

**Menslike Nedersettings, Beplanning en Ontwikkeling
Human Settlements, Planning and Development**

Collaborator No.: 2337692
Reference / Verwysing: Erf 1110, Hoekwil
Date / Datum: 25 May 2023
Enquiries / Navrae: Primrose Nako

Email: marlize@mdbplanning.co.za

MARLIZE DE BRUYN
P O BOX 2359
GEORGE
6530

APPLICATION FOR PERMANENT DEPARTURE (BUILDING LINE RELAXATION): ERF 1110, HOEKWIL

Your application in the above regard refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2022 decided that the application for Departure in terms of Section 15(2)(b) of the Land Use Planning Bylaw for George Municipality, 2023 for the following on Erf 1110, Hoekwil:

1. Northern lateral boundary building line from 30.0m to 10.0m for proposed dwelling house;
2. Southern lateral boundary building line from 30.0m to 10.0m for proposed dwelling house;

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

REASONS FOR DECISION:

- (i). The proposed dwelling is situated in the most ideal location considering the irregular shape of the property as well the vegetation situated on the eastern section on the property.
- (ii). Dwelling units on neighbouring properties are also located in a high visibility sensitive area, as the existing dwelling are also visible from certain areas along the N2 in the scenic area.
- (iii). The proposed dwelling will be situated 10.0m from the property boundary and will be a significant distance from the dwellings on neighbouring properties.
- (iv). Proposal to exceed the building lines are common for residential dwellings on smallholding properties and will not negatively impact the character of the surrounding area, nor the scenic area of Wilderness.
- (v). Mitigation measures can be applied to reduce the visual intrusion of the proposed dwelling as stipulated in the Visual Impact Assessment.

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

CONDITIONS:

1. That in terms of the Land Use Planning By-law for the George Municipality 2023, the approval shall lapse if not implemented within a period of five (5) years from the date thereof.
2. This approval shall be taken to cover only the Departure application as applied for and as indicated on the site layout plan, project no. 325/G21 drawn by Marlize de Bruyn dated June 2022 attached as “Annexure A” which bears Council’s stamp and shall not be construed as to depart from any other Council requirements or legal provision.
3. The above approval will be considered as implemented on the commencement of building works in accordance with approval of building plans.
4. The applicant must appoint a suitably qualified structural engineer to oversee all excavations, earthworks and construction on site. The engineer must ensure that potentially unstable slopes are avoided where possible. All cuts and fills must be effectively stabilized by engineer designed retaining structures.
5. Stormwater run-off from roofs and paved areas must be managed, diverted and dispersed onto stable structures to ensure that erosion problems are not transferred onto adjacent properties, while collaboration with Department: Civil Engineering Services to address stormwater drains that drain into the property to prevent erosion around these structures. The stormwater must as far as possible controlled by capturing it in rainwater tanks or dissipating it into landscape features and surrounding vegetation.
6. The final design must incorporate the recommendations stated in the visual impact assessment report.
7. The applicant must make use of natural materials and natural paint tones that blend in with the surrounding forest in the design of all exterior elevations, walls and retaining structures. All roofs shall be natural tones, preferably dark greens, greys or neutral tones that blend with the surrounding tree canopy. The structures erected must blend into the receiving environment and therefore make use of natural wood materials or painted in dark neutral tones and colours.
8. The applicant must make all attempts to prevent light pollution on the property and to prevent spill over onto surrounding properties and public areas, also due to the proximity of areas utilized by fauna. The use of spray or spotlights is not permitted. Only warm coloured lighting with low luminance may be used in external parts of the buildings. Outdoor lighting be screened and designed to point downwards and may not be directed toward river valley areas. The lighting along pathways and tracks must also point downwards and may not extend more than 500mm above the ground.

Notes:

