

OUR REF: Farm Kraaibosch 195/88, George

DATE: 1 December 2020

**REGISTERED MAIL**

Jan Vrolijk Tpwplanner  
P O Box 710  
**GEORGE**  
6530

**PROPOSED REZONING , SUBDIVISION AND DEPARTURE : FARM  
KRAAIBOSCH 195 PORTION 88, DIVISION GEORGE**

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 applications on Portion 88 of the Farm Kraaibosch 195, Division George:

1. Rezoning in terms of Section 15 (2)(a) of the Land Use Planning By-law for George Municipality, 2015 of Farm Kraaibosch 195/88, Division George from Agriculture Zone I to a Subdivisional Area to permit for 3 Transport Zone II (public Street) erven, 1 General Residential Zone II erf (density of 35 du/ha), and an Estate Housing development comprising 126 Single Residential Zone II (dwelling house) erven (density of 17du/ha) , 112 Single Residential Zone II (group housing) erven (density of 26du/ha), 1 Single Residential Zone II (private street) erf and 2 Single Residential Zone II (private open space) erven;
2. Subdivision in terms of Section 15 (2)(d) of the Land Use Planning By-law for George Municipality, 2015 of the Subdivisional Area into the following:
  - (a) 3 Transport Zone II (Public Street) erven;
  - (b) 1 General Residential Zone II erf (density of 35 du/ha);
  - (c) 126 Single Residential Zone II (dwelling house) erven (density of 17du/ha);
  - (d) 112 Single Residential Zone II (group housing) erven (density of 26du/ha);
  - (e) 1 Single Residential Zone II (private street) erf; and
  - (f) 2 Single Residential Zone II (private open space) erven

3. Permission in terms of the provisions of Section 60 of the Land Use Planning Bylaw for George Municipality, 2015 to phase the development over 5 phases (as shown on Figure 1 of the subdivision plan) as follows:

- (a) Phase 1: Date of approval plus 15 months;
- (b) Phase 2: 15 to 30 months;
- (c) Phase 3: 30 to 42 months;
- (d) Phase 4: 42 to 54 months;
- (e) Phase 5: 54 months plus;

4. Departure in terms of Section 15(2) (b) of the Land Use Planning Bylaw for George Municipality, 2015 to relax the street boundary building line applicable to the Group Housing erven in the Estate Housing development from 5m to 3m;

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

#### REASONS FOR DECISION

1. The development proposal submitted is found to be in line with the character of the surrounding built and natural environment;
2. The development will not impact negatively on the surrounding residential character nor on any neighbour's right or amenity;
3. The application is not inconsistent with the principles of SPLUMA and LUPA;
4. The development is aligned with most of the spatial planning objectives, policies and guidelines contained in the George MSDF, 2019;

#### CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT

1. That in terms of Sections 17(5), 18(2) and 22(1) of the Land Use Planning By-law for the George Municipality, 2015, the above approval shall lapse if not implemented within a period of 5 years from the date of this approval.
2. The approval shall be taken to cover only the applications applied for as shown on the Rezoning and Subdivision Plan 195/88 SDP Rev 1 dated 11 November 2020 drawn by Jan Vrolijk Town Planner attached as **Annexure "B"** which bears Council's stamp and shall not be construed to comply with any other Council requirements or legal provision.
3. A Homeowners' Association must be established in terms of Section 29 (1) of the Land Use Planning By-Law for George Municipality, 2015. All owners of residential units the the development as well as any Body Corporate established for a Sectional Title Scheme, are required to be a member of the Home Owners Association (HOA).
4. The HOA will be responsible for the maintenance and management of all common property, external boundary walls and fences, entrance gates, private streets including street lighting and stormwater infrastructure, private open spaces and private services infrastructure arising from the development.
5. The Home Owners Association must submit the HOA Constitution to the Directorate: Planning and Development for consideration and approval. No

transfer or Certificate of Registered Title will be granted for the subdivided portions or the opening of a sectional title register without the constitution first being approved.

6. Architectural Guidelines for the development must be submitted to the Directorate: Planning and Development for consideration and approval prior to the submission of building plans. The implementation, enforcement and management of the guidelines will be the responsibility of the HOA.
7. A site development plan for the entire development must be submitted in accordance with Section 23(2) of the George Integrated Zoning Scheme Bylaw, 2017 and Section 65 (2) of the Land Use Planning Bylaw, 2015 to the satisfaction of the Directorate: Planning and Development, for approval prior to or with the submission of Architectural Guidelines.
8. The developer must submit a servitude right of way agreement signed with the owner of Kraaibosch 195/21, Division George for temporary access to the development with the site development plan should the road reserve not yet be expropriated by the George Municipality at the time of submission of the SDP.
9. The rezoning and subdivision approval will only be regarded as implemented on compliance with Section 22 (1) of the Land Use Planning Bylaw for George Municipality, 2015.
10. Building plans must be submitted to the George Municipality for approval in accordance with the National Building Regulations (NBR). No Building Plans, except for structures required to secure the development, will be considered unless Conditions 3. to 9. above have been complied with.

#### **CONDITIONS OF THE DIRECTORATE: ELECTRO-TECHNICAL SERVICES**

11. Capital contributions are payable for electricity for each equivalent portion created as per standard tariffs for George by the applicant, based on the development proposal submitted applicable on approval of building plans. The total amount payable will be determined by the Department Electro-technical Services, and will be subject to annual adjustment should development not commence immediately after approval of building plans.
12. Any, and all, costs directly related to the development remain the owner's responsibility.
13. All electrical link and internal services as well as the upgrades to the existing network, are to be designed by a registered consulting engineer in accordance with George Municipal specifications. All drawings and plans are to be submitted to the Department Electro-technical Services, (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 Department Electro-technical Services with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer.

## CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

14. 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.
15. 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.
16. 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.
17. Any, and all, costs directly related to the development remain the developers' responsibility.
18. Each new portion created must have separate water and sewer connections.
19. 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 15 applicable).
20. 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 15 applicable).
21. 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 15 applicable).

22. No development may take place within the 1:100 year flood line or on slopes steeper than 1:4.
23. Servitudes must be registered for any pipeline not positioned within the normal building lines.
24. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required.
25. Provisions for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services.
26. 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.
27. Transfers, Certificates of Registered Title, 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.
28. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable.
29. Municipal water is provided for potable use only. No irrigation water will be provided.
30. 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.
31. The developer / erf owner in conjunction with the Dept: Civil Engineering Services, is to apply to the George Municipality for the installation of an individual erf water meter prior to any building work commencing on an erf.
32. Water demand management plans are to be submitted for approved by the relevant departments/authority. All approved measures are to be implemented by the developer. The approved management plans must be incorporated into all home owner constitutions/body corporate/any such governing or controlling body.
33. Developer is to take note of an existing sewer main in the property building line of the proposed development. (Condition 15 applicable).
34. The development is subject to the availability of treatment capacity of the Outeniqua waste water treatment works. Currently the Outeniqua waste water treatment work has reached its full design capacity, and no further

development will be allowed until sufficient treatment capacity becomes available.

35. Public and private roads are to be clearly indicated on all layout plans submitted. The road reserves must be clearly indicated on all plans submitted for approval. The cadastral layout can only be approved if the road reserves have been included on plans and approved by CES.
36. The private roads and the associated stormwater and private open spaces, are to be registered as private and transferred to the HOA, or other relevant governing or controlling body. Public roads must be transferred to the George Municipality.
37. A stormwater management plan is to be submitted and approved by the relevant departments/authority. All approved measures are to be implemented by the developer. The approved management plans must be incorporated into all home owner constitutions/body corporate/any such governing or controlling body.
38. The discharge of surface stormwater is to be addressed by the developer. (Condition 15 applies). All costs related is for the developer.
39. A layout plan indicating the proposed storm water drainage must be submitted to the Dept: CES for approval. (Condition 15 applies).
40. 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.
41. Adequate parking with a hardened surface must be provided on the premises of the proposed development. No private parking will be allowed in the road reserve.
42. 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.
43. The developer will be required to construct the access road roads All roads required for access to the development will have to be fully completed prior to the approval of any transfers/rates clearances. (Condition 15 applies).
44. Should it be required, the developer is to cede any portion of property required for public road reserve, free of charge, to the relevant authority.
45. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.

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 21 DECEMBER 2020**.
- 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.

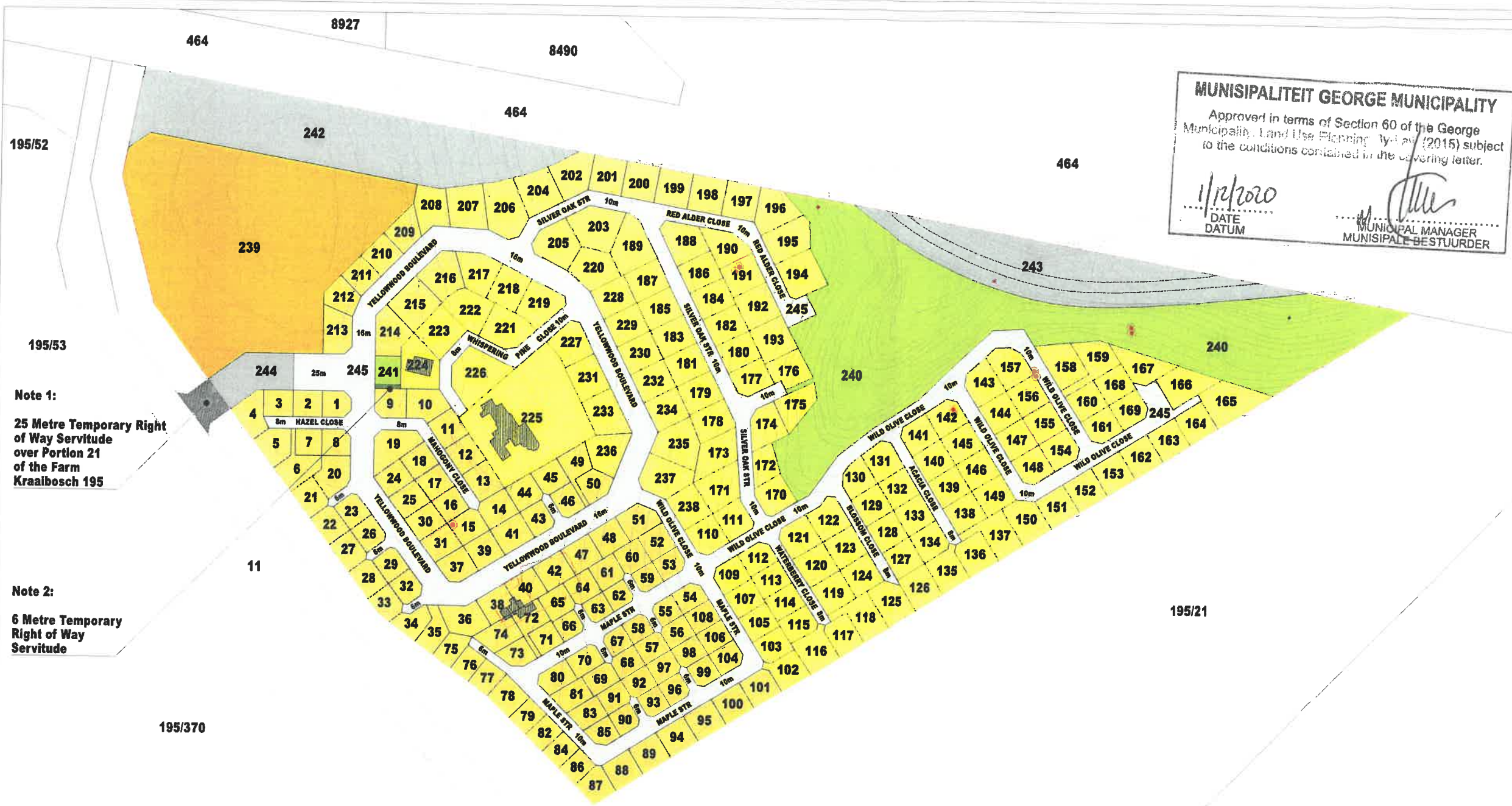
Yours faithfully



**D POWER**

**DEPUTY DIRECTOR: PLANNING AND DEVELOPMENT**

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**MUNISIPALITEIT GEORGE MUNICIPALITY**  
 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.

*1/2/2020*  
 DATE DATUM

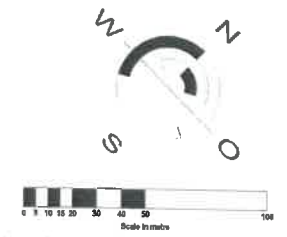
*[Signature]*  
 MUNICIPAL MANAGER  
 MUNISIPALE BESTUURDER

**Note 1:**  
 25 Metre Temporary Right of Way Servitude over Portion 21 of the Farm Kraalbosch 195

**Note 2:**  
 6 Metre Temporary Right of Way Servitude

NOTES APPLICATION

- Application is made in terms of section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2015 to rezone Portion 88 of the Farm Kraalbosch 195 from Agricultural Zone 1 to a Subdivision Area to permit 3 Transport Zone II (public street) erven as well as an Estate Housing development comprising of 126 Single Residential Zone II (dwelling house) erven (density of 174u/ha), 112 Single Residential Zone II (group housing) erven (density of 26du/ha), 1 General Residential Zone II erf, 1 Single Residential Zone II (private street) erf and 2 Single Residential Zone II (private open space) erven.
- Application is made in terms of section 15 (2)(d) of the Land Use Planning By-Law for the George Municipality, 2015 to subdivide the Subdivision Area into the following erven:
  - > 3 Transport Zone II (public street) erven (Portions 242 to 244)
  - > 126 Single Residential Zone II (dwelling house) erven (density of 174u/ha) (Portions 102, 103, 105, 107, 109 to 208 and 217 to 238);
  - > 112 Single Residential Zone II (group housing) erven (density 26du/ha) (Portions 1 to 101, 104, 106, 108 and 209 to 216);
  - > 1 General Residential Zone II erf (Portion 239);
  - > 2 Single Residential Zone II (private open space) erven (Portions 240 and 241);
  - > 1 Single Residential Zone II (private street) erf (Portion 245).
- The development will be developed in six phases as indicated on Figure 1. The following time frames will be applicable to the four phases:
  - Phase 1: Date of approval plus 6 months
  - Phase 2: Date of approval plus 12 months
  - Phase 3: From month 12 to month 24
  - Phase 4: From month 24 onwards
  - Phase 5: From month 36 onwards
  - Phase 6: From month 54 onwards
- A 5 meter wide temporary right of way servitude will be registered over the existing access driveway to the outside figure of Portions 221 to 226.
- The subdivision of portions 221 to 226 and the portion of Whispering Pine Close will be surveyed as part of Phase 5.



REVISION	DATE	DESCRIPTION	BY
WYSIGL	DATUM	BEROEWING	DEUR

**Proposed rezoning and subdivision: Portion 88 of the Farm Kraalbosch 195**

**Rezoning and subdivision plan**



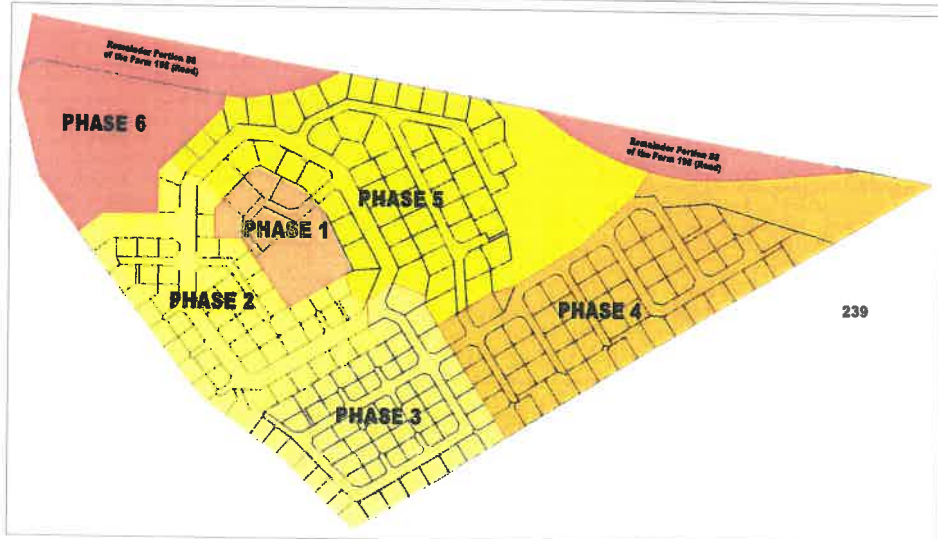
SCALE: 1: 1500 (A1) DRAWN TO SCALE

PLANNED BY	AA	PLAN No.	195/88 SDP Rev 1
DRAWN BY	AA	REV No.	195/88GEO
DATE	11 November 2020	NAME	Subdivision Plan

ALL MEASUREMENTS APPROXIMATE  
 ALLE AFMETINGS BY BENADERING

KOPIEREG VOORBEHOU / COPY RIGHT RESERVED

**FIGURE 1: PHASING PLAN**



Phase	Portion Nr
1	Outside figure of 221 to 226 including portion of Whispering Pine Close
2	1 - 50, 212 - 214, 241, 244, 245
3	51 - 110, 237, 238, 245
4	111 - 170, 245
5	171 - 211, 215 - 238, 240, 245
6	239, 242 - 243

NOTE: PHASING PLAN IS NOT DRAWN TO SCALE

**TABLE 1: LAND USE TABLE**

Portion Nr	Zoning Reference	Zoning	Area (ha)	% of Total
1 - 101, 104, 106, 108, 209 - 216		Single Residential Zone II (Group housing)	4, 33	20
102, 103, 105, 107, 109 - 208, 217 - 238		Single Residential Zone II (Dwelling house)	7, 45	34
239		General Residential Zone II (Group housing @ 35 units per hectare)	2, 01	9
240 - 241		Single Residential Zone II (Private Open Space)	2, 54	12
242 - 244		Transport Zone II (Public Road)	NA	NA (9)
245		Single Residential Zone II (Private Road)	3, 57	16
<b>TOTAL</b>			<b>19,90</b>	<b>100</b>

Note: All figures in Table 1 have been rounded of to the second decimal point

**TABLE 2: SYMBOLS**

Symbol	Description
	Existing buildings
	Fences
	Embankments
	Electricity poles
	Servitude Areas (Refer to plan notes)
	Contours (1 metre)