

Bepanning en Ontwikkeling
Planning and Development

Reference / Verwysing: Boven Lange Valley 189/111
Date / Datum: 1 December 2020
Enquiries / Navrae: Keith Meyer

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**CONSENT USE AND DEPARTURE : FARM BOVEN LANGE VALLEY
189/111, DIVISION GEORGE**

Your application in the above refers.

The Eden Joint Municipal Planning Tribunal – George Municipality, meeting held on 17 November 2020 resolved:

1. That, notwithstanding the objections received, the applications for the following:
 - a. Consent Use for Farm 189/111 in terms of Section 15(2)(o) of the Land Use Planning By-law for George Municipality, 2015 for an additional dwelling unit;
 - b. Departure for Farm 189/111 in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2015 to increase the maximum allowable size of the additional dwelling unit to 181,5m²;
 - c. Departure for Farm 189/111 in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2015 the relaxation of:
 1. The southern building line from 30m to 10m for the additional dwelling unit;
 2. The western building line from 30m to 22m for carport, storage containers and workers' accommodation as well as from 30m to 13m, 18m and 22m for the proposed additional dwelling.

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

- i. An additional dwelling unit is an associated land use on agricultural land.
- ii. Permitting an additional dwelling is in principle consistent / not in conflict with the spatial development objectives for the area.
- iii. The increased size (6,5m²) of the additional dwelling unit is considered not to have a detrimental effect on the character of the area, environment or neighbouring properties.

- iv. Considering the size, layout and typography of the property the proposed building line relaxations will not have a negative impact on the adjacent land owners.

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

CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT

1. In terms of section 19(5) and 18(2) of the Land-Use Planning By-Law for George Municipality, the consent and departure approval lapses after 5 years from the date of the approval.
2. The additional dwelling unit is restricted to a maximum of 181,5m² including all associated outbuildings.
3. The proposed additional dwelling must have the same architectural style of the existing structure on site;
4. The applicant must make use of natural materials and dark paint tones that blend in with the surrounding environment in the design of all exterior elevations, walls and retaining structures. All roofs shall be dark tones, preferably dark greens, greys or black that blends with the surrounding environment.
5. That a site development plan, in terms of Section 23 of the Zoning Scheme, be submitted to the satisfaction of the Directorate: Planning and Development for approval prior to the submission of building plans;
6. The pruning or removal of protected indigenous trees or tree clumps must first carry the approval/granting of a permit by the Department of Environmental, Forestry and Fisheries (DEFF) (Knysna Office).
7. That on-going clearing of alien invasive vegetation take place in terms of the Conservation of Agricultural of Agricultural Resources Act 43 of 1983 (CARA).
8. The owners must join the South Cape Fire Protection Association Management Unit for the area.
9. The applicant must clarify the most appropriate method of sewerage disposal for the property with the Department: Civil Engineering Services prior to submission of the SDP.
10. The applicant must make all attempts to prevent light pollution on the property. The use of spray or spotlights are not permitted. Any outside lights may not exceed a maximum height of 1.2m from natural ground level.
11. The outside lighting must use energy saving bulbs and should be directed downwards to minimize light pollution.
12. The SDP need to address and take into consideration any applicable conditions as set out in the OSCAE permit and thus, the OSCAE permit must be issued prior to the approval of the SDP.
13. The owner must appoint an Environmental Control Officer (ECO) to manage the construction and post construction activities, clearing and rehabilitation on the property.
14. Building plans be submitted for approval in accordance with the National Building Regulations (NBR) after the approval of the SDP;
15. The above approval will be considered as implemented on the implementation of the approved building plan;

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES:

16. Capital contributions are payable by the developer for each new equivalent erf (ee) created, as per standard tariffs for George, applicable on transfer of a portion, or the approval of building plans, or on application for a CPT, or as stipulated in a service agreement between the George Municipality and the Developer. The total amount payable will be determined by the Dept: CES, and will be subject to annual adjustment. Contributions may be adjusted should the

actual water usage exceed the accepted normal daily usage based on the Guidelines for Human Settlement Planning and Design, based on a six-month average use.

17. All civil services -internal, link and relocation of or upgrades to existing – are to be redesigned by a registered consulting engineer in accordance with the Human Settlement and Design and Council specifications. All drawings and plans are to be submitted to the Dept: CES, or any other relevant authority, (hard copy of 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 relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the civil services have been satisfactorily installed and as-builts submitted electronically as well as the surveyors plan.
18. Any, and all costs directly related to the development remain the developers' responsibility.
19. Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant property. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of another development are to be determined by the developer/ owner of the erf (Condition 17 applicable).
20. Any service from another relevant erf must be accommodated across the development or incorporate into the services of the development. All negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned.
21. Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of George Municipality (Condition 17 applicable)
22. Servitudes must be registered for any pipeline not positioned within the normal building lines.
23. Provisions for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services.
24. The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval was required and obtained for this proposed development.
25. Transfers, building plan approvals and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the satisfaction of the Dept: CES, or any condition of any authority has not been satisfactory complied with.
26. Developer responsible to obtain the necessary approval / wayleaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable.
27. No municipal water services are available at present. Should a municipal network 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 will then become payable as per standard tariff for each equivalent erf applicable at the time of connection.
28. A water meter must be installed by the developer prior to construction to monitor water usage during the construction phase. The Dept: Civil Engineering Services (Water Section) is to be consulted by the developer, prior to installation regarding the required specifications. Failure to complying with the water meter application process, will result in the developer being responsible for payment of penalties and/or an estimated non-metered water consumptions by this department at a rate as per applicable tariff list. In this regard, transfers, building plan approval and occupation certificates may be

withheld of any sums of money owing to the George Municipality are not paid in full. The water meter is to be removed on completion of construction if so required by the Dept: CES.

29. The developer/erf owner in conjunction with the Dept: Civil Engineering Services, is to apply to the George Municipality for the installation of an individual erf water meter prior to any building work commencing on an erf.
30. No municipal sewer services are available at present. Should a municipal network in future be extended to this area, the owner will be compelled, at own cost, to connect to the network. A capital contribution for sewer will then become payable as per standard tariff for each equivalent erf applicable at the time of connection.
31. A conservancy tank, or alternative approved sewer disposal method, must be installed at the owner's cost. The owner is to appoint a private contractor, at own expense, to service the tank or alternative approved disposal methods.
32. Public and private roads are to be clearly indicated on all layout plans submitted. The road reserves must be clearly indicated on all plans submitted for approval. The cadastral layout can only be approved if the road reserves have been included on plans and approved by CES.
33. Maintenance and/or upgrading of all private roads are the responsibility of all the owners who make use thereof.
34. The discharge of surface stormwater is to be addressed by the developer. Condition (17) applies. All costs related is for the developer.
35. Internal parking requirements (ie 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.
36. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
37. No private parking will be allowed in the road reserve.
38. The approval of layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dept: Civil Engineering Services. A site development plan is to be submitted to the Dept: CES, or any other relevant authority for approval prior to any construction work taking place.
39. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.

CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES:

40. Rural connection: Capital contributions will be payable by the applicant as part of the electrical connection on application for an electrical connection. The capital contribution will be determined by the department ETS, based on the size of the connection at the standard prevailing tariff for rural high voltage connections.
41. All electrical services -internal, link and relocation of or upgrades to the existing network- are to be designed by a registered consulting engineer in accordance with Council specifications. All drawings and plans are to be submitted to the Dept: ETS, (hard copy and electronically) for approval 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 electrical department with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the electrical services have been satisfactorily installed and as-builts submitted electronically.
42. Any, and all, costs directly related to the development remain the developer's responsibility.
43. Only one electrical connection per registered erf. (Single point of supply)

You have the right to appeal to the Appeal Authority against the decision/conditions of approval of the Eden Joint Municipal Planning Tribunal – George Municipality, in terms of Section 79(2) of the George Municipality's By-law on Municipal Land Use Planning.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Municipal Manager, P O Box 19, George, 6530 or Directorate: Planning, 5th floor, Civic Centre, York Street, George **on or before 22 December 2020** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard.

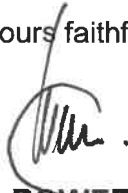
The notice must be served in accordance with section 115 of the Municipal Systems Act and in accordance with the additional requirements as may be determined by the Municipality. The notice must allow persons 21 days from date of notification of the appeal to comment on the appeal. Proof of the notification must be submitted to the Municipality, within 14 days of the date of notification.

An appeal that is not lodged within the timeframe or that does not comply with Section 80 of the George Municipality's By-law on Municipal Land Use Planning will be deemed invalid.

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

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

Yours faithfully



M D POWER

ACTING DIRECTOR: PLANNING AND DEVELOPMENT

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