

**Collaborator No.:** 3428809  
**Reference / Verwysing:** Erf 777, George  
**Date / Datum:** 20 June 2025  
**Enquiries / Navrae:** Marisa Arries

**Email:** [janvrolijk@jvtownplanner.co.za](mailto:janvrolijk@jvtownplanner.co.za)

JAN VROLIJK TOWN PLANNER  
PO BOX 710  
**GEORGE**  
6530

**APPLICATION FOR SUBDIVISION: ERF 777, OUTENIQUA STRAND,  
MOSELBAY**

Your application in the above regard refers.

The Deputy: Town Planning (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided the application for Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2023 of Erf 777, Outeniqua Strand into a Portion A (+/- 4,2992 ha) and a Remainder (+/- 3,9514 ha);

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

**REASONS FOR DECISION**

- a. Although the property is confirmed not to fall under Act 70 of 70, according to the Mossel Bay Municipality, the application is exempted in terms of Section 24(1) of Mossel Bay Municipality's Planning By-law and therefore a separate land use approval is not required from said municipality.
- b. The proposal is deemed to be consistent with the spatial planning policies and guidelines for this area.
- c. The proposed subdivision will have no impact on traffic, services, and access.
- d. The proposal constitutes a cadastral exercise and is seen as a sensible solution to the current status quo as the portions are separated by a neighbourhood and municipal boundaries.
- e. As the two portions form part of different municipal jurisdictions the administrative duties will be better managed.
- f. As the proposal is a cadastral exercise, no negative impact to the character of the area or the neighbouring properties are foreseen.
- g. The proposed subdivision will have no negative impact on the 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**

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

2. This approval shall be taken to cover only the subdivision, as applied for and indicated on the subdivision plan no. 777/1 dated September 2024, drawn by Jan Vrolijk 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 subdivision approval will only be regarded as implemented on the submission of the approved SG Diagram by the Surveyor General as well as the registration of Portion A in terms of the Deeds Registries Act.

#### **Notes**

- (i) *The owner must apply to the Mossel Bay Municipality for approval of the subdivision in terms of the Mossel Bay Municipality By-Law on Municipal Land Use Planning, 2021 to ensure the proposed subdivision is authorized by both controlling authorities.*
- (ii) *As built site layout plan/building plan must be submitted to the Building Control office to illustrate the existing structures on Remainder portion in relation to the new property boundaries as well as the new building lines for record purposes.*
- (iii) *The approved subdivision plan must be submitted to the Directorate’s GIS Section for information purposes prior to transfer of a portion.*
- (iv) *The developer must 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.*
- (v) *The property owner must note that the portion southward of the CML forms part of Coastal Public Property. The zoning of the property alludes that this portion vests with the Mossel Bay Municipality and it is advised that the portion be transferred to the Municipality or organ of state to ensure the protection of the coastal property is duly applied as required in terms of ICMA, noting that there are several properties where the vegetation on these dunes have been disturbed by adjacent property owners, for which the land owner can be held liable in terms of ICMA.*
- (vi) *The developer must engage with the Mossel Bay Local Municipality in conjunction with the DEA&DP Biodiversity and Coastal Management Section with regards to the way forward with Portion A.*
- (vii) *The applicant must regard the comments and conditions as part of the letter received from DEA&DP Biodiversity and Coastal Management Section dated 3 December 2024 attached hereto as ‘**Annexure C**’ for easy reference.*
- (viii) *The applicant is reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: “...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment...” together with Section 58 of the NEM: ICMA which refers to one’s duty to avoid causing adverse effects on the coastal environment.*

#### **CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES**

4. The conditions imposed by the Directorate Civil Engineering Services are attached as ‘**Annexure B**’ dated 29.10.2024, collaborator reference 3428809 hereto.
5. As stipulated in the attached conditions imposed by the Directorate Civil Engineering Services, the amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. with reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, the amounts of which are reflected on the attached calculation sheet dated 04/11/2024 and are as follows:

Roads	R 0.00
Sewer	R 0.00
Water	R 0.00
<b>Total</b>	<b>R 0.00 Excluding VAT</b>

6. The total amount of the development charges of **R 0.00 Excluding VAT** shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.



7. Any amendments or additions to the proposed development, which is not contained within the calculation sheet attached, which might lead to an increase in the proportional contribution to municipal public expenditure, will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

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 11 JULY 2025** 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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2179 2180 2226 2229 2230 2217 2216 2218 2215 2213 2214

2113 2112

371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 269

MAIN ROAD

447 441 439 436 435 432 431 428 427 PARK 426 425 424 421 420 419 418 417 416 415 414 413 412 411 410 409 600 404 403 402 401 399

GLENQUA DRIVE

475 474 473 472 471 470 469 468 467 466 465 464 463 462 461 460 459 458 457 456 267 266 612

DIJKER CIRCLE

COFF. MISC.

Portion A  
(±4,2992 hectare)

Mossel Bay Municipal area

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