

FREE STATE PROVINCE



Department of Local Government & Housing
Spatial Planning Directorate

FSP 1

A12/1/9/1/2/60/perm

CONSISTENCY CERTIFICATE

FOR THE USE OF LAND

(Issued in terms of section 27(1)(b) of the Physical Planning Act, 1999)

1. **PROPERTY TO WHICH CONSISTENCY APPLIES:**

- (i) Description: Portion 6 of the farm Boschbank 12
- (ii) District: Parys

2. **EARMARKING ACCORDING TO THE VAAL RIVER REGIONAL STRUCTURE PLAN, 1996:**

"Recreation and Tourist Attractions"

3. **PERMITTED USE:**


A sectional title scheme consisting of fifty (50) residential dwellings with outbuildings.

4. **CONDITIONS OF ISSUE:**

See attached Annexure A.


MEMBER OF THE EXECUTIVE COUNCIL
DEPARTMENT OF LOCAL GOVERNMENT AND HOUSING

Date: 08/02/2003


J.H. TERBLANCHE
DIREKTEUR RUIMTELIKE BEPLANNING
DIRECTOR SPATIAL PLANNING

Department of Local Government & Housing • Departement Plaaslike Regering & Behuising

P.O. Box 264, Bfn, 9300 • Republic of South Africa • Republiek van Suid-Afrika • Riphabolike ya Afrika Borwa

+27(0) 51 405 4646 • +27(0)51 403 3403 • mecfsigh@environ.ofs.gov.za

ANNEXURE A

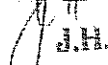
CONDITIONS OF CONSISTENCY

PERTAINING TO SUBDIVISIONS 9 OF THE FARM ERINA 212, PARYS DISTRICT

This consistency does not exempt any person from any provisions determined by any controlling authority or any other legislation and does not purport to interfere with the rights of any person whom may have an interest in the property.

1. A maximum of 50 single residential units with outbuildings are permitted on the property.
2. An open space of at least 60m, measured horizontally from the relevant base line, shall be left and no buildings or structures shall be erected on this space.
3. The approval of this consistency certificate is made subject to the approval of the applicable Environmental Impact Assessment by Department of Tourism, Environmental and Economic Affairs.
4. The development must comply with all the requirements of Rand Water, Department of Water Affairs and Forestry, Department of Health, as well as Department of Agriculture before any development can take place.
5. The approval of the building plans must be to the satisfaction of the Metsimaholo Local Municipality, Rand Water and the Department of Health.
6. Provision of water for domestic purposes, sewage removal and refuse disposal must at all times be to the satisfaction of the Metsimaholo Local Municipality, Department of Health and Welfare and Department of Water Affairs and Forestry.
7. Road-access to the properties must be in accordance with the specifications of the Department of Public Works, Roads and Transport.

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J.H. TERBLANCHE
DIREKTOR RUIMTELIKE BEPLANNING
DIRECTOR SPATIAL PLANNING

8. Erosion protection measures must be to the approval of Department of Agriculture before development can take place.
9. No refuse may be discarded on the property once development thereof is completed.
10. All development must be in accordance with the service report according to which this certificate is issued.
11. The stipulations of Annexure C of the Vaal River Regional Structure Plan, 1996, all other relevant acts that are applicable and all the conditions of the applicable institutions must be complied with.

The approval of the consistency application gives no right for the immediate development of the said property before all conditions as stipulated in this certificate are complied with.

A10/3/6/2/1

Department of Local Government and Housing
Spatial Planning Directorate
Enquiries: Mr. WJ Steyn (☎: 4054646)

MEMBER OF THE EXECUTIVE COUNCIL

**APPLICATION FOR CONSISTENCY WITH THE VAAL RIVER COMPLEX
REGIONAL STRUCTURE PLAN PERTAINING TO PORTION 6 OF THE
FARM BOSCHBANK 12, DISTRICT PARYS**

1. PURPOSE OF SUBMISSION

To request consent for consistency in order to obtain permission to develop 50 single residential units with outbuildings, on the concerned property. The proposed residential units will be accommodated in a sectional title scheme.

