

Reference number: Erf 3981, George

Date: 05/03/2021

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<p align="center">APPLICATION FOR REZONING AND CONSENT USE: ERF 3981, GEORGE</p>

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 application for Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-law for George Municipality, 2015 for the following applications applicable to Erf 3981, George:

1. Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-law for George Municipality, 2015 of Erf 3981, George from Single Residential Zone I to General Residential Zone IV.
2. Consent Use in terms of Section 15(2)(o) of the Land Use Planning By-law for George Municipality, 2015 for a boarding house on Erf 3981, George.

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

REASONS FOR DECISION

- a. The proposal will not detract from the surrounding land use character;
- b. The application will not have an adverse impact on the surrounding urban environment, natural environment or streetscape;
- c. The application will have no negative impact on the adjacent neighbours' amenity to privacy, sunlight and views;
- d. The application is of an appropriate scale that would relate to the surrounding land use pattern and land use character of 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 Sections 17(5) and 19(5) of the Land Use Planning By-law for the George Municipality, 2015, the approval shall lapse if not implemented within a period of five (5) years from the date thereof;
2. The property shall be used for the purposes of a 6 bedroom/12 student boarding house facility only;
3. This approval shall be taken to cover only the application applied for as indicated on the Site Development Plan and Floor Plan numbered 001 dated 15/11/2016 drawn by ARCXL 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;
4. The approval of the boarding house will lapse should the activity cease for a consecutive period of two (2) years;
5. No changes may be made to the building which renders it incapable of being restored to a dwelling house should the approval lapse;
6. A building plan be submitted for approval in accordance with the National Building Regulations (NBR);
7. The above approval will be considered as implemented on the issuing of an occupation certificate for the abovementioned structures;

CONDITIONS OF THE 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 Neighbourhood Planning and Design Guide and Council specifications, 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 Neighbourhood Planning and Design Guide 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;
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. 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;
15. 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;
16. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable;
17. Municipal water is provided for potable use only. No irrigation water will be provided;
18. 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;
19. If required, 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 Dept: Civil Engineering Services together with any other approving authority, and who must also approve the TIA. All recommendations stipulated in the TIA report and as approved by the relevant Dir: CES, are to be implemented by the developer. All costs involved will be for the developer;
20. The discharge of surface stormwater is to be addressed by the developer. Condition (9) applies. All costs related is for the developer;
21. 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;
22. Adequate parking with a hardened surface must be provided on the premises of the proposed development;
23. No private parking will be allowed in the road reserve;
24. 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;

25. 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 Neighbourhood Planning and Design Guide and Council specifications. 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 ervans access is 4 m;
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;

CONDITIONS OF THE DIRECTORATE: ELECTRO-TECHNICAL SERVICES:

28. 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;
29. 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;
30. Any, and all, costs directly related to the development remain the developers' responsibility;
31. 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 **26 MARCH 2021**.
- 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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