

**PROPOSED AMENDMENTS TO THE GEORGE INTERGATED ZONING SCHEME BY-LAW 2023 IN TERMS OF SECTION SECTION 12 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000), READ WITH SECTION 24(1) OF THE SPATIAL PLANNING LAND USE MANAGEMENT ACT (SPLUMA), 2013, (ACT 16 OF 2013) AS FOLLOWS:**

(a) Amendment to Table of Contents by the inclusion of the following under Schedule 3

...

4. Special Heritage Character Area Overlay Zones

(b) Addition of the following definition:

**“National Heritage Resources Act”** means the National Heritage Resources Act, Act No. 25 of 1999

(c) Amendment of Schedule 3 by the inclusion of the following:

**4. SPECIAL HERITAGE CHARACTER AREA OVERLAY ZONES**

**4.1. General purpose of the Special Heritage Character Overlay Zones**

The purpose of these zones is to:

- (i) guide development to protect and enhance the character of a demarcated area, shown in Section 4.2 and 4.3 below, which has special historical, social, cultural or architectural value;
- (ii) mitigate possible adverse impacts a development or alteration may have on the significance of such an area; and
- (iii) not reduce existing development rights or to hinder development but rather to mitigate impacts of possible developments and re-arrange existing development rights to take cognisance of the significance of an area.

**4.2 Delineation of the Special Heritage Character Overlay Zone: Pacaltsdorp**

This Special Character Overlay Zone will be applicable to erven noted on the Map and Table below:



	122	160	736	1001	3800	4428	5597	8511	10004	10167	
	123	160	741	1005	4201	4429	5598	8512	10005	10168	
	124	168	756	2558	4202	4430	5599	8536	10006	10181	
	125		785		4209		5600		10007		

**4.3 Delineation of the Special Character Overlay Zone: George Central Area**

This Special Character Overlay Zone will be applicable to erven noted on the Map and Table below:



TABLE B: SPECIAL CHARACTER AREA OVERLAY ZONE: GEORGE CENTRAL AREA											
NUMBER AND MAP REFERENCE	AREA DESCRIPTION: SECTIONS OF GEORGE CBD, DORMEHLSDRIFT AND BODORP, GEORGE										COLOUR ON MAP
SCA01 CBD Special Charact er Area	<b>ERF NUMBERS</b>										Within Grey hatched area with Boundary denoted as a red line
	1	1284	1505	1620	3286	4340	6932	9479	15528	19874	
	330	1285	1506	1621	3294	4411	7194	9480	15649	19877	
	703	1290	1541	1622	3295	4412	7219	9495	15888	19878	
	716	1292	1549	1623	3304	4458	7221	11745	16281	19898	
	746	1294	1550	1792	3319	4712	7450	11787	16303	20161	
	749	1330	1551	1793	3418	4799	7638	11794	16320	20170	
	758	1331	1552	1794	3441	5014	7639	11862	16520	20285	

784	1351	1578	1795	3475	5327	8078	11900	17144	20292
798	1412	1579	1796	3493	5939	8229	12488	18090	20892
799	1413	1584	1797	3499	5941	8592	13384	18309	22234
800	1414	1586	1798	3724	5942	8685	13389	18347	22236
801	1416	1587	1806	3732	6213	8688	13392	18756	23283
815	1416	1588	1807	3891	6214	8744	13396	19088	23943
827	1433	1590	1808	4100	6215	8745	13789	19289	24987
833	1439	1595	1815	4174	6468	8746	13790	19290	24988
1280	1449	1597	3064	4259	6904	9027	13840	19292	25809
1282	1456	1610	3199	4281	6924	9031	14759	19493	27706
1283	1496	1611	3208	4282	6925	9095	14779	19679	28667
	1497	1612	3218	4283	6931	9188	15018	19789	28869
	1504	1617		4284		9235			

#### 4.4 Deemed Heritage Protection Overlay Zones

The following heritage places are deemed to be included in- and shall also be subject to- the provisions of the respective Special Heritage Character Overlay Zones:

- (a) Any heritage place that has been entered into the register of heritage resources maintained by the provincial heritage resources authority in accordance with the National Heritage Resources Act;
- (b) Any heritage place that has been designated a heritage area in accordance with the National Heritage Resources Act.

#### 4.5 Use of the property

- (a) Notwithstanding the development parameters and land use rights applicable to the properties listed in the Tables under Sections 4.2 and 4.3 above, said properties shall also be subject to the guidelines below.
- (b) All building plan applications and applications for permission as contemplated by Section 4.5.1 below, or applications for subdivision, rezoning, consent use, departure or consolidation submitted in terms of the Planning By-law, for properties within the boundaries of these overlay zones shall be subject to the provisions of the guidelines below.
- (c) Such applications shall be assessed in accordance with a Council policy related to the respective overlay zones.

