



MUNISIPALITEIT / MUNICIPALITY
BEAUFORT-WES / BEAUFORT WEST / BHOBHOFOL



Kennisgewing Nr. // Notice No. 04/2020

**VOORGESTELDE PERMANENTE AFWYKING EN OPHEFFING VAN BEPERKENDE
TITELVOORWAARDE: ERF 3895, EBENEZERLAAN 39: BEAUFORT-WES //**
**PROPOSED PERMANENT RELAXATION AND REMOVAL OF RESTRICTIVE CONDITION OF
TITLE: ERF 3895, 39 EBENEZER AVENUE: BEAUFORT WEST**

Kennis geskied hiermee ingevolge Artikel 61 van die Verordening op Munisipale Grondgebruikbeplanning vir Beaufort-Wes Munisipaliteit, Kennisgewing No. 21/2019, dat die Gemagtigde Beampte ingevolge Artikel 60 die aansoek vir die **opheffing van beperkende titelvoorwaarde en permanente afwyking op Erf 3895, Ebenezerlaan 39, Beaufort-Wes, ingeheel goedgekeur** het, onderworpe aan die onderstaande voorwaardes opgelê ingevolge Artikel 66 van die genoemde verordening:

1. Dat die volgende aansoeke van toepassing is op **Erf 3895, Beaufort-Wes**:
 - (a) **Permanente afwyking** in terme van Artikel 15.2(b) van die Verordening op Munisipale Grondgebruikbeplanning vir Beaufort-Wes, 2019 ten einde 'n vrystaande basis telekommunikasiestasie 4,5 meter in plaas van 10 meter vanaf die Noordelike en Oostelike boulyne op te rig; en
 - (b) **Opheffing van beperkende titelvoorwaarde** C.4.(b)(ii) in Titellakte T40680/1989, in terme van Artikel 15.2(f) van die Verordening op Munisipale Grondgebruikbeplanning vir Beaufort-Wes, 2019 ten einde 'n vrystaande basis kommunikasiestasie 4,5 meter in plaas van 10 meter vanaf die Noordelike en Oostelike kantboulyne op te rig.

Goedgekeur word in terme van Artikel 60 van die Verordening op Munisipale Grondgebruikbeplanning vir Beaufort-Wes, 2019, onderworpe aan die onderstaande voorwaardes soos opgelê ingevolge Artikel 66 van die genoemde Verordening:-

- (i) Dat die goedkeuring van die aansoek sal verval, ingevolge die bepalings van die Verordening op Munisipale Grondgebruikbeplanning vir Beaufort-Wes, 2019, indien die goedkeuring nie binne vyf (5) jaar vanaf die datum van hierdie goedkeuring uitgeoefen word nie.
- (ii) Dat die goedkeuring slegs toegestaan word vir die ligging en omvang van die strukture soos voorgestel op die terreinontwikkelingsplan.
- (iii) Dat 'n terreinontwikkelingsplan, wat die onderstaande inligting aantoon, vir goedkeuring ingedien word by die Munisipaliteit.
 - Erfgrense en afmetings.
 - Posisie van alle strukture.
 - Boulyne van toepassing op die eiendom.
- (iv) Dat volledige bouplanne ingevolge die Nasionale Bouregulasies (NBR), ingedien moet word by Beaufort-Wes Munisipaliteit vir alle strukture op die eiendom ooreenstemmend tot die terreinontwikkelingsplan.
- (v) Dat die hoogte van die vrystaande basis telekommunikasiestasie nie 'n hoogte van 30 meter mag oorskry nie.
- (vi) Dat die eienaar verantwoordelik sal wees vir alle kostes ten opsigte van die voorsiening van interne dienste volgens die Raad se standaard voorwaardes, asook vir die koste verbonde aan enige toekomstige opgradering van die elektriese aansluiting.
- (vii) Dat die normale tariewe gehes sal word soos per die Raad se goedgekeurde tariewe lys.

2. **Die redes vir die besluit is as volg:**

- (i) Die verslapping van boulyn vanaf 10 meter na 4,5 meter sal nie enige beduidende invloed op die bestaande regte van die omliggende grondeienaars sal hê nie.
- (ii) Die boulynafwyking is so gering dat dit nie 'n beduidende invloed op die karakter van die omgewing sal hê nie.