- a) *A building plan be submitted for approval in accordance with the National Building Regulations (NBR).*
- b) *Work areas and access routes must be clearly demarcated to minimize environmental damage and soil erosion.*
- c) *Indigenous/ protected flora must be rescued within proposed footprint area prior to construction to the satisfaction of the National Department of Forestry, Fisheries and Environment (Forestry: Knysna). The Garden Route Botanical Garden may be approached to receive and rescue plants for the Garden.*
- d) *All areas outside of the development footprint should be maintained for biodiversity conservation.*
- e) *Only locally indigenous vegetation is used for landscaping and the rehabilitation of the disturbed areas, this includes rescued indigenous/ protected seedlings which must be used for landscaping and rehabilitation of the property, post-construction.*
- f) *A barrier fence (normally shade-cloth but not confined to this) must be erected approx. 2m outside the development footprint of the planned development to preserve and protect the maximum amount of natural vegetation on the property as well as to protect and preserve the natural vegetation occurring on the adjoining properties.*
- g) *No solid boundary walls or impenetrable fencing will be allowed on the property. Fencing and boundary walls may be allowed within the proposed disturbed area on the property to the satisfaction of the George Municipality. All fencing or walls erected must allow for the free flow of wildlife across the property to the adjoining wildlife corridors.*
- h) *Heavy machine operation must be kept to a minimum to avoid unnecessary soil compaction and erosion.*
- i) *During the process of vegetation clearing, the applicant shall ensure that the contractor protects areas susceptible to erosion by installing all the necessary temporary and permanent drainage works as soon as possible.*
- j) *The disturbance of natural vegetation should be kept to a minimum and restricted to the footprint of the house plus a two meter (2m) working area around the site and fenced in with a suitable barrier (normally*

shade-cloth) to prevent access as No-Go areas and to prevent contamination elsewhere. Upon completion the barrier must be removed.

- k) *Illegal snaring of wild animals during building operations has proved to be an ongoing problem on building sites and the adjacent forest in the past and this aspect must be given specific attention by environmental education to all staff working on the site.*
- l) *The driveway (not exceeding 4m wide) should be demarcated with temporary fencing during construction. Use of the driveway may not cause stormwater run-off problems or cause mud and debris to wash into adjacent properties.*
- m) *An area must be provided on site for the stockpiling of building materials. A turning and parking area for construction vehicles must be identified in advance and the disturbance limited to this area.*
- n) *Top-soil removed during construction must be stockpiled and re-used in the rehabilitation and landscaping of the property.*
- o) *Waste materials and general refuse must be removed frequently and disposed of at a recognized municipal waste disposal facility.*
- p) *The contractor shall provide suitable chemical toilet facilities or any other approved toilet facilities on-site in such a way that it does not cause water or other environmental pollution. Toilets shall be of a neat construction and shall have doors and locks and shall be secured to prevent them from blowing over. The toilet must be removed, and night soils disposed of on completion of the construction activities.*
- q) *Any building rubble or waste generated during the construction process must be placed in receptacles within a secure designated area to prevent illegal dumping and waste materials being blown or scattered into the surrounding areas or other ecologically sensitive areas. On completion of the proposed activities, all waste material of any description, including receptacles, rubble, etc. must be removed entirely from the site and disposed of at a recognized landfill facility. No waste will be allowed to be buried or burned on site.*
- r) *The excessive use of paving and minimalizing paved or areas covered by concrete is not supported as this leads to heat retention and with predicted climate change scenarios this can have substantive effects when considered cumulatively. When used, paving or solid ground covering should comprise light-coloured tones to reduce heat retention.*
- s) *The design of the dwelling house and outbuildings must incorporate the use of water and energy saving devices such as solar panels, solar geysers, gas stoves, rain-water tanks, greywater harvesting, low flow toilets, aerated taps and shower heads, etc.*
- t) *The applicant will use the most appropriate method of sewerage disposal for the property with the installation of a conservancy tank as indicated in the plans.*
- u) *The clearing of alien invasive vegetation on the erf must be addressed and should take place in terms of Conservation of Agricultural Resources Act 43 of 1983 (CARA) general duty of care to combat weeds and invader plants, using acceptable methods of cutting (hand-cutting), chipping and ongoing removal of seedlings. Alien invasive vegetation removal must be managed and recorded. Alien plant species that are either prohibited or listed as requiring a permit in terms of the Alien and Invasive Species Regulations, 2014, should be removed.*
- v) *No fires may be permitted on site. Adequate fire-fighting equipment must be available on site in good working condition (at least one type ABC-all-purpose 12, 5 kg extinguisher). If in a fire-prone area it is advised that the owner must join the Southern Cape Fire Protection Association Management Unit for the area; with an approved fire management plan compiled in conjunction with the Fire Protection Association.*
- w) *Landowners should also apply for any Category 2 alien invasive species (Pinus radiata to be retained) on their properties through the National Department.*

