

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

Collaborator No.: 2670067
Reference / Verwysing: Erf 1360, George
Date / Datum: 22 September 2023
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6530

APPLICATION FOR REMOVAL OF RESTRICTION, REZONING AND DEPARTURE: ERF 1360 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 2023 decided that the following applications applicable to Erf 1360, George:

- a) Removal, in terms of Section 15(2)(f) of the Land Use Planning By-law for George Municipality (2023), of restrictive title deed condition B.(a) (*That this erf be used for residential purposes only*) contained in Title Deed T37947/22 of Erf 1360, George;
- b) Rezoning, in terms of Section 15(2)(a) of the Land Use Planning By-law for George Municipality (2023), of Erf 1360, George from Single Residential Zone I to Business Zone I;
- c) Departure, in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality (2023), to reduce the parking ratio applicable to Erf 1360, George from "Normal" to "PT1" (*i.e., 10 parking bays in lieu of 15 bays*);

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

REASONS

- (i) No negative impacts on bulk engineering services are foreseen;
- (ii) The proposed development is in line with the spatial objectives for the area;
- (iii) No objections to the application were received;
- (iv) The proposed development is an appropriate fit within the current and future land use planning contexts; and
- (v) There will be no substantive negative impacts on the surrounding property owners' rights and amenity or the street environment.

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

General:

1. That in terms of the provisions of the Land Use Planning By-law for the George Municipality (2023), the above-mentioned approval shall lapse if not implemented within a period of five (5) years from the date of when the approval comes into operation;
2. Development should be undertaken generally in accordance with Site Plan drawing number BA22-029 2-01 dated August 2022 attached as "**Annexure A**" drawn by Blue Architects, which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision;
3. A Site Development Plan (SDP) for the proposed development must be submitted to the satisfaction of the Directorate: Planning and Development in terms of Section 23 of the George Integrated Zoning Scheme Bylaw, 2017 for consideration prior to the submission of building plans. This plan shall, inter alia, indicate all hard and soft landscaping elements to be incorporated into the development, including indigenous vegetation and trees that will be planted, walking paths, play apparatus, benches, walls, etc., within the development. At least 1x 100L indigenous tree must be planted for every 2 parking bays. These trees should be evenly spaced.
4. In terms of Section 34(1) the owner must apply to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal of the restrictive condition, after the publication of a notice contemplated in Section 33(7) in the Provincial Gazette.
5. A copy of the endorsed Title Deed be sent to the Town Planning Department for record purposes;
6. The approval will be deemed implemented on commencement of building works in accordance with approved building plans.

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

7. 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:
The amounts of the development contributions are reflected on the attached ("**Annexure B**") calculation sheet dated 27/06/2023 and are as follows:
Roads: R 183 764.87 Excluding VAT
Sewer: R 10 356.45 Excluding VAT
Water: R 0 Excluding VAT
Total: R 194 121.32 Excluding VAT
8. The total amount of the development charges of **R 194 121.32 (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.
9. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 7 above, 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.
10. 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 R194 121.32 (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 8 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 submission of building plans for a final calculation.

11. 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.
12. 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.
13. Any, and all, costs directly related to the development remain the developers' responsibility.
14. Only one connection permitted per registered erf (water and sewer connections). Condition 12 applies.
15. 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 12 applies).
16. 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 12 applies).
17. 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 12 applies).
18. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.
19. 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.
20. 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.
21. 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.
22. Municipal water is provided for potable use only. No irrigation water will be provided.
23. 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.
24. All necessary permits, licenses and/or approvals required for the development must be obtained from the relevant authorities.
25. The applicant/developer/owner is to apply to the Dir: CES for an industrial permit to discharge any effluent, other than standard residential effluent, into the municipal sewer system. The conditions as stated in the permit are to be implemented at the applicant's expense.
26. 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.

27. Public and private roads are to be clearly indicated on all layout plans submitted. The road reserves must be clearly indicated on all plans submitted for approval. The cadastral layout can only be approved if the road reserves have been included on plans and approved by CES.
28. If required, the developer is to have a Traffic Impact Assessment (TIA) conducted by a registered traffic engineer. The terms of reference of the TIA are to be finalised with the Dir. CES together with any other approving authority, and who must also approve the TIA. All recommendations stipulated in the TIA report and as approved by the Dir. CES and/or relevant authority are to be implemented by the developer. All costs involved will be for the developer.
29. The discharge of surface stormwater is to be addressed by the developer. Condition 12 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.
30. A layout plan indicating the proposed storm water drainage must be submitted to the Dir:CES for prior approval. Condition 12 applies.
31. 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.
32. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
33. No private parking will be allowed in the road reserve.
34. 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.
35. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
36. Access to parking must confirm to George Integrated Zoning Scheme, and sufficient stacking distance should be allowed for, and indicated on the Site development Plan.
37. Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme's parking requirements and vehicles must readily leave the site without reversing across the sidewalk.

CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES

38. 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 21/07/2023 and are as follows:
Electricity: R 105 799.91 Excluding VAT
39. The total amount of the development charges of **R 105 799.91 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.
40. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 38 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.
41. 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 105 799.91 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 38 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 the submission of building plans for a final calculation.

