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Bepanning en Ontwikkeling Planning and Development

Reference / Verwysing: Erf 317 Hoekwil
Date / Datum: 9 October 2020
Enquiries / Navrae: Keith Meyer

marlize@mdbplanning.co.za

Marlize de Bruyn Planning
P O Box 2359
GEORGE
6530

SUBDIVISION : ERF 317, REMSKOEN STREET, HOEKWIL

Your application in the above refers.

The Eden Joint Municipal Planning Tribunal – George Municipality, meeting held on 29 September 2020 resolved:

That, notwithstanding the objections received, the application for Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-Law for George Municipality, 2015 of Erf 317, Hoekwil into two portions namely:

- a) Portion A (3ha); and
- b) Remainder (4.1548ha)

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

REASONS FOR DECISION

- The proposed subdivision does not detract from the surrounding rural land use character;
- The proposal will not have an adverse impact on the surrounding rural environment, natural environment, neighbouring properties or tourism resources;
- The application is consistent with the spatial planning objectives of the area; and
- Concerns raised during the public participation process can be address with the OSCAE application process for the development of these portions and imposing of appropriate conditions.

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

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

1. That in terms of the provisions of the Land Use Planning By-law for the George Municipality, 2015, the subdivision applications shall lapse if not acted upon within a period of five (5) years from the date of approval and/or if the following conditions are not adhered to;
2. This approval shall be taken to cover only the subdivision applied for as indicated on the Subdivision Plan (317HOEKWIL.mal) for Erf 317, Hoekwil and drawn by G. S. Savage attached as "Annexure D" which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision;
3. That boundary walls/fences will not be permitted within or across natural areas, including areas identified as CBA's where migratory patterns of wildlife can be disturbed or altered;
4. That an approved Surveyor General diagram be submitted to the Directorate: Planning and Development for record purposes;
5. That the approval will only be regarded as implemented on the registration of one of the subdivided portion at the Deeds Office;
6. That building plans for the subdivided portions may only be submitted after the approval of the OSCAE permit application. The comments of the Aesthetics Committee must be obtained before the building plan is approved.

DIRECTORATE: CIVIL ENGINEERING SERVICES

7. 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 Services 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 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, based on a six month average use;
8. All civil services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with The Guidelines for 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 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 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;
9. Any, and all, costs directly related to the development remain the developers' responsibility;
10. Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. 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 other erf; (Condition 8 applicable)
11. Any service from another relevant erf must be accommodated across the development or incorporated 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; (Condition 8 applicable)
 12. Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality; (Condition 8 applicable)
 13. Servitudes must be registered for any pipeline not positioned within the normal building lines. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required.
 14. Provision for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services;
 15. 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;
 16. 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 satisfactorily complied with.
 17. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable;
 18. 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;
 19. 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;
 20. 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;
 21. The discharge of surface stormwater is to be addressed by the developer. Condition (8) applies. All costs related is for the developer;
 22. 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;
 23. Adequate parking with a hardened surface must be provided on the premises of the proposed development;
 24. No private parking will be allowed in the road reserve;
 25. The approval of the 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;
26. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.

DIRECTORATE: ELECTROTECHNICAL ENGINEERING SERVICES

27. 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 Services Agreement between the George Municipality and the Developer. The total amount payable will be determined by the Dept: Electro Technical Services (ETS), and will be subject to annual adjustment. Contributions payable may be adjusted should the actual electricity connection be other than a conventional 60 Amp single phase per erf;
28. 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 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 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-built submitted electronically;
29. Any, and all, costs directly related to the development remain the developers' responsibility;
30. Only one electrical connection permitted per registered erf.

**Note: An OSCAE permit application for the development of the portions must be submitted to the directorate for approval. The OSCAE must, among other, address mitigation measures relating to potential visual impacts, fire safety, fencing, alien vegetation clearing, prevention of light pollution and sewage disposal;*

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 30 October 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

