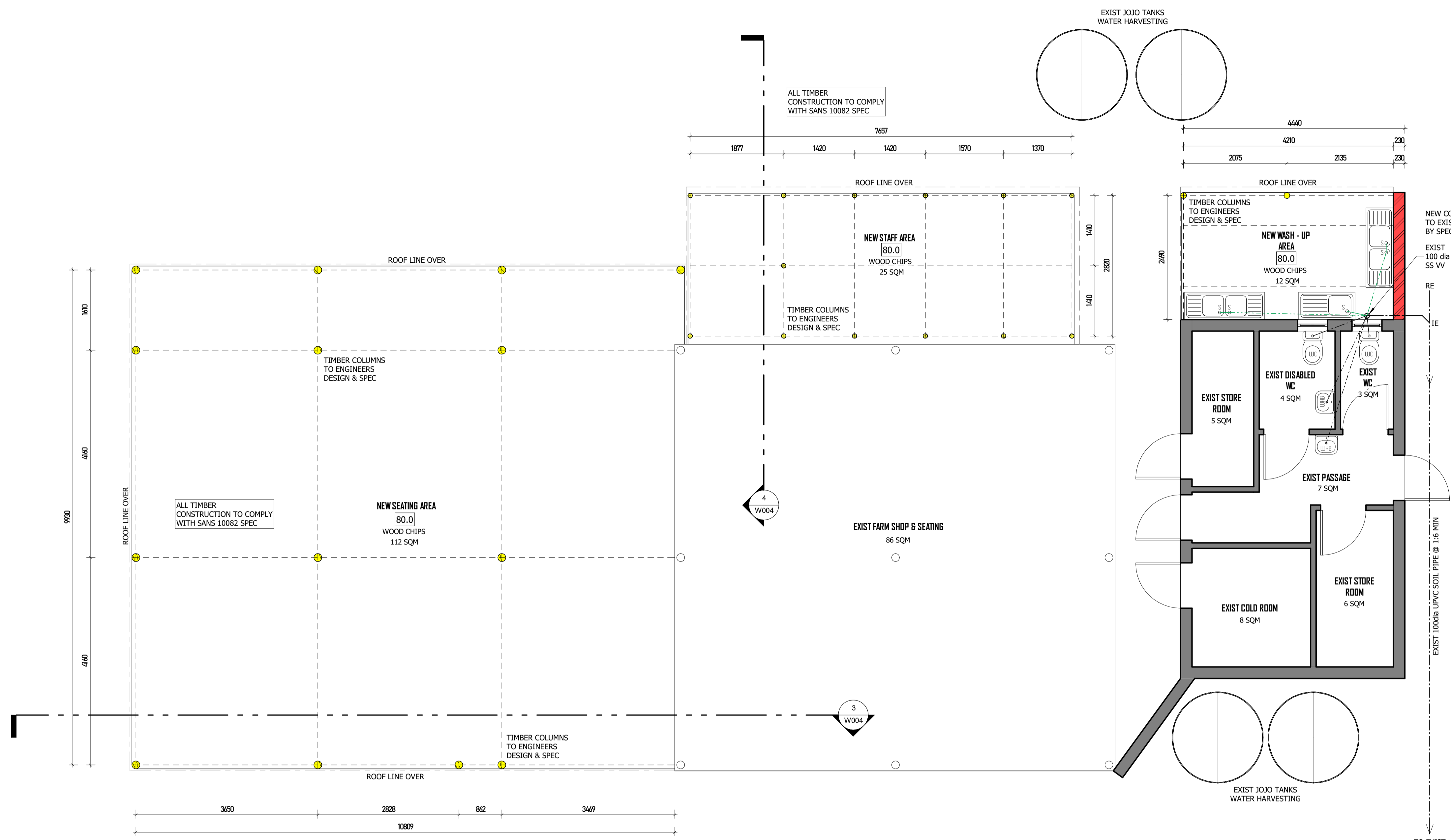
DATE 2024/10/16 12:58:14: CHECKED SS 6469

PROJECT NO. 224: DRAWING NO. W001: REVISION 01

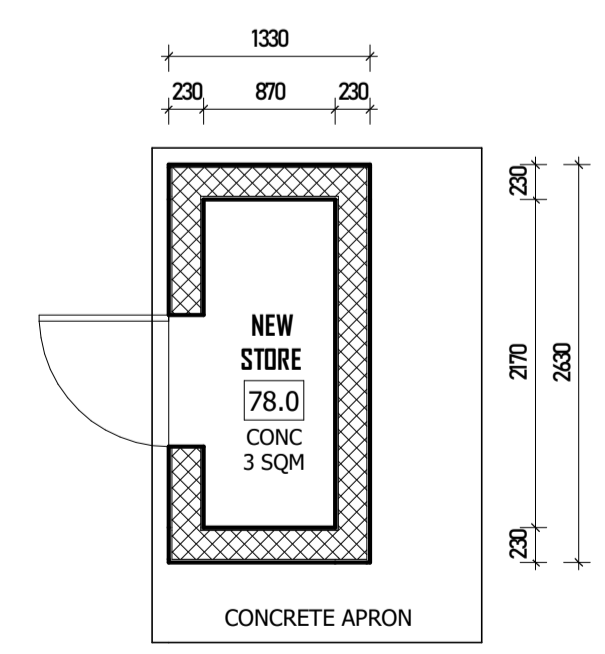
ARCHITECT SIGNATURE: [Signature]

CLIENT SIGNATURE: [Signature] DATE: []

The design on this drawing remains the property of the designer - copyright reserved to Scott Architects. All dimensions to be checked on site before work commences. Any discrepancies must immediately be reported to the designer. This drawing is not to be scaled. All work to comply with the NBR, any relevant SANS code of practice and any local authority regulations. The contractor to make themselves aware of these prior to commencement of work.



GROUND FLOOR PLAN - FARMSHOP
1:50



GROUND FLOOR PLAN - STORE - B
1:50

GENERAL NOTES:

- Contractor to ensure compliance with SANS 10400 in all relevant clauses and requirements.
- All levels, dimensions and positions to be checked on site and verified before any work commences.
- Any errors, discrepancies or omissions to be reported to the architect immediately.
- All work to be in accordance with good and accepted local building practice.
- Figured dimensions to be taken in preference to scaled dimensions.
- These architectural drawings are to be read in conjunction with engineers and consultants drawings, where applicable.
- All building by-laws, health and fire requirements to be strictly adhered to.
- The contractor will be held responsible for the correct setting out of the works. Any doubt as to the accuracy of boundary pegs or lines to be reported to the client immediately.
- Any errors or discrepancies to be reported immediately for clarification prior to any work being undertaken.
- Levels indicated are provisional and must be checked on site referring to top of foundation.
- Foundations to boundary walls not to encroach over boundary lines.
- All electrical and drainage work is to be executed by registered tradesmen.
- Care to be taken when excavating for new work, to comply with SANS 10400 - G. All existing pipes, cables, etc. exposed to be pointed out to client and/or architect, who shall advise necessary action to be taken.
- The contractor shall take all necessary precautions to avoid any damage whatsoever, to existing buildings and fences.
- All Occupational safety regulations as set by Dept. of Labour to be complied with and to comply with SANS 10400 - B.

- SAFETY:** to comply with SANS 10400 - D
- All safety distances to be checked on site and must be in compliance with SANS 10087, part 1 standards.
 - Installation to comply to local authority and SANS 10087 regulations.
 - All building work to comply to SANS 0400.
 - All electrical work to comply to O108.
 - All mandatory fire equipment to be present and maintained. Area around gas cage to be kept clear of all combustible materials.
 - All warning and safety notices to be displayed as per SANS 1186.

NOTE: ALL DRAINAGE INSTALLATIONS TO COMPLY WITH SANS 10400 PART P

DRAINAGE LESS THAN 900mm FROM BUILDING TO BE ON SAME LEVEL AS FOUNDATIONS

NOTE: ALL PLUMBING ABOVE GROUND ACCORDING TO SANS REGULATIONS

Rev	Date	Description
01	14/10/2024	SQM indicated on floor plan

STATUS: COUNCIL

ARCHITECT: **SCOTT ARCHITECTS** professional architects
 Unit 11, Palms Garden Square, 1 Owen Grant St, Wilderness, 6560
 Tel: +27 76 128 2575
 info@scottarchitects.co.za
 www.scottarchitects.co.za

