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Bepanning en Ontwikkeling
Planning and Development

Reference / Verwysing: Erven 21028 and 21029, George
Date / Datum: 15 September 2020
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**APPEAL : CLOSURE, CONSOLIDATION, REZONING, SUBDIVISION AND
DEPARTURE : ERVEN 21028 AND 21029, GEORGE**

The above refers.

The Appeal Authority on 14 September 2020 **resolved**:

(A) That in terms of Section 81(7)(b) of the Land Use Planning By-law for George Municipality, 2015 the decision taken by the Eden Joint Municipal Planning Tribunal on 25 September 2019 and communicated to the applicant and objectors on 4 October 2019, the following:

- a) That in consideration of Section 20(3) of the George Integrated Zoning Scheme, 2017 the proposed cellular mast and base receiver station not be permitted as a Consent Use on plot 190 (Business Zone I erf) but rather be accommodated under utility Zone and that this amended be reflected in the recommendation below.
- b) That, notwithstanding the objection received, the following amended applications applicable to Erven 21028 and 21029, George and a portion of Loch Lomondry Avenue:
 1. Closure of a 4111m² portion of public street in terms of Section 15(2)(n) of the Land Use Planning By-law for George Municipality, 2015 to be read with Section 24(1)(e) of said Bylaw for the alteration of a public street to realign a portion of Loch Lomondry Avenue for the proposed development;
 2. Consolidation in terms of Section 15(2)(e) of the Land Use Planning Bylaw for George Municipality, 2015 of said portion of Loch Lomondry Avenue with Erven 21028 and 21029, George

to be read with Section 24(1)(d) of said Bylaw for the consideration of a closed public place with an adjoining property to form the consolidated property;

3. Rezoning in terms of Section 15(2)(a) of the Land Use Planning Bylaw for George Municipality, 2015 of the consolidated property from General Residential II as read with Section 14(1) of the George Integrated Zoning Scheme Bylaw, 2017 to a Subdivisional Area comprising of 99 Single Residential units, 86 Town Housing units, 3 Neighbourhood Business erven, 1 crèche erf, 1 Utility erf to accommodate a cellular mast and base receiver station, 11 Public Open Spaces erven and 1 Public Street erf that will also accommodate Parking;
4. Subdivision in terms of Section 15(2)(d) of the Land Use Planning Bylaw for George Municipality, 2015 of the Subdivisional Area as follows:
 - 99 Single Residential Zone I erven;
 - 86 General Residential Zone III erven;
 - 3 Business Zone III erven;
 - 1 Community Zone I erf (crèche);
 - 11 Public Open Space Zone I erven; and
 - 1 Transport Zone II erf (public streets and parking);
5. Departure in terms of Section 15(2)(b) of the Land Use Planning Bylaw for George Municipality, 2015 to relax the parking requirements for the Town Housing component of the development from 2 parking bays and 0.25 parking bays for visitors – i.e. from 194 bays to 108 bays;

BE UPHELD for the following reasons as required by Section 81(7)(c) of the said By-law, namely:

- (1) It is evident that the Tribunal took an administratively fair and objective decision as required by the Promotion of Administrative Justice Act;
- (2) No new evidence or information was presented by the appellants which demonstrates conflicts or errors in the Authorized Employee's report or the decision taken by the Tribunal;
- (3) The circumstances around the original decision have not materially changed to justify a deviation from the decision taken by Tribunal to justify it being varied or revoked;
- (4) The Appeal Authority therefore agrees with the decision taken by the Tribunal as well as the reasons for said decision;
- (5) The development honors and upholds public access to the Rooirivier open space system and promotes the objective of maintaining an accessible integrated open space system;
- (6) It is evident that the appellant is not opposed to the proposed density and recognizing that the overall density for the area, including this development, amount to less than 15du/ha, is still lower than the desired average density of 25du/ha as per the MSDF.

(B) That Condition 10 of the Tribunal decision dated 25 September 2019 **BE AMENDED** to read as follows:

10. That, in accordance with the provisions of Section 23 of the George Integrated Zoning Scheme By-Law, 2017, a site development plan be submitted by the developer to the satisfaction of the Directorate: Planning and Development, for approval, prior to submission of building plans.

(C) That the following additional conditions imposed in terms of Section 60 of the said By-law:

CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT:


45. The phasing of the development shall occur in accordance with the Phasing Plan Reference number Plan No. Bult 2.4 dated June 2020 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 OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES:

46. The developer will be solely responsible for the cost to upgrade the King George Drive / Loch Lomondry traffic circle to a three-legged traffic circle that complies with municipal standards and the geometric requirements to accommodate the traffic volumes and safe pedestrian movement. The Non-motorised transport requirements resulting from the development are to be provided at the developers cost in accordance with the municipality's requirements and standards and may require certain GIPTN facility upgrades to meet the increased demand for public transport.
47. The developer will be fully responsible for the repair of all roads and infrastructure damaged, and the full cost thereof, as a result of the construction of the development, to the standards and satisfaction of the Dir. CES.
48. The Developer must enter into a services agreement with the George Municipality to address the various infrastructure requirements, TIA revisions and phasing co-ordination. The Developer will fund the full cost of concluding this services agreement.

