

Reference number: Erf 1735, George

Date: 01/12/2020

Enquiries: Marisa Arries

janvrolijk@vodamail.co.za

JV TOWN PLANNER
PO BOX 710
GEORGE
6530

**APPLICATION FOR REZONING: ERF 1735, MERRIMAN STREET,
GEORGE**

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 Rezoning in terms of Section 15 (2) (a) of the Land Use Planning Bylaw for George Municipality, 2015 of Erf 1735, George from "Single Residential Zone I" to "Business Zone I";

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

REASONS FOR DECISION

- (i.) The proposal will not detract from the surrounding land use character;
- (ii.) The subject property is located in the CBD where business development is encouraged;
- (iii.) The proposal will not create any negative impacts on the adjacent neighbours' amenity and rights to privacy, sunlight and views;
- (iv.) The development proposal is not in conflict with the spatial planning objectives for the surrounding 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 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 Rezoning for in accordance with the Site Plan 20-40 dated 12 February 2020 drawn by JM attached as "Annexure A" which bears

Council's stamp and shall not be construed as to comply with any other Council requirements or legal provision;

3. A building plan for the conversion of the dwelling houses into offices be submitted for approval in accordance with the National Building Regulations (NBR);
4. The application will be regarded as implemented on implementation of the approved building plans.

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

5. 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;
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 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;
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 6 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 6 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 6 applicable);
11. The applicant is to comply with the National Forests Act No 84 of 1998, should it be required;

12. Provision for the removal of solid waste is to be addressed in conjunction with the Dept: Environmental Services;
13. 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;
14. 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.
15. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable;
16. Municipal water is provided for potable use only. No irrigation water will be provided.
17. The development is subject to the availability of treatment capacity of the applicable treatment plants.
18. The discharge of surface stormwater is to be addressed by the developer. Condition (6) applies. All costs related is for the developer.
19. All proposed Public Open Spaces are to be landscaped and finished to the satisfaction of the Dept: Civil Engineering Services and Dept: Environmental Services;
20. 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;
21. Adequate parking with a hardened surface must be provided on the premises of the proposed development;
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. No private parking for the development will be allowed in the public road reserve;
24. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to relevant departments for approval. Condition (6) applies;
25. As only a general layout 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: CES before the final layout can be approved. Minimum width of Municipal road reserve is 10m and for panhandle erven access is 4m;
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.

DIRECTORATE: ELECTROTECHNICAL ENGINEERING 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-built 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 **22 December 2020**.
- 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

S:\SHARED TEGNIES\MARISA ARRIES\Approvals& Final Approvals\Erf 1735George(rezoning_approval letter)janvrolijk.docx

