

Reference number: Erf 2935, George

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**APPLICATION FOR REMOVAL OF RESTRICTIONS AND CONSENT USE:
ERF 2935, NEWTON STREET, GEORGE**

Your application in the above regard refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, W.1.33 of 29 July 2015 decided that the following applications applicable to Erf 2935, George:

1. Removal in terms of Section 15(2)(f) of the Land Use Planning By-law for the George Municipality, 2015 of Restrictive Title Conditions B(I)(b) & (d) in Title Deed T13996/2013 of Erf 2935, George;
2. Consent Use in terms of Section 15(2)(o) of the Land Use Planning By-law, for the George Municipality, 2015 for a Second Dwelling Unit (78m²) on Erf 2935, George;

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

REASONS FOR DECISION:

- (i). The second dwelling unit will not have a negative impact on the urban character or the surrounding neighbouring properties.
- (ii). The proposed second dwelling unit is in line with the spatial planning objectives and the LSDF applicable to the area.
- (iii). The proposal complies with the Zoning Scheme restrictions applicable to the property.
- (iv). The proposed development is an acceptable form of densification for this area.

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

CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT

1. That in terms of the provisions of the Land Use Planning By-law for the George Municipality, 2015, the Consent Use and Removal of Restrictions approval shall lapse if not implemented within a period of five (5) years from the date of approval;

2. This approval shall be taken to cover only the Consent Use as applied for as indicated on the site plan attached as "**Annexure A**", which bears Council's stamp and shall not be construed as to comply with any other Council requirements or legal provision;
3. In terms of Section 34(1) of the Land Use Planning Bylaw for George Municipality, 2015, 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.
4. A copy of the amended Title Deed, endorsed by the Registrar of Deeds, be submitted to the George Municipality.
5. A building plan may only be submitted for approval in accordance with the National Building Regulations (NBR) after the title deed has been endorsed;
6. The above approval will be considered as implemented on commencement of building works in accordance with the approved building plan;

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES:

7. Capital contributions are payable by the developer for each new equivalent erf (ee) created, as per standard tariffs for George, applicable on transfer of a portion, or the approval of building plans, or on application for a CPT, or as stipulated in a Services Agreement between the George Municipality and the Developer. The total amount payable will be determined by the Dept: CES, and will be subject to annual adjustment. Contributions payable may be adjusted should the actual water usage exceed the accepted normal daily usage based on the Guidelines for Human Settlement Planning and Design, based on a six month average use.
8. All civil services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with The Guidelines for Human Settlement and Design and Council specifications. All drawings and plans are to be submitted to the Dept: CES, 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 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 civil services have been satisfactorily installed and as-builts submitted electronically as well as the surveyors plan.
9. Should more than two developments/properties be party to or share any service, the Dept: CES will in conjunction with the parties determine the pro-rata contributions payable.
10. Any, and all, costs directly related to the development remain the developers' responsibility.
11. 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/owner of the other erf. (Condition 8 applicable)
12. Any service from another relevant erf 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 8 applicable)
13. 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 8 applicable)
14. 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 Dept: CES. All expenses will be

for the developer.

15. Servitudes must be registered for any pipeline not positioned within the normal building lines.
16. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required.
17. Provisions for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services.
18. The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval was required and obtained for this proposed development.
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 Dept: CES, or any condition of any authority has not been satisfactorily complied with.
20. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable.
21. Municipal water is provided for potable use only. No irrigation water will be provided.
22. A water meter must be installed by the developer prior to construction to monitor water usage during the construction phase. The Dept: Civil Engineering Services (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 consumptions by this department at a rate as per applicable 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 Dept: CES.
23. The development is subject to the availability of treatment capacity of the Water & Sanitation treatment works.
24. The discharge of surface stormwater is to be addressed by the developer. Condition (8) applies. All costs related is for the developer.
25. A layout plan indicating the proposed storm water drainage must be submitted to the Dept: CES for approval. Condition (8) applies.
26. 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.
27. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
28. No private parking will be allowed in the road reserve.
29. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.

CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES

30. Capital contributions are payable by the developer for each new equivalent erf (ee) created, as per standard tariffs for George, applicable on transfer of a portion, or the approval of building plans, or on application for a CPT, or as stipulated in a Services Agreement between the George Municipality and the Developer. The total amount payable will be determined by the Dept: Electro Technical Services (ETS) and will be subject to annual adjustment. Contributions payable may be adjusted should the actual electricity connection be other than a conventional 60 Amp single phase per erf.
31. All electrical services -internal, link and relocation of or upgrades to the existing network - are to be designed by a registered consulting engineer in accordance with Council specifications. All drawings and plans are to be submitted to the Dept: ETS, (hard copy

and electronically) for approval prior to any construction work taking place. All work is to be carried out under the supervision of the consulting engineer who is to provide the electrical department 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 electrical services have been satisfactorily installed and as-builts submitted electronically.

32. Any, and all, costs directly related to the development remain the developers' responsibility.
33. Only one electrical connection permitted per registered erf.

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 George Municipality's By-law on Municipal Land Use Planning.

- A detailed motivated appeal with reasons should be directed to and received by the Appeal Authority, P O Box 19, George on or before **23 December 2020**.
- An appeal that is not lodged within the set date or that does not comply with Section 80 of the George Municipality's By-law on Municipal Land Use Planning will be deemed invalid.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Kindly note that in terms of Section 80(14) of the George Municipality's By-law on Municipal Land Use Planning, the above decision is suspended until such time as the period for lodging an appeal has lapsed, any appeal has been finalised and you have been advised accordingly.

Yours faithfully



D. POWER

DEPUTY DIRECTOR: PLANNING AND DEVELOPMENT

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