

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

Collaborator No.: 2583951
Reference / Verwysing: Erf 49, Pacaltsdorp
Date / Datum: 23 November 2023
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APPLICATION FOR REZONING AND SUBDIVISION: ERF 49, NORTH STREET, PACALTSDORP

Your application in the above refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that the following applications applicable to Erf 49, Pacaltsdorp;

1. Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2023 of Erf 49, Pacaltsdorp from the existing approved basket of right to a Subdivisional Area (at a density of 31du/ha) comprising of the following:
 - (a) 16 x Single Residential Zone I erven (dwelling houses);
 - (b) 5 x Transport Zone II erven (public streets); and
 - (c) 1 x Open Space Zone I erf (public open space);
2. Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-Law for George Municipality, 2023 of the Subdivisional Area into the following:
 - (a) 16 x Single Residential Zone I erven;
 - (b) 5 x Transport Zone II erven; and
 - (c) 1 x Open Space Zone I erf (public open space);

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

REASONS FOR DECISION

- a) The proposal is seen as an appropriate infill project that will contribute to the optimal utilisation of existing infrastructure services in the area with an appropriate density, fitting to the local neighbourhood it is situated in.
- b) The proposed development promotes an appropriately scaled medium density residential development that aligns with the spatial planning objectives for this area, however it transpires that the spatial planning for the area to date has only accounted for built heritage, ignoring cultural and natural heritage, which demands that appropriate restrictions are applied to the development to ensure it does not detract from the heritage value of the precinct.

- c) The proposed development, in the context of necessity for residential densification will not have a negative impact on the surrounding built environment, provided it is ensured that appropriate controls are applied to safeguard the heritage qualities of the precinct.
- d) The proposed development is not anticipated to present negative impacts on traffic movement and neighbours' rights and amenities in terms of views, privacy and overshadowing.
- e) Due regard has been given to the preservation of the natural areas and riparian areas and as a result the proposed development is not regarded to present a direct threat to the sustainability of the natural features on the site.

Subject to the following conditions imposed in terms of Sections 66 of the said By-law, namely:

General conditions

1. That in terms of the Land Use Planning By-law for the George Municipality, 2023, the subdivision approval shall lapse if not implemented within a period of five (5) years from the date it comes in operation.
2. This approval shall be taken to cover only the rezoning and subdivision applications as applied for and indicated on the subdivision plan, Plan no. 1052/GEO/19/TEK/SKF/SUB1 and Zoning Map No. Annexure 7 dated March 2023, drawn by DelPlan Consulting 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 single residential erven is limited to the erection of only one dwelling unit. This restriction must be registered in the title deed of each of the residential erven.

Conditions in consideration of the Heritage Precinct

4. The front façade of the dwelling houses on Erven 9435 and 9450, Pacaltsdorp must be orientated towards Noord Street and the design of the facade must comply with the historic character of the streetscape and surrounding heritage buildings.
5. Vehicular access to Erven 9435 and 9450, Pacaltsdorp is only permitted via Fox Street.
6. The dwelling houses on Erven 9435 and 9450, Pacaltsdorp must be set back at least 3m from erf boundaries bordering Noord Street.
7. The dwelling houses on Erven 9442 and 9443 must be setback at least 3m from the open space panhandle (2m wide) to create a 'green interface zone'.
8. All external boundary walls of the development may not exceed 1.8m in height. No vibracrete walls, barbed wire fencing or razor wire fencing will be allowed.
9. All street boundary walls in the development must be at least 60% permeable. Apart from the existing street boundary wall along North Street, no freestanding pillars will be allowed along the street boundary.
10. Only simple timber fencing or solid walls limited to a height 1m from the NGL may be erected for common boundary walls internal to the development.

Subdivision conditions

11. The public street portions must be transferred to the George Municipality at the developer's cost to the satisfaction of the Department: Civil Engineering Services prior to the transfer of the first residential erf.
12. The developer must appoint an Environmental Control Officer to manage and control the execution of the mitigations recommended in the Freshwater Habitat Delineation and Risk Assessment dated 14 April 2020. The latter needs to be dealt with prior to the transfer of the property as per point 13 below.
13. The Public Open Space portion shall be transferred to the Municipality at the developer's cost within 24 months from the date of this approval. A letter from the ECO to accompany the transfer documents confirming compliance with the actions as per point 12 above.
14. The approved Surveyor General diagrams or General Plan, containing the approved street names must be submitted to the GIS department of the Directorate: Human Settlements, Planning and Development for record purposes, prior to registration of any portion.
15. The approval will only be regarded as implemented on the registration of at least one portion in terms of the Deeds Registries Act.

