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

Collaborator No.:

3385651

Reference / Verwysing: Erf 291, Herolds Bay

Date / Datum:

04 April 2025

**Enquiries / Navrae:** 

**Marisa Arries** 

Email: marlize@mdbplanning.co.za

MARLIZE DE BRUYN TOWN PLANNER PO BOX 2359 **GEORGE** 6530

## APPLICATION FOR REZONING AND PERMANENT DEPARTURE: ERF 291, DOLFYN STREET, **HEROLDSBAY**

Your application in the above regard refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.17.1.17 of 30 June 2023 decided the following:

A. That the application in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) for Administrators consent in terms of condition B(7) in T43706/2018 to allow for the relaxation of the rear building line from 3.0m to 2.0m on Erf 291, Herolds Bay BE APPROVED for the following reasons:

## **REASONS FOR DECISION**

- i. To enable a rear building line in accordance with the George Integrated Zoning Scheme By-Law, 2023.
- B. That, notwithstanding the objections received, the following applications applicable to Erf 291, Herolds Bay:
  - 1. Rezoning in terms of Section 15(2)(a) of the Land Use Planning By-law for the George Municipality, 2023 of Erf 291 Herolds Bay from Single Residential Zone I (dwelling house) to General Residential Zone I (double dwelling house);
  - 2. Permanent departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for the following on Erf 291, Herolds Bay;
    - a) relaxation of the western and eastern side boundary building line from 3.0m to 2.0m for the new double dwelling house;
    - b) increase in the total floor space of each unit from 250m<sup>2</sup> to 287m<sup>2</sup> (37m<sup>2</sup>).

BE APPROVED in terms of Section 60 of the Land Use Planning Bylaw for George Municipality, 2023 for the following reasons:

### **REASONS FOR DECISION:**

- 1. The proposed development complies with the spatial planning development objectives for the area.
- Since the density and height of the proposed development remain consistent with the rights for a 'dwelling house', and the dwelling is designed as a single architectural entity, the proposed development, in terms of its massing and scale, is not expected to have a negatively impact on the character of the area or the streetscape.
- Based on the comparison of the existing and proposed zoning, it can be concluded that the proposed development will not have a greater impact on the surrounding neighbors' rights regarding privacy, views, and access to sunlight than a 'dwelling house' and 'second dwelling' would have had.
- Due regard is given for the grounds of objection and it is confirmed that the execution of the rights applied for, will result in lesser scale and massing than what is permitted on the existing surrounding Single Residential properties.

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

# CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT:

## General

- That in terms of the provisions of the Land Use Planning By-law for the George Municipality, 2023, the approval shall lapse if not implemented within a period of five (5) years from the date it comes into operation.
- 2. This approval shall be taken to cover only the rezoning, and departures as applied for as indicated on the Site Layout & Building Plans plan no. M001– M007 dated 2024/08/23 (7x plans) drawn by MSMITH Architectural Group 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 will be considered as implemented on the commencement of building works in accordance with the approved building plan.

## CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES

- 4. 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:
- 5. The amounts of the development contributions are reflected on the attached (Annexure B)- calculation sheet dated 16/09/2024 and are as follows:

Roads	R 2884.48;	<b>Excluding VAT</b>
Sewer	R 18 401.33;	Excluding VAT
Water	R 20 130.96	Excluding VAT

Total R 41 416.77 **Excluding VAT** 

- 6. The total amount of the development charges of R41 416.77 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.
- 7. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 5 above, which might lead to an increase 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 submission of the subdivision plan to ascertain what information they require to provide a more accurate calculation.