Enige persoon wie se regte geraak word deur die bogenoemde besluit en of toestande kan 'n beroep op die appèl-owerheid deur 'n skriftelike appèl aan die Munisipale Bestuurder, Beaufort-Wes Munisipaliteit, Privaatsak 582, Donkinstraat 112, Beaufort-Wes, 6970, te rig om die ondergetekende te bereid binne **21 dae** vanaf datum van publikasie van hierdie kennisgewing. Amptelike appèlvorm is beskikbaar op aanvraag by mev. E. du Plessis by Tel. No 023-414 8117 of e-pos: admin@beaufortwestmun.co.za.

Notice is hereby given in terms of Section 61 of the Municipal Land Use Planning By-law Planning for Beaufort West Municipality, Notice No. 21/2019 that the Authorized Official has in terms of Section 60 **in whole approved** the application for the **removal of restrictive title condition and permanent relaxation** on **erf 3895, 39 Ebenezer Avenue, Beaufort West** as follows, subject to the following conditions imposed in terms of Section 66 of the said By-law:

1. That the following applications applicable to **Erf 3895, Beaufort West**:
 - (a) **Permanent departures** in terms of Section 15.2(b) of the Municipal Land Use Planning By-law for Beaufort West, 2019, in order to set up a freestanding telecommunications station 4.5 meters instead of 10 meters from the Northern and Eastern building lines; and
 - (b) **Removal of Restrictive Title Condition** C.4. (b) (ii) in Title Deed T40680 / 1989, in terms of Section 15.2(f) of the Beaufort West Municipal Land Use Planning By-law, 2019 in order to establish a freestanding base communication station 4 , 5 meters instead of 10 meters from the Northern and Eastern side building lines.

APPROVED in terms of Section 60 of the Municipal Land Use Planning By-Law for Beaufort West, 2019, subject to the following conditions as imposed under Section 66 of the said By-law: -

- (i) That the approval of the application will lapse, in accordance with the provisions of the Municipal Land Use Planning By-Law for Beaufort West, 2019, if the approval is not exercised within five (5) years from the date of this approval.
- (ii) That the approval be granted only for the location and extent of the structures as proposed on the Site Development Plan.
- (iii) That a site development plan, showing the information below, be submitted to the Municipality for approval.
 - Boundaries and dimensions.
 - Position of all structures.
 - Building lines applicable to the property.
- (iv) That complete building plans in accordance with the National Building Regulations (NBR) must be submitted to Beaufort West Municipality for all structures on the property in accordance with the site development plan.
- (v) The height of the freestanding base telecommunications station shall not exceed a height of 30 meters.

- (vi) That the owner shall be responsible for all costs relating to the provision of internal services in accordance with the Council's standard conditions, as well as for the costs associated with any future upgrading of the electrical connection.
- (vii) That normal rates will be charged as per Council approved rates list.

2. The reasons for the decision are as follows:

- (i) The relaxation of building line from 10 meters to 4.5 meters will not have a significant impact on the existing rights of the surrounding landowners.
- (ii) The building line deviation is so minor that it will not have a significant impact on the character of the environment.

Any person whose rights are affected by the above decision and or conditions may appeal to the Appeal Authority by submitting a written appeal to the Municipal Manager, Beaufort West Municipality, Private Bag 582, 112 Donkin Street, Beaufort West, 6970, so to reach the undersigned within **21 days** from the date of publication of this notice. Official appeal forms are available on request from Mrs. E. du Plessis at Tel. No. 023-414 8117 or e-mail: admin@beaufortwestmun.co.za.

Municipal Offices // Munisipale Kantore
112 Donkin Street // Donkinstraat 112
Beaufort-Wes(t)
6970

K.J. Haarhoff
Municipal Manager //
Munisipale Bestuurder

Ref. No. / Verw. Nr. 12/3/2; 12/4/1; Erf: 3895 [Beaufort-Wes(t)]
Datum / Date: 10 Januarie // January 2020