CLIENT: NATASHA DE FREITAS

PROJECT: OYSTERS R'US

SITE: ERF 189 - 84 WILDERNESS EAST

DRAWING: GROUND FLOOR PLAN - FARMSTORE

SCALE AS SHOWN DRAWN JM PrArch 67215468

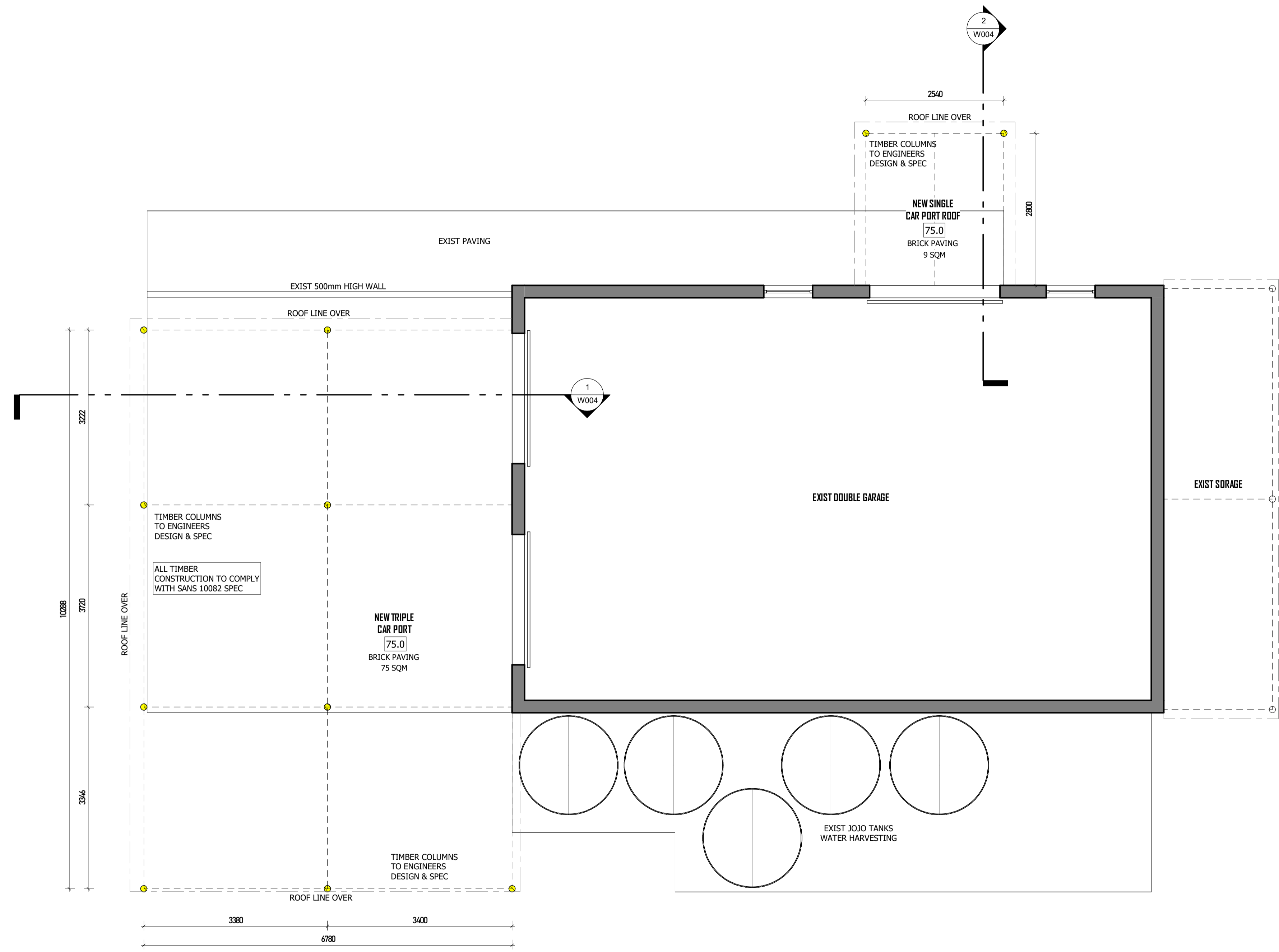
DATE 2024/10/16 13:01:12 CHECKED SS 6469

PROJECT NO. 224 DRAWING NO. W003 REVISION 00

ARCHITECT SIGNATURE

CLIENT SIGNATURE

DATE: The design on this drawing remains the property of the designer - copyright reserved to Scott Architects. All dimensions to be checked on site before work commences. Any discrepancy must immediately be reported to the designer. This drawing is not to be scaled. All work to comply with the NBR, any relevant SABS code of practice and any local authority regulations. The contractor is to make themselves aware of these prior to commencement of work.



GROUND FLOOR PLAN - CARPORT
1:50

- GENERAL NOTES:**
- Contractor to ensure compliance to SANS 10400 in all relevant clauses and requirements.
 - All levels, dimensions and positions to be checked on site and verified before any work commenced.
 - Any errors, discrepancies or omissions to be reported to the architect immediately.
 - All work to be in accordance with good and accepted local building practice.
 - Figured dimensions to be taken in preference to scaled dimensions.
 - These architectural drawings are to be read in conjunction with engineers and consultants drawings, where applicable.
 - All building by-laws, health and fire requirements to be strictly adhered to.
 - The contractor will be held responsible for the correct setting out of the works. Any doubt as to the accuracy of boundary pegs or lines to be reported to the client immediately.
 - Any errors or discrepancies to be reported immediately for clarification prior to any work being undertaken.
 - Levels indicated are provisional and must be checked on site referring to top of foundation.
 - Foundations to boundary walls not to encroach over boundary lines.
 - All electrical and drainage work is to be executed by registered tradesmen.
 - Care to be taken when excavating for new work, to comply with SANS 10400 - G. All existing pipes, cables, etc. exposed to be pointed out to client and/or architect, who shall advise necessary action to be taken.
 - The contractor shall take all necessary precautions to avoid any damage what so ever, to existing buildings and fences.
 - All Occupational safety regulations as set by Dept. of Labour to be complied with and to comply with SANS 10400 - B.

- SAFETY:** to comply with SANS 10400 - D
- All safety distances to be checked on site and must be in compliance with sans 10087, part 1 standards.
 - Installation to comply to local authority and sans 10087 regulations.
 - All building work to comply to sans 0400.
 - All electrical work to comply to 0108.
 - All mandatory fire equipment to be present and maintained. Area around gas cage to be kept clear of all combustible materials.
 - All warning and safety notices to be displayed as per sans 1186.

Rev	Date	Description
01	14/10/2024	SOI indicated on floor plan

STATUS: COUNCIL

ARCHITECT

SCOTT ARCHITECTS
professional architects

Unit 11, Palms Garden Square,
1 Owen Grant St, Wilderness, 6560
Tel: +27 76 128 2575
info@scottarchitects.co.za
www.scottarchitects.co.za

CLIENT: NATASHA DE FREITAS

PROJECT: OYSTERS R'US

SITE: ERF 189 - 84
WILDERNESS EAST

DRAWING: GROUND FLOOR PLAN - CARPORT

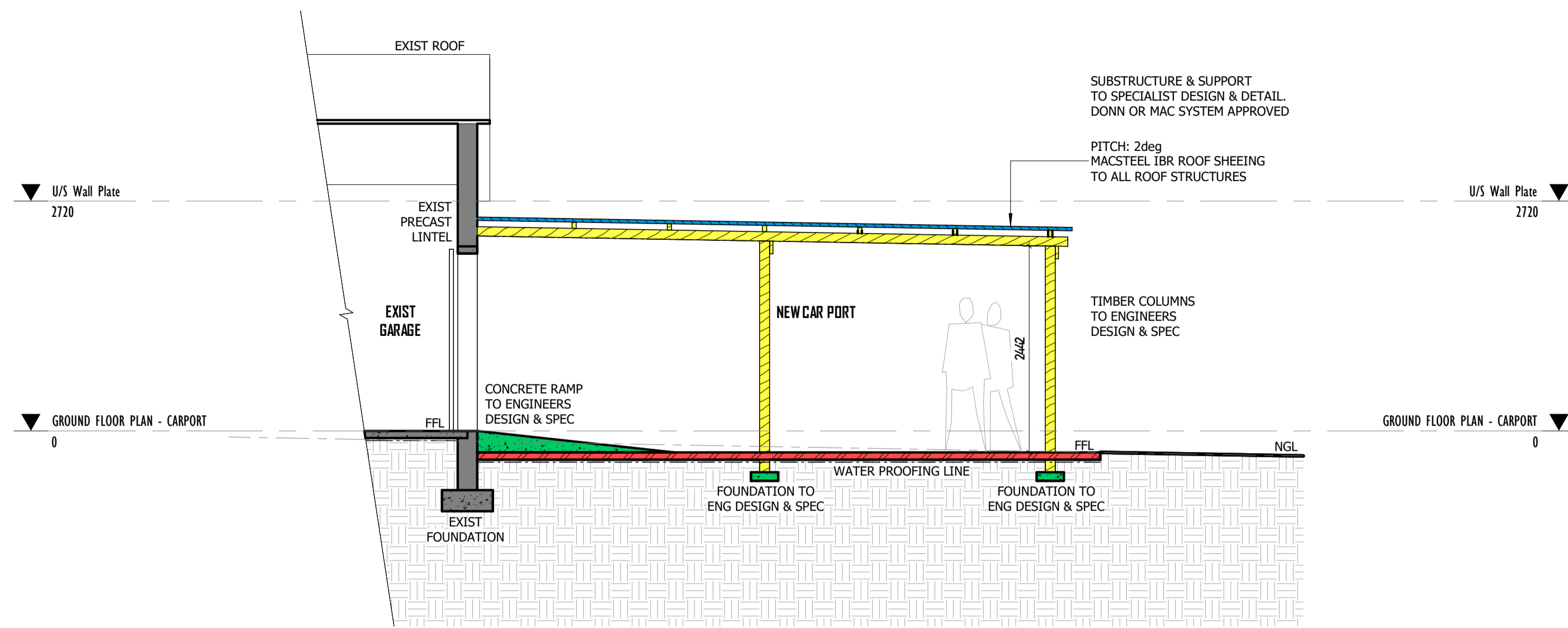
SCALE AS SHOWN	DRAWN JM PrArch 67215468
DATE 2024/10/16 12:59:49	CHECKED SS 6469