- 8. 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 R41 416.77 Excluding VAT shall be adjusted in line with the consumer price index published by Statistic South Africa up to the date when payment is made in terms of paragraph 6 above.
- 9. 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.
- 10. 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 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.
- 11. Any, and all, costs directly related to the development remain the developers' responsibility.
- 12. Only one connection permitted per registered erf (water and sewer connections). Condition 10 applies.
- 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 and the owner of the other erf. (Condition 10 applicable)
- 14. 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 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. Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.
- 17. 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.
- 18. 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.
- 19. 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.
- 20. Municipal water is provided for potable use only. No irrigation water will be provided.
- 21. A water meter must be installed by the developer prior to construction to monitor water usage during the construction phase. The Dir: CES (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 the applicable annual 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 Dir: CES.
- 22. Developer is to take note of an existing sewer main in the proposed development. (Condition 10 applicable)
- 23. The development, in its entirety or in phases, is subject to confirmation by the Dir. CES of the availability of Water and Sanitation bulk treatment capacity at the time of the development implementation, or if developed in phases before the commencement of each phase. A development/implementation program is to be provided by the Developer when requesting confirmation of this capacity from the Dir. CES. If the Developer does not adhere to the program the Dir. CES will be entitled to revise the availability of such bulk capacity.
- 24. The discharge of surface stormwater is to be addressed by the developer. Condition 10 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.
- 25. 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.
- 26. Adequate parking with a hardened surface must be provided on the premises of the proposed development.







- 27. No private parking will be allowed in the road reserve. The developer will be required at own cost to install preventative measures to ensure compliance.
- 28. A dimensioned layout plan indicating the proposed accesses onto private / servitude roads, must be submitted to the relevant departments for approval. Condition 10 applies.
- 29. 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.
- 30. Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
- 31. Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme 2023 parking requirements and vehicles must readily leave the site without reversing across the sidewalk. Alternative Parking may be supplied.
- 32. Site access to conform to the George Integrated Zoning Scheme 2023.

## CONDITIONS OF THE DIRECTORATE: ELECTROTECHNICAL

- 33. The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning ByLaw (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:
- 34. The amounts of the development contributions are reflected on the attached (Annexure B)- calculation sheet dated 01/10/2024 and are as follows:

#### Electricity R 23 044.66 Excluding VAT

- 35. The total amount of the development charges of R23 045.66 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.
- 36. Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in condition 35 above, which may lead to an increase 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 submission of the subdivision plan to ascertain what information they require to provide a more accurate calculation.
- 37. 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 R23 045.66 Excluding VAT shall be adjusted in line with the consumer price index published by Statistic South Africa up to the date when payment is made in terms of paragraph 36 above.
- 38. 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.
- 39. 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.
- 40. 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.
- 41. Any, and all, costs directly related to the development remain the developers' responsibility.
- 42. Only one connection permitted per registered erf (Electrical, water and sewer connections). Condition 39 applies.

- 43. 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 39 applicable)
- 44. 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 39 applicable)
- 45. 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 39 applicable)
- 46. 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.
- 47. 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.
- 48. 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.
- 49. 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.
- 50. Owner to ensure compliance with Regulation XA of SANS 10400 (building plans).
- 51. Owner to ensure compliance with Regulation XA of SANS 10142 (wiring) and any other applicable national standards.
- 52. 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.
- 53. 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.
- 54. Installation of ripple relays are compulsory for all geysers with electrical elements.
- 55. All municipal supply points must be subject to standard DC charges. These charges to be included in the project costs of the project.
- 56. A temporary municipal metered construction supply can be installed, at a cost to be determine, prior to construction to monitor electrical consumption during the construction phase. All cost, installation and consumption, will be for the cost of the developer. No electricity may be consumed without it being metered by a registered municipal electrical meter. Standard application process will apply. Temporary supplies will only be made available on full payment of the DCs for the whole development.

### Notes:

- a) A building plan must be submitted for approval in accordance with the National Building Regulations (NBR).
- b) Stormwater management needs to be addressed to the satisfaction of the Civil Engineering Department as part of the Building Plans.
- c) Storm water must be dispersed responsibly, and the storm water management and erosion measures must be addressed on the building plans.
- d) Stormwater must as far as possible be controlled by capturing it in rainwater tanks or dissipating it into landscape features and surrounding vegetation.
- e) The necessary wayleaves will have to be obtained from the Municipality for the construction and work in the road reserve.
- 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.
- g) The developer is to adhere to the requirements of the Environmental Authorisation (EA). The onus is on the developer to provide the Dir: CES with the necessary proof of compliance with the EA.
- h) The applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.
- Provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Environmental Services.
- No development may take place within the 1:100-year flood line or on slopes steeper than 1:4. j)
- k) Applicant to reintroduce indigenous coastal vegetation on the open areas on property as part of landscaping. Impermeable surfaces to be limited as far as possible.

