

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

**Collaborator No.:** 2266145  
**Reference / Verwysing:** Farm Drie Valleyen 186 portion 17, Division George  
**Date / Datum:** 22 September 2023  
**Enquiries / Navrae:** Marisa Arries

**Email:** [planning@delplan.co.za](mailto:planning@delplan.co.za)

JAN VROLIJK TOWN PLANNER  
PO BOX 710  
GEORGE  
6530

**APPLICATION FOR REZONING AND CONSENT USE: FARM DRIE VALLEYEN 186 PORTION 17,  
DIVISION GEORGE**

Your application in the above refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that notwithstanding the objections and comments received, the following applications applicable to Portion 17 of the Farm Drie Valleyen 186, Division George:

- Rezoning in terms of section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2023 of a portion of Portion 17 of the Farm Drie Valleyen 186, Division George, of approximately 5.7913Ha in extent from "Agricultural Zone I" to "Open Space Zone III";
- Consent Use in terms of sections 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for "Tourist Accommodation" to legalise 6 tourist accommodation units on the proposed "Open Space Zone III" portion of Portion 17 of the Farm Drie Valleyen 186, Division George;

**BE APPROVED** in terms of Section 60 of the Land Use Planning Bylaw for George Municipality, 2023 for the following reasons:

**REASONS FOR DECISION:**

1. The proposed development is deemed to be consistent with the spatial planning policies and guidelines for this area.
2. The proposal acknowledges the environmental sensitivities/constraints and agricultural potential and aims to protect the environmental components while also protecting the agricultural integrity of the property.
3. The proposal also promotes the diversification of land uses on farm portions to improve the economic viability of the property.
4. The proposal is reconcilable with the vision for the area which is to protect and conserve important environmental areas.
5. The rezoning will result in the creation of an area previously zoned as agriculture to a nature conservation area which must be managed and will improve the integrity of the natural environment and open space systems.

6. The proposed development will not have a significant adverse impact on surrounding neighbours' rights in terms of privacy, views and sunlight.
7. The proposal will be subject to conditions to ensure the necessary mitigations to ensure the protection of the natural bio-physical environment and visual landscape.

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

#### **CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT:**

##### **General**

1. That in terms of the provisions of the Land Use Planning By-law for the George Municipality, 2023, the approval shall lapse if not implemented within a period of two (2) years from the date it comes into operation.
2. This application shall be taken to cover only the rezoning & consent use as applied for as indicated on the Zoning Plan with Plan no. 17/186/1 dated April 2022 drawn by Jan Vrolijk, Surveyor Plan drawn by "D Smalberger" of "Bekker & Houterman Land surveyors", and floor plan drawn by "D. Vermeulen" from "Big Five Construction" 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.

##### **Implementation**

3. A site development plan (SDP) for the development must be submitted to the satisfaction of the Directorate: Human Settlements, Planning and Development for consideration and approval, in accordance with the provisions of Section 23 of the George Zoning Scheme By-Law, 2017 and the conditions of approval prior to submission of building plans.
4. The applicant must submit a surveyor's plan of the "spot zone" to the GIS Department of the Directorate for information purposes.
5. An Environmental Management Plan for the rehabilitation and ongoing management and maintenance of the land must be submitted by a suitably qualified and experienced environmental practitioner to the Directorate's Environmental Management Section for approval and must accompany the application for condonation in terms of the OSCAE Regulations.
6. A contravention levy of **R 332.60 (VAT Included) is payable** for the unlawful use of the property for the six (6) tourist accommodation units and shall be payable on submission of building plans.
7. The same Building Line restrictions applicable to Agriculture Zone I shall be applicable to the portion of the property zoned Open Space Zone III.
8. The height of the tourist accommodation units may not exceed 6.5m as measured from natural ground level to the top of the roof.
9. The number of tourist accommodation units is limited to a maximum of 6, the size and scale as shown on the approved zoning plan.
10. Fencing must be wildlife-friendly to maintain the conservation of biodiversity and ecological processes and functioning.
11. Wildlife-friendly fencing can only be erected around the dwelling footprint to keep their pets or livestock contained, the extent of which shall be evaluated over the course of the OSCAE application.
12. The applicant must clarify with the Department: Civil Engineering Services the most appropriate method of sewerage disposal for the property and appropriate early warning systems to prevent spills prior to submission of the SDP.
13. The SDP must consider and address any applicable conditions as set out in approvals granted in terms of any other legislation, including measures to mitigate erosion due to run-off.
14. The approval will be considered as implemented on the issuing of an occupation certificate in accordance with the approved building plan.

