

**Menslike Nedersettings, Beplanning en Ontwikkeling
Human Settlements, Planning and Development**

Collaborator No.: 2547632
Reference / Verwysing: Portion 177 of Farm 195 Kraaibosch
Date / Datum: 01 March 2024
Enquiries / Navrae: Primrose Nako

Email: john@blrland.co.za

Bailey and Le Roux Professional Land Surveyors
P O Box 9583
GEORGE
6530

**APPLICATION FOR SUBDIVISION AND PERMANENT DEPARTURE: PORTION 177 OF FARM NO
195 KRAAIBOSCH, DIVISION GEORGE**

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that the following applications as reworded correctly and applicable to Portion 177 of Kraaibosch Farm 195, Division George for:

1. Subdivision in terms of Section 15(2)(d) of the Land Use Planning By-Law for George Municipality, 2023 of Portion 177 of Kraaibosch Farm 195, Division George into 2 portions:
 - a) Portion A measuring 1.91ha; and
 - b) Portion B measuring 1.1ha
2. Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for relaxation of the northeastern boundary building line from 10m to 5m on the proposed Portion B.

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

REASONS FOR DECISION

- (i) The proposed subdivision does not detract from the surrounding rural and land use character.
- (ii) With sufficient mitigation measures, the proposal will not have an adverse impact on the surrounding natural environment nor result in a further fragmentation of the natural environment.
- (iii) The subdivision is not intended to expand on the existing development rights since the 2 portions already contain primary dwelling units but is rather a mechanism to create 2 separate titles.
- (iv) The application is not in conflict with the spatial planning objectives for the area.

Subject to the following conditions imposed in terms of Sections 66 of the said By-law, namely:

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT

General conditions

1. That in terms of the Land Use Planning By-law for the George Municipality, 2023, the subdivision and departure approval shall lapse if not implemented within a period of five (5) years from the date it comes in operation.
2. This approval shall be taken to cover only the subdivision and departure applications as applied for and indicated on the subdivision plan (Plan No. 195G27C) dated September 2022, drawn by Bailey and Le Roux Professional Land Surveyor 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.

Conditions on development control

3. Portion B shall be restricted to the development of one dwelling unit only. This restriction must be imposed in the title deed of this portion.
4. No new structures shall be permitted below the 160m contour line.
5. An alien eradication and rehabilitation plan for Portion B must be submitted to the Directorate for consideration and approval.

Subdivision conditions

6. That a right of way servitude, of not more than 6m wide, be registered over Portion A in favour of Portion B. The said servitude should be indicated on the relevant SG diagram and the necessary endorsement to be made in the respective Title Deeds.
7. The approval will only be regarded as implemented on the approval of the SG Diagrams by the Surveyor General as well as the registration of at least one portion in terms of the Deeds Registries Act.
8. An approved Surveyor General diagram be submitted to the Directorate: Planning and Development for record purposes.

Notes

- a) *Should it be required, the conveyancing attorney may repeal and remove the restrictive conditions*
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 Land Use Planning By-Law for George Municipality, 2023, in terms of Act 21 of 1940 such that these conditions are not carried over into any new Title Deeds that may be created.
- b) *That on-going clearing of alien invasive vegetation take place in terms of the Conservation of Agricultural Resources Act 43 of 1983 (CARA).*
- c) *That all attempts be made not to harm indigenous plants or wild animals (including reptiles, birds etc).*
- d) *Any perimeter fences should be faunal permeable and limited to 1.2m in height. Fences should be visible to wildlife, including birds, by fitting reflective or colourful weather-resistant flags (e.g., aluminium or plastic strips) to the wire.*
- e) *Fencing around structures must be permeable and confined to an area of 1000m² around each house to provide for the movement of the wildlife to and between adjacent areas.*
- f) *As built plans for the respective portions be submitted for all structures in accordance with the National Building Regulations (NBR).*
- g) *Stormwater management needs to be addressed to the satisfaction of the Civil Engineering Department as part of the Building Plans.*
- h) *Stormwater attenuation must be designed to prevent erosion or harm to surrounding natural and riverine areas.*
- i) *Provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Environmental Services.*
- j) *The applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.*



- k) The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.
- l) No development may take place within the 1:100-year flood line or on slopes steeper than 1:4.

CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

10. The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:
11. The amounts of the development charges are reflected on the attached (**Annexure B**) calculation sheet dated 17/07/2023 and are as follows:
- Roads: R 8 890.10 Excluding VAT
 - Sewer: R
 - Water: R
 - Total: R 8 890.10 (Excluding VAT)**
12. The total amount of the development charges of **R 8 890.10** (excluding VAT) shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
13. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 11 above, which may lead to an increase or decrease in the proportional contribution to municipal public expenditure, will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.
- Note:** The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to transfer of a portion to obtain a final calculation.*
14. As provided in section 66(5B)(b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of **R 8 890.10 (excluding VAT)** shall be adjusted in line with the consumer price index published by Statistics South Africa up to the date when payment is made in terms of Condition 12 above.
15. Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
16. All services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, 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 by a suitable qualified/registered electrical contractor 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 municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.
17. Any, and all, costs directly related to the development remain the developers' responsibility.
18. Only one connection permitted per registered erf (water and sewer connections). Condition 16 applies.
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 and the owner of the other erf (Condition 16 applies).
20. Any service from another erf that 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 16 applies).
 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 16 applies).
 22. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.
 23. 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 Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.
 24. The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
 25. No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
 26. No potable municipal water service is available at present. Should a municipal network in future be extended to this area, the owner will be compelled, at own cost, to connect to the network. A Development Charge for water will then become payable in accordance with the approved DC Guidelines at the time of connection.
 27. No municipal waterborne sewer service is available at present. Should a municipal network in future be extended to this area, the owner will be compelled, at own cost, to connect to the network. A Development Charge for sewer will then become payable in accordance with the approved DC Guidelines at the time of connection.
 28. A conservancy tank, or alternative approved sewer disposal method, must be installed at the Developer/owner's cost. The Developer/owner is to appoint a private contractor, at own expense, to service the tank, and the disposal of the content is to be via an approved disposal method. The installation of a septic tank may be considered if the required percolation tests are within the accepted norms.
 29. No municipal road network is currently available. Should a municipal network in future be extended to this area, the owner will be compelled, at own cost, to link to the road network. A Development Charge for roads will then become payable in accordance with the approved DC Guidelines at the time of connection.
 30. 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.
 31. Maintenance and/or upgrading of all private / servitude roads are the responsibility of all the owners who make use thereof.
 32. The discharge of surface stormwater is to be addressed by the developer. Condition 16 applies. All related costs are for the developer. The developer is to consult with the Dir: CES to ensure that stormwater planning is done online with the available stormwater master plans.
 33. A layout plan indicating the proposed storm water drainage must be submitted to the Dir: CES for prior approval. Condition 16 applies.
 34. 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.
 35. Adequate parking with a hardened surface must be provided on the premises of the proposed development.
 36. No private parking will be allowed in the road reserve.
 37. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval. Condition 16 applies.



38. The approval of the layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dir: CES. A site development plan is to be submitted to the Dir: CES, or any other relevant authority for approval prior to any construction work taking place.
39. The developer may be required to construct certain roads in lieu of a financial contribution towards the George Master Plan roads. All roads required for access to the development will have to be fully completed prior to the approval of any transfers/rates clearances. The developer's financial contribution towards the roads in the George Master Plan will be determined in accordance with the applicable financial cost sharing model.
40. 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.
41. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
42. Access to parking must conform to George Integrated Zoning Scheme 20123, and sufficient stacking distance should be allowed for, and indicated on the Site development Plan.
43. Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme 2023 parking requirements and vehicles must, in terms of Clause 46(b) readily leave the site without reversing across the sidewalk.

CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL SERVICES

44. The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:
45. The amounts of the development contributions are reflected on the attached (Annexure B) calculation sheet dated 21/07/2023 and are as follows:

Electricity: R 0.0 Excluding VAT

46. The total amount of the development charges of R 0.0 Excluding VAT shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
47. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 45 above, which may lead to an increase or decrease in the proportional contribution to municipal public expenditure, will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

***Note:** The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to the transfer of a portion to obtain a final calculation.*

48. As provided in section 66(5B)(b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R 0.0 Excluding VAT shall be adjusted in line with the consumer price index published by Statistics South Africa up to the date when payment is made in terms of paragraph 46 above.
49. Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
50. All services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, 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 by a suitable qualified/registered electrical contractor



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 municipal services have been satisfactorily installed and as-builts submitted electronically as well as the surveyor's plan.