##### 4.5.1 Applications requiring a Permission in Special Character Area Overlay zones

- (a) No building or structure which may include stoeps, verandas, balconies, colonnades, boundary fences and walls, shall be demolished, altered, extended or erected without the Municipality's permission.
- (b) No removal, felling, lopping, topping or otherwise damaging of any mature tree which is visible within 200m of from a public street or proclaimed road within the boundaries of the overlay zone, other than removal of dangerous branches or bona fide pruning, may occur without the Municipality's permission.
- (c) No alteration or removal of any significant landscape feature which contributes to the character of the area, including mature hedges and rows or clusters of mature plantings which are visible from a public street or proclaimed road within the boundaries of the overlay zone may occur without the Municipality's permission.
- (d) The erection of any signage which may be visible within 200m of any public street, proclaimed road, public open space, private open space or formerly protected area must be assessed in accordance with the provisions of an "area of maximum control" of the Municipality's outdoor advertising by-law.
- (e) The following activities are exempt from applying for permission in terms of this Section:

- (i) An internal alteration to buildings or structures which have been assessed as either Non-Conservation Worthy (NCW), Grade IIIB and/or Grade IIIC heritage value;
- (ii) External maintenance that does not involve removal of original fabric or change to the original appearance of a building or structure;
- (iii) Repainting of existing painted surfaces of a building or structure provided the colour is compliant with colour guidelines where such guidelines exist;
- (iv) Re-plastering of existing plastered surfaces provided the appearance is identical to the original historical finish;
- (v) Re-cladding or re-thatching of roofs provided that the material is similar in appearance to the original historical material;
- (vi) Alien vegetation clearing in accordance with an alien clearing plan submitted by the owner of the land to the Municipality for information purposes;
- (vii) Pruning and felling of trees in bona fide orchards in the Agricultural zone.

#### **4.5.2 Approvals in Special Heritage Character Area Overlay zones**

- (a) The Municipality may refuse an application as contemplated in Section 4.5(b) if the development proposal is deemed to have a detrimental impact on the character and significance of the area as may be described in a Council policy.
- (b) When approving an application for permission, subdivision, rezoning, consent use, departure or consolidation, the Municipality may impose such conditions which are necessary to protect the character or significance of the area in question.

#### **4.5.3 Character Impact Assessment, Site Development Plans, Site Plans and Building Plans**

- (a) The Municipality may request an applicant to submit a character impact assessment, to be prepared by a suitably qualified practitioner with heritage experience, for a building plan or land use application as contemplated in Section 4.5.1, where an impact on the character of the area is likely.
- (b) The character impact assessment shall include appropriate research into a building or place's history, an analysis of spatial and/or aesthetic qualities to explain or motivate the proposals and to demonstrate the impacts on the character and significance of the area and, where necessary, what measures are required to mitigate such impacts.
- (c) A Site Development Plan and/or Landscape Plan may be required by the Municipality for a rezoning, subdivision, consent use, departure or consolidation application within the boundaries of the overlay zone. These plans must show consideration for impact on surrounding heritage resources, the public environment, the streetscape, and impact on the overall character of the area. Street elevations of the subject erf and adjacent erven should be included where impact on the streetscape is expected.
- (d) Building Plan applications must include a Site Plan indicating landscaping, access and parking and show the location of all new building footprints relative to the location of heritage structures on the subject erf, on adjacent erven and on the overall character of the area.

#### **4.5.4 Advisory Committee: George Municipal Aesthetics Committee**

- (a) An application permission in terms of Section 4.5.1 above, subdivision, rezoning, consent use, departure or consolidation may be sent to the Municipality's advisory committee responsible for aesthetics and heritage matters for comments and recommendations prior to the Municipality making a decision.
- (b) The committee shall consider the application in accordance with the related Council policy and submit their recommendation within the period prescribed by the Planning By-law.

- (c) The committee may request additional information including a Character Impact Assessment when considering an application.
- (d) The committee shall forward its comments and/or recommendations, which may include conditions that may be imposed and/or how the proposal should be amended to improve its compliance with the character statement and assessment criteria as stated in the related Council policy(ies).
- (e) The Municipality may, in terms of the rules and procedures contemplated by its related Council policy(ies), exempt certain types of applications from the requirements of this Section.