P:\New By Law Approvals\Erf 317 Hoekwil (sub approval) m de bruyn.docx

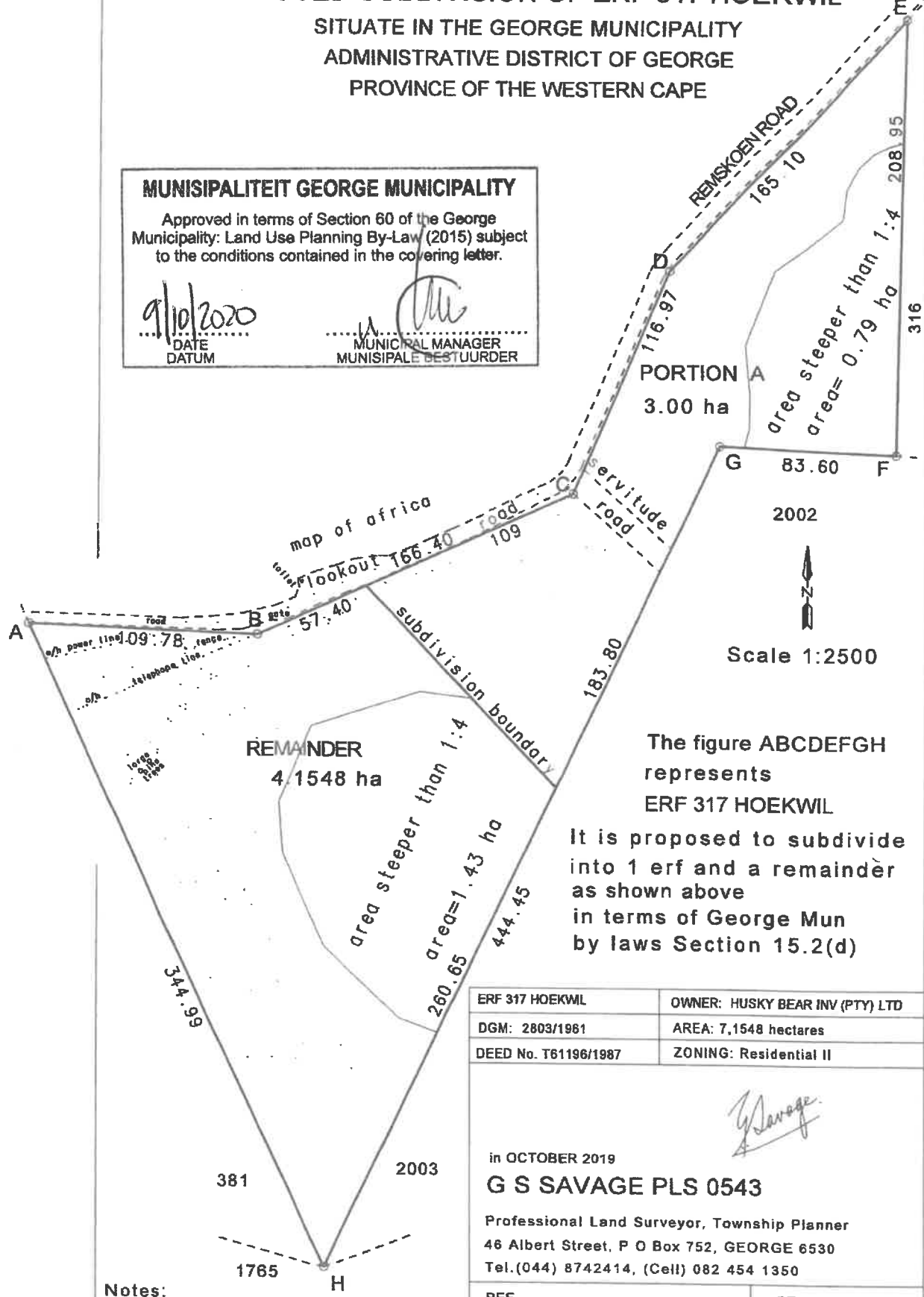
PROPOSED SUBDIVISION OF ERF 317 HOEKWIL
 SITUATE IN THE GEORGE MUNICIPALITY
 ADMINISTRATIVE DISTRICT OF GEORGE
 PROVINCE OF THE WESTERN CAPE

MUNISIPALITEIT GEORGE MUNICIPALITY

Approved in terms of Section 60 of the George Municipality: Land Use Planning By-Law (2015) subject to the conditions contained in the covering letter.

9/10/2020
 DATE
 DATUM

[Signature]
 MUNICIPAL MANAGER
 MUNISIPALE BESTUURDER



The figure ABCDEFGH represents
 ERF 317 HOEKWIL

It is proposed to subdivide
 into 1 erf and a remainder
 as shown above
 in terms of George Mun
 by laws Section 15.2(d)

Notes:
 All dimensions approximate

ERF 317 HOEKWIL	OWNER: HUSKY BEAR INV (PTY) LTD
DGM: 2803/1961	AREA: 7,1548 hectares
DEED No. T61196/1987	ZONING: Residential II
<p>in OCTOBER 2019</p> <p><i>[Signature]</i> G S SAVAGE PLS 0543</p> <p>Professional Land Surveyor, Township Planner 46 Albert Street, P O Box 752, GEORGE 6530 Tel. (044) 8742414, (Cell) 082 454 1350</p>	
REF 317HOEKWIL.mal	CF. 4139/GEO 157