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Bepanning en Ontwikkeling Planning and Development

Reference / Verwysing: Erf 4535 George
Date / Datum: 1 December 2020
Enquiries / Navrae: Keith Meyer

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Marlize de Bruyn Planning
P O Box 2359
GEORGE
6530

SUBDIVISION AND DEPARTURE : ERF 4535, c/o WATTLE ROAD AND CYPRESS AVENUE, HEATHERPARK, GEORGE

Your application in the above refers.

The Eden Joint Municipal Planning Tribunal – George Municipality, meeting held on 17 November 2020 resolved:

That, notwithstanding the objection received, the following applications applicable to Erf 4535, George:

1. Subdivision of Erf 4535, George in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2015 into two portions namely:
 - a) Portion A = 935m²;
 - b) Remainder Erf 4535 = 1076m²;
2. Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2015 for the relaxation of the western side boundary building line of the Remainder portion from 3.0m to 0.0m for the existing structure;

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

REASONS FOR DECISION

- I. The proposal is deemed to be an accepted form of densification in the area and allows for the optimal use of the property without compromising the character of the area and streetscape;
- II. The proposal poses no negative impact on the street in terms of traffic and does not contribute to any effect regarding surrounding neighbours' rights and amenity in terms of privacy, views or sunlight;
- III. It will blend in with the existing dwelling house on remainder portion, thus making in line with the existing residential character;

- IV. Each property will meet the requirement of providing access and parking as per George Integrated Zoning Scheme.

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

DIRECTORATE: PLANNING AND DEVELOPMENT

1. That in terms of Section 22(i) of the Land Use Planning By-law for the George Municipality, 2015, the approval shall lapse if not acted upon within a period of five (5) years from the date thereof;
2. This approval shall be taken to cover the only the Subdivision and Departure applied for as indicated on the site and subdivision plan drawn by CE, dated May 2020 and 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 and.
3. The S.G diagram must be submitted for the record purpose;
4. A building plan be submitted for approval in accordance with the National Building Regulations (NBR) for the alteration to the building on respective portions;
5. The subdivision will be regarded as implemented on transfer of a Portion and no portion may be transferred before the addition and alterations as per approved building plans have taken place.
6. The departure application will only be regarded as implemented on commencement of works as per the approved plans.

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. Each new portion created must have separate water and sewer connections.
12. 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)
13. 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)
 14. 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)
 15. 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.
 16. Servitudes must be registered for any pipeline not positioned within the normal building lines.
 17. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required.
 18. Provisions for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services.
 19. 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.
 20. 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.
 21. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fiber optical cable.
 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 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 consumption 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.
 24. The development is subject to the availability of treatment capacity of the Water & Sanitation treatment works.
 25. Maintenance and/or upgrading of all private / servitude roads are the responsibility of all the owners who make use thereof.
 26. The discharge of surface stormwater is to be addressed by the developer. Condition (7) applies. All costs related is for the developer.
 27. A layout plan indicating the proposed storm water drainage must be submitted to the Dept: CES for approval. Condition (8) applies.
 28. 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.

29. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
30. No private parking will be allowed in the road reserve.
31. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval. Condition (8) applies.
32. As no site development plan has been provided, with no dimensions indicated, the developer is to take note that all road reserve widths are to be in accordance with the Guidelines for Human Settlement Planning and Design standards. The width of road reserves is to be approved by the Dept: Civil Engineering Services before the final layout can be approved. Minimum width of road reserve is 10 m and for panhandle erven access is 4 m.
33. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
34. 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.
35. 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.
36. Any, and all, costs directly related to the development remain the developers' responsibility.
37. Only one electrical connection permitted per registered erf.

You have the right to appeal to the Appeal Authority against the decision/conditions of approval of the Eden Joint Municipal Planning Tribunal – George Municipality, 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 the Appeal Authority and received by the Municipal Manager, P O Box 19, George, 6530 or Directorate: Planning, 5th floor, Civic Centre, York Street, George **on or before 22 December 2020** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard.

The notice must be served in accordance with section 115 of the Municipal Systems Act and in accordance with the additional requirements as may be determined by the Municipality. The notice must allow persons 21 days from date of notification of the appeal to comment on the appeal. Proof of the notification must be submitted to the Municipality, within 14 days of the date of notification.

An appeal that is not lodged within the timeframe 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.

Please also 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(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully


D POWER

ACTING DIRECTOR: PLANNING AND DEVELOPMENT

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**PROPOSED SUBDIVISION FOR
EB & C EASTERHYSSEN**

**Erf 4535, c/o Wattle Road
& Cypress Avenue,
Heather Park George**

SITE & SUBDIVISION PLAN



DRAWING NO.:

DESIGNED BY
MD8

DRAWN BY: CE

DATE: MAY 2020

PROJECT NO:

OPPEREN VOORBEHOUDEN
MARLIZE DE BRUYN PLANNING

Approved in terms of Section 60 of the George
Municipality: Land Use Planning By-Law (2015) subject
to the conditions contained in the covering letter.

1/12/2020

DATE
DATUM

MUNICIPAL MANAGER
MUNISIPALE BESTUURDER