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 25 APRIL 2025 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

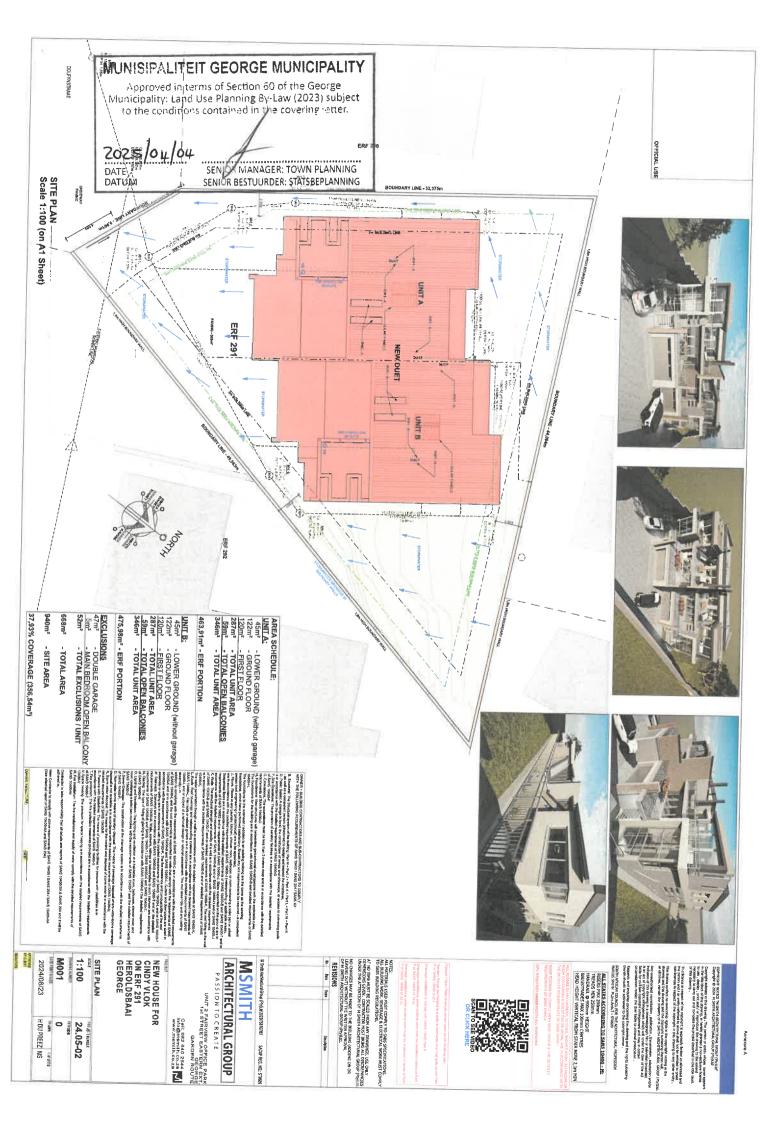