##### **Notes:**

1. A building plan be submitted for approval in accordance with the National Building Regulations (NBR).
2. Stormwater management needs to be addressed to the satisfaction of the Civil Engineering Department as part of the Building Plans.

3. *The Outeniqua Sensitive Coastal Area Extension (OSCAE) permit contravention process in terms of the provisions of the Environmental Conservation Act must be completed prior to the approval of the Site Development Plan.*
4. *The contravention levy is calculated as follows:*
  - a. *216m<sup>2</sup> is used directly for purposes of 6 unauthorised tourist accommodation units.*
  - b. *The present municipal value of the property is R3 100 000.00;*
  - c. *The property area is 231521m<sup>2</sup>.*
  - d. *The m<sup>2</sup> value of the property is thus,  $\frac{R\ 13.38}{m^2}$  or R150 whichever is the lesser.*
  - e. *The contravention levy payable by the owner in accordance with the municipality's tariff list is:  
 $10\% \times R13.38 \times 216m^2 = R\ 289.21$  Plus VAT (15%) = R332.60;*
5. *The following should be captured in the environmental management plan:*
  - *The applicant must appoint an Environmental Control Officer (ECO), who must be knowledgeable with regard to site management, must for the duration the clearing, construction and post construction rehabilitation of the site.*
  - *All areas outside of the development footprint should be maintained for biodiversity conservation.*
  - *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.*
  - *No solid boundary walls or impenetrable fencing will be allowed on the property. Fencing and boundary walls will only 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 movement of wildlife across the property to the adjoining wildlife corridors.*
  - *Stormwater must as far as possible be controlled by capturing it in rainwater tanks or dissipating it into landscape features and surrounding vegetation.*
  - *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.*
  - *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.*
  - *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.*
  - *The design of the structures 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.*
  - *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, ...*
  - *No gardening is permitted outside the development footprint area; and all worked areas must be rehabilitated to a natural condition, using indigenous plant species.*

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 13 October 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.

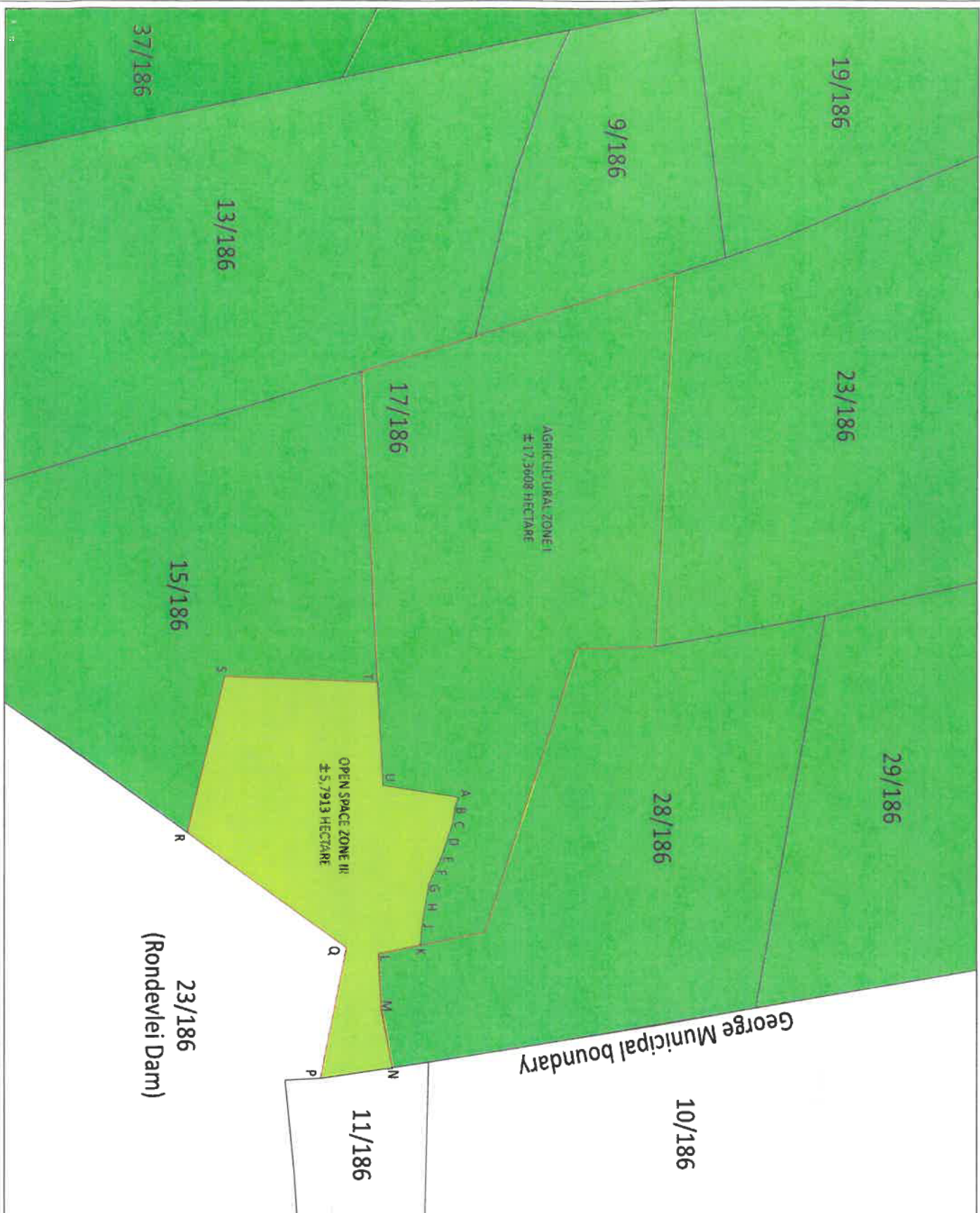
Yours faithfully



**C. PETERSEN**

**SENIOR MANAGER: TOWN PLANNING**

C:\Marisa\Decisions\Farm 186 portion 17, Division George(rezoning and consent use\_approval)jvroljik.docx



**LEGEND**

Portion 17 of 186

Agricultural Zone I

Open Space Zone IV

Proposed Open Space Zone III

**Note - Coordinates of proposed  
Open Space Zone II figure  
ABCEGHIJKLMNOPQRSTU  
in accordance with attached  
Surveyor Plan compiled by  
D Smalberger Becker & Houterman  
Land Surveyors**

## MUNISIPALITEIT GEORGE MUNICIPALITY

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.

2023/09/22

DATE SENIOR MANAGER: TOWNPLANNING  
DATUM SENIOR BESTUURDER STADS BEPLANNING

## Zoning plan

**Portion 17 of the Farm  
Boven Lange Valley 186**



NAME		NTS		STATUS	
PLANNED SERVICE		PLANNED SERVICE	4711664		
STATUS		STATUS	PM 17 of 168		
DATE	April 2022	DATE	Zoningplan		

ALL MEASUREMENTS APPROXIMATE  
ALLE AFMETINGEN BY BENADERING

KOPMEERD VOORBEHOUD / COPY RIGHT RESERVED

# **SURVEY OF THE COTTAGES**

**ON PORTION 17 OF THE FARM DRIE VALEYEN No.186**

**SITUATE IN THE MUNICIPALITY AND  
ADMINISTRATIVE DISTRICT OF GEORGE  
PROVINCE OF THE WESTERN CAPE**

**PORTION 17/186  
FARM DRIE VALEYEN**

**SCALE 1:500 (A3)**

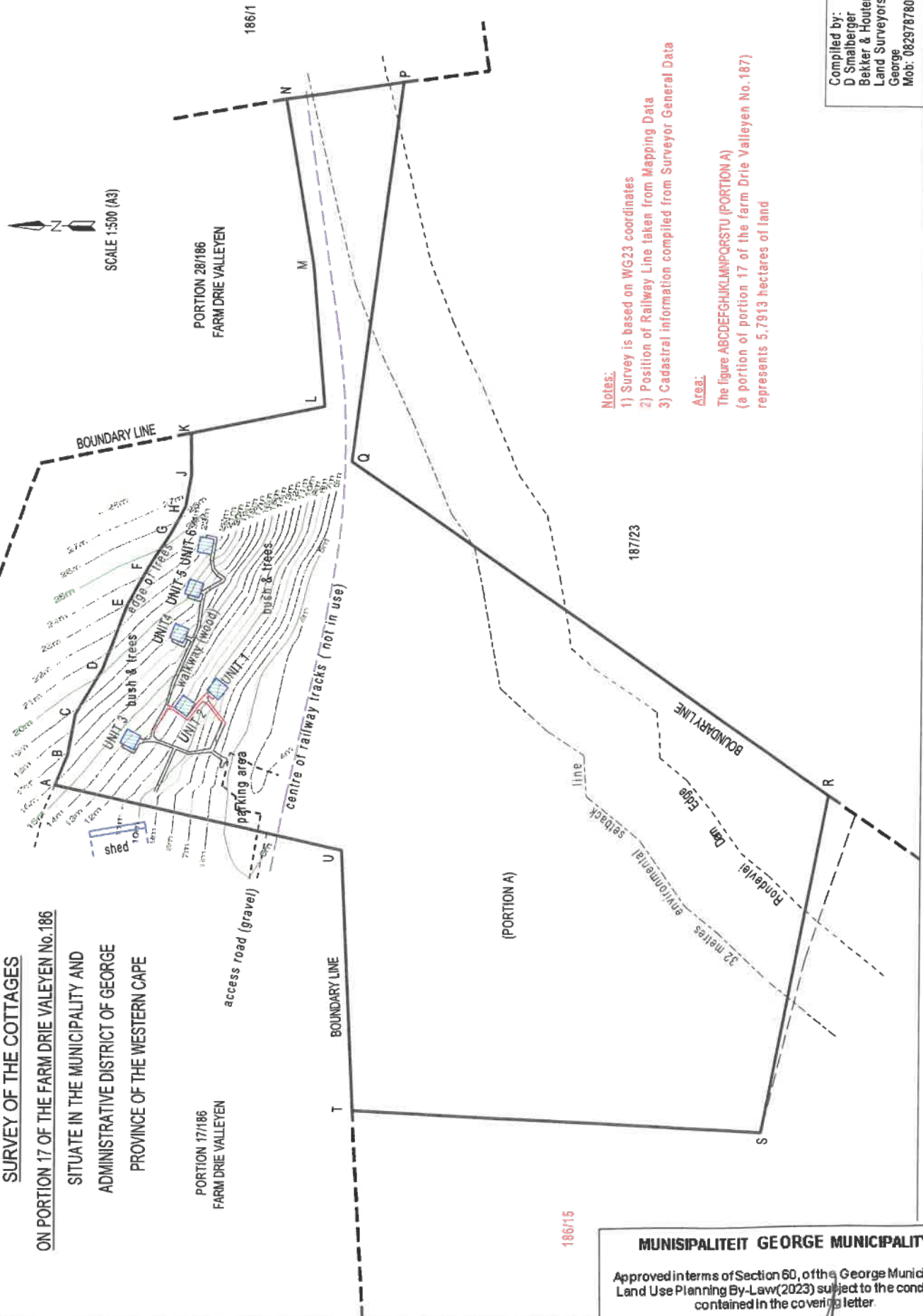
**PORTION 28/186  
FARM DRIE VALEYEN**

**186/1**

**187/23**

**186/15**

**(PORTION A)**



- Notes:**
- 1) Survey is based on WG23 coordinates
  - 2) Position of Railway Line taken from Mapping Data
  - 3) Cadastral information compiled from Surveyor General Data

## **Area:**

The figure ABCDEFGHIJKLMNOPQRSTU (PORTION A)  
(a portion of portion 17 of the farm Drie Valeyen No.187)  
represents 5,7913 hectares of land

Compiled by:  
D Smalberger  
Bekker & Houterman  
Land Surveyors  
George  
Mob: 0829787802

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**2023/09/21**

**DATE**

**SENIOR MANAGER: TOWNPLANNING**

**DATUM**

**SENIOR BESTUURDER: STADS BEPLANNING**

General Notes

No. Revision/Issue Date

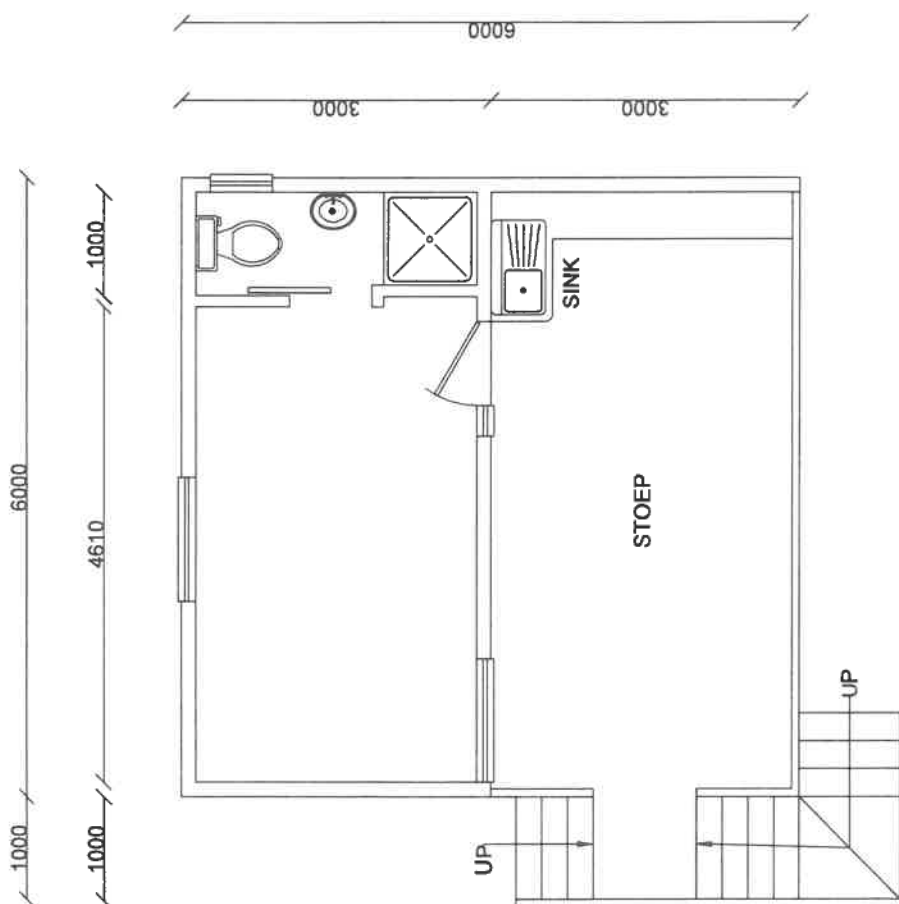
**BIG FIVE CONSTRUCTION**  
42-44 SOUTHEY STR.  
KIMBERLEY 8301  
P.O. BOX 110240  
HAGISON PARK 8306  
TELL 053 832 1101 FAX: 086 204 7203  
plants@bigfiveconstruction.co.za

Project Name and Nature  
**PROPOSED CABIN / EMPLOYEE  
HOUSING**

Drawn By  
**VERMEULEN .D**

Date  
**11/11/2021**

Scale  
**1:50**



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2023/09/22

DATE  
DATUM

SENIOR MANAGER: TOWNPLANNING  
SENIOR BESTUURDER: STADS BEPLANNING