

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

Collaborator No.: 2472443
Reference / Verwysing: Erf 28422, George
Date / Datum: 25 May 2023
Enquiries / Navrae: Primrose Nako

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JAN VROLIJK TOWN PLANNER
P O BOX 710
GEORGE
6530

APPLICATION FOR REZONING AND DEPARTURE: ERF 28422, GEORGE

Your application in the above regard refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2022 decided That the following applications applicable to Erf 28422, George:

- a) Rezoning, in terms of Section 15(2)(a) of the Land Use Planning By-law for George Municipality (2023), of Erf 28422, George, from Single Residential Zone I to General Residential Zone I;
- b) Departure, in terms of Section (15(2)(b) of the Land Use Planning By-law for George Municipality (2023), from development parameter (f)(iii) applicable to a “double dwelling house” to allow for a garage to be erected 4m from the street boundary;

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

REASONS

- (i). The proposal promotes appropriate residential densification in line with the spatial planning principles, objectives and guidelines applicable to the surrounding area (i.e. PSDF 2014 & MSDF 2019);
- (ii). The proposed development will not have a significant adverse impact on the character of the area, streetscape or the environment;
- (iii). Increased residential densification within the urban edge will promote smart growth and discourage urban sprawl through infill development opportunities;
- (iv). No objections to the application were received;
- (v). No negative impacts on bulk engineering services and traffic in the area are foreseen;
- (vi). The proposed development is an appropriate fit within the future land use planning context and current land use context;
- (vii). The proposed rezoning will not have a negative impact on the immediate surrounds, given the design of the proposed dwelling units (i.e. the units are linked and one of the garages is orientated away from the street, so the impression of one dwelling unit is created);

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

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT

General:

1. That in terms of the provisions of the Land Use Planning By-Law for the George Municipality (2023), the above-mentioned approvals shall lapse if not implemented within a period of five (5) years from the date of approval and/or if the following conditions are not adhered to.
2. This approval shall be taken to cover only the rezoning and departure as applied for as indicated on the Site Plan drawn by JDS Design Studio no's 1084-01 & 1084-02 dated 06/12/2022, 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 approval will be deemed implemented on commencement of building works in accordance with the approved building plans.

The amounts of the development contributions are reflected on the attached ("**Annexure B**") calculation sheet dated 01/02/2023 and are as follows:

Roads: R 5 347,51 Excluding VAT

Sewer: R 10 478,70 Excluding VAT

Water: R 0 Excluding VAT

Total: R 15 826,21 Excluding VAT

4. The total amount of the development charges of **R15 826,21 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.
5. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 4, above, which may 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.
6. As provided in section 66(5B)(b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R15 826,21 Excluding VAT shall be adjusted in line with the consumer price index published by Statistic South Africa up to the date when payment is made in terms condition 5 above.
Note: The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to transfer of a portion for a final calculation.
7. Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
8. All services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, or any other relevant authority, (hard copy and electronically) for approval prior to any construction work taking place. All work is to be carried out by a suitable qualified/registered electrical contractor under the supervision of the consulting engineer who is to provide the relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.
9. Any, and all, costs directly related to the development remain the developers' responsibility.
10. Only one connection permitted per registered erf (water and sewer connections). Condition 9 applies.
11. Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of another development are to be determined by the developer and the owner of the other erf (condition applies 9).
12. Any service from another erf that must be accommodated across the development or incorporated into the services of the development: all negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments

services to incorporate such services are to be determined by the developers/owners concerned (condition 9 applies).

13. Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality (condition 9 applies).

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

14. 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 a development contribution, as follows:
15. Transfers, building plan approvals and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the satisfaction of the Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.
16. The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
17. No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
18. Municipal water is provided for potable use only. No irrigation water will be provided.
19. A water meter must be installed by the developer prior to construction to monitor water usage during the construction phase. The Dir: CES (Water section) is to be consulted by the developer, prior to installation, regarding the required specifications. Failure to complying with the water meter application process, will result in the developer being responsible for payment of penalties and/or an estimated non-metered water consumption by this department at a rate as per the applicable annual Tariff List. In this regard, transfers, building plan approval and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full. The water meter is to be removed on completion of construction if so required by the Dir: CES.
20. Developer is to take note of existing water main in the property building line of the proposed development (condition 9 applies).
21. The development, in its entirety or in phases, is subject to confirmation by the Dir. CES of the availability of Water and Sanitation bulk treatment capacity at the time of the development implementation, or if developed in phases before the commencement of each phase. A development/implementation program is to be provided by the Developer when requesting confirmation of this capacity from the Dir. CES. If the Developer does not adhere to the program the Dir. CES will be entitled to revise the availability of such bulk capacity.
22. The discharge of surface stormwater is to be addressed by the developer. Condition 9 applies. All related costs are for the developer. The developer is to consult with the Dir: CES to ensure that stormwater planning is done online with the available stormwater master plans.
23. Internal parking requirements (i.e. within the development area), position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic must be addressed and all measures indicated on plans and drawings submitted for approval.
24. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
25. No private parking will be allowed in the road reserve.
26. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval (condition 9 applies).
27. The approval of the layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dir: CES. A site development plan is to be submitted to the Dir: CES, or any other relevant authority for approval prior to any construction work taking place.
28. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
29. Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme 2017 parking requirements and vehicles must, in terms of Clause 46(b) readily leave the site without reversing across the sidewalk.

CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES

30. 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, as follows: The amounts of the development contributions are reflected on the attached (**"Annexure B"**) calculation sheet dated 01/05/2023 and are as follows:
Electricity: R 0 Excluding VAT
31. The total amount of the development charges of R 0 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.
32. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 30 above, which may 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.
33. As provided in section 66(5B)(b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R 0 Excluding VAT shall be adjusted in line with the consumer price index published by Statistic South Africa up to the date when payment is made in terms of condition 31 above.
Note: The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to transfer of a portion for a final calculation.
34. Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
35. All services - internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, or any other relevant authority (hard copy and electronically), for approval prior to any construction work taking place. All work is to be carried out by a suitable qualified/registered electrical contractor under the supervision of the consulting engineer who is to provide the relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.
36. Should more than two developments/properties be party to or share any service, the Dir: CES & ETS will in conjunction with the parties determine the pro-rata contributions payable.
37. Any, and all, costs directly related to the development remain the developers' responsibility.
38. Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 35 applies.
39. Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of another development are to be determined by the developer and the owner of the other erf (condition 35 applies).
40. Any service from another erf that must be accommodated across the development or incorporated into the services of the development: all negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned (condition 35 applies).
41. Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality (condition 35 applies).
42. Should it be required, a services agreement is to be drawn up between the developer and the George Municipality, by an attorney acceptable to the Municipal Manager. All expenses will be for the developer.
43. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines. Servitudes must be registered for all electrical services traversing erven.
44. Transfers, building plan approvals and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the

satisfaction of the Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.

45. The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
46. No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
47. In all cases, where individual customer applies for a supply capacity exceeding that provided for in the calculation of DCs and for the developer paid, will be subject to additional DCs based on the rates applicable at the time.
48. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
49. Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
50. The developer and/or an owner of an erf shall see to it that no Small Scale Embedded Generation (SSEG) are installed on an erf, any portion of an erf or the development, without prior approval from the ETS. Should any SSEG be installed within any part of the development the Electrotechnical Services will within their discretion either implement applicable penalties and/or disconnect the relevant point of supply.
51. Installation of ripple relays are compulsory for all geysers with electrical elements.
52. No electricity may be consumed within, or by any part of the development, without the consumption of the supply being metered and billed by a municipal meter (prepaid or credit). All cost, installation and consumption, will be for the cost of the developer. Standard application process will apply.
53. Each new portion created must have separate electrical connection and it may not cross any other portion. Each consumer will have to enter into a separate supply agreement with the Municipality. For new consolidated erven it will be the responsibility of the owner/developer to make the necessary arrangements with the Electrotechnical Services Department to remove all the unused electrical services. All costs will be for the owner/developer.
54. The developer will be responsible to arrange with a professional land surveyor to indicate those services traversing erven on the relevant erf's SG diagram. The ETS can insist that an electrical servitude be registered if services traverse other properties. All cost related to the above will be for the developer.
55. Neither the Developer or the body corporate or a property owner are allowed to distribute electricity across property boundaries.
56. All electrical infrastructure downstream of the electrical supply point, the LV breaker in the low-voltage kiosk, will remain the responsibility of the various owners/developer. The electrical network above the LV breaker will be deemed part of the George Municipality distribution network and will be transferred to the municipality at no cost, who will assume responsibility for the maintenance thereof.
57. It will not be the responsibility of the Municipality to maintain and protect any service cables installed by the developer, but not used, i.e. not being metered and not consuming electricity. Should a future owner purchase an erf within the development, the installation and connection of the service cable will be for the cost of the developer or new owner. The connection fee paid to the municipality will be solely for provision of the electrical meter and the cost associated with opening the customer account.
58. Only one connection per erf is allowed. Each unit may receive its own Municipal connection. All required upgrades to make provision for the additional connection will be for the applicants account.

Notes:

1. *It is incumbent on the owners / developers to ensure compliance with the approvals, permissions and authorisations granted by the respective provincial and national authorities – i.e. Environmental.*
2. *Building plans must be submitted to and approved by the George Municipality before any site and construction works may commence.*
3. *Stormwater must be dispersed responsibly, and the stormwater management and retention measures must be addressed on building plans.*
4. *The applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.*
5. *Provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Community Services.*
6. *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.*
7. *No development may take place within the 1:100 year flood line or on slopes steeper than 1:4.*

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 15 JUNE 2023** 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.

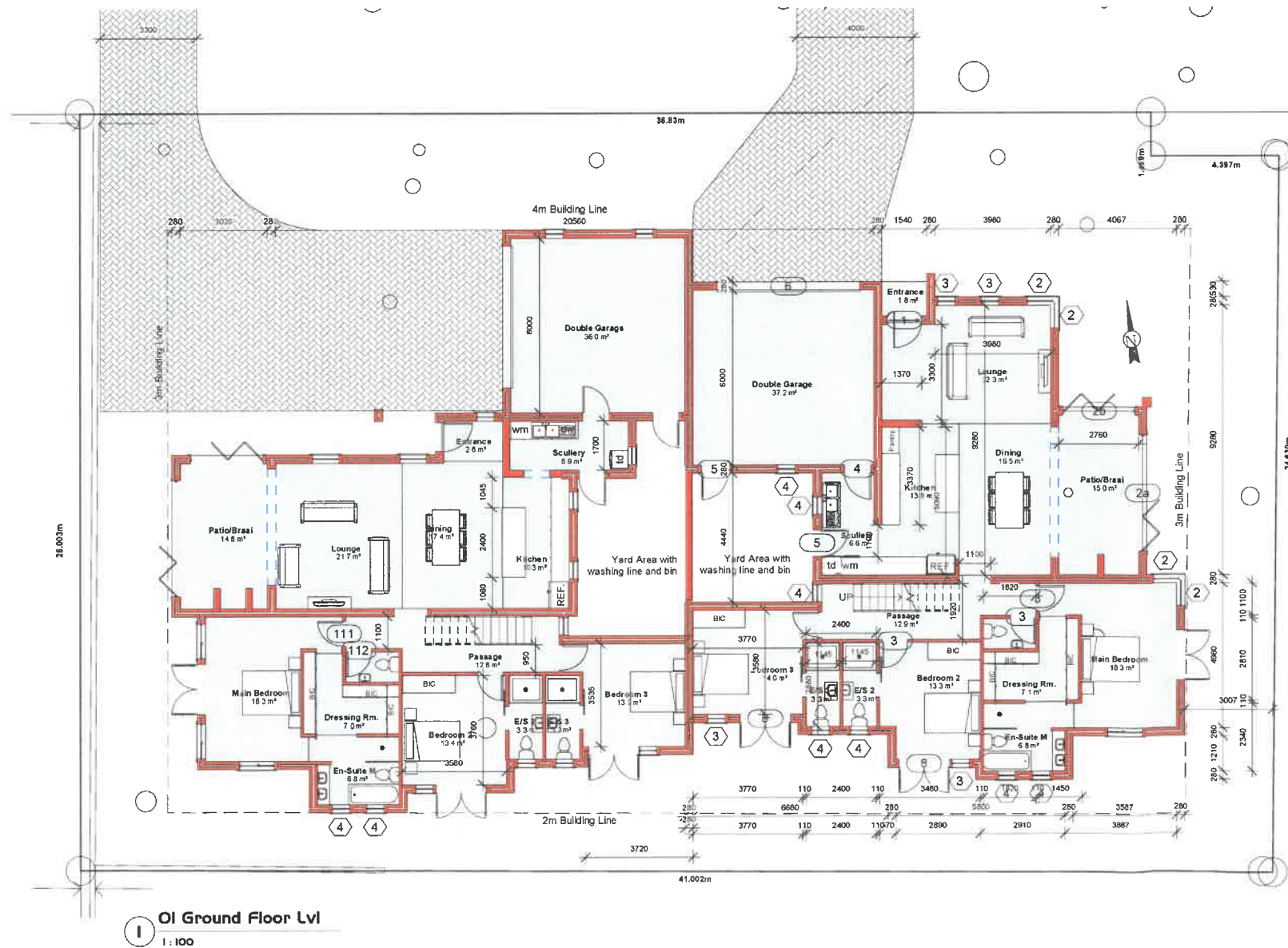
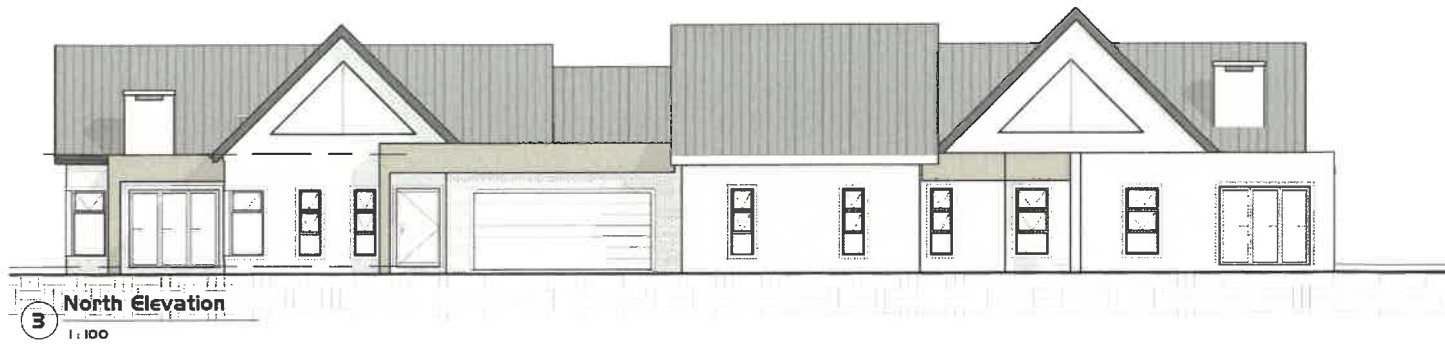
Yours faithfully



C. PETERSEN

SENIOR MANAGER: TOWN PLANNING

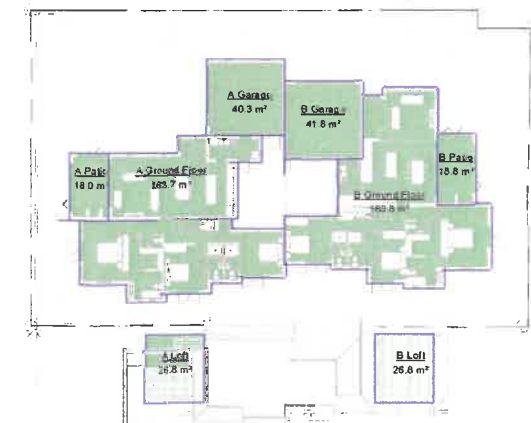
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MUNICIPALITEIT GEORGE MUNICIPALITY

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.

DATE 05/15/2023 SENIOR MANAGER: TOWNPLANNING
DUM SENIOR BESTUURDER-STAATS BEPLANNING



Unit	Name	Area
Unit A	A Loft	26.8 m ²
Unit A	A Garage	40.3 m ²
Unit A	A Ground Floor	163.7 m ²
Unit A	A Patio	18.0 m ²
Unit A	A En-Suite	248.9 m ²
Unit B	B Loft	26.8 m ²
Unit B	B Ground Floor	160.8 m ²
Unit B	B Patio	18.8 m ²
Unit B	B Garage	41.8 m ²
Unit B	B En-Suite	248.1 m ²
Grand total		497.0 m ²
Overall Coverage		46.7%
Site		1065 m ²

Remarks
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No.	Description	Date
1	Revision	
2		
3		

Mr van der Berg

Proposed new dwelling on erf 28422, Protea Rd, George

JDS Design Studio

johan@jdsdesign.co.za
www.jdsdesign.co.za Cell: 084 400 5656

Municipal Submission

Date: 06/12/2022

Drawn: SACAP REG NO 00560

JJP Jacobs

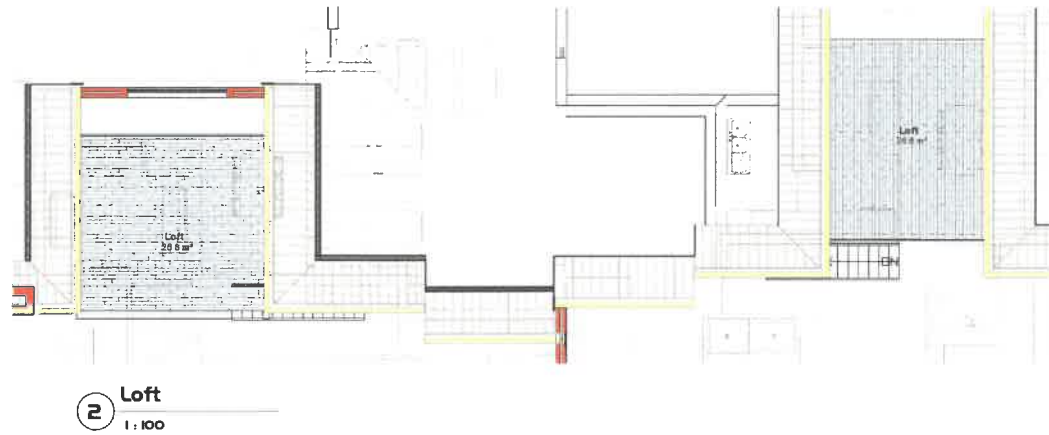
Layout and Info

IOB4-01

Sheet Size A1

Owner signature

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- 1) General Notes:**
- Patios slope to remain open as per building plan
 - All Garage walls to be fire walls
 - Garage door to comply with SANS 10400-1, section 9.4.3(b)
- 2) Drainage Notes:**
- Sanitary fittings discharging to a gully to discharge over that gully as per Part P of SANS 10400 (4.7.1)
 - Drainage installation to comply with SANS 10400 Part P
 - Drainage installations under building work must be installed in terms of Part P of SANS 10400 (4.10.4)
 - Drainage installations under building work must be protected in terms of Part P of SANS 10400 (4.22.2)
 - Gullies to be min 150mm above NGL