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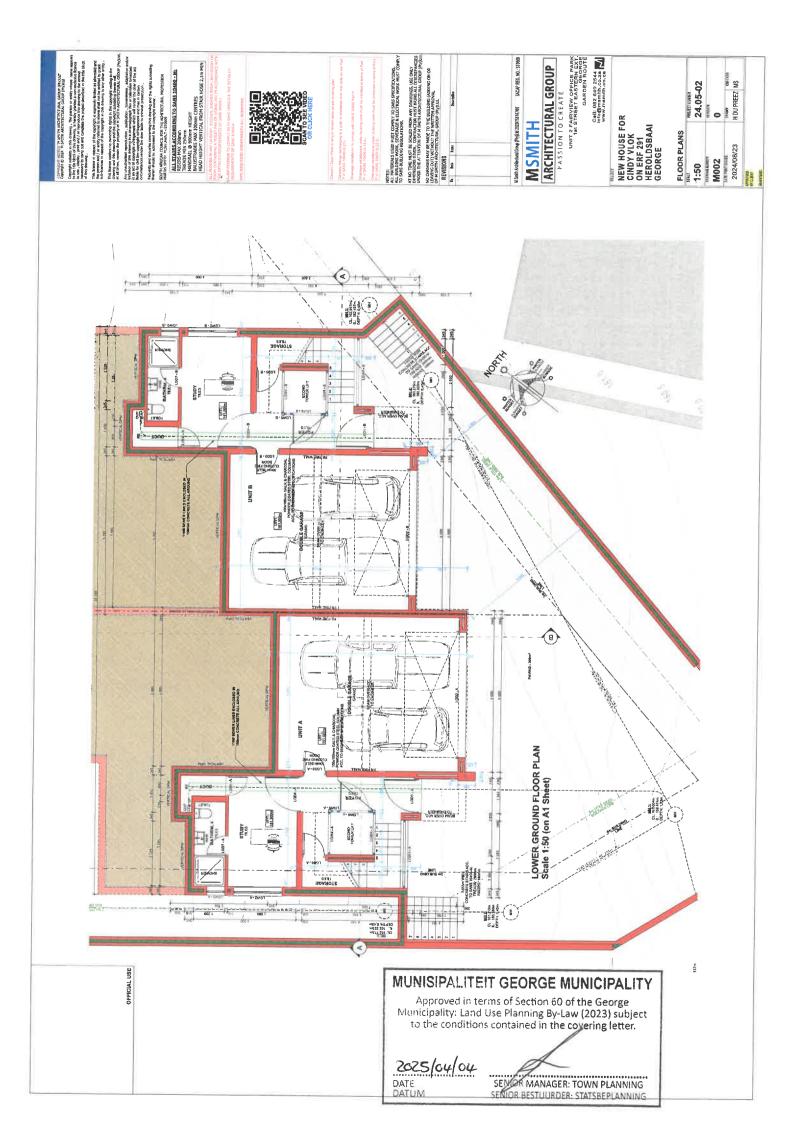
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