PROJECT NO. 224	DRAWING NO. W002	REVISION 01
-----------------	------------------	-------------

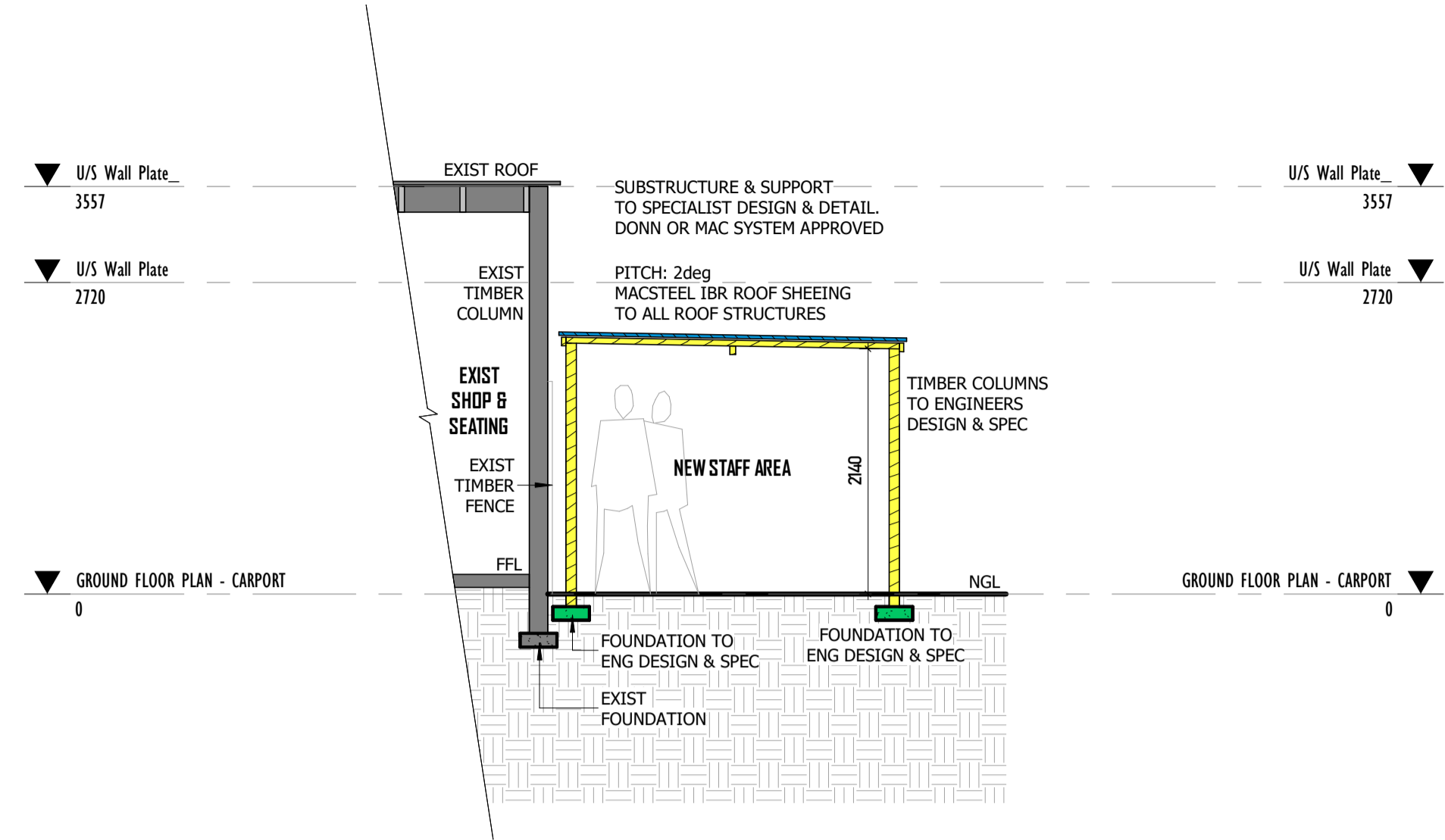
ARCHITECT SIGNATURE: *[Signature]*

CLIENT SIGNATURE: *[Signature]* DATE:

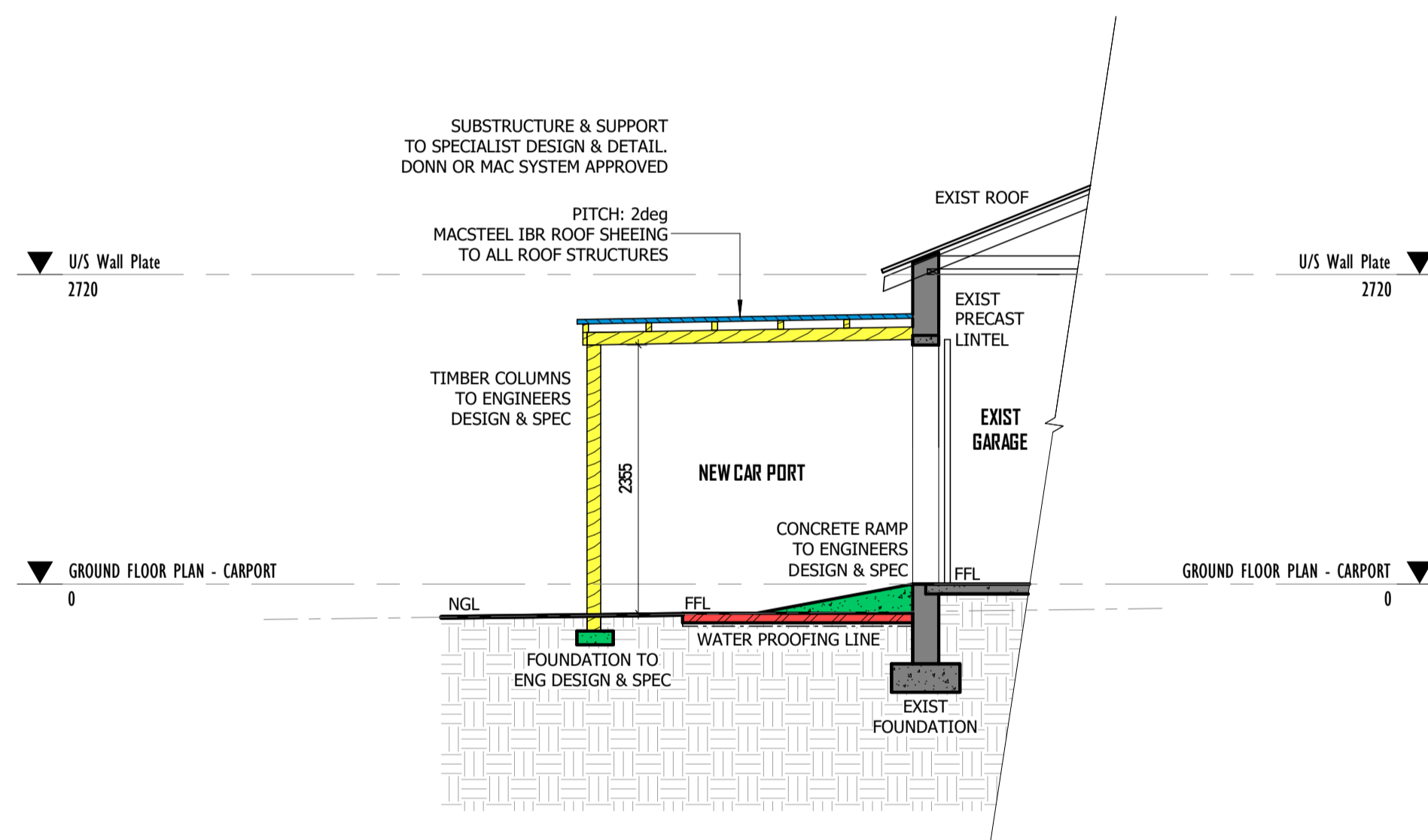
The design on this drawing remains the property of the designer - copyright reserved to Scott Architects. All dimensions to be checked on site before work commences. Any discrepancy must immediately be reported to the designer. This drawing is not to be scaled. All work to comply with the NBR, any relevant SABS code of practice and any local authority regulations. The contractor is to make themselves aware of these prior to commencement of work.



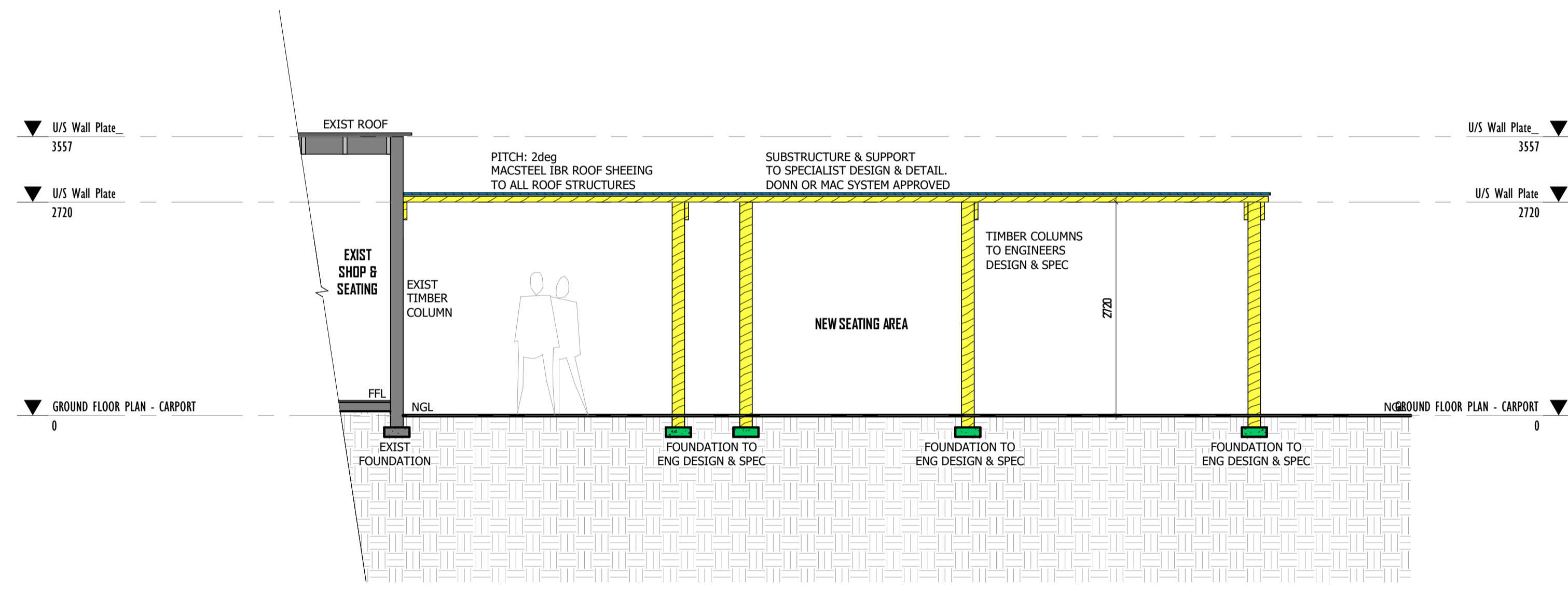
SECTION 1 - 1 - CARPORT
1:50



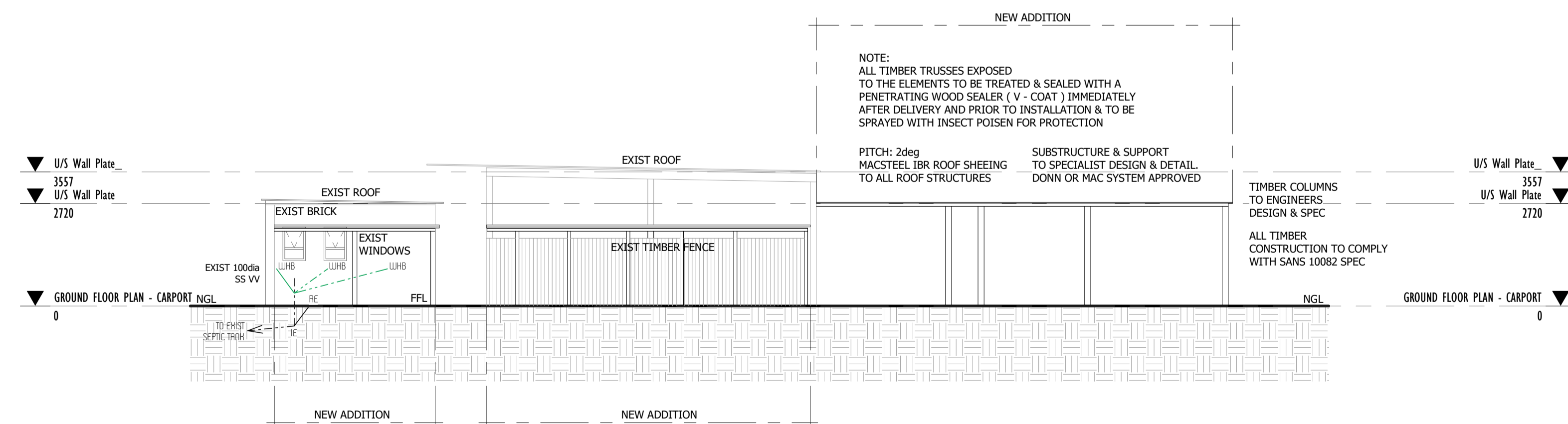
SECTION 4 - 4 - STAFF
1:50



SECTION 2 - 2 - CARPORT
1:50



SECTION 3 - 3 - SEATING
1:50



NORTH ELEVATION - FARMSTORE
1:100

GENERAL NOTES:

- Contractor to ensure compliance to SANS 10400 in all relevant clauses and requirements.
- All levels, dimensions and positions to be checked on site and verified before any work commenced.
- Any errors, discrepancies or omissions to be reported to the architect immediately.
- All work to be in accordance with good and accepted local building practice.
- Figured dimensions to be taken in preference to scaled dimensions.
- These architectural drawings are to be read in conjunction with engineers and consultants drawings, where applicable.
- All building by-laws, health and fire requirements to be strictly adhered to.
- The contractor will be held responsible for the correct setting out of the works. Any doubt as to the accuracy of boundary pegs or lines to be reported to the client immediately.
- Any errors or discrepancies to be reported immediately for clarification prior to any work being undertaken.
- Levels indicated are provisional and must be checked on site referring to top of foundation.
- Foundations to boundary walls not to encroach over boundary lines.
- All electrical and drainage work is to be executed by registered tradesmen.
- Care to be taken when excavating for new work, to comply with SANS 10400 - G. All existing pipes, cables, etc. exposed to be pointed out to client and/or architect, who shall advise necessary action to be taken.
- The contractor shall take all necessary precautions to avoid any damage what so ever, to existing buildings and fences.
- All Occupational safety regulations as set by Dept. of Labour to be complied with and to comply with SANS 10400 - B.

- SAFETY:** to comply with SANS 10400 - D
- All safety distances to be checked on site and must be in compliance with SANS 10087, part 1 standards.
 - Installation to comply to local authority and SANS 10087 regulations.
 - All building work to comply to SANS 0400.
 - All electrical work to comply to 0108.
 - All mandatory fire equipment to be present and maintained. Area around gas cage to be kept clear of all combustible materials.
 - All warning and safety notices to be displayed as per SANS 1186.

Rev	Date	Description

STATUS **COUNCIL**

ARCHITECT

SCOTT ARCHITECTS
professional architects

Unit 11, Palmis Garden Square,
1 Owen Grant St, Wilderness, 6560
Tel: +27 76 128 2575
info@scottarchitects.co.za
www.scottarchitects.co.za

CLIENT **NATASHA DE FREITAS**

PROJECT **OYSTERS R'US**

SITE **ERF 189 - 84
WILDERNESS EAST**

DRAWING **SECTIONS & ELEVATION**

SCALE AS SHOWN	DRAWN JM PrArch 67215468
DATE 2024/07/03 14:47:34	CHECKED SS 6469
PROJECT NO. 224	DRAWING NO. W004
	REVISION 00

ARCHITECT SIGNATURE

CLIENT SIGNATURE

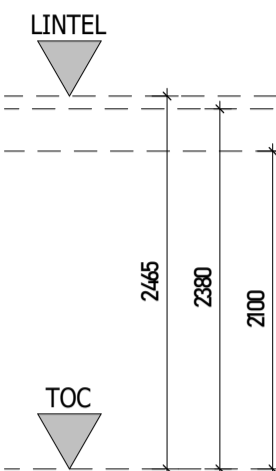
DATE: _____
The design on this drawing remains the property of the designer - copyright reserved to Scott Architects. All dimensions to be checked on site before work commences. Any discrepancy must immediately be reported to the designer. This drawing is not to be scaled. All work to comply with the NBR, any relevant SABS code of practice and any local authority regulations. The contractor is to make themselves aware of these prior to commencement of work.

WINDOW & DOOR SCHEDULE

PURPOSE MADE WINDOWS & DOORS WITH STANDARD IRONMONGERY

NOTE:
ALL WINDOW GLAZING TO CONFORM TO SANS 10400 REGULATIONS
SAFETY GLASS TO BE INSTALLED IN ALL BATHROOM WINDOWS
AS PER SANS 10400-N:2012
ALL GLAZING TO BE SINGLE TINTED GLASS
UNLESS STIPULATED DIFFERENT ON FLOOR PLANS

NOTE:
ALL TIMBER WINDOWS & DOORS EXPOSED
TO THE ELEMENTS TO BE TREATED & SEALED WITH A
PENETRATING WOOD SEALER (V - COAT) IMMEDIATELY
AFTER DELIVERY AND PRIOR TO INSTALLATION

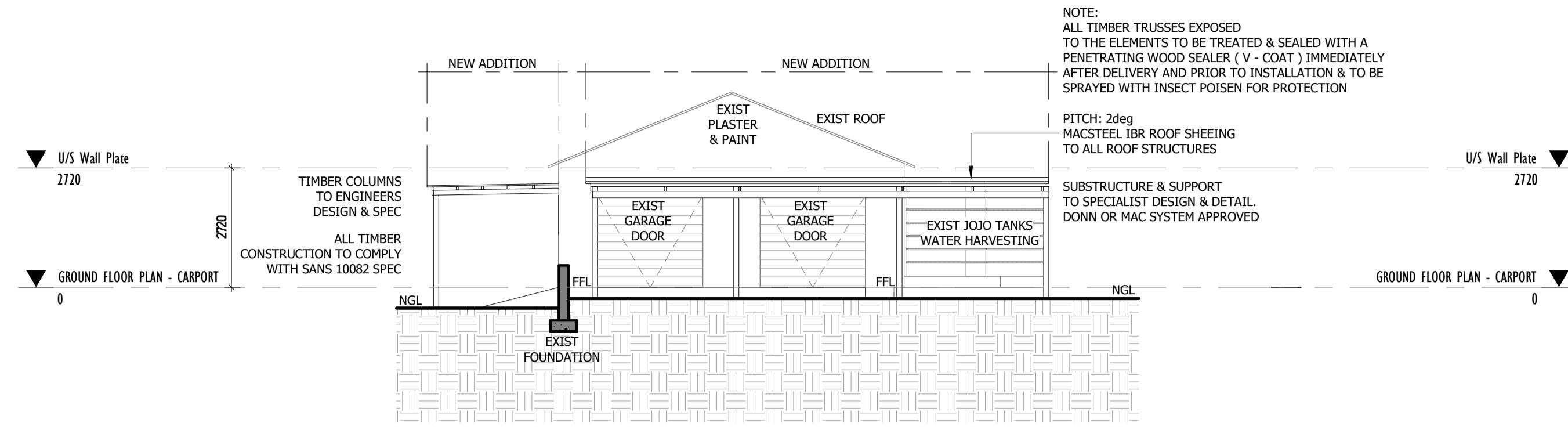


NO NEW WINDOWS & DOORS ADDED TO ANY OF THE PROPOSED NEW ADDITIONS

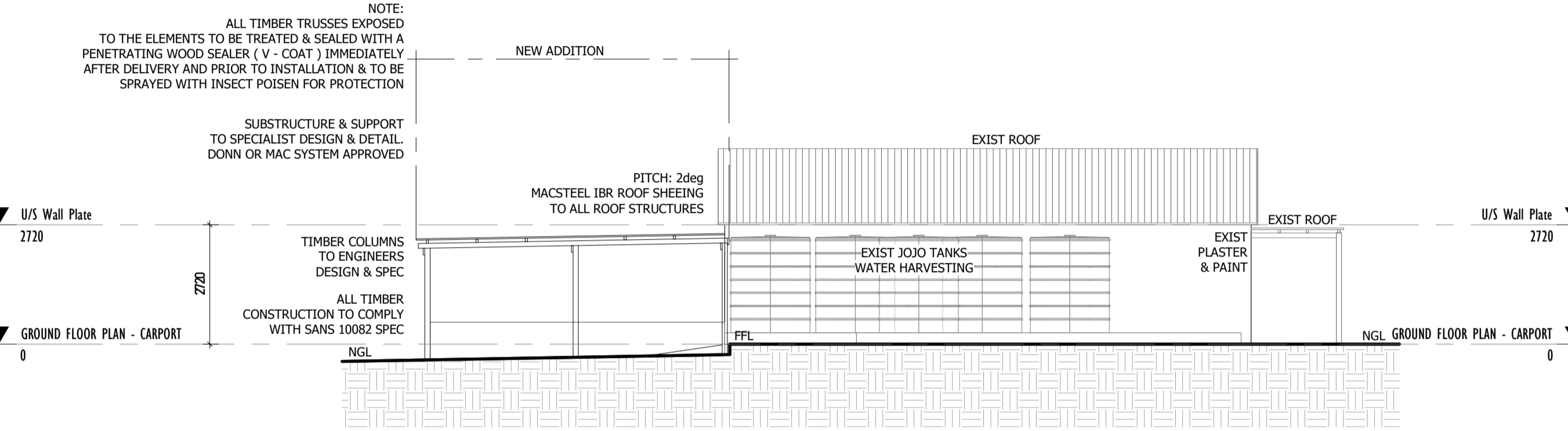
CODE: **W01**

DESC: -----

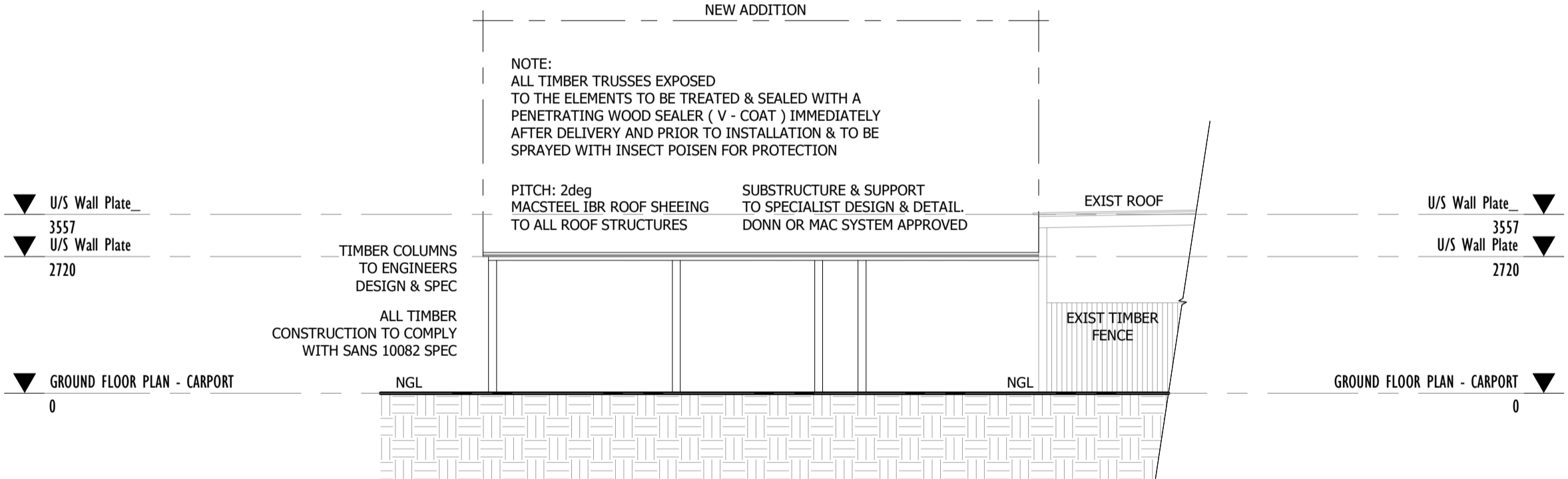
No OFF REOD: 0



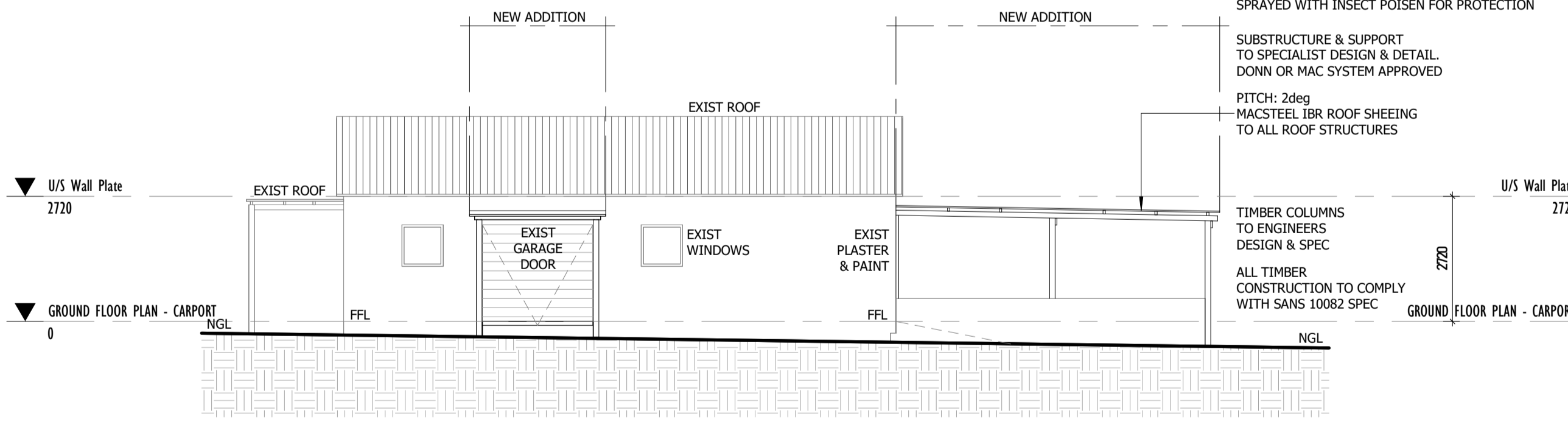
WEST ELEVATION - CARPORT
1:100



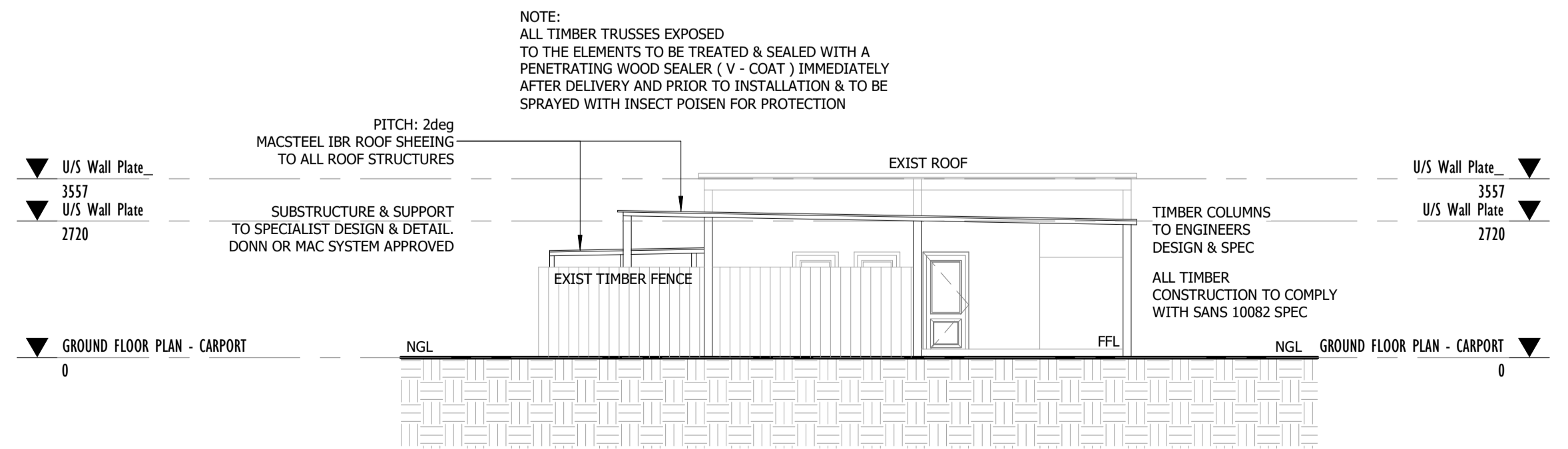
SOUTH ELEVATION - CARPORT
1:100



SOUTH ELEVATION - FARMSTORE
1:100



NORTH ELEVATION - CARPORT
1:100



WEST ELEVATION - FARMSTORE
1:100

NOTE:
ALL TIMBER TRUSSES EXPOSED
TO THE ELEMENTS TO BE TREATED & SEALED WITH A
PENETRATING WOOD SEALER (V - COAT) IMMEDIATELY
AFTER DELIVERY AND PRIOR TO INSTALLATION & TO BE
SPRAYED WITH INSECT POISON FOR PROTECTION

NOTE:
ALL TIMBER TRUSSES EXPOSED
TO THE ELEMENTS TO BE TREATED & SEALED WITH A
PENETRATING WOOD SEALER (V - COAT) IMMEDIATELY
AFTER DELIVERY AND PRIOR TO INSTALLATION & TO BE
SPRAYED WITH INSECT POISON FOR PROTECTION

NOTE:
ALL TIMBER TRUSSES EXPOSED
TO THE ELEMENTS TO BE TREATED & SEALED WITH A
PENETRATING WOOD SEALER (V - COAT) IMMEDIATELY
AFTER DELIVERY AND PRIOR TO INSTALLATION & TO BE
SPRAYED WITH INSECT POISON FOR PROTECTION

NOTE:
ALL TIMBER TRUSSES EXPOSED
TO THE ELEMENTS TO BE TREATED & SEALED WITH A
PENETRATING WOOD SEALER (V - COAT) IMMEDIATELY
AFTER DELIVERY AND PRIOR TO INSTALLATION & TO BE
SPRAYED WITH INSECT POISON FOR PROTECTION

- GENERAL NOTES:**
- Contractor to ensure compliance to SANS 10400 in all relevant clauses and requirements
 - All levels, dimensions and positions to be checked on site and verified before any work commenced.
 - Any errors, discrepancies or omissions to be reported to the architect immediately.
 - All work to be in accordance with good and accepted local building practice.
 - Figured dimensions to be taken in preference to scaled dimensions.
 - These architectural drawings are to be read in conjunction with engineers and consultants drawings, where applicable.
 - All building by-laws, health and fire requirements to be strictly adhered to.
 - The contractor will be held responsible for the correct setting out of the works. Any doubt as to the accuracy of boundary pegs or lines to be reported to the client immediately
 - Any errors or discrepancies to be reported immediately for clarification prior to any work being undertaken
 - Levels indicated are provisional and must be checked on site referring to top of foundation.
 - Foundations to boundary walls not to encroach over boundary lines.
 - All electrical and drainage work is to be executed by registered tradesmen.
 - Care to be taken when excavating for new work, to comply with SANS 10400 - G. All existing pipes, cables, etc. exposed to be pointed out to client and/or architect, who shall advise necessary action to be taken.
 - The contractor shall take all necessary precautions to avoid any damage what so ever, to existing buildings and fences.
 - All Occupational safety regulations as set by Dept. of Labour to be complied with and to comply with SANS 10400 - B
- SAFETY:** to comply with SANS 10400 - D
- All safety distances to be checked on site and must be in compliance with sans 10087, part 1 standards.
 - Installation to comply to local authority and sans 10087 regulations.
 - All building work to comply to sans 0400.
 - All electrical work to comply to 0108.
 - All mandatory fire equipment to be present and maintained. Area around gas cage to be kept clear of all combustible materials.
 - All warning and safety notices to be displayed as per sans 1186.

Rev	Date	Description

STATUS: **COUNCIL**

ARCHITECT

SCOTT ARCHITECTS
professional architects

Unit 11, Palms Garden Square,
1 Owen Grant St, Wilderness, 6560
Tel: +27 76 128 2575
info@scottarchitects.co.za
www.scottarchitects.co.za

CLIENT: **NATASHA DE FREITAS**

PROJECT: **OYSTERS R'US**

SITE: **ERF 189 - 84 WILDERNESS EAST**

DRAWING: **ELEVATIONS**

SCALE: AS SHOWN
DRAWN: JM PrArch 67215468

DATE: 2024/07/03 14:51:30
CHECKED: SS 6469

PROJECT NO. 224
DRAWING NO. W005
REVISION 00

ARCHITECT SIGNATURE: *[Signature]*

CLIENT SIGNATURE: *[Signature]* DATE: _____

The design on this drawing remains the property of the designer - copyright reserved to Scott Architects. All dimensions to be checked on site before work commences. Any discrepancy must immediately be reported to the designer. This drawing is not to be scaled. All work to comply with the NBR, any relevant SABS code of practice and any local authority regulations. The contractor is to make themselves aware of these prior to commencement of work.

DATE: 13 August 2024

Natasha De Freitas
P.O. Box 419
WILDERNESS
6560

Email: info.oystersus@gmail.com

CONDONATION OF ACTIVITIES STATED IN SCHEDULE 1 OF GOVERNMENT NOTICE NO. R. 1526 OF 27 NOVEMBER 1998, MADE UNDER SECTION 21 OF THE ENVIRONMENT CONSERVATION ACT (ACT NO. 73 OF 1989), IN RESPONSE TO THE UNAUTHORISED COMMENCEMENT OF:

REMOVAL OF VEGETATION / EARTHWORKS ON PORTION 84 OF THE FARM BOVEN LANGE VALLEY NO 189, DIVISION OF GEORGE.

Dear Natasha De Freitas,

This letter addresses the contravention notice issued on 23 July 2024 for the unlawful commencement of Schedule 1 activities and the subsequent request to condone unauthorised activities undertaken on Portion 84 of the Farm Boven Lange Valley No. 189, Division of George.

1. LEGISLATIVE CONTEXT

- (i) In accordance with Section 22(1) of the Environment Conservation Act, 1989 (Act No. 73 of 1989), no person shall undertake any activity identified in terms of Section 21(1) without prior written authorisation from the Minister, a competent authority, local authority or designated officer.
- (ii) Such authorisation shall only be issued after consideration of reports concerning the impact of the proposed activity and of alternative proposed activities on the environment.
 - a) In the case of the activities on Portion 84 of the farm Boven Lange Valley No 189, Division of George, the George Municipality, as defined in Government Notice No R. 1526 of 27 November 1998, was the designated issuing authority.
 - b) The Outeniqua Sensitive Coastal Area Extension Regulations do not make provision for issuing an OSCAE permit retrospectively.

2. APPLICATION FOR CONDONATION OF UNAUTHORISED ACTIVITIES

In response to the unauthorised activities carried out on Portion 84 of the farm Boven Lange Valley No. 189, Division of George and in consideration of the provisions outlined in Section 22 of the Environment Conservation Act, 1989, the George Municipality acknowledges the necessity to address these infractions in accordance with legal requirements and environmental management principles. Although the OSCAE Regulations do not allow for retrospective issuance of permits, it is essential to rectify instances where activities have occurred without authorisation. Consequently, the George Municipality has reviewed your application to condone the unauthorised activities on Portion 84 of the farm Boven Lange Valley No. 189, Division of George.

3. DECISION

In light of the circumstances surrounding the unauthorised activities, we acknowledge the need for condonation. We are prepared to grant condonation for the unauthorised activities to undertake the as built additions shown on the **site development plan and roof plan, drawing number W001, revision 00 and dated 2024/07/03**. This decision is based on the receipt of a fine payment and the determination that no significant environmental impacts have occurred from the activities, as the area was previously disturbed. The condonation granted is subject to conditions outlined in Section 4.

Please note that further degradation of natural resources and offences in terms of the OSCAE Regulations and/or the National Environmental Management Act, 1998 will not be condoned and legal action will be taken if failure to adhere to these instructions is perceived.

4. CONDITIONS

- 1) The letter holder must initiate revegetation efforts around the disturbed areas using locally indigenous vegetation. This should be completed within 60 days of receiving this letter.
- 2) No further vegetation removal or earthworks are permitted without prior written authorisation from the George Municipality. Any new activities must comply with the OSCAE Regulations and other relevant legislation.
- 3) Municipal officials must be granted access to the property at reasonable times to assess and monitor compliance with the conditions of this letter. The letter holder must facilitate periodic inspections by the municipality.
- 4) Immediate measures must be taken to prevent soil erosion in the disturbed areas. This includes installing temporary and permanent drainage works and planting ground cover around the disturbed areas
- 5) All construction waste and rubble must be removed from the site and disposed of at a recognised municipal waste disposal facility. No waste may be buried or burned on-site. The site must be kept clean and free of debris at all times.
- 6) Solid boundary walls or impenetrable fencing is not permitted along the property perimeter. All fencing or walls erected must allow for the free movement of wildlife across the property to adjoining areas. Any proposed fencing must be approved by the George Municipality.
- 7) Measures must be taken to prevent light pollution on the property and avoid spillage onto surrounding properties and public areas, especially due to the proximity of areas used by wildlife and skyline visibility of property. Spray or spotlights is prohibited. Use warm-coloured LED bulbs (3000K or lower) in outdoor areas to minimise blue light emissions, which can be disruptive to both wildlife and human circadian rhythms. Outdoor lighting must be shielded and oriented downward. Pathway and track lighting should also be downward-oriented and not extend more than 500 mm above the ground. Install timers or smart lighting systems to ensure lights are off during unnecessary hours, particularly late at night. Position lights to illuminate only necessary areas such as pathways, entrances and driveways to prevent unnecessary illumination of large areas.
- 8) Where there is alien invasive vegetation on the property, the maintenance and/or eradication thereof must comply with the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 Of 2004) Alien and Invasive Species Regulations.

5. APPEAL

Notwithstanding the above you have the right to appeal the conditions of the condonation in terms of section 35(3) of the Environmental Conservation Act, 1989 (Act 73 of 1989). The appeal must be in writing and submitted within 30 days from the date on which this decision was made known.

This appeal must be submitted to the Appeal Administrator at the address listed below:

By post: Attention: Marius Venter
 Western Cape Ministry of Local Government, Environmental Affairs & Development
 Planning

Condonation for commencement of unauthorised activities on 189/84, George RD

Private Bag X9186

CAPE TOWN

8000

or;

By facsimile: (021) 483 4174

or;

By hand: Attention: Mr Marius Venter
Room 809, 8th floor Utilitas Building
1 Dorp Street
CAPE TOWN
8000

or;

By e-mail: DEADP.Appeals@westerncape.gov.za

The appeal should include all pertinent facts, grounds of appeal, and relevant documentation or certified copies. It must be submitted to the Department of Environmental Affairs and Development Planning (Provincial Government: Western Cape). Additionally, an electronic copy (in Microsoft Word format) of the appeal and supporting documents should be provided to the Appeal Administrator.

Your co-operation in the protection and guardianship of the natural environment is appreciated.

Yours Faithfully

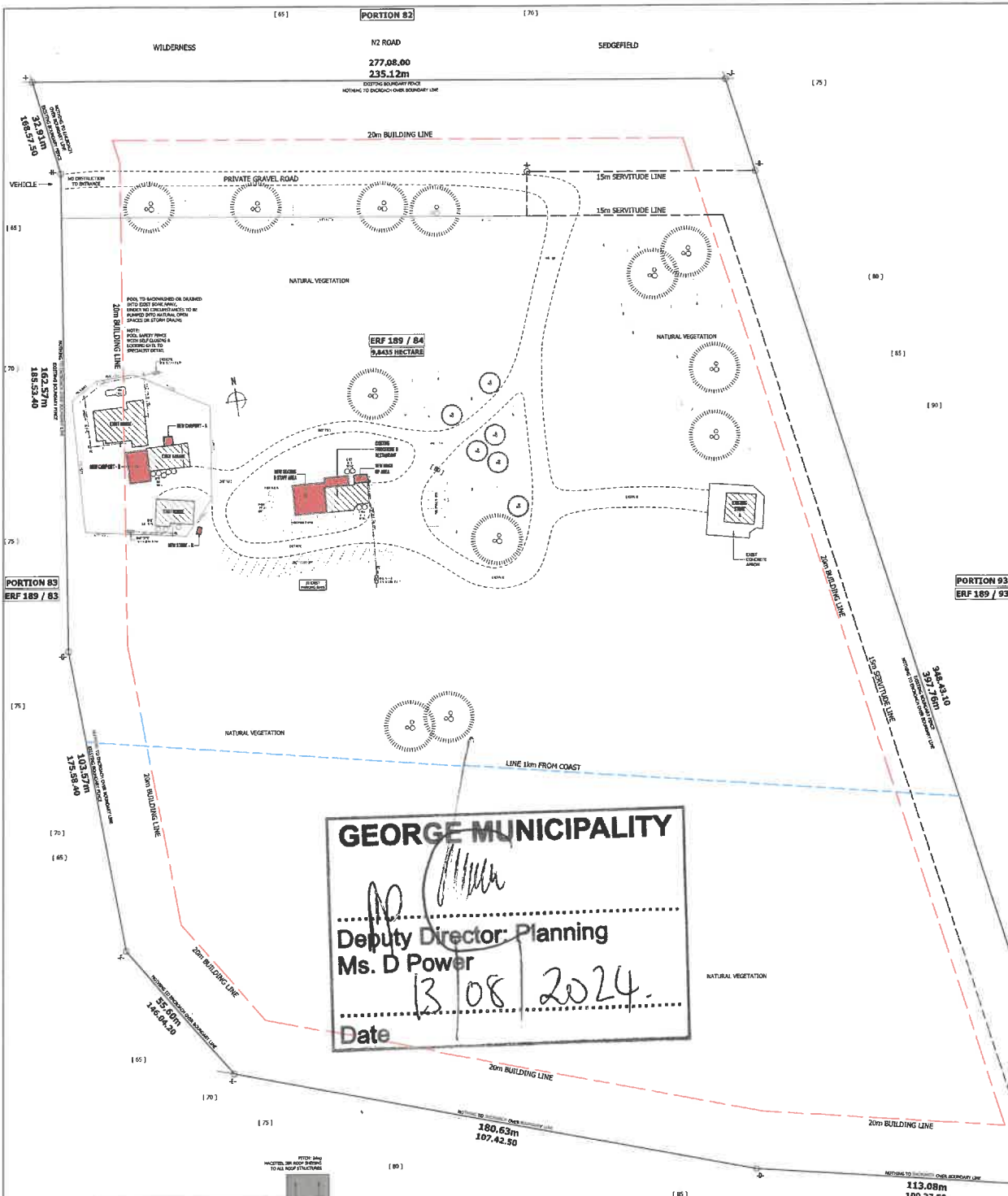


C. PETERSEN

DATE: 13 August 2024

ACTING DEPUTY DIRECTOR: PLANNING AND ENVIRONMENTAL MANAGEMENT

OSCAE Condonation for Portion 84 of the Farm Boven Lange Valley No. 189, Division of George



GENERAL NOTES:

- 1. All dimensions are in meters unless otherwise stated.
- 2. All dimensions are to be checked on site and verified against the actual ground conditions.
- 3. All dimensions are to be checked on site and verified against the actual ground conditions.
- 4. All dimensions are to be checked on site and verified against the actual ground conditions.
- 5. All dimensions are to be checked on site and verified against the actual ground conditions.
- 6. All dimensions are to be checked on site and verified against the actual ground conditions.
- 7. All dimensions are to be checked on site and verified against the actual ground conditions.
- 8. All dimensions are to be checked on site and verified against the actual ground conditions.
- 9. All dimensions are to be checked on site and verified against the actual ground conditions.
- 10. All dimensions are to be checked on site and verified against the actual ground conditions.

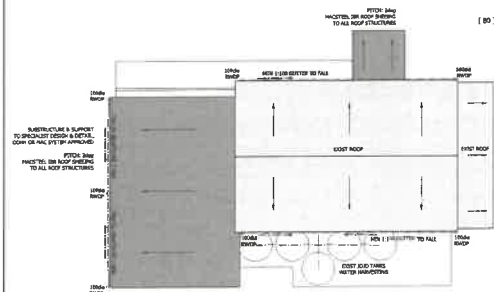
GEORGE MUNICIPALITY

[Signature]

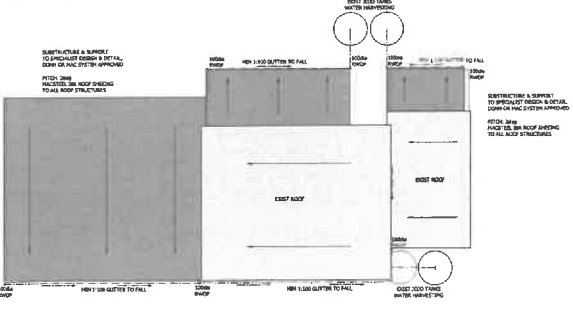
Deputy Director: Planning
Ms. D Power

13.08.2024.

Date



ROOF PLAN - CARPORT
1:100



ROOF PLAN - FARMSTORE
1:100

PORTION 85
ERF 189 / 103

DESCRIPTION	AREA (sqm)	STATUS
EXISTING SECOND DWELLING AREA	183.3	EXISTING
EXISTING SECOND DWELLING GARAGE AREA	183.3	EXISTING
EXISTING SECOND DWELLING TOTAL AREA	366.6	EXISTING
EXISTING FURNITURE & RESTAURANT AREA	183.3	EXISTING
EXISTING FURNITURE & RESTAURANT TOTAL AREA	183.3	EXISTING
EXISTING TOTAL AREA	550.0	EXISTING
NEW AREA ADDED BY REMOVAL OF EXISTING SECOND DWELLING AREA	183.3	NEW
NEW AREA ADDED BY REMOVAL OF EXISTING SECOND DWELLING GARAGE AREA	183.3	NEW
NEW AREA ADDED BY REMOVAL OF EXISTING FURNITURE & RESTAURANT AREA	183.3	NEW
NEW AREA ADDED BY REMOVAL OF EXISTING FURNITURE & RESTAURANT TOTAL AREA	550.0	NEW
NEW AREA ADDED BY REMOVAL OF EXISTING TOTAL AREA	1100.0	NEW
NEW TOTAL AREA ADDED	1100.0	NEW

No. _____ Date _____ Description _____

STATUS: COUNCIL

ARCHITECT: SCOTT ARCHITECTS

CLIENT: NATASHA DE FREITAS

PROJECT: OYSTERS RVUS

SITE: ERF 189 - 84 WILDERNESS EAST

DRAWN BY: JIM SHOWN

CHECKED BY: JIM SHOWN

DATE: 2024/07/03 14:41:11

PROJECT NO: 224

CLIENT SIGNATURE: _____ DATE: _____



Planning and Development
E-mail: town.planning.application@george.gov.za
Tel: +27 (0)44 801 9477

LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

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

PART A: PARTICULARS

Reference number: _____ **Collab Ref No.: 3461192** _____

Purpose of consultation: _____ **To discuss proposed land use application** _____

Brief proposal: _____ **To be determined** _____

Property(ies) description: _____ **Boven Lange Valley 189/84** _____

Date: _____ **23 October 2024** _____

Attendees:

	Name & Surname	Organisation	Contact Number	E-mail
Official	Khuliso Mukhovha	George Municipality	044 801 9477	kjmukhovha@george.gov.za
	Naudica Swanepoel	George Municipality	044 801 9477	nswanepoel@george.gov.za
Pre-applicant	Marlize de Bruyn	MdB Planning	0766340150	denise@mdbplanning.co.za marlize@mdbplanning.co.za

Documentation provided for discussion:

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

____ **Copy of title deed, locality, draft subdivision plan in text below** _____

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

YES	NO
-----	----

Comprehensive overview of proposal:

Boven Lange Valley 189/84 is zoned Agriculture Zone I and 9.85ha in extent. A land use approval for consent use (tourist facility – restaurant/coffee shop & farm store) was approved for the property in 2014 (copy attached). Building plans were subsequently submitted and approved. It has been confirmed that all relevant conditions of approval were not met and that the land use approval lapsed.

