

Collaborator No.: 3879079
Reference / Verwysing: Erf 15009, George
Date / Datum: 04 September 2026
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APPLICATION FOR CONSENT USE: ERF 15009, GEORGE

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.17.3.13 of 24 April 2025 decided that the application for Consent Use in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for a Place of Entertainment to allow a children's play centre on Erf 15009, George;

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

REASONS FOR DECISION

- The proposal is ideally located within an area characterised by high intensity uses and make efficient use of existing infrastructure and Municipal services.
- The site has direct access and connectivity to the greater George area via York Street, a major distributor road, and is accessible by public transport. This supports the sustainable location of the proposed use.
- The proposed development is not anticipated to negatively impact the operations, development rights or amenity of adjacent properties, particularly given the nature and scale of the proposed use and the predominantly indoor activities associated with the children's play centre.
- The proposal is compatible with the established character and surrounding industrial context of the area and will not introduce an incompatible or undesirable land use precedent.

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

CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT

- That in terms of the Land Use Planning By-law for the George Municipality, 2023, the approval shall lapse if not implemented within a period of two (2) years from the date it comes in operation.
- This approval shall be taken to cover only the Consent Use as applied for and indicated on the site layout plan, Plan No. 25-27, dated 6 October 2025, drawn by Gideon Henning (*1x Plan*) 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.
- A contravention levy of R57 545.41 (VAT Included) is payable on the submission of building plans for the unauthorized land uses.

4. Development charges and any required upgrades in respect of Electrotechnical Services shall be applicable should an increase in electrical capacity be required.
5. The above approval will be considered as implemented on the issuing of the occupation certificate in accordance with the approved building plans.

Notes

- i) *A building plans must be submitted for approval in accordance with the National Building Regulations (NBR).*
- ii) *Stormwater management must be addressed to the satisfaction of the Civil Engineering Department and Municipal Environmental Division and must be clearly illustrated on the building plans. The developer must demonstrate that stormwater will, as far as practically possible, be managed and attenuated on site prior to discharge into the Municipal stormwater system. The use of Sustainable Urban Drainage Systems (SUDS), permeable paving and other appropriate stormwater attenuation and infiltration measures should be considered as part of the design.*
- iii) *The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority.*
- iv) *Note, provisions for the removal of solid waste are to be addressed in conjunction with the Dir: Environmental Services.*
- v) *The applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.*
- vi) *The operator of the children's play centre should ensure that all required Health Certificates are obtained and maintained in good standing and shall implement appropriate and stringent measures to safeguard the health, safety and well-being of children attending the facility, particularly given its location within an industrial area.*
- vii) *In terms of the municipality's tariff list, a contravention levy must be paid by the property owner for the illegal land use which is calculated as follows:*
 - *657m² of the floor area of the property is used directly for an unlawful play centre*
 - *The present municipal value of the property is R2 160 000; and*
 - *The property measures 2836m² in extent.*
 - *The m² value of the property is thus, R761.64/m².*
 - *The contravention levy payable by the owner in accordance with the municipality's tariff list is thus, 10% x R761.64 x 657m² = R50 039.49 (VAT Excluded)*
 - *Plus VAT (15%) = R7 505.92*
 - ***Total = R57 545.41 (VAT Included)***

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

6. The conditions imposed by the Directorate Civil Engineering Services are attached as 'Annexure B' dated 24/11/2025, must be adhered to:
7. As stipulated in the attached conditions imposed by the Directorate Civil Engineering Services, 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:
Roads: R 00.0
Sewer: R 00.0
Water: R 00.0
Total: R 00.0 (Excluding VAT)
8. The total amount of the development charges of **R 00.0** (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.
9. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in Condition 6 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 owner/developer consult with these departments prior to submission of building plans to ascertain what information may be required to provide a more accurate calculation.