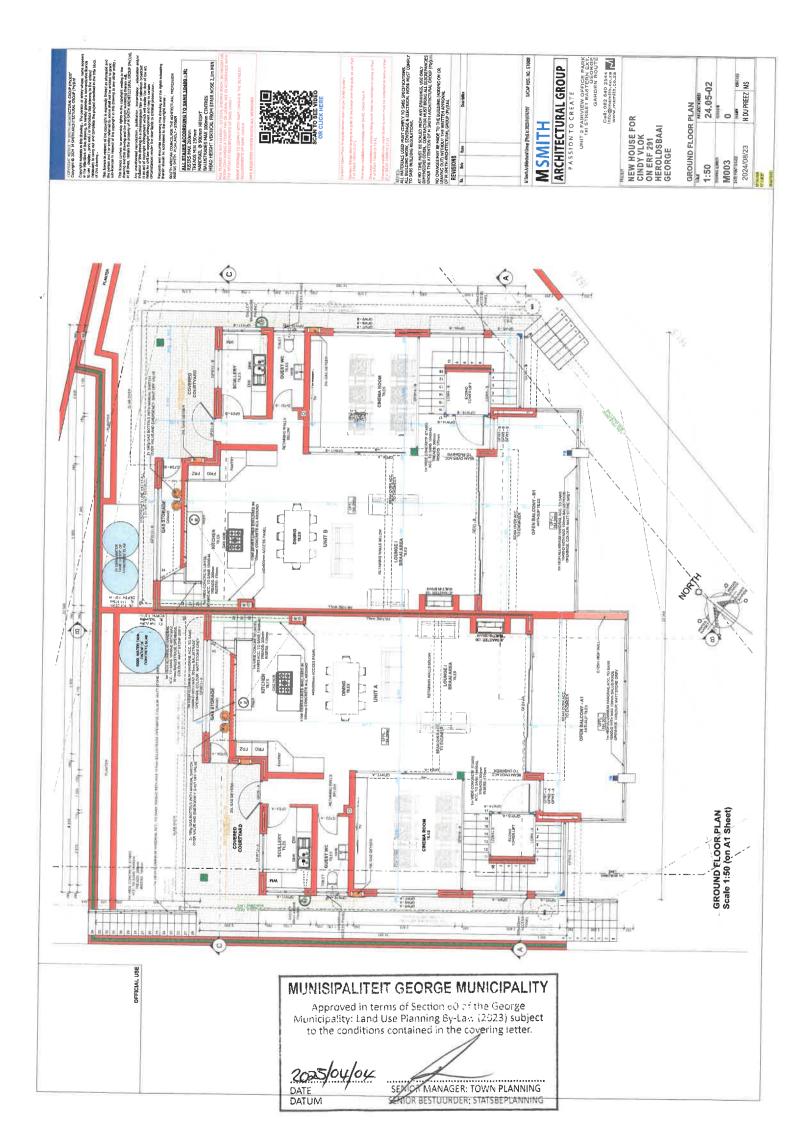
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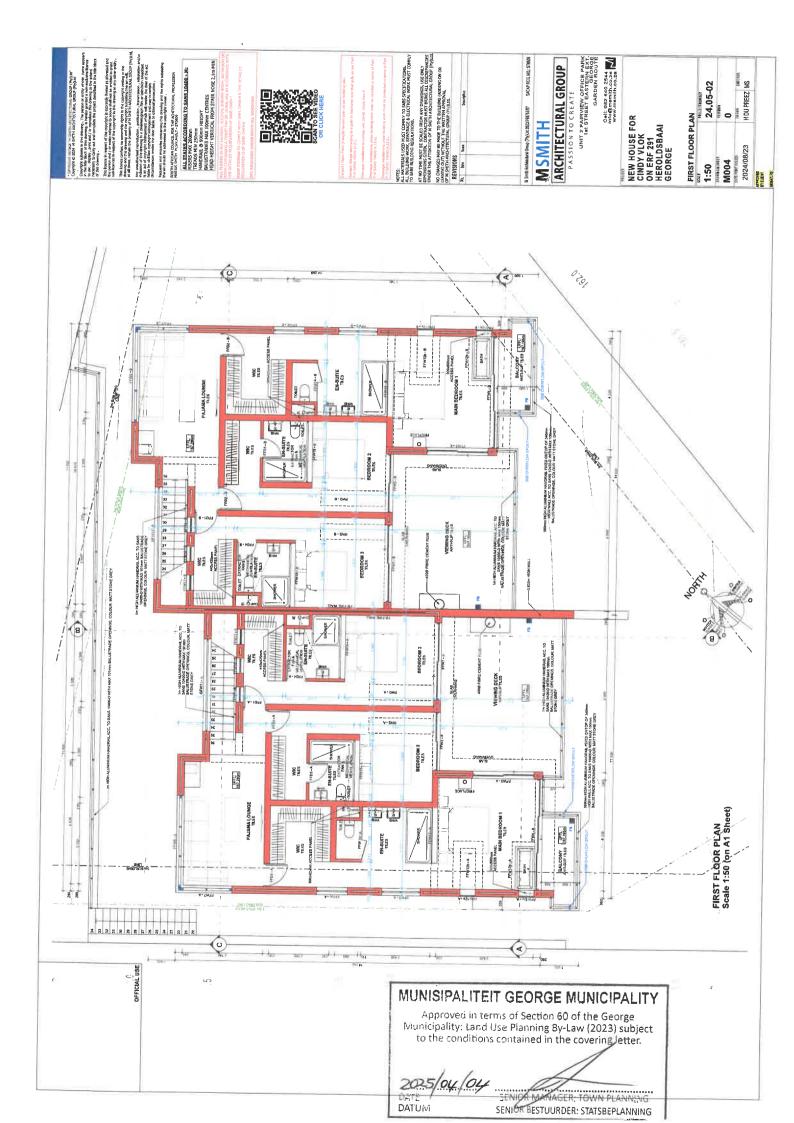