The appeal process has now been concluded.

Yours faithfully



T BOTHA

MUNICIPAL MANAGER

P:\Appeals\Erf 21028 and 21029 George (appeal decision applicant)(formaplan).docx

Legend

Zoning	Ptn Nrs	No. erven	Area Sqm	%
Single Residential Zone I	1 - 99	99	16 849	37.27
General Residential Zone III	100 - 185	86	5 995	13.26
Business Zone III	186 - 188	3	298	0.66
Community Zone I	189	1	1005	2.22
Utility Zone (Cell Phone Tower)	190	1	44	0.1
Open Space Zone I	191 - 201	11	5 545	12.27
Transport Zone II			15 473	34.22
TOTAL			45 211	100

Existing Street to be closed and re-aligned
 SEE ATTACHED SCHEDULE FOR ERF SIZES.

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NOTE:

All measurements on this plan are approximate and must be verified by a landsurveyor.

Client: **Village**



VILLAGE
RIDGE ESTATE



Project	Village Ridge Estate Residential Development
Title	Proposed Rezoning, Subdivision & Phasing Plan
Property	ERVEN 21028 & 21029, GEORGE.
Scale	1 : 1500 on A3 Plot
Date	JUNE 2020

PHASING OF DEVELOPMENT

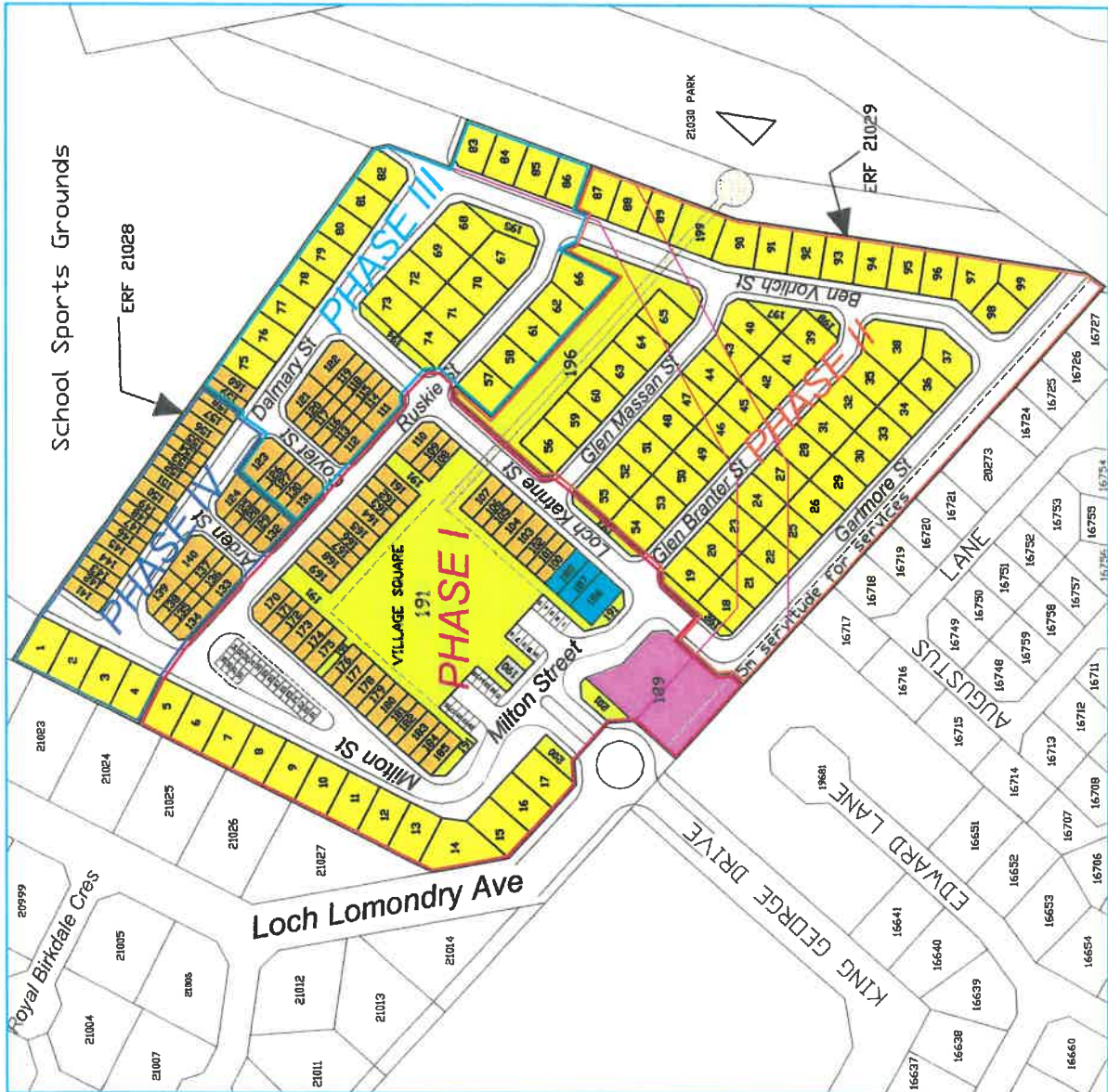
PHASE I	36 Res III erven 13 Res I erven 3 Bus III erven
PHASE II	57 Res I erven
PHASE III	19 Res III erven 25 Res I erven
PHASE IV	31 Res III erven 4 Res I erven

