

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

Collaborator No.: 2743306
Reference / Verwysing: Erf 26113
Date / Datum: 12 January 2024
Enquiries / Navrae: Marisa Arries

Email: john@blrland.co.za

BAILEY & LE ROUX LAND SURVEYORS
PO BOX 9583
GEORGE
6530

**APPLICATION FOR SUBDIVISION: ERF 26113, ERICA STREET, HEATHERLANDS,
GEORGE**

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 application for Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-Law for the George Municipality, 2023 of Erf 26113, George into a Portion A (1370m²) and a Portion B (1250m²);

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

REASONS:

- a. The proposed subdivision is in line with the surrounding residential and streetscape character of the area.
- b. The proposal will not have an adverse impact on the surrounding environment, natural environment or neighbouring property owners' rights or amenity.
- c. The proposal promotes a sensible form of residential densification within the limited urban edge of George.
- d. The application is consistent with the spatial planning objectives of the area.

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

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 five (5) years from the date it comes into operation.
2. This approval shall be taken to cover only the subdivision application as applied for and indicated on subdivision plan, drawn by Bailey & Le Roux Professional Land Surveyors, plan no. GE 26113 February 2023 and shall not be construed as to depart from any other Council requirements or legal provision.
3. Portion B must take access over the panhandle of Portion A.
4. The width of the carriageway crossing to the panhandle of Portion A may not exceed 8m and the tree in front of the panhandle may not be removed to accommodate said carriageway crossing.
5. The servitude diagram required for the registration of a servitude right of way over Portion A in favour of Portion B must be submitted to the satisfaction of the Directorate in terms of Section 24(2) of the Land Use

Planning By-law for the George Municipality, 2023 for approval prior to the transfer of a portion. The servitude area must also be reflected in the respective title deeds.

6. The approval will only be regarded as implemented on the registration of a portion in terms of the Deeds Registries Act (which includes the registration of the servitude).

Notes:

- *A building plan be submitted for approval in accordance with the National Building Regulations (NBR).*
- *An approved Surveyor General diagram be submitted to the Directorate: Human Settlements, Planning and Development for record purposes.*
- *Stormwater must be dispersed responsibly, and the stormwater management, retention and erosion measures must be addressed on the building plans.*
- *Provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Environmental Services.*
- *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.*
- *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.*
- *The applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.*

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 the clause above, with regards to the proposed development, the developer will be required to make a development contribution, as follows:
8. The amounts of the development contributions are reflected on the attached calculation sheet dated 12/09/2023 are as follows:

Roads R 7 998,05 Excluding VAT
Sewer R 22 390,00 Excluding VAT
Water R 42 320,00 Excluding VAT
Total: R 72 708,05 (VAT Excluded)

9. The total amount of the development charges of **R72 708,05 (VAT Excluded)** shall be paid prior to the first transfer of a portion 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.
10. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 8 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.
11. 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 **R72 708,05 (VAT Excluded)** 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 9 above.
12. 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.
13. 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.

14. Any, and all, costs directly related to the development remain the developers' responsibility.
15. Only one connection is permitted per registered erf (Electrical, water, and sewer connections). Condition 13 applies.
16. 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 13 applicable).
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 13 applicable).
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. The developer / erf owner is to apply to the George Municipality for the installation of an individual erf water meter prior to any building work commencing on an erf.
25. Maintenance and/or upgrading of all private / servitude roads are the responsibility of all the owners who make use thereof. Adequate parking with a hardened surface must be provided on the premises of the proposed development. No private parking will be allowed in the road reserve. The discharge of surface stormwater is to be addressed by the developer. Condition 13 applies. All related costs are for the developer.
26. The developer is to consult with the Dir: CES to ensure that stormwater planning is done on line with the available stormwater master plans.
27. 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.
28. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
29. No private parking will be allowed in the road reserve.

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 the clause above, with regards to the proposed development, the developer will be required to make a development contribution, as follows:
31. The amounts of the development contributions are reflected on the attached calculation sheet dated 27/09/2023 are as follows:

Electricity: R 43 738,39 (VAT Excluded)

32. The total amount of the development charges of **R 43 738,39 (VAT Excluded)** 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.

33. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 31 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.
34. 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 43 738,39** (VAT Excluded) 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 32 above.
35. 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.
36. 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.
37. Should more than two developments/properties be a party to or share any service, the Dir: CES & ETS will in conjunction with the parties determine the pro-rata contributions payable.
38. Any, and all, costs directly related to the development remain the developers' responsibility.
39. Only one connection is permitted per registered erf (Electrical, water, and sewer connections). Condition 36 applies.
40. 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 36 applicable).
41. 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 36 applicable).
42. Any existing municipal or private service damaged during the development will be repaired at the developer's cost and to the satisfaction of the George Municipality (condition 36 applicable).
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. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
44. 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.
45. 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.
46. In all cases, where individual customers 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.
47. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
48. Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
49. 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.

50. 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 credit against DCs calculated.
51. Installation of ripple relays are compulsory for all geysers with electrical elements.
52. All Municipal supply points must be subject to standard DC charges. These charges to be included in the project costs of the project.
53. A detailed energy efficiency and demand site management in the development in the development to provide to the municipality.

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 02 FEBRUARY 2024** 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


P. I. HUYSER

ACTING SENIOR MANAGER: TOWN PLANNING

C:\Marisa\Decisions_New By-Law Pro formas_(applicant)\Erf 26113, george(subdivision approval_john bailey).docx



<https://www.george.gov.za/wp-content/uploads/2023/07/Development-Charges-Policy-Signed-20230630.pdf>



Civil Engineering Service



Electro-Technical Service



<https://documentportal.george.gov.za/storage/planning-development-regulations/May20/5560kyVqGNv2qfMRt9g9.pdf>

Erf Number * **26113**
 Allotment area * **George**
 Water & Sewer System * **George System**
 Road network * **George**

Developer/Owner * **J L and M F De Ponte**

Erf Size (ha) * **749,34**

Date (YYYY/MM/DD) * **2023-09-12**

Current Financial Year **2023/2024**

Collaborator Application Reference **2743306**

Code	Land Use	Unit	Total Existing Right	Total New Right
RESIDENTIAL		Units		Units

Residential housing (>1 500m²) Erf

Unit

1




2

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
 trips/day	4,00		R 1 999,51	R 7 998,05	R 1 199,71	R 9 197,76
 k/day	0,50		R 44 780,00	R 22 390,00	R 3 358,50	R 25 748,50
 k/day	1,00		R 42 320,00	R 42 320,00	R 6 348,00	R 48 668,00

Total bulk engineering services component of Development Charge payable

R 72 708,05

R 10 906,21

R 83 614,26

Link engineering services component of Development Charge
 Total Development Charge Payable

City of George

Calculated (CES):

JM Fivaz

Signature :

September 12, 2023

Date :



NOTES :

1. 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
2. Please note the calculation above only surfs as a pro-forma calculation. Once confirmation of the calculation is revised can a VAT invoice be requested from the Municipal Financial department. In this regard you can contact Werner Joubert on email at wjoubert@george.gov.za or telephone on 044 081 1333

Departmental Notes:

For the internal use of Finance only

Service	Financial code/Key number	Total
Roads	20220703048977	R 9 197,76
Sewerage	20220703048978	R 25 748,50
Water	20220703048981	R 48 668,00
		R 83 614,26

Development Charges Calculator				Version 1.00		2023/07/04	
				Erf Number	26113		
				Allotment area	George		
				Elec DCs Area/Region	George Network		
				Elec Link Network	LV		
				Elec Development Type	Normal		
				Developer/Owner	De Porte		
				Erf Size (ha)	0,26		
				Date (YYYY/MM/DD)	2023-09-27		
				Current Financial Year	2023/2024		
				Collaborator Application Reference	2743306		
Code	Land Use	Unit	Total Existing Right		Total New Right		
RESIDENTIAL			Units	Units	Units		
	{ Single Res > 1000m² Erf (Upmarket)	unit		1		2	
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	5,78	11,56	R 7 567,73	R 43 738,39	R 6 560,76	R 50 299,15
Total bulk engineering services component of Development Charge payable					R 43 738,39	R 6 560,76	R 50 299,15
Link engineering services component of Development Charge							
Total Development Charge Payable							
City of George							
Calculated (ETS):							
Signature : 							
Date : September 27, 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:							

For the internal use of Finance only

Service	Financial code/Key number	Total
Electricity	20220703046979	R 50 299,15
		R 50 299,15