Notes

- (i) *Building plans must be submitted for approval in accordance with the National Building Regulations (NBR).*

- (ii) Stormwater management needs to be addressed to the satisfaction of the Civil Engineering Department as part of the Building Plans – see conditions below.
- (iii) Provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Community Services.
- (iv) 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.

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

16. 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:
 17. The amounts of the development charges are reflected on the attached (**Annexure B**) calculation sheet dated 05/07/2023 and are as follows:
 - Roads: R 126 796.50 Excluding VAT
 - Sewer: R 264 202.00 Excluding VAT
 - Water: R 296 240.00 Excluding VAT
 - Total: R 687 238.50 (Excluding VAT)**
 18. The total amount of the development charges of **R 687 238.50** (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.
 19. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 16 above, which may lead to an increase or decrease 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.
- 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 transfer of a portion a final calculation.*
20. 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 687 238.50 (excluding VAT)** shall be adjusted in line with the consumer price index published by Statistics South Africa up to the date when payment is made in terms of Condition 17 above.
 21. 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.
 22. 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.
 23. Any, and all, costs directly related to the development remain the developers' responsibility.
 24. Only one connection permitted per registered erf (water and sewer connections). Condition 21 applies.
 25. 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 21 applies).
 26. 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 21 applies).
27. 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 21 applies).
 28. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.
 29. 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.
 30. 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.
 31. 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.
 32. Municipal water is provided for potable use only. No irrigation water will be provided.
 33. 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.
 34. Developer is to take note of an existing sewer main in the proposed development.
 35. 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.
 36. 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.
 37. A Stormwater Management Plan is to be submitted and approved by the relevant departments/authority. All approved measures are to be implemented by the developer.
 38. The discharge of surface stormwater is to be addressed by the developer. Condition 21 applies.
 39. 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.
 40. A layout plan indicating the proposed storm water drainage must be submitted to the Dir: CES for prior approval. Condition 21 applies.
 41. Internal parking requirements (ie 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.
 42. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
 43. No private parking will be allowed in the road reserve.
 44. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval. Condition 21 applies.
 45. 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.
 46. The developer may be required to construct certain roads in lieu of a financial contribution towards the George Master Plan roads. All roads required for access to the development will have to be fully completed

prior to the approval of any transfers/rates clearances. The developer's financial contribution towards the roads in the George Master Plan will be determined in accordance with the applicable financial cost sharing model.

47. Should it be required, the developer is to cede any portion of property required for public road reserve, free of charge, to the relevant authority.
48. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
49. Access to parking must conform to George Integrated Zoning Scheme and sufficient stacking distance should be allowed for – and indicated on the Site development Plan.
50. Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme 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

51. 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:
52. The amounts of the development contributions are reflected on the attached (Annexure B) calculation sheet dated 25/07/2023 and are as follows:
Electricity: R 141 672.85 Excluding VAT
53. The total amount of the development charges of **R 141 672.85** 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.
54. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 51 above, which may lead to an increase or decrease 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.

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 transfer of a portion for a final calculation.

55. 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 141 672.85 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 52 above.
56. 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.
57. 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.
58. 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.
59. Any, and all, costs directly related to the development remain the developers' responsibility.
60. Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 56 applies.

61. 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 56 applicable)
62. 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 56 applicable)
63. 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 56 applicable)
64. 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.
65. 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.
66. 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.
67. 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.
68. 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.
69. 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.
70. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
71. Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
72. 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.
73. 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.
74. Installation of ripple relays are compulsory for all geysers with electrical elements.
75. All municipal supply points must be subject to standard DC charges. These charges to be included in the project costs of the project.
76. A detailed energy efficiency and demand side management plan to be implemented in the development to provide to the municipality.
77. All LV work must be installed and be funded by the developer / customer.

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 14 DECEMBER 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


