

Reference Number: Erf 834, Tyolora (Thembaletu)

Date: 05 March 2021

Enquiries: Primrose Nako

LYNETTE GRONEWALD (URBAN CONTENT)
323 VICTORIA COUNTRY ESTATE
GEORGE
6530

Email: lynette@urbancontent.co.za

APPLICATION FOR REZONING AND DEPARTURE: ERF 834, TYOLORA

Your application in the above refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority; WW.1.33 of 29 July 2015 decided that the following land-use applications applicable to Erf 834, Tyolora:

- a) Rezoning of Erf 834, Tyolora in terms of Section 15(2)(a) of the Land Use Planning By-Law for George Municipality, 2015 from Single Residential Zone I to General Residential Zone IV (Flats).
- b) Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 of the following development parameters for "General Residential Zone IV" applicable to Erf 834, Tyolora:

Development Parameter	From	To
Street Building Line	5.0m	0.0m
Eastern Side Building Line	4.5m	0.0m
Western Side Building Line	4.5m	2.0m
Rear Building Line	4.5m	2.0m
Floor Factor	1.0	1.2

- c) Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2015 to reduce the number of parking bays to align with the PT1 area parameters for Erf 834, Tyolora.

- d) Permission in terms of Section 15(2)(g) of the Land Use Planning Bylaw for George Municipality, 2015 to provide the remainder of parking's (as per Section 42 of George Integrated Zoning Scheme By-law, 2017) on Erf 835, Tyolora (church) in accordance with PT1 parking ratios.

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

REASONS FOR DECISION

- a. The rezoning and departures will not have an adverse impact on the surrounding urban environment, natural environment or streetscape;
- b. The proposed zoning is compatible with the surrounding land-uses and contributing to different housing typologies;
- c. The proposal will have no negative impact on surrounding neighbours' rights to privacy and views;
- d. The proposal is an appropriate – compatible form of residential densification as is advocated by the applicable planning policies for the 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 Rezoning and Departure shall lapse if not acted upon within a period of five (5) years from the date of approval and/or if the following conditions are not adhered to;
2. The building line and FAR departure shall be taken to cover only the application as approved indicated on the Site Plan Annexure A-2 conceptual dated 19 February 2021 drawn by Urban Content 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;
3. That a site development plan be submitted to the satisfaction of the Directorate: Planning and Development, in accordance with the provisions of Section 23 of the George Zoning Scheme By-Law, 2017 prior to submission of building plans.
4. That a parking servitude be registered over Erf 835 Tyolora in favour of Erf 834, Tyolora as indicated on A-2 Conceptual Site Plan dated 19 February 2021 drawn by Urban Content attached as "Annexure B";
5. The proposed building may not exceed a height of 8,5m;
6. Proof of registration of the parking servitude in the Title Deeds of Erf 834 and Erf 835, Tyolora must be submitted together with the Building Plans;
7. A building plan be submitted for approval in accordance with the National Building Regulations (NBR) after the approval of the SDP;

DIRECTORATE: CIVIL ENGINEERING SERVICES

8. 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;

9. 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-built submitted electronically as well as the surveyors plan;
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 9 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 9 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 9 applicable);
14. Provisions for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services;
15. 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;
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 Dept: CES, or any condition of any authority has not been satisfactorily complied with;
17. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable;
18. Municipal water is provided for potable use only. No irrigation water will be provided;
19. The development, in its entirety or in phases, is subject to confirmation of the availability of treatment capacity of the Water & Sanitation treatment works 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 conformation of availability so that other development in George is not compromised;

20. The discharge of surface stormwater is to be addressed by the developer. Condition (9) applies. All costs related is for the developer;
21. All proposed Public Open Spaces are to be landscaped and finished to the satisfaction of the Dept: Civil Engineering Services and Dept: Environmental Services;
22. 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;
23. Adequate parking with a hardened surface must be provided on the premises of the proposed development;
24. No private parking will be allowed in the road reserve;
25. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval. Condition (9) applies. All access must apply to the GIZS 2017;
26. The approval of the layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dept: Civil Engineering Services. A site development plan is to be submitted to the Dept: CES, or any other relevant authority for approval prior to any construction work taking place;
27. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities;
28. Developer to submit a formal agreement regard parking provided on erf 835. Condition 9 & 15 applies.

DIRECTORATE: ELECTROTECHNICAL ENGINEERING SERVICES

29. 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;
30. 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-built submitted electronically;
31. Any, and all, costs directly related to the development remain the developers' responsibility;
32. Only one electrical connection permitted per registered erf.