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: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George **on or before 25 September 2026**, 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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Erf number *	15009
Allotment area *	George
Water & Sewer System *	George System
Road network *	George
Developer/Owner *	SPES NOVA BK
Erf Size (ha) *	2 835,18
Date (YYYY/MM/DD) *	2025-11-24
Current Financial Year	2025/2026
Collaborator Application Reference	3879079

Application: Consent (Children play area)

Service applicable	Description
Roads	Service available, access via Extension Road (Subject to the Road master plan & access approval)
Sewer	Service available (Subject to the Sewer Master Plan, WWTW treatment & network capacity)
Water	Service available (Subject to the Water Master Plan, WTW treatment & network capacity)

Conditions

General conditions

- 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 charges are reflected on the attached calculation sheet dated 24/11/2025 and are as follows:

Roads:	R	-	Excluding VAT (Refer to attached DC calculation sheet)
Sewer:	R	-	Excluding VAT (Refer to attached DC calculation sheet)
Water:	R	-	Excluding VAT (Refer to attached DC calculation sheet)
Total	R	-	Total Excluding VAT
 - The total amount of the development charges of R0 000,00 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.
 - Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in clause 2 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
- 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 the subdivision plan to ascertain what information they require to provide a more accurate calculation.*
- 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 R0 000,00 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 paragraph 3 above.
 - 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.
 - 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 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.
- Consent use approval with regards to Guest houses, School, Flats or Hotels are subject to the submission and approval of building plans, which shall include a detailed Site Development Plan (SDP), indicating proposed land use changes to the erf/erven. The SDP should, but not limited to, address all internal parking requirements (ie within the development area) , position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic.
- Any, and all, costs directly related to the development remain the developers' responsibility.
 - Only one connection permitted per registered erf (water and sewer connections). Condition 7 applies.
 - 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 7 applicable)

11 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 7 applicable)

12 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 7 applicable)

13 Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.

Note, the applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.

14 Note, provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Environmental Services.

15 Note, 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.

A home owners' association/body corporate (as applicable) is/are to be established incorporating all erven within any security development / private and /or access-controlled developments. All internal services (water, sewer, private roads including the associated stormwater and private open spaces within the development will be transferred by the developer to this / these home owners' association/s who will assume responsibility for the maintenance thereof.

The association shall see to it that the officials and contractors of the Municipality shall at all times have access to any portion of the development that may otherwise not be generally accessible to the general public due to security measures, including guarded entrances, electronic gates or booms. For the avoidance of doubt, it is agreed that this requirement relates to the Municipality's emergency services, entry for normal maintenance and replacement, meter reading and inspection and refuse removal. If access to the development is denied to the Municipality or a contractor appointed by the Municipality, the developer and the association will jointly and severally be liable for the full cost of the municipal infrastructure repairs and any damages the Municipality may suffer as a result thereof and will be billed for any water losses or loss in electrical sales from the system.

16 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.

17 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.

18 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.

19 Municipal water is provided for potable use only. No irrigation water will be provided.

20 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.

Developer is to take note of existing water main in the property building line of the proposed development. (condition 7 applicable)

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

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.

The private roads and the associated stormwater and private open spaces are to be registered as private and transferred to the HOA/BC, or other relevant governing or controlling body. Public roads must be transferred to the George Municipality.

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, who must also approve the TIA. All recommendations stipulated in the TIA report and as approved by the relevant authority, are to be implemented by the developer and prior to any transfer being approved or an occupation certificate being issued. All costs involved will be for the developer.

Maintenance and/or upgrading of all private / servitude roads are the responsibility of all the owners who make use thereof.

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. The approved management plans must be incorporated into the constitution and rules of all home owners constitutions/body corporate/any such governing or controlling body.

23 The discharge of surface stormwater is to be addressed by the developer. Condition 7 applies. All related costs are for the developer. The developer is to consult with the Dir: CES to ensure that stormwater planning is done on line with the available stormwater master plans.

A layout plan indicating the proposed storm water drainage must be submitted to the Dir:CES for prior approval. Condition 7 applies.

24 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.

25 Adequate parking with a hardened surface must be provided on the premises of the proposed development.

- 26 No private parking will be allowed in the road reserve. The developer will be required at own cost to install preventative measures to insure compliance.
- 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.
The municipality, or contractors representing George Municipality to have unrestricted access to the exiting municipal infrastructure pump stations. Developer to indicated proposed access on the development's Site Development Plan (SPD) for approval.
Access to parking must confirm to George Integrated Zoning Scheme 2023, and sufficient stacking distance (6m for less than 15 units and 12 meter for more than 15 units, measured form the property boundary) should be allowed for, and indicated on the Site development Plan.
- 29 Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme 2023 parking requirements and vehicles must readily leave the site without reversing across the sidewalk. Alternative Parking may be supplied.
- 30 Site access to conform to the George Integrated Zoning Scheme 2023.
Access to the development is permitted only through the existing municipal road. Direct access from York Street is not allowed.



Ricus Fivaz

Manager (CES): Land development
Civil Engineering Services

24 Nov 25

Date

