

Reference Number: 1757922

Date: 07 May 2021

Enquiries: Primrose Nako

Delplan Consulting
P O Box 9956
GEORGE
6530

Email: planning@delplan.co.za

APPLICATION FOR CONSENT USE: ERF 6894, GEORGE
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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 That the application for Consent Use in terms of section 15 (2)(o) of the Land Use Planning By-Law for George Municipality, 2015 for a Place of Instruction (Pre-primary School) on part of Erf 6894, George.

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

REASONS FOR DECISION

- a. The proposed preschool poses no significant negative impact on the adjacent neighbours' amenity to privacy, sunlight and views, or cause undue traffic or parking problems;
- b. The proposed school is of an appropriate scale that would relate to the surrounding land use pattern and residential land use character of the area;
- c. The proposal complies with the Zoning Scheme restrictions applicable to the property;
- d. Considering the above, the application is found not to conflict with the spatial planning objectives 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 the provisions of the Land Use Planning By-law for the George Municipality, 2015, the Consent Use shall lapse if not implemented within a period of five (5) years from the date of approval and/or if the following conditions are not adhered to;
2. This approval shall be taken to cover only the application as approved for as indicated on the Site Plan ANNEXURE 4 dated October 2020 drawn by Delplan Consulting 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. The approval is limited to the development of a pre-school facility linked to George South Primary School and permission must be obtained from the Directorate for it to be used by any other entity or educational institution.
4. A building plan be submitted for approval in accordance with the National Building Regulations (NBR). The structures erected must be of similar design and complement the structures already erected on the property;
5. The application will be regarded as implemented on implementation of the building plan.

DIRECTORATE: CIVIL ENGINEERING

6. 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.
7. Any, and all, costs directly related to the development remain the developers' responsibility;
8. 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 7 applicable)
9. 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 7 applicable)
10. 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)
11. 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;

12. 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;
13. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable.
14. Municipal water is provided for potable use only. No irrigation water will be provided;
15. If required, the developer is to have a Traffic Impact Statement (TIS) conducted by a registered traffic engineer. The terms of reference of the TIS are to be finalised with the Dept: Civil Engineering Services together with any other approving authority, and who must also approve the TIS. 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;
16. Maintenance and/or upgrading of all private / servitude roads are the responsibility of all the owners who make use thereof.
17. The discharge of surface stormwater is to be addressed by the developer. Condition (7) applies. All costs related is for the developer;
18. 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;
19. Adequate parking with a hardened surface must be provided on the premises of the proposed development;
20. No private parking will be allowed in the road reserve;
21. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval. Condition (7) applies. All access must comply with the GIZS 2017;

DIRECTORATE: ELECTROTECHNICAL ENGINEERING SERVICES

22. 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;
23. 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;
24. Any, and all, costs directly related to the development remain the developers' responsibility.

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 28 MAY 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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