51. Should more than two developments/properties be party to or share any service, the Dir: CES & ETS will in conjunction with the parties determine the pro-rata contributions payable.
52. Any, and all, costs directly related to the development remain the developers' responsibility.
53. Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 50 applies.
54. 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 and the owner of the other erf. (Condition 50 applicable)
55. Any service from another erf that 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 50 applicable)
56. 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 50 applicable)
57. Should it be required, a services agreement is to be drawn up between the developer and the George Municipality, by an attorney acceptable to the Municipal Manager. All expenses will be for the developer.
58. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines. Servitudes must be registered for all electrical services traversing erven.
59. 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 Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.
60. The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
61. No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.

Electrotechnical conditions

62. In all cases, where individual customer applies for a supply capacity exceeding that provided for in the calculation of DCs and for the developer paid, will be subject to additional DCs based on the rates applicable at the time.
63. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
64. Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
65. The developer and/or an owner of an erf shall see to it that no Small-Scale Embedded Generation (SSEG) are installed on an erf, any portion of an erf or the development, without prior approval from the ETS. Should any SSEG be installed within any part of the development the Electrotechnical Services will within their discretion either implement applicable penalties and/or disconnect the relevant point of supply.
66. Where DCs have been applied for a particular section of the network, but the developer is requested to install and fund a part of the section of network, such work will be credited against DCs calculated.
67. Installation of ripple relays are compulsory for all geysers with electrical elements.
68. All LV work must be installed and be funded by the developer / customer.
69. The Electricity DC charge excludes any MV/LV and LV network costs. The customer will be quoted separately for any upgrade work required.



70. Rural connection: Capital contributions will be payable by the applicant as part of the electrical connection on application for an electrical connection. The Capital contribution will be determined by the department ETS, based on the size of the connection at the standard prevailing DCs calculation methodology for rural connections.
71. No electricity may be consumed within, or by any part of the development, without the consumption of the supply being metered and billed by a municipal meter (prepaid or credit). All cost, installation and consumption, will be for the cost of the developer. Standard application process will apply.
72. Each new portion created must have separate electrical connection and it may not cross any other portion. Each consumer will have to enter into a separate supply agreement with the Municipality. For new consolidated erven it will be the responsibility of the owner/developer to make the necessary arrangements with the Electrotechnical Services Department to remove all the unused electrical services. All costs will be for the owner/developer.
73. All electrical infrastructure downstream of the electrical supply point, the LV breaker in the low-voltage kiosk, will remain the responsibility of the various owners/developer. The electrical network above the LV breaker will be deemed part of the George Municipality distribution network and will be transferred to the municipality at no cost, who will assume responsibility for the maintenance thereof.
74. All renewable energy SSEG installations to be approved by the Municipality prior to installation.

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 Land Use Planning By-Law for George Municipality, 2023.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Human Settlements, Planning and Development, P O Box 19, George, 6530 or Directorate: Human Settlements, Planning and Development, 5th floor, Civic Centre, York Street, George **on or before 22 MARCH 2024** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. *Please also note that the appeal must be e-mailed to the administrative officer mentioned above.*

An appeal that is not lodged within the applicable period mentioned above or that does not comply with Section 79 of the Land Use Planning By-Law for George Municipality, 2023, will be deemed invalid in terms of Section 80 of said By-Law.

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 Land Use Planning By-Law for George Municipality, 2023, 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



C. PETERSEN

SENIOR MANAGER: TOWN PLANNING

C:\scan\Portion 177_195 Kraaibosch (Subdivision & Permanent Departure) Bailey & Le Roux.docx



**SUBDIVISION PLAN
APPLICATION TO SUBDIVIDE**
 FRAMED IN TERMS OF SECTION 36 OF ACT 3 OF 2014
 AND SECTION 15 OF THE GEORGE MUNICIPALITY
 LAND USE PLANNING BY-LAW

Proposal:
 The figure A B C middle of stream d represents 3,0112 hectares of land being Portion 177 of Farm Kraai Bosch No 195 Situate in the Municipality and Administrative District of George. It is proposed to subdivide Portion 177 into Portions A and B of approximately 1,91 and 1,1 hectares respectively.