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

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Human Settlements, Planning and Development, P O Box 19, George, 6530 or Directorate: Human Settlements, Planning and Development, 5th floor, Civic Centre, York Street, George **on or before 15 JUNE 2023** and simultaneously submit a copy of the appeal on any person who commented, made representations

or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

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

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

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

Yours faithfully



C. PETERSEN

SENIOR MANAGER: TOWN PLANNING

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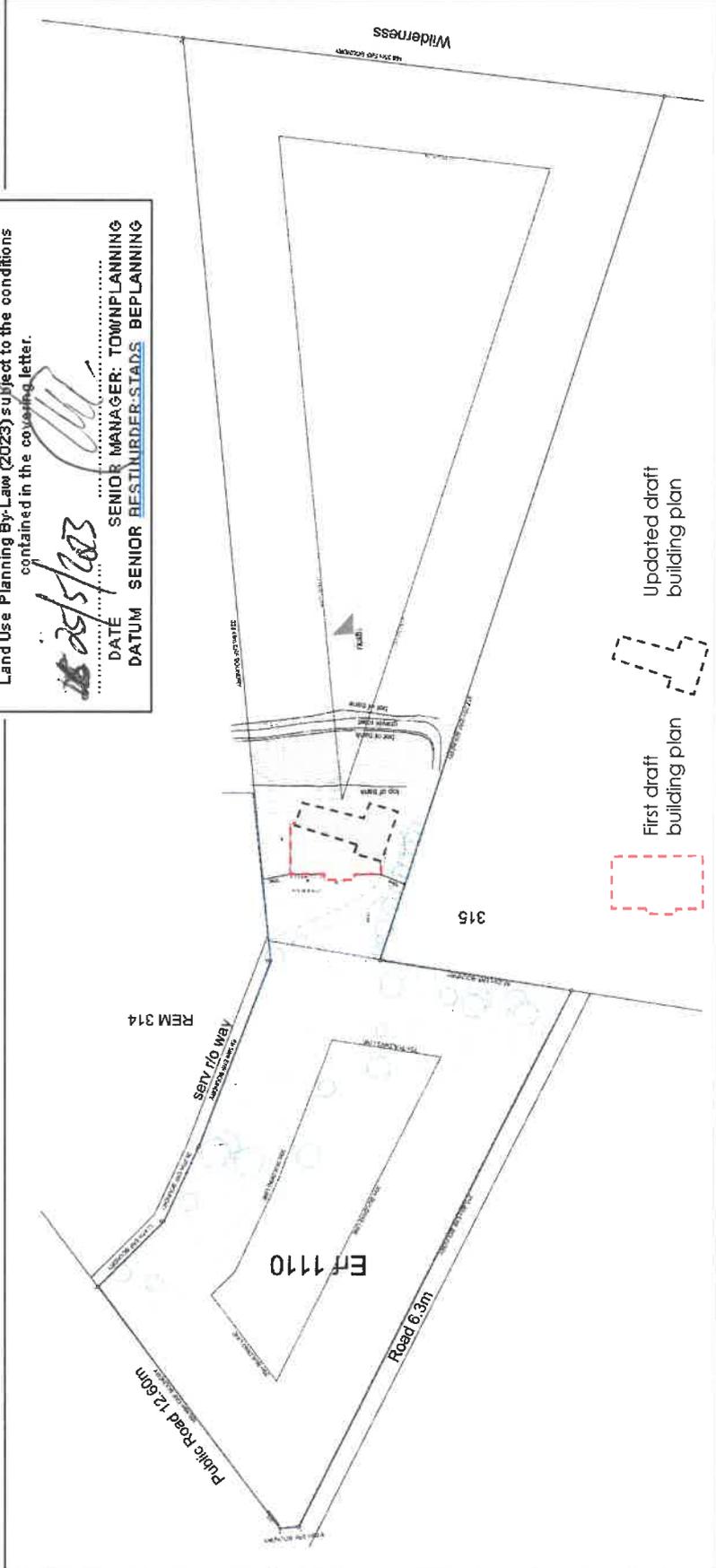
SITE PLAN I

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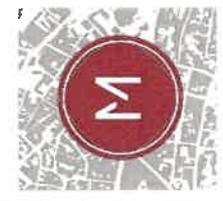
Approved in terms of Section 60, of the George Municipality: Land Use Planning By-Law (2023) subject to the conditions contained in the covering letter.

