

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

**Collaborator No.:** 3010167  
**Reference / Verwysing:** Erf 4979, George  
**Date / Datum:** 13 September 2024  
**Enquiries / Navrae:** Marisa Arries

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JAN VROLIJK TOWN PLANNER  
PO BOX 710  
**GEORGE**  
6530

**APPLICATION FOR DEPARTURE (BUILDING LINE RELAXATION):  
ERF 4979, GEORGE**

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.17.1.17 of 30 June 2022 decided that the application for the following on Erf 4979 George:

1. Relaxation of the southern street boundary building line from 4m to 0m to accommodate an existing pent roof ('afdak');
2. Relaxation of the southern street boundary building line from 4m to 1.2m to accommodate an existing Wendy house;
3. Relaxation of the western side boundary building line from 2m to 0m to accommodate an existing braai area;

**BE APPROVED** in terms of Section 60 of said Bylaw for the following reasons:

**REASONS:**

- (i). The proposed departures will not have a significant adverse impact on the surrounding residential character, the natural environment or the streetscape.
- (ii). There will be no substantive negative impacts on surrounding neighbours' rights or amenity in terms of views, privacy or overshadowing.
- (iii). The proposed additions form part of residential development and can be accommodated within the property.
- (iv). No negative comments or objections were received.

Subject to the following conditions imposed of Section 66 of said Bylaw, namely:

**CONDITIONS:**

1. That in terms of Section 18(2) of the Land Use Planning By-law for the George Municipality 2023, the approval shall lapse if not implemented within a period of two (2) years from the date it comes into operation.

2. This approval shall be taken to cover only the Departures as approved and as indicated on the site layout plan, Plan no. CL 2023/1, drawn by New Architectural design dated 10 September 2024 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 chimney of the braai area be extended by least 1m in relation to the specifications in terms of the National Building Regulations.
4. A contravention levy of R13 228.85 (VAT Included) is payable on the submission of building plans for the unauthorized structures erected over the respective building lines.
5. The above approval will be considered as implemented on the approval of the as-built building plans.

*Note:*

- A building plan be submitted for approval in accordance with the National Building Regulations (NBR).
- Stormwater must be dispersed responsibly, and the stormwater management and erosion measures must be addressed on the building plans.
- In terms of the Municipal Tariff Book for 2024/2025 contravention levies, for properties up to 2 500m<sup>2</sup> in extent, are calculated as follows:

<b>Factor</b>	<b>Calculation</b>
<i>Floor Area Directly Related</i>	<i>Portion of the pent roof that encroaches the building line (14.20m<sup>2</sup>) Wendy house (8.40m<sup>2</sup>) Braai area ( 12.17m<sup>2</sup>) Total: 34.77m<sup>2</sup></i>
<i>m<sup>2</sup> Value of the property</i>	<i>Total Municipal Value of the Property                      R1 770 000 Total Area of the Property    535 sqm = R3 308.41/m<sup>2</sup></i>
<i>Contravention Levy 10% (Directly)</i>	<i>10% x R3308.41/m<sup>2</sup> x 34.77m<sup>2</sup> = R11503.35 Plus, VAT (15%) = R1 725.50 Total: R13 228.85 (VAT Included)</i>

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 04 OCTOBER 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**

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