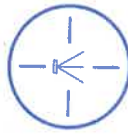
Servitude
 The line e B represents the northwestern and northern boundary of a proposed servitude right-of-way 6m wide
Contours at 5m interval

SCALE - 1 : 2000 (A3)
PROPERTY: Portion 177 of Farm Kraai Bosch No 195
OWNER: C F Henry
DIAGRAM: 4487/1987
TRANSFER: T19570/2001
ZONING: Agricultural Zone II

C ref./verw.
 ENDORSEMENTS :

DATE	AMENDMENT	No.
25/01/2024	Ptn A building plotted	C
24/01/2024	10m building line shown	B

Prepared by me
 in September 2022



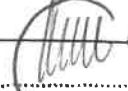
BAILEY & LE ROUX
 Professional Land Surveyors
 88 Meade Street, P O Box 9583
 GEORGE 6530, Telephone (044)8745315

PLAN No. 195G27C




MUNICIPALITY OF GEORGE MUNICIPALITY
 Approved in terms of the Municipal Land Use Planning By-Law (2013) subject to the conditions contained in the covering letter.

01/03/2024
 DATE
 DATUM


 SENIOR MANAGER: TOWN PLANNING
 BESTUURSKAMER: STADSPLANNING

Development Charges Calculator Version 1.00 2023/07/04



Erf Number: Portion 177 / 195

Allotment area: George

Elec DCs Area/Region: George Network

Elec Link Network: MV/LV

Elec Development Type: Normal

Developer/Owner: C F Henry

Erf Size (ha): 3,12

Date (YYYY/MM/DD): 2023-07-21

Current Financial Year: 2023/2024

Collaborator Application Reference: 2547632

Code	Land Use	Unit	Total Existing Right	Total New Right
OTHERS			kVA	kVA
	Others. No further diversity applied, (as applied by consultant)	Actual kVA (ADMD)	25	25

Is the development located within Public Transport (PT1) zone? Please select


Yes

Service	Units	Existing demand (ADMD)	New demand (ADMD)	Unit Cost	Amount	VAT	Total
Electricity	kVA	25,00	25,00	#DIV/0!	R 0,00	R 0,00	R 0,00
Total bulk engineering services component of Development Charge payable					R 0,00	R 0,00	R 0,00

Link engineering services component of Development Charge

Total Development Charge Payable

City of George

Calculated (ETS): 

Signature: _____

Date: July 21, 2023

NOTE : In relation to the Increase pursuant to section 66(5B)(b) of the Planning By-Law (as amended) In line with the consumer price index published by Statistic South Africa) using the date of approval as the base month

Notes:


Departmental Notes:

For the internal use of Finance only


Service	Financial code/Key number	Total
Electricity	41220-000000	R 0,00

Annexure B - DC Calculation


Version 3.00 (July 2023)



GEORGE
THE CITY FOR ALL REGIONS



GM DC policy



GM Integrated Zoning Scheme By Law 2017

Erf Number * **Portion 177 of 195**

Allotment area * **George**

Water & Sewer System * **George System**

Road network * **George**

Developer/Owner * **C F Henry**

Erf Size (ha) * **3,0112**

Date (YYYY/MM/DD) * **2023-07-17**

Current Financial Year **2023/2024**

Collaborator Application Reference **2547632**

Code	Land Use	Unit	Total Existing Right	Units	Total New Right
	Residential housing (>1 500m ²) Erf	Unit		1	2

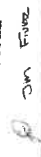
Please select Yes

Service	Units	Additional Demand	Unit Cost	Amount	VAT	Total
Roads	trips/day	4,00	R 2 222,53	R 8 890,10	R 1 333,52	R 10 223,62
Sewerage	k/day	0,50	R 44 780,00	R 0,00	R 0,00	R 0,00
Water	k/day	1,00	R 42 320,00	R 0,00	R 0,00	R 0,00
Total bulk engineering services component of Development Charge payable				R 8 890,10	R 1 333,52	R 10 223,62

Link engineering services component of Development Charge

City of George

Calculated (CES): **JM Fivaz**

Signature:  **Date:** **July 17, 2023**

NOTE : In relation to the increase pursuant to section 66(5B)(b) of the Planning By-Law (as amended) in line with the consumer price index published by Statistic South Africa) using the date of approval as the base month

Notes:

Departmental Notes:

For the internal use of Finance only

Service	Financial code/Key number	Total
Roads	20220703048977	R 10 223,62
Sewerage	20220703048978	R 0,00
Water	20220703048981	R 0,00
		R 10 223,62