2. BACKGROUND

2.1 The proposed development is situated west of Sasolburg and on the southern banks of the Vaal River. The P10/1 provincial road forms the southern boundary of the property. The property is 27,9998 ha in extent and is situated within the area of jurisdiction of the Metsimaholo Local Municipality and the Northern Free State District Municipality.

2.2 The property is earmarked for "Recreation and Tourist Attractions" in terms of the Vaal River Regional Structure Plan. This allocation is earmarked for intensive and extensive recreation and conservation purposes.

2.3 Hereby attached, the following information:

- Location plans (Annexures A)
- Motivation Report (Annexure B)
- Service Report (Annexure C)
- Development plan (Annexure D)
- Comments from Institutions (Annexure E)

3. PARTIES CONSULTED

3.1 The following parties support the application, some subject to certain conditions (Annexure E):

- Rand Water
- The Department of Water Affairs and Forestry

- The Department of Health.
- Department of Tourism, Environmental and Economic Affairs
- The Department of Public Works, Roads and Transport
- The Department of Agriculture

Spatial Planning Directorate supports the application subject to the conditions stipulated in the consistency certificate.

4. DISCUSSION

The definition for consistency as determined by the previous Department of Development Planning, which is also accepted by the Department of Local Government and Housing is as follows: **“A proposed use can be found consistent with a guide plan, if the change will not have a major effect, and will not be contradictory to the main structure and land use policy as indicated in a guide plan”.**

The property in question falls within the boundaries of the Vaal River Regional Structure Plan and is reserved for “Recreation and Tourist Attractions”. Areas indicated under this reservation may be used for intensive and extensive recreation and conservation purposes only after consistency approval. The proposed sectional title units can be sufficiently accommodated under “Recreation and Tourist Attractions”.

The development complies with the following guidelines and requirements that applies to the specific area:

- A maximum of one residential unit per ten metres waterfront.
- Development above the 1975 Flood line.
- Development above the 1:100 Year Flood line.

Regarding the 100m building line restriction, Rand Water provided a relaxation to 60 meters from the base line. The development will have to be amended to accommodate this condition.

The application will be made subject to the provision of services as required by the relevant institutions and also to the conditions as stipulated in the consistency certificate.

The proposed development will not have a major effect, and will not be contradictory to the main structure and land use policy as indicated in the Vaal River Regional Structure Plan. It can therefore be recommended for approval.

5. FINANCIAL IMPLICATIONS

None

6. PERSONNEL IMPLICATIONS

None

7. COMMUNICATION IMPLICATIONS

The applicant will be notified of the outcome of the application.

8. AUTHORITY FOR APPROVAL

In terms of Section 2(1)(a) of the Land Administration Act 1995 (Act no 2 of 1995) the Minister of Land Affairs delegated the powers to determine consistency conferred upon her/him by Section 27 (1)(b) of the Physical Planning Act, 1991 (Act no 125 of 1991), to the Premier of the Free State. The Premier delegated the authority to the MEC for Local Government and Housing.

The authority for granting consent for land to be used for a different purpose as permitted by a structure plan, on account of it being consistent with the said plan, is thus vested with the Member of the Executive Council: Local Government and Housing.

9. RECOMMENDATION

9.1 It is recommended that consistency for a sectional title development, consisting of fifty (50) residential dwellings with outbuildings on Portion 6 of the Farm Boschbank 12, District Parys, be granted subject to the conditions as stated in Annexure 1 in the Consistency Certificate.

9.2. That the attached consistency certificate (two copies) be signed by the MEC: Local Government and Housing.

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ACTING HEAD: LOCAL GOVERNMENT AND HOUSING

Date: 2005/01/28

[Handwritten signature]

CHIEF DIRECTOR: LAND DEVELOPMENT AND PLANNING

Date: 2005/01/28

<p>APPROVED / NOT APPROVED</p> <p><i>[Handwritten signature]</i></p> <hr/> <p>MEC: LOCAL GOVERNMENT AND HOUSING</p> <p>DATE: 08/02/2005</p>
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Submitted by:

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DIRECTOR SPATIAL PLANNING

Date: 2005-01-27