- Construction Notes:**
- Foundations**
- All strip footings for 200mm and 230mm cast in-situ concrete walls as per specification
 - Internal 110mm walls to be built on 200x600mm thickening
 - Surface bed
 - Brickwork
 - minimum diameter of brickwork = 2,0mm
 - minimum lap length = 400mm
 - Brickwork to be placed in the first five layers of brickwork on the footings, thereafter in every fifth layer in all load-bearing brick walls. Place brickwork in the first five layers above of window and door openings
- Surface bed**
- Surface bed to be 85mm thick with mesh ref #192 in center of bed
 - All pipework and conduit to be placed under mesh
 - All dpc and waterproofing details according to notes
- Walls**
- Exterior walls to be 200mm cavity walls, Clay Bricks, Finished as indicated
 - Build in 2 x 100mm wide pre-stressed concrete bricks over all door and window openings unless otherwise indicated
- Drainage**
- All Drainage to comply with SANS 10400-P
 - Gullies to be min 150mm above FGL
 - 110mm Sewer lines Min 450mm below FGL with min 1:60 fall to connection

Remarks
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Revision		
No.	Description	Date

Mr van der Berg

Proposed new dwelling on erf 28422, Protea Rd. George

JDS Design Studio

johan@jdsdesign.co.za
www.jdsdesign.co.za Cell: 084 400 5866

Municipal Submission

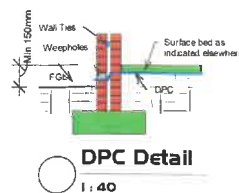
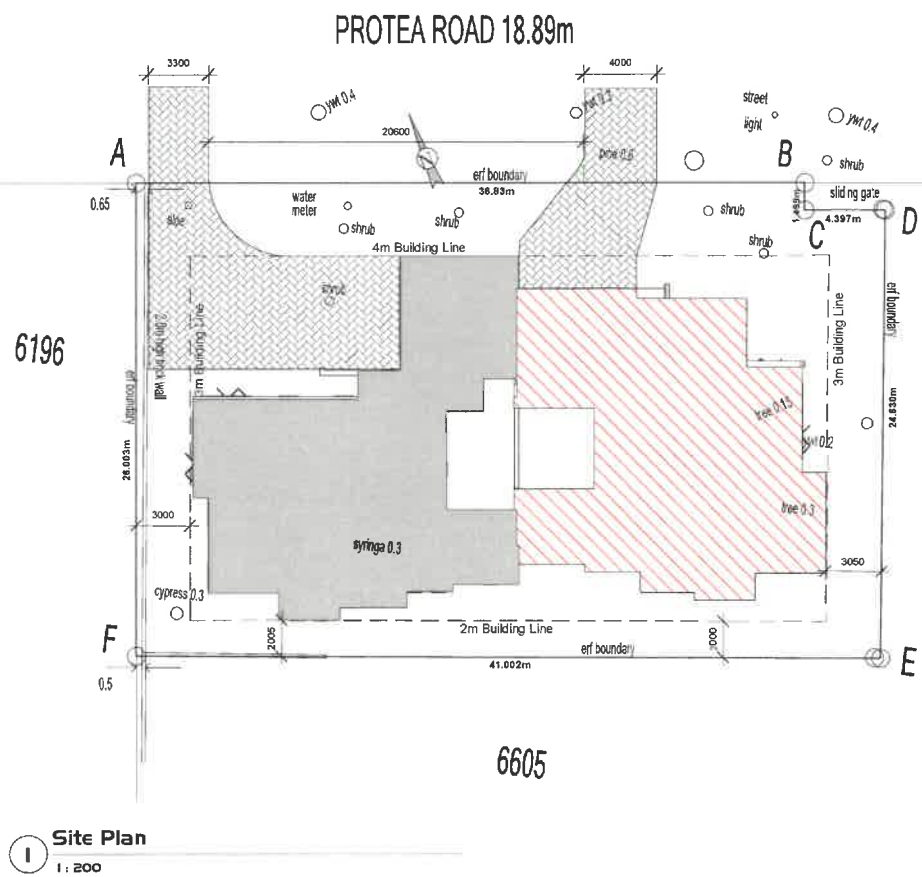
Date: 06/12/2022
Drawn: JJP Jacobs SACAP REG NO D 0560

Site, Section

1084-02

Owner signature Sheet Size A1

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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.

25/5/2023

DATE SENIOR MANAGER: TOWNPLANNING
DATUM SENIOR BESTUURDER-STADS BEPLANNING