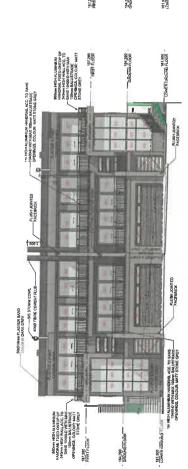




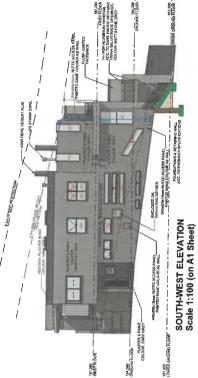


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SOUTH-EAST ELEVATION Scale 1:100 (on A1 Sheet)



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# Smith Architectural Group (Phyl.Lid 2023/1587670)7 SACAP REG. NO.: ST0600 MSMITH

**ARCHITECTURAL GROUP** 

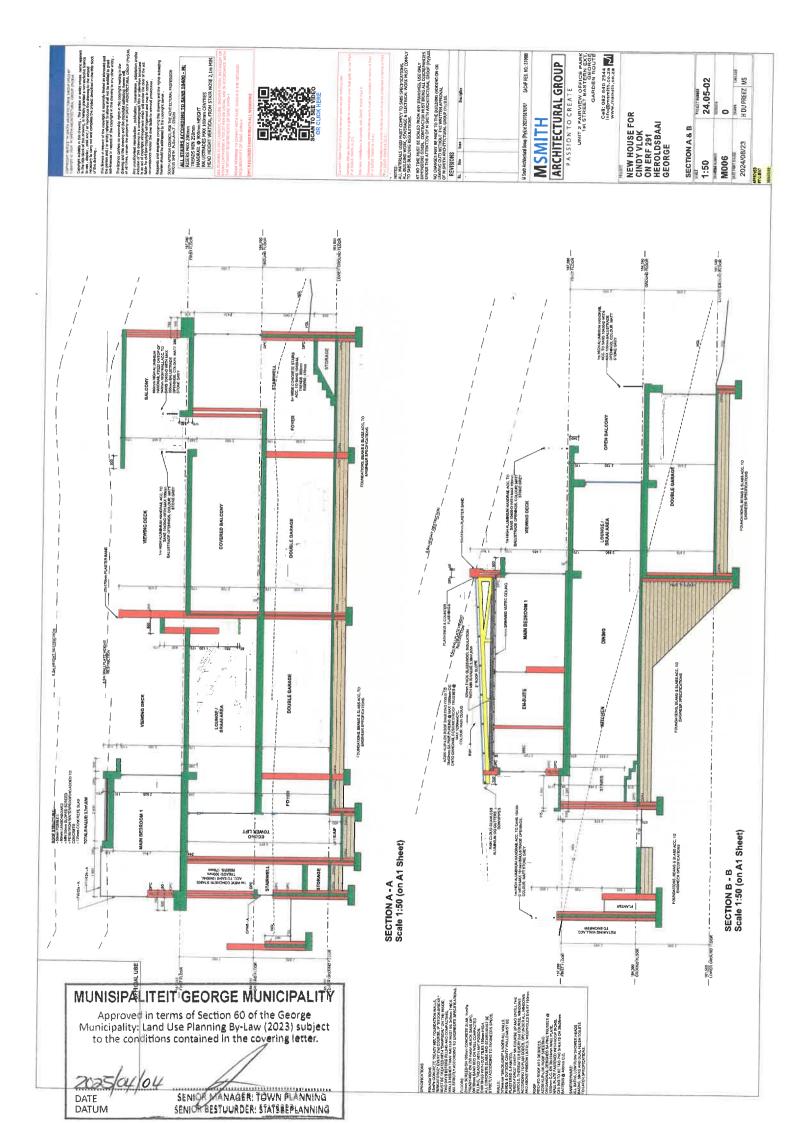
UNIT 2 FAIRVIEW OFFICE PARK 1st STREET EASTERN EXT. GEORGE GARDEN ROUTE PASSION TO CREATE