42. 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.
43. 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.
44. 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.
45. Any, and all, costs directly related to the development remain the developers' responsibility.
46. Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 43 applies.
47. 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 43 applies).
48. 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 43 applies).
49. 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 43 applies).
50. 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.
51. 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.
52. 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.
53. 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.
54. 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.
55. In all cases, where individual customer apply 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.
56. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
57. Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
58. 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.

59. Where DCs have been applied for a particular section of the network, but the developer is requested to install and fund a part of the section of network, such work will be credited against DCs calculated.
60. Installation of ripple relays are compulsory for all geysers with electrical elements.
61. All MV/LV work must be installed and be funded by the developer/customer as no DCs are levied for this network.
62. The Electricity DC charge excludes any MV/LV and LV network costs. The customer will be quoted separately for any upgrade work required.
63. 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.
64. All renewable energy SSEG installations to be approved by the Municipality prior to installation.

Notes:

- (i) Provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Environmental Services.
- (ii) 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.

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 13 OCTOBER 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


M.C. PETERSEN

SENIOR MANAGER: TOWN PLANNING

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LEVELS AND DIMENSIONS.

THE ARCHITECTURAL, ENGINEERING AND DESIGN SERVICES PROVIDED HEREIN ARE ALL BASED ON THE INFORMATION AND DATA PROVIDED BY THE CLIENT AND THE CLIENT'S REPRESENTATIVES. THE ARCHITECT AND ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE INFORMATION AND DATA PROVIDED BY THE CLIENT AND THE CLIENT'S REPRESENTATIVES. THE ARCHITECT AND ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE INFORMATION AND DATA PROVIDED BY THE CLIENT AND THE CLIENT'S REPRESENTATIVES.

No.	Date	Description	By
1	2023/09/22	Initial Design	MR & MRS SPIES
2	2023/09/22	Revisions	MR & MRS SPIES
3	2023/09/22	Revisions	MR & MRS SPIES
4	2023/09/22	Revisions	MR & MRS SPIES
5	2023/09/22	Revisions	MR & MRS SPIES
6	2023/09/22	Revisions	MR & MRS SPIES
7	2023/09/22	Revisions	MR & MRS SPIES
8	2023/09/22	Revisions	MR & MRS SPIES
9	2023/09/22	Revisions	MR & MRS SPIES
10	2023/09/22	Revisions	MR & MRS SPIES



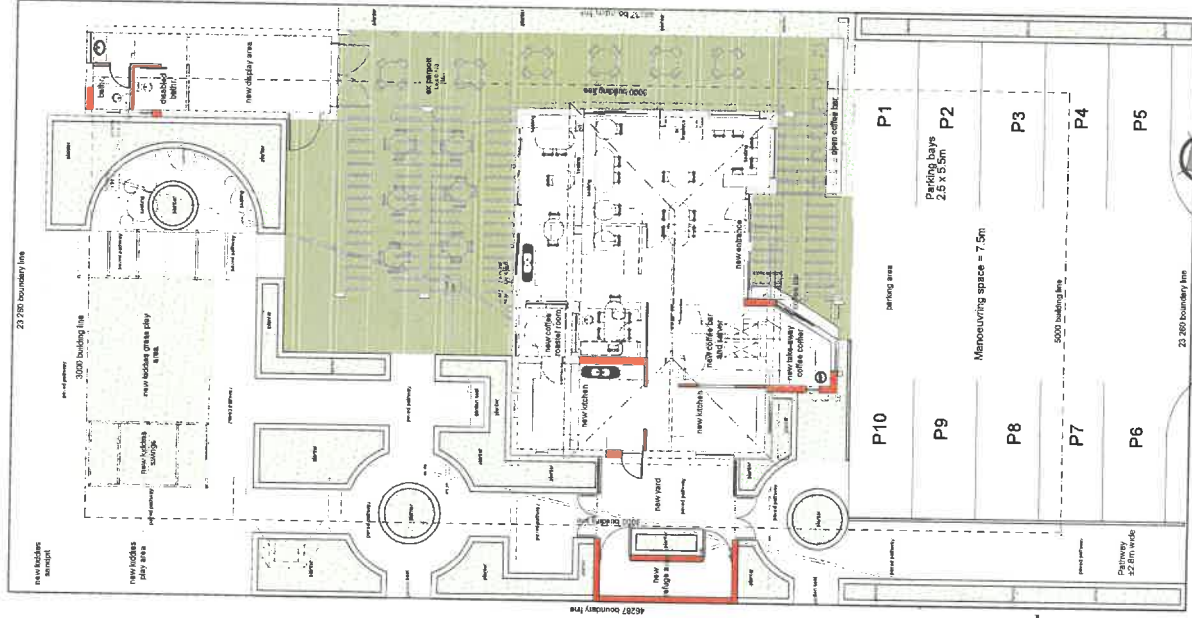
MR & MRS SPIES

Proposed coffee shop
 St John's Street
 George

Ground story plan

Project No.	BA0203-201
Client Name	MR & MRS SPIES
Project Address	St John's Street, George
Project Date	AUG 2022
Project Status	Approved

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: 2023/09/22
 DATUM: 2023/09/22
 SENIOR MANAGER: TOWN PLANNING
 SENIOR REGISTERED SURVEYOR: SENIOR BE PLANNING



ERF 1360

GROUND STORY PLAN - scale 1 : 100

ST JOHNS ST