You have the right to appeal to the Appeal Authority against the decision of the Authorised Official, 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 26 March 2021**.
- An appeal that is not lodged within this 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.

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 finalized and you have been advised accordingly.

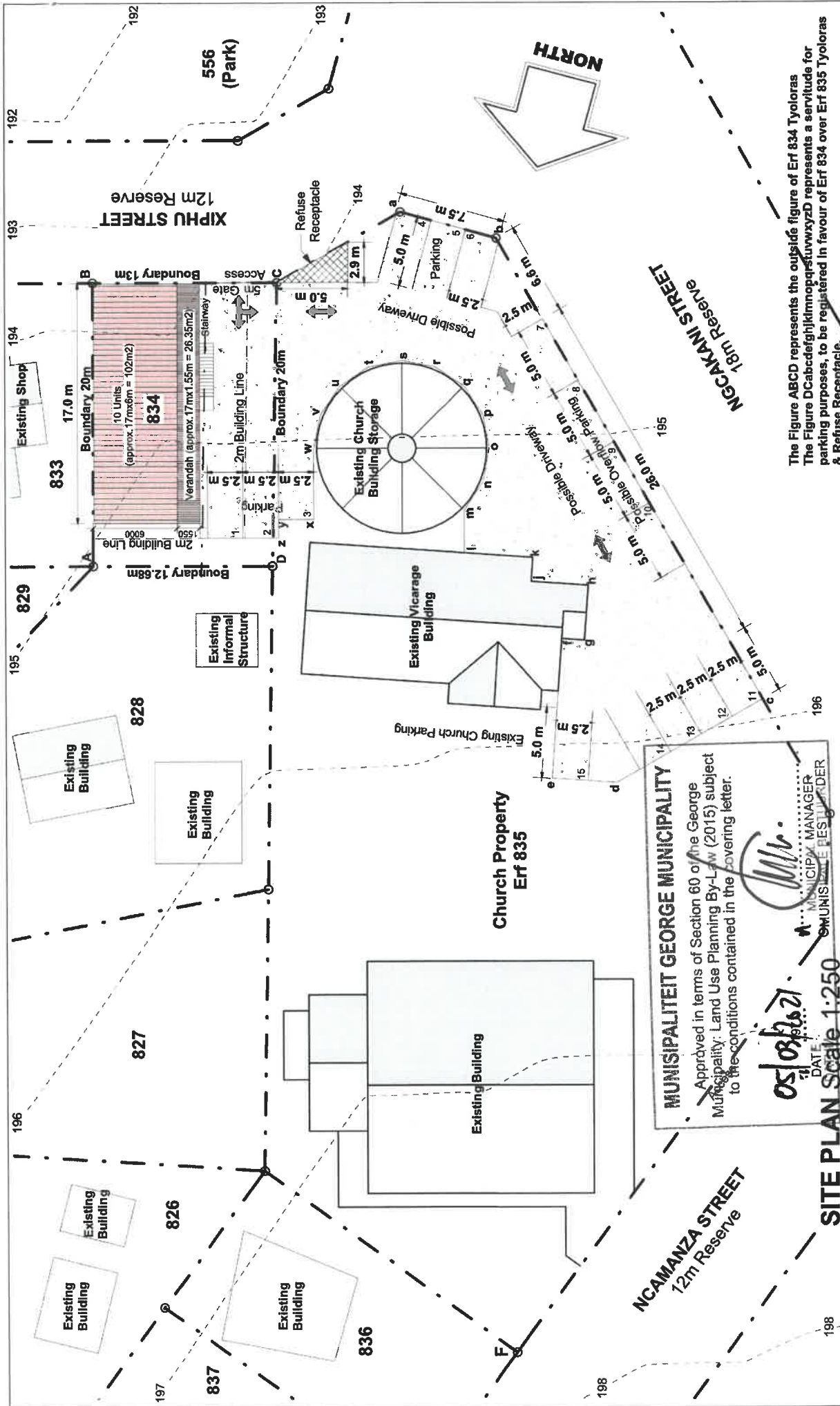
Yours Faithfully



D. POWER

DEPUTY DIRECTOR: PLANNING AND DEVELOPMENT

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Annexure A-2 Conceptual Site Plan			
Sheet Number	A102/1	Site Number	Erf 834 Tyolora
Date	2021/02/19 13:15:53	Scale	1 : 250

Rezoning & Departure Application : ERF 834 Tyolora

Urban Content (Pty) Ltd.
Town Planners
Contact: Lynette Groenewald
Email: lynette@urbancontent.co.za

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