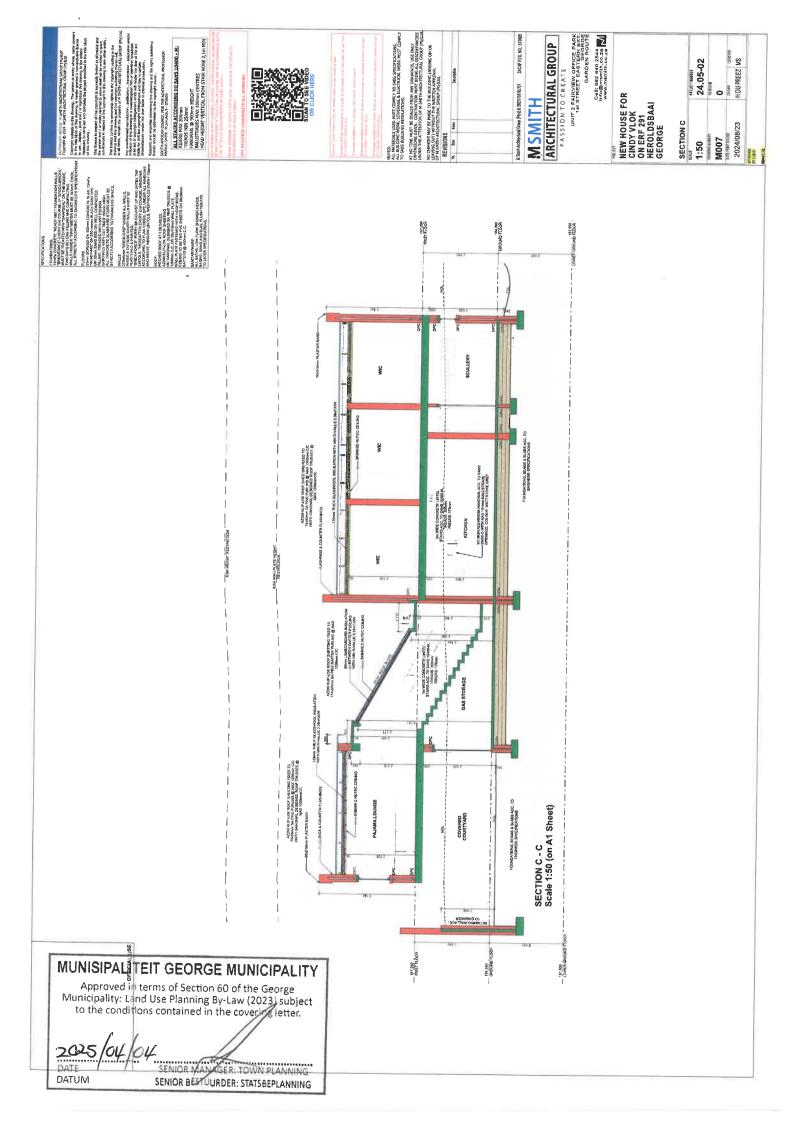
Cell: 082 640 2544 Info@mamith.co.za

NEW HOUSE FOR CINDY VLOK ON ERF 291 HEROLDSBAAI GEORGE

H DU PREEZ MS 24.05-02 N. Sec. 0 # ELEVATIONS 2024/08/23 1:100 M005







							Allotment area *	Hembe Bay	
Ē					10000000000000000000000000000000000000		Water & Sewer System *		
THE CITY FOR ALL REASONS							Road network *	1	
			影響を				Developer/Owner *	Cindy Vlok	
	GM 2023 Development Charges policy	GM 2023 Intergrated Zoning Scheme By-law	GM 2024/25 Tariifs	Civil Engineering Service	Electro-Technical Service		Erf Size (ha) * Date (YYYY/MM/DD) * Current Finandal Year	939,82 2024-09-16 2024/2025	
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lation of bulk engine	sering services co	sering services component of Development Cha	opment Charge		Yes				
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City of George Calculated (CES):	ES):	JM Fivaz							
Signature:									
Date :		September 16, 2024							

For the internal use of Finance only

Departmental Notes:

Service	Financial codeUKey number	3
Roads	20220703048977	R 3 151.29
Public Transport		R 165.86
Sewerage	20220703048978	R 21 161 53
Water	20220703048981	R 23 150 60

Develo	pment Charges Calcu	lator			Version 1.00	100	111111111111	2024	06/10
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100				, Allotment area	Herolds Bay				
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1 7				Elec Link Network	LV				
	FORCE		1	Elec Development Type	Normal				
4	PEUKGE			Developer/Owner	Cindy Vlok				
,	THE CITY FOR ALL REASONS			Erf Size (ha)	0.09				
1				Date (YYYY/MM/DD)	2024-10-01				
				Current Financial Year	2024/2025				
			Collaborator	Application Reference	3385651				
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Service	Units	Existing demand (ADMD) New	demand (ADHD)	Unit Cost	Amount	TIE THE	VAT	Tot	
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NOTE:	In relation to the increase	pursuant to section 66(5B)(b) of the Pla	nning By-Law (as a	mended) in line with the cor	sumer price index pu	blished by Statistic So	uth Africa) using ti	he date of approval:	s the base
Notest				month					
Department	I Notes:								

#### For the internal use of Finance only

Service	Financial codeUKey number	Total
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