25/5/2023

DATE: 25/5/2023
 SENIOR MANAGER: TOWNPLANNING
 DATUM: SENIOR BESTUURDER-STADS BEPLANNING



Drawing: Annexure 6
 June 2022
 Project 325/G21

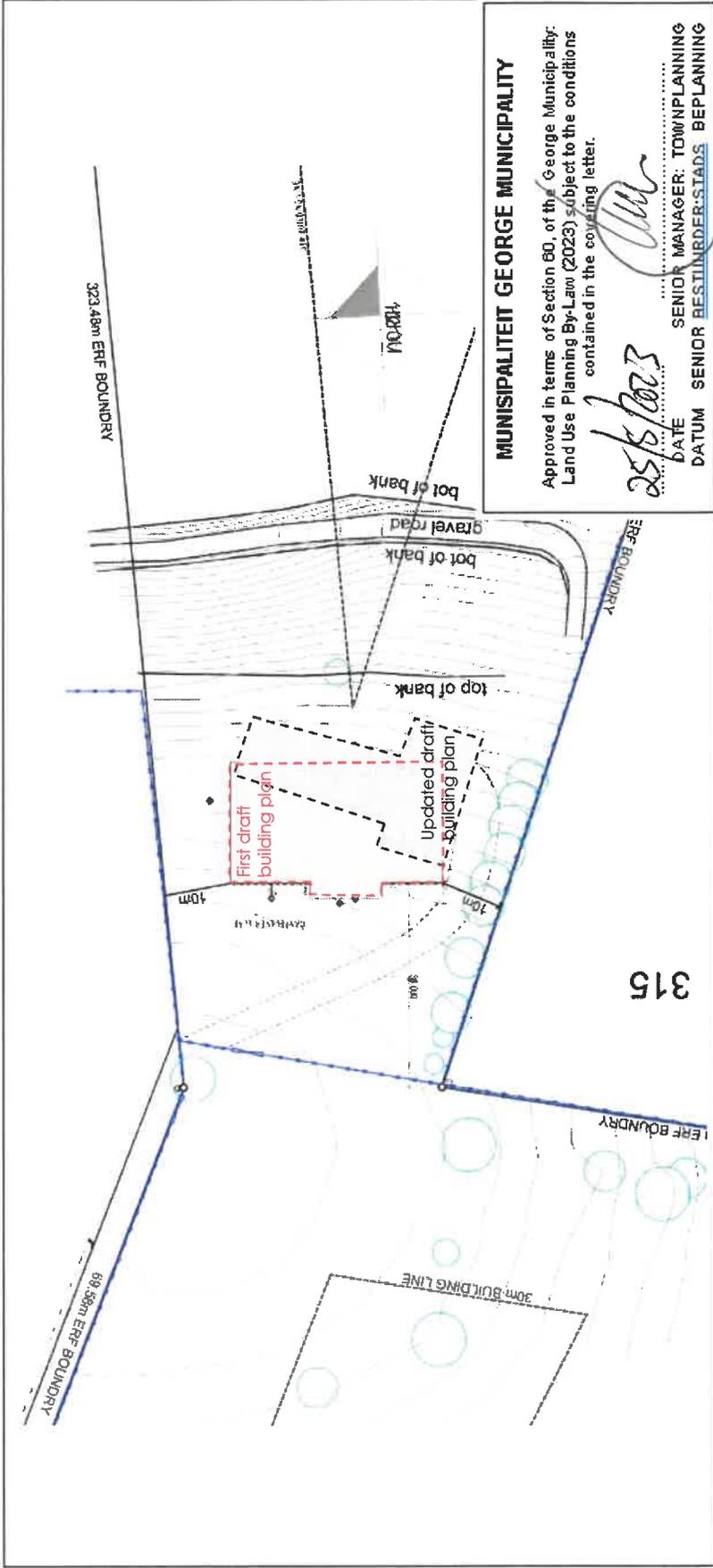


**PROPOSED DEPARTURE (BUILDING LINE RELAXATION)
 FOR JM SCHMIDT & C SCHMIDT-WALLOUCH:
 ERF 1110, REMSKOEN STREET, HOEKWIL (WILDERNESS HEIGHTS),
 GEORGE MUNICIPALITY & DIVISION**

For scale refer to figured dimensions. Measurements always to be checked by Professional Land Surveyor.

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SITE PLAN II



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25/6/2023
 DATE
 SENIOR SENIOR BESTUURDER-STADS BEPLANNING

SENIOR MANAGER: TOWNPLANNING
 DATUM SENIOR BESTUURDER-STADS BEPLANNING



Drawing: Annexure 6
 June 2022
 Project 325/G21

**PROPOSED DEPARTURE (BUILDING LINE RELAXATION)
 FOR JM SCHMIDT & C SCHMIDT-WALLOUCH:
 ERF 1110, REMSKOEN STREET, HOEKWIL (WILDERNESS HEIGHTS),
 GEORGE MUNICIPALITY & DIVISION**

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