

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

Collaborator No.: 3209217
Reference / Verwysing: Erf 3160 George
Date / Datum: 31 January 2025
Enquiries / Navrae: Primrose Nako

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MARIUS SWART
6 Hortesia Avenue
GEORGE
6529

**APPLICATION FOR PERMANENT DEPARTURE (BUILDING LINE RELAXATION): ERF 3160,
GEORGE**

Your application in the above regard refers.

The Senior Manager: Town / Spatial Planning (Authorised Official) has, under delegated authority, 4.17.1.24 of 30 June 2022 decided that the application for Permanent Departures in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality 2023, for the relaxation of the following building lines applicable to Erf 3160, George:

- (i). Northern side boundary building line from 3 metres to 1,5 metres to legalize the existing addition to the dwelling house (enclosing of a veranda);
- (ii). Southern side boundary building line from 3 metres to 0,3 metres to legalize the existing garage;

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

REASONS:

- (i). The proposed Permanent Departures will not have an adverse impact on the surrounding residential character or the streetscape.
- (ii). There will be no negative impact on surrounding neighbours' rights or amenities in terms of views, privacy or overshadowing.
- (iii). The structures form part of the residential development and can be accommodated within the property.
- (iv). Surrounding property owners had no objection to the proposed development.

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

CONDITIONS:

1. That in terms of the provisions of the Land Use Planning By-law for George Municipality 2023, the above-mentioned approval shall lapse if not implemented within a period of two (2) years from the date of when the approval comes into operation, or the below conditions are not complied with.
2. This approval shall be taken to cover only the Departures as applied for and as indicated on Plan No. **EAK22412C** dated **January 2025**, drawn by MS Drafting Services, and attached as “**Annexure A**”, which bears Council’s stamp and shall not be construed as to depart from any other Council requirements or legal provisions.
3. No e-record exists in relation to an encroachment agreement or leasing of the street reserve. Therefore, the encroachment of street reserve / municipal land must cease, or the relevant approval be obtained prior to the submission of the building plan.
4. In accordance with Section 66(2)(z) of the Land Use Planning By-Law for George Municipality, 2023 a contravention levy of R12 880,00 (VAT included) shall be payable to the Directorate: Human Settlements, Planning and Development on submission of building plans.
5. The above approval will be considered as implemented on the approval of building plans.

Notes:

- *Building plan to be submitted in terms of Section 4 of the National Building Regulations and Building Standards Act, 103 of 1977, for the development. Building plans to comply with SANS 10400, and any other applicable legislation. No construction may be commenced with until such time as a building plan has been approved. The property may only be use for the intended purpose once a Certificate of Occupation has been issued. Further comments will be provided on submission of building plans.*
- *Storm water must be dispersed responsibly, and the storm water management and erosion measures must be addressed on the building plans.*
- *A penalty fee should be applicable due to illegal building work.*
- *The contravention levy was calculated as follows:*
 - *Total municipal value of the property, divided by total area of the property to determine the per m² value of the property (R1 740 000 / 1 026 m² = R1 695,91/m²).*
 - *Contravention levy (directly) is calculated as 10% of the per m² value times the contravention floor area (10% x R1 695,91m² x 18,5m² = R3 137,43 + VAT (15%) = Total = R3 608,04.*
 - *A minimum contravention levy of R11 200,00 (excluding VAT) is payable, in terms of the approved municipal Tariff Book.*
 - *Total contravention levy = R11 200,00 + 15% VAT = R12 880,00.*

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 21 FEBRUARY 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



I HUYSER

ACTING SENIOR MANAGER: TOWN PLANNING

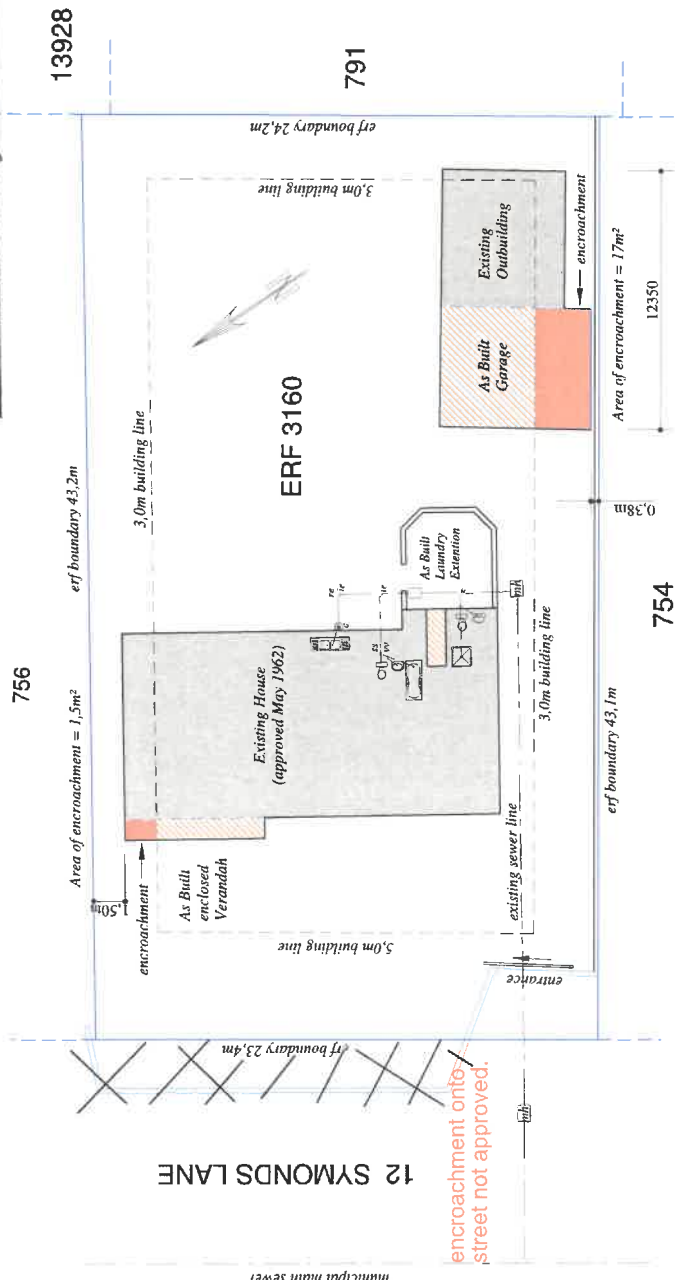
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ANNEXURE A

MUNISIPALITEIT GEORGE MUNICIPALITY
 Approved in terms of Section 60 of the George Municipality: Land Use Planning By-Law (2023) subject to the conditions contained in the covering letter.

31/01/2025
 DATE
 DATUM

REGISTERED SENIOR PLANNING
 SENIