



Keith Meyer  
Senior Land Use Regulator  
Directorate: Planning and Development  
Department: Planning  
E-mail: [kbmeyer@george.gov.za](mailto:kbmeyer@george.gov.za)  
Tel: +27 (0)44-801 9435  
Fax: +27 (0)86 529 9985

*Bepanning en Ontwikkeling  
Planning and Development*

Reference / Verwysing: Erf 8015 George  
Date / Datum: 9 October 2020  
Enquiries / Navrae: Keith Meyer

[ianvrolijk@vodamail.co.za](mailto:ianvrolijk@vodamail.co.za)

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

**REZONING AND DEPARTURE: ERF 8015, AKASIA STREET, GEORGE**

Your application in the above refers.

The Eden Joint Municipal Planning Tribunal – George Municipality, meeting held on 29 September 2020 resolved:

That, notwithstanding the objection received and considering the findings in the town planner's report, the following application applicable Erf 8015, George:

- (a) Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-Law for the George Municipality, 2015 of Erf 8015, George from "Single Residential Zone I" to "General Residential Zone III";
- (b) Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for the George Municipality, 2015 for the provisions of Section 45(4)(a) of the George Integrated Zoning Scheme Bylaw, 2017 to have 2 accesses of 6.17m and 4.495m wide respectively on Erf 8015, George;

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

- (i). The proposed development will not have an adverse impact on the character of the area or the environment;
- (ii). The development complies with all the development parameters as prescribed in the Zoning Scheme;
- (iii). The proposed development, in consideration of the need for densification, will not have an adverse impact on the adjacent neighbours' amenity and right to privacy.
- (iv). The development of the proposed town houses (1-bedroom units) contribute to the mix of housing typologies provided in this area;
- (v). The proposal is in line with the spatial planning development objectives for the area;

Subject to the following conditions imposed in terms of Section 66 of the said Planning By-Law:

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

1. That in terms of the Land Use Planning By-law for the George Municipality, 2015, the applications shall respectively lapse if not acted upon within a period of five (5) years from the date of approval;
2. That a site development plan, in terms of Section 23 of the Zoning Scheme, be submitted to the satisfaction of the Directorate: Planning and Development for approval prior to the submission of building plans;
3. A 6m setback must be provided at the access gate(s) to allow for adequate vehicle stacking distances.
4. No trees on the property shall be lopped, topped, felled, removed or disturbed in any way without the prior written approval of the Directorate: Community Services. This condition also extends underground to include the area of the root zone. The trees agreed to be retained must be indicated on the site development plan.
5. That all property owners within the town housing development shall become members of Body Corporate. The Body Corporate shall be responsible for all communal property and private infrastructure and services provided in the development.
6. Architectural Guidelines need to be approved prior to the approval of the SDP. The development needs to comprise of materials and colours that originate from or blend into the surrounding landscape. The Body Corporate shall be responsible to ensure that the architectural guidelines are adhered to;
7. Building plans may only be submitted for approval in accordance with the National Building Regulations (NBR) after the approval of the SDP and architectural guidelines.
8. The approval will only be regarded as implemented on the commencement of building works in accordance with an approved building plan.

#### **CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES:**

9. 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, unit or the approval of building plans, or on application for a CRT, 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.
10. 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. A Technical Report and 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 or occupational certificate will be approved before all the civil services have been satisfactorily installed and as-builts submitted electronically, as well as the surveyors plan.
11. Any, and all, costs directly related to the development remain the developers' responsibility.
12. Each new portion created must have separate water and sewer connections
13. 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 10 applicable).
14. 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 10 applicable).
  15. 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 10 applicable).
  16. Servitudes must be registered for any pipeline or service not positioned within the standard building lines.
  17. Provisions for the storage and removal of solid waste is to be addressed in conjunction with the Directorate: Community Services.
  18. 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.
  19. 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.
  20. Developer responsible to obtain the necessary approval / way leaves from third parties which include, but not limited to the following: Telkom & Fibre optical cable.
  21. Municipal water is provided for potable use only. No irrigation water will be provided.
  22. 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.
  23. 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.
  24. The development is subject to the availability of treatment capacity of the applicable treatment plants.
  25. The private roads and the associated stormwater and private open spaces are to be registered as private and transferred to the Body Corporate, or other relevant governing or controlling body. Public roads must be transferred to the George Municipality.
  26. 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.
  27. Maintenance and/or upgrading of all private / servitude roads are the responsibility of all the owners who make use thereof.
  28. The discharge of surface stormwater is to be addressed by the developer. Condition (10) applies. All costs related is for the developer.



29. 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.
30. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
31. No private parking will be allowed in the road reserve.
32. 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.
33. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.

#### **CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES:**

34. 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.
35. 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.
36. Any, and all, costs directly related to the development remain the developers' responsibility.
37. Each new portion created must have a separate electrical connection and it may not cross any other portion.

You have the right to appeal to the Appeal Authority against the decision/conditions of approval of the Eden Joint Municipal Planning Tribunal – George Municipality, 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 the Appeal Authority and received by the Municipal Manager, P O Box 19, George, 6530 or Directorate: Planning, 5th floor, Civic Centre, York Street, George **on or before 30 October 2020** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard.

The notice must be served in accordance with section 115 of the Municipal Systems Act and in accordance with the additional requirements as may be determined by the Municipality. The notice must allow persons 21 days from date of notification of the appeal to comment on the appeal. Proof of the notification must be submitted to the Municipality, within 14 days of the date of notification.

An appeal that is not lodged within the 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.

Please also 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(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully



**D POWER**

**ACTING DIRECTOR: PLANNING AND DEVELOPMENT**

P:\New By Law Approvals\Erf 8015 George (rez, dep approval) jan vrolijk.docx