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.

15/9/2020
DATE

MUNICIPAL MANAGER
MUNISIPALE BESTUURDER



Schedule of Erf Sizes

Erf No	Size	Erf No	Size	Erf No	Size	Erf No	Size
1	198 m ²	52	153.7m ²	103	79m ²	154	59m ²
2	187 m ²	53	153.7m ²	104	79m ²	155	59m ²
3	187 m ²	54	153.7m ²	105	60m ²	156	75m ²
4	187 m ²	55	153.7m ²	106	60m ²	157	75m ²
5	187 m ²	56	165.6m ²	107	79m ²	158	59m ²
6	187 m ²	57	169 m ²	108	60m ²	159	59m ²
7	187 m ²	58	169 m ²	109	60m ²	160	75m ²
8	187 m ²	59	165.6m ²	110	89m ²	161	79m ²
9	187 m ²	60	165.6m ²	111	93m ²	162	60m ²
10	187 m ²	61	169 m ²	112	93m ²	163	60m ²
11	187 m ²	62	170 m ²	113	59m ²	164	79m ²
12	187 m ²	63	165.6m ²	114	59m ²	165	79m ²
13	187 m ²	64	165.6m ²	115	59m ²	166	60m ²
14	287 m ²	65	166 m ²	116	59m ²	167	60m ²
15	191 m ²	66	217 m ²	117	59m ²	168	79m ²
16	191 m ²	67	218 m ²	118	59m ²	169	79m ²
17	191 m ²	68	177 m ²	119	59m ²	170	84m ²
18	158.5m ²	69	181 m ²	120	59m ²	171	60m ²
19	158.5m ²	70	181 m ²	121	87m ²	172	60m ²
20	158.5m ²	71	181 m ²	122	113m ²	173	79m ²
21	158.5m ²	72	181 m ²	123	115m ²	174	60m ²
22	158.5m ²	73	181 m ²	124	88m ²	175	79m ²
23	158.5m ²	74	181 m ²	125	59m ²	176	60m ²
24	158.5m ²	75	157.5m ²	126	59m ²	177	79m ²
25	158.5m ²	76	157.5m ²	127	59m ²	178	79m ²
26	158.5m ²	77	157.5m ²	128	59m ²	179	60m ²
27	158.5m ²	78	157.5m ²	129	59m ²	180	79m ²
28	158.5m ²	79	157.5m ²	130	59m ²	181	60m ²
29	158.5m ²	80	157.5m ²	131	84m ²	182	60m ²
30	158.5m ²	81	157.5m ²	132	84m ²	183	79m ²
31	158.5m ²	82	168 m ²	133	83m ²	184	60m ²
32	158.5m ²	83	154 m ²	134	83m ²	185	79m ²
33	158.5m ²	84	157.5m ²	135	59m ²	186	140m ²
34	158.5m ²	85	157.5m ²	136	59m ²	187	79m ²
35	159 m ²	86	157.5m ²	137	59m ²	188	79m ²
36	159 m ²	87	157.5m ²	138	59m ²	189	1005m ²
37	190 m ²	88	157.5m ²	139	81m ²	190	44m ²
38	270 m ²	89	157.5m ²	140	108m ²	191	3493m ²
39	154 m ²	90	185 m ²	141	75m ²	192	91m ²
40	181 m ²	91	157.5m ²	142	59m ²	193	91m ²
41	153.7m ²	92	157.5m ²	143	59m ²	194	98m ²
42	153.7m ²	93	157.5m ²	144	75m ²	195	101m ²
43	157 m ²	94	157.5m ²	145	75m ²	196	1149m ²
44	153.7m ²	95	157.5m ²	146	59m ²	197	80m ²
45	153.7m ²	96	157.5m ²	147	59m ²	198	41m ²
46	153.7m ²	97	204 m ²	148	59m ²	199	217m ²
47	153.7m ²	98	166 m ²	149	59m ²	200	85m ²
48	153.7m ²	99	188 m ²	150	75m ²	201	97m ²
49	153.7m ²	100	60 m ²	151	75m ²		
50	153.7m ²	101	60 m ²	152	59m ²		
51	153.7m ²	102	60m ²	153	59m ²		