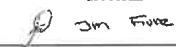


C. PETERSEN

SENIOR MANAGER: TOWN PLANNING



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Annexure B - DC Calculation

| CES Development Charges Calculator | | Version 3.00 (July 2023) | | | | |
|--|--|--|--------------------------|-----------------|--------------|--------------|
|  | | Erf Number * | 49 | | | |
| | | Allotment area * | Pacaltsdorp | | | |
| | | Water & Sewer System * | George System | | | |
| | | Road network * | Pacaltsdorp | | | |
| | | Developer/Owner * | Dia-Louise Trust | | | |
| | | Erf Size (ha) * | 1418 | | | |
| | | Date (YYYY/MM/DD) * | 2023-07-05 | | | |
| | | Current Financial Year | 2023/2024 | | | |
| | | Collaborator Application Reference | 2664363 | | | |
| Code | Land Use | Unit | Total Existing Righth | Total New Right | | |
| RESIDENTIAL | | | | | | |
| | | | Units | Units | | |
| | Residential housing (<250m ²) Erf | Unit | | 16 | | |
| | Residential housing (>1- 500m ²) Erf | Unit | 1 | | | |
| Is the development located within Public Transport (PT1) zone? | | | Please select Yes | | | |
| Calculation of bulk engineering services component of Development Charge | | | | | | |
| Service | Units | Additional Demand | Unit Cost | Amount | VAT | Total |
| Roads | trips/day | 60,00 | R 2 113,28 | R 126 796,50 | R 19 019,48 | R 145 815,98 |
| Sewerage | kl/day | 5,90 | R 44 780,00 | R 264 202,00 | R 39 630,30 | R 303 832,30 |
| Water | kl/day | 7,00 | R 42 320,00 | R 296 240,00 | R 44 436,00 | R 340 676,00 |
| Total bulk engineering services component of Development Charge payable | | | | R 687 238,50 | R 103 085,78 | R 790 324,28 |
| Link engineering services component of Development Charge | | | | | | |
| Total Development Charge Payable | | | | | | |
| City of George | | | | | | |
| Calculated (CES): | | JM Fivaz | | | | |
| Signature : | |  | | | | |
| Date : | | July 5, 2023 | | | | |
| NOTE : In relation to the increase pursuant to section 66(5B)(b) of the Planning By-Law (as amended) in line with the consumer price index published by Statistic South Africa) using the date of approval as the base month | | | | | | |
| Notes: | | | | | | |
| Departmental Notes: | | | | | | |

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| Service | Financial code\Key number | Total |
|----------|---------------------------|--------------|
| Roads | 20220703048977 | R 145 815,98 |
| Sewerage | 20220703048978 | R 303 832,30 |
| Water | 20220703048981 | R 340 676,00 |
| | | R 790 324,28 |

| Development Charges Calculator | | | Version 1.00 | | 2023/07/04 | | |
|--|---|---|-----------------------------|--------------|------------------------|--------------------|---------------------|
|  | Erf Number | 49 | | | | | |
| | Allotment area | Pacaltsdorp | | | | | |
| | Elec DCs Area/Region | George Network | | | | | |
| | Elec Link Network | MV/LV | | | | | |
| | Elec Development Type | Normal | | | | | |
| | Developer/Owner | Mervyn Cedric Human | | | | | |
| | Erf Size (ha) | 0,51 | | | | | |
| | Date (YYYY/MM/DD) | 2023-07-25 | | | | | |
| | Current Financial Year | 2023/2024 | | | | | |
| | Collaborator Application Reference | 2583951 | | | | | |
| Code | Land Use | Unit | Total Existing Right | | Total New Right | | |
| RESIDENTIAL | | | Units | Units | Units | | |
| | {Single Res > 1000m² Erf (Luxury 3 phase) | unit | | 1 | | | |
| | {Group Housing >200m² | unit | | | | 3 | |
| | {Group Housing <200m² | unit | | | | 13 | |
| OTHERS | | | kVA | | kVA | | |
| Is the development located within Public Transport (PT1) zone? | | | Please select | | | | |
| | | | Yes | | | | |
| Calculation of bulk engineering services component of Development Charge | | | | | | | |
| Service | Units | Existing demand (ADMD) | New demand (ADMD) | Unit Cost | Amount | VAT | Total |
| Electricity | kVA | 13,00 | 36,84 | R 5 942,45 | R 141 672,85 | R 21 250,93 | R 162 923,78 |
| Total bulk engineering services component of Development Charge payable | | | | | R 141 672,85 | R 21 250,93 | R 162 923,78 |
| Link engineering services component of Development Charge | | | | | | | |
| Total Development Charge Payable | | | | | | | |
| City of George | | | | | | | |
| Calculated (ETS): | |  | | | | | |
| Signature : | | | | | | | |
| Date : | | July 25, 2023 | | | | | |
| NOTE : In relation to the increase pursuant to section 66(5B)(b) of the Planning By-Law (as amended) in line with the consumer price index published by Statistic South Africa) using the date of approval as the base month | | | | | | | |
| Notes: | | | | | | | |
| Departmental Notes: | | | | | | | |

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| Service | Financial code/Key number | Total |
|-------------|---------------------------|---------------------|
| Electricity | 22-0000-0000 | R 162 923,78 |
| | | R 162 923,78 |