A second dwelling unit was also approved for the property in 2016. We have requested a copy of the approval from the property owner. Building plans were approved with an occupation certificate issued.

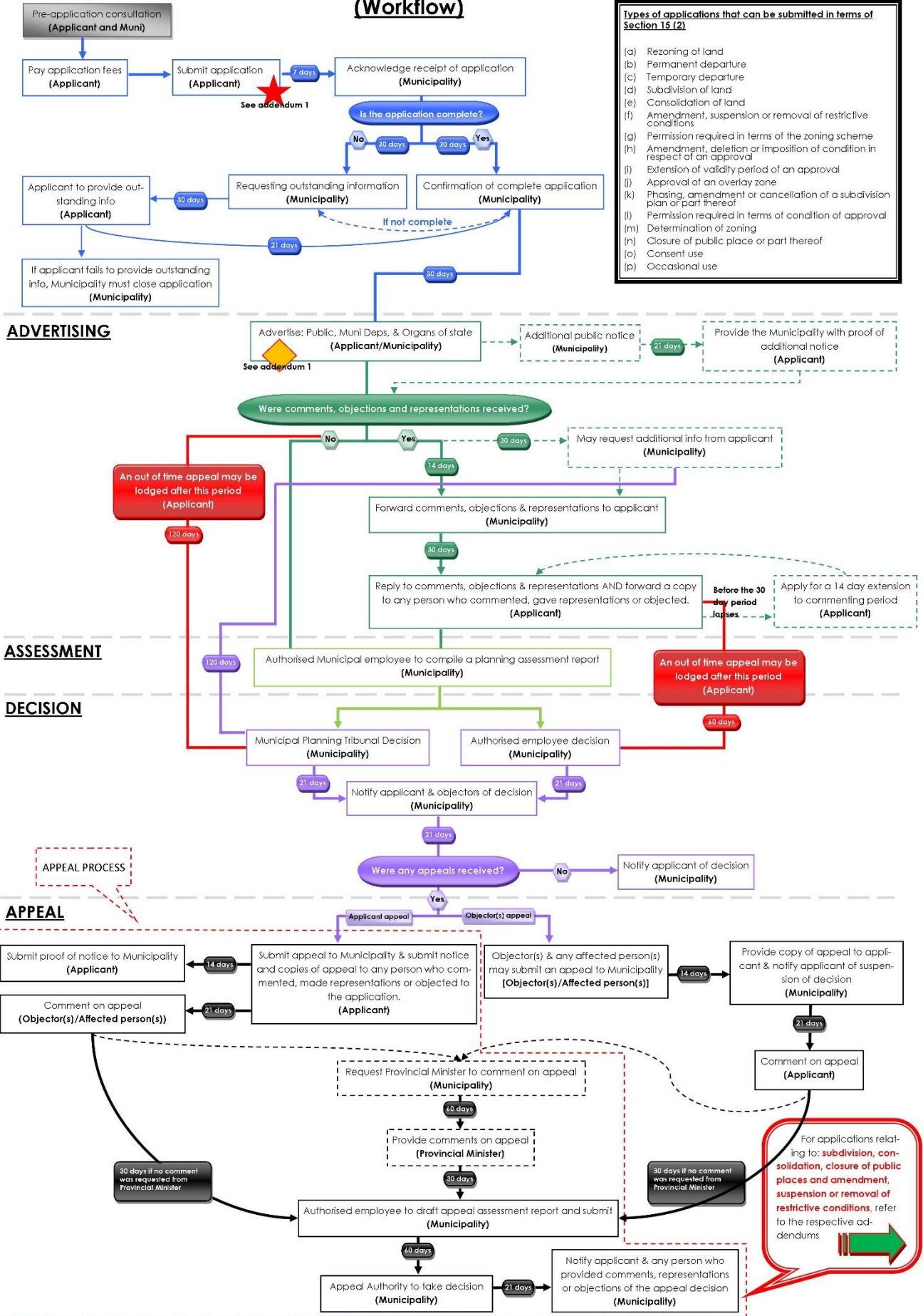
It is therefore proposed to rectify the matter and re-submit the land use application for consent use for tourist facility & farm store. The property has been operating successfully for the past almost 10 years.

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



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;	R
	2(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;	R
	2(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(e) a consolidation of land that is not exempted in terms of section 24;	R
	2(f) a removal, suspension, or amendment of restrictive conditions in respect of a land unit;	R
	2(g) a permission required in terms of the zoning scheme;	R
	2(h) an amendment, deletion, or imposition of conditions in respect of an existing approval;	R
	2(i) an extension of the validity period of an approval;	R
	2(j) an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l) a permission required in terms of a condition of approval;	R
	2(m) A determination of a zoning;	R
	2(n) A closure of a public place or part thereof;	R
X	2(o) a consent use contemplated in the zoning scheme;	R 9 510,00
	2(p) an occasional use of land;	R
	2(q) to disestablish a home owner's association;	R
	2(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	R
	2(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	R
Tick if relevant	What prescribed notice and advertisement procedures will be required?	Advertising fees payable
Y N	Serving of notices (i.e. registered letters etc.)	R
Y N	Publication of notices (i.e. Provincial Gazette, Local Newspaper(s) etc.)	R
Y N	Additional publication of notices (i.e. Site notice, public meeting, local radio, website, letters of consent etc.)	R
Y N	Placing of final notice (i.e. Provincial Gazette etc.)	R
TOTAL APPLICATION FEE* (VAT excluded):		TBD on submission of the application

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	Motivate George Municipal Spatial Development Framework, 2023
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)]			X	Conveyancer certificate required to confirm.
Any other Municipal by-law that may be relevant to application? (If yes, specify)		X		
Zoning Scheme Regulation considerations: Which zoning scheme regulations apply to this site? George Integrated Zoning Scheme, 2023 What is the current zoning of the property? Agricultural Zone I What is the proposed zoning of the property? Agricultural Zone I with Consent Use for Tourist Facility Does the proposal fall within the provisions/parameters of the zoning scheme? To be determined Are additional applications required to deviate from the zoning scheme? (if yes, specify) To be determined				

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	Motivate Provincial Spatial Development Framework, 2014
Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans?		X		

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

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

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	TO BE DETERMINED	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
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 DFFE?		X		Department of Environment, Forestry and Fishery
Is the property subject to any existing mineral rights?		X		National Department of Mineral Resources
Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? (strikethrough irrelevant)		X		Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), Education, Social Development, Health and Community Safety

SECTION D:

SERVICE REQUIREMENTS

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES?	YES	NO	TO BE DETERMINED	OBTAIN COMMENT FROM: (list internal department)
Electricity supply:			X	Directorate: Electro-technical Services
Water supply:			X	Directorate: Civil Engineering Services
Sewerage and waste water:			X	Directorate: Civil Engineering Services
Stormwater:			X	Directorate: Civil Engineering Services
Road network:			X	Directorate: Civil Engineering Services
Telecommunication services:			X	
Other services required? Please specify.			X	
Development charges:			X	

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

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

PART E: DISCUSSION

- The pre-application was submitted with the locality plan as indicated below.

BOVEN LANGE VALLEY 189/84

LOCALITY PLAN



Town Planning

- In principle, the proposed land use is in line with the spatial policies of the area. The applicant to motivate development compliance with the spatial policies i.e. George Municipal Spatial Development Framework (2023), Rural Development Guidelines, George Integrated Zoning Scheme (2023) etc.
- Note that a farm shop is a primary land use right in terms of the George Integrated Zoning Scheme (2023), thus, should the use comply with the land use description, an application is not required for a farm store (shop).
- Departure applications may be required for building structures that are not in line with the Zoning Scheme.
- It is recommended to include screening measures.
- SANparks will have to be notified due to the property being a buffer area.

Civil Engineering Services

- Access to the property is restricted to existing servitude access, with only one access point permitted, in accordance with the George Integrated Zoning Scheme By-law, 2023 (GISZ 2023).
- The owner is required to register all necessary servitudes where necessary. All costs associated with the registration and maintenance of these servitudes will be the responsibility of the developer/owner.
- All parking must be provided on-site, adhering to the parking requirements outlined in the GIZS 2023 parking tables. No parking is allowed within the road reserve, and the owner may be held liable for any costs related to preventing parking in this area.
- Normal Development Charges (DCs) will apply according to the DC policy and the Town Planning By-law.
- Currently, there are no water or sanitation services available to service the site. The owner must provide these services at the developer's cost.
- If municipal services become available, the owner will be required, at their own expense, to connect to the relevant services and pay development costs based on the rates applicable at the time of connection.
- The developer must comply with the relevant Stormwater By-law.

- SANRAL comments/approval will be required.

Electrotechnical Services

- Applicant to discuss electrical requirements with ETS.

PART F: SUMMARY / WAY FORWARD

- Applicant may proceed with the submission of the land use application, subject to Part E above.

OFFICIAL: KHULISO MUKHOVHA



SIGNED:

DATE: 31 October 2024

PRE-APPLICANT: MARLIZE DE BRUYN

SIGNED:

DATE: 21 October 2024

OFFICIAL: NAUDICA SWANEPOEL



SIGNED:

DATE: 31 October 2024

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