

**Collaborator No.:** 3225384  
**Reference / Verwysing:** Portion 5 of farm 191, Division George  
**Date / Datum:** 18 July 2025  
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WILDERNESS RATEPAYERS & RESIDENTS ASSOCIATION  
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WILDERNESS  
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**APPLICATION FOR CONSENT USE, DEPARTURE, REMOVAL OF RESTRICTIVE TITLE DEED CONDITION  
AND SITE DEVELOPMENT PLAN: PORTIONS 5 OF FARM 191, DIVISION GEORGE**

Your application in the above regard refers.

The Acting Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided that the following applications applicable to Portion 5 of Farm 191, Division George:

1. Consent Use in terms of Section 15(2)(o) of the Land Use Planning By-law for George Municipality, 2023 in order to permit a Quarry (sand mine) on Portion 5 of Farm 191, Division George;
2. Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for relaxation of the eastern and western side building lines from 30.0m to 9.0m to align with the MPRDA, 2002 requirement of a 9.0m pillar being retained along all boundaries of a licensed mine area to protect land use on adjoining properties;
3. Removal in terms of Section 15(2)(f) of the Land Use Planning By-law for George Municipality, 2023 of Restrictive Title Deed Condition [C.(3)] in Deed of Transfer T020775/2001 to permit operation of the sand mine;
4. Permission in terms of Section 15(2)(g) of the Land Use Planning By-law for George Municipality, 2023 for the approval of the undated Site Development Plan prepared by Setplan attached hereto as "Annexure A" which bears Council's stamp, for the sand mine on Portion 5 of Farm 191, Division George;

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

**REASONS FOR DECISION**

- (a) The proposal seeks to provide a valuable product which is important to both economic growth and infrastructure provision within the Garden Route region.

- (b) Continued operation of the mine will open up employment opportunities, contribute to the primary sector of the economy and improve the supply of an important commodity in the construction sector.
- (c) With proper implementation of the environmental authorisation and its conditions, it is found that the development proposal will not pose any significant negative impacts or any new negative impacts to the surrounding natural environment or neighbouring property owners' rights and amenity to the enjoyment and use of their respective properties.
- (d) Though a sand mine is not aligned with the future spatial vision for the surrounding area, i.e., to rehabilitate and retain it for nature conservation purposes, the temporary nature of the activity and the rehabilitation of this already degraded site thereafter, enables the municipality to achieve a balance between its long term goals and objectives, while also supporting the programs and policies of national government as required by SPLUMA.
- (e) The applications submitted are therefore not found to be in conflict with the spatial planning policy objectives and goals applicable to the area.
- (f) Act 40 of 1940 does not apply to the property as it is only served by a national road and has no impact whatsoever on the roads which fall under the jurisdiction of the provincial government. The responsible government department was informed of the application but did not comment. The Title Deed condition is not relevant to the property concerned and can be removed.
- (g) The Department noted that some key elements are not present on the site development plan (SDP). The SDP is thus approved on condition that a revised SDP is submitted.

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

### **CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT**

#### **General 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 two (2) years from the date it comes into operation.
2. This approval shall be taken to cover only the Consent Use, Departure and ROR applications as applied for and as indicated on the undated Site Development Plan and Post Mining Land Use Plan prepared by Setplan attached hereto 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 Consent Use and Departure approval for the sand mine shall be valid for the duration/lifetime of the mine whereafter the mine will decommissioned and the site is suitably rehabilitated in line with the environmental authorisation.
4. A revised site development plan indicating the key operational areas and buildings for the quarry such as the existing weighbridge and dispatch area, small office / store and toilet facilities must be submitted to the Directorate: Planning and Development for consideration and approval.
5. The Consent Use approval will be deemed implemented on the approval of the revised SDP.

#### **Title deed conditions**

6. That in terms of Section 34(1) the owners/applicant must apply to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or title deeds to reflect the removal of the restrictive condition, after the publication of a notice contemplated in Section 33(7) in the Provincial Gazette.
7. Proof of the endorsement in the respective title deeds must be submitted with the SDP for the development.

#### **Town Planning Notes:**

- (i) *Operation of the sand mine must comply with all statutory requirements whether local, provincial and national, this includes conditions of EA and comments from SANRAL.*
- (ii) *Applicant to ensure that all illegal signage/advertisement boards are removed, and that permission is granted before any of these are erected on the property. No signage will be allowed in the road reserve without approval of the competent authority.*

- (iii) Building plans to be submitted for all structures including temporary structures which will remain on this property during the lifetime of the mine for approval in accordance with the National Building Regulations (NBR).
- (iv) Stormwater management needs to be addressed to the satisfaction of the Civil Engineering Department as part of the Building Plans.

**Environmental Notes:**

- i. The permit holder, Denron Plant (Pty) Ltd must conduct all activities as per conditions of the environmental authorisation.

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

8. The conditions imposed by the Directorate Civil Engineering Services, attached hereto as 'Annexure B' dated 19 September 2024, must be adhered to.

**CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES:**

9. The conditions imposed by the Directorate Electrotechnical Services, attached hereto as 'Annexure B' dated 20 September 2024, must be adhered to.

The application complies with the requirements of Section 67 of the Land Use Planning By-Law for George Municipality, 2015.

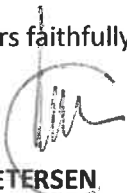
You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee, in terms of Section 79(2) of the Land Use Planning By-Law for George Municipality, 2023.

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 08 August 2025**. 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.

Yours faithfully



**C PETERSEN**

**SENIOR MANAGER: TOWN PLANNING**

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