

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

Collaborator No.: 2471536
Reference / Verwysing: Portion 30 and 35 of the Farm Kraaibosch 195, Division George
Date / Datum: 12 January 2024
Enquiries / Navrae: Marisa Arries

Email: janvrolijk@jvtownplanner.co.za

JAN VROLIJK TOWN PLANNER
PO BOX 710
GEORGE
6530

**APPLICATION FOR SUBDIVISION AND CONSOLIDATION: PORTION 30 AND 35 OF THE
FARM KRAAIBOSCH 195, DIVISION GEORGE**

Your application in the above refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that the following applications applicable to Portion 30 and 35 of the Farm Kraaibosch 195, Division George;

1. Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-Law for George Municipality, 2023 of Portion 35 of the Farm Kraai Bosch 195, Division George into a Portion A ($\pm 395\text{m}^2$) and a Remainder ($\pm 1695\text{m}^2$);
2. Consolidation in terms of Section 15(2)(e) of the Land Use Planning By-Law for George Municipality, 2023 of the proposed Portion A with Portion 30 of the Farm Kraai Bosch 195, Division George;

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

REASONS FOR DECISION

- (i) The proposed development is deemed to not be in conflict with the spatial planning policies and guidelines for the area.
- (ii) The proposed development will not negatively impact the sensitive character of the area or the environment.
- (iii) The proposed development will not have a significant adverse impact on surrounding neighbours' rights and amenity in terms of privacy, views or sunlight.

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

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT

General

1. That in terms of the Land Use Planning By-law for the George Municipality, 2023, the applications shall respectively lapse if not implemented within a period of five (5) years from the date it comes into operation.

2. This approval shall be taken to cover only the Subdivision and Consolidation as applied for as indicated on the undated Subdivision & Consolidation plan with Plan no. 6423/GEO 195 drawn by G S Savage 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 approved Subdivision and Consolidation Plan must be submitted to the Directorate's GIS Section for information purposes prior to transfer of a portion.
4. As-built building plans of the applicable resulting consolidated property must be submitted for approval in accordance with the National Building Regulations (NBR).
5. The subdivision and consolidation approval will be considered implemented on the registration of the Certificate of Consolidated Title with the Registrar of Deeds;

Notes:

- a) *Comments from DEA&DP is required prior to the submission of building plans for any new development on either property to determine that the proposal is compliant with the Integrated Coastal Management Act (ICMA) and if any mitigation may be required as the property falls within the 100m high water mark and Coastal Management Line.*
- b) *Comment is from DFFE (Forestry) required to the submission of building plans due to the protected vegetation on these properties.*
- c) *Comment may be required from Heritage Western Cape for any structures erected on these properties or for any alterations and additions to the existing dwelling house on Portion 30.*
- d) *An electrical engineer must be appointed to determine the position of the 11KVA electrical line in relation to any proposed buildings, as well as the clearances and mitigation of risk required before a building plan can be considered.*
- e) *Any additions to the existing dwelling must be sent to the Municipality's Heritage and Aesthetics Committee for comment.*
- f) *A building plan be submitted for approval in accordance with the National Building Regulations (NBR).*
- g) *The properties are located within the Outeniqua Sensitive Coastal Area. The OSCAE permit process must be concluded prior to the submission of building plans.*
- h) *Stormwater must be dispersed responsibly, and the stormwater management, retention and erosion prevention measures must be addressed on the building plans.*
- i) *The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.*
- j) *Stormwater must as far as possible be controlled by capturing it in rainwater tanks or dissipating it into landscape features and surrounding vegetation.*
- k) *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.*
- l) *All roofs shall be natural tones, preferably dark greens, greys or neutral tones that blend with the surrounding tree canopy.*
- m) *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.*
- n) *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.*
- o) *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.*

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 02 FEBRUARY 2024** 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

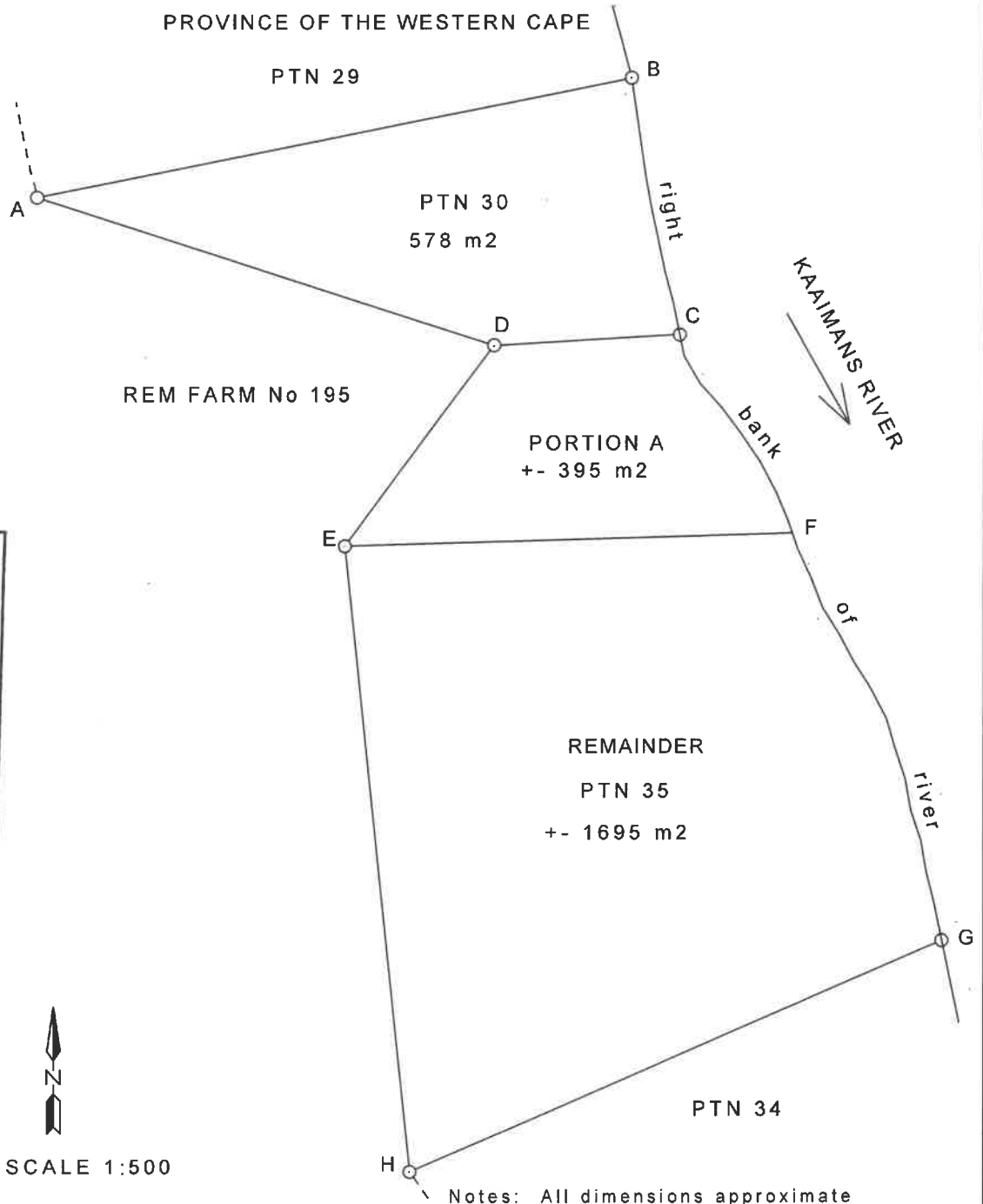


C. PETERSEN

SENIOR MANAGER: TOWN PLANNING

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**PROPOSED SUBDIVISION OF
PORTION 35 OF THE FARM KRAAI BOSCH No 195
SITUATE IN THE MUNICIPALITY AND ADMINISTRATIVE DISTRICT OF GEORGE
PROVINCE OF THE WESTERN CAPE**



DATE
12/01/2024

SENIOR MANAGER: TOWN PLANNING
SENIOR BESTUURDER: STADSBEPLANNING

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.

The figure DC right bank of the Kaaibos river GHE represents Portion 35 of the farm KRAAI BOSCH NO 195 and it is to be subdivided into figure DCFE being Portion A and a remainder as is to be consolidated with Portion 30 in terms of George Mun By-Law Section 15.2(d) and (e)

PORTION 35	OWNER: Mr A HEYN
DGM A2197/1923	AREA: 2090 sqm
DEED No. T7283/1923	ZONING: Residential
<p>in September 2022</p> <p>G S SAVAGE PLS 0543 Professional Land Surveyor 46 Albert Street, P O Box 752, GEORGE 6530 Tel.(044) 8742414, (cell) 083 454 1350</p>	
REF. HEYN A PPSD2.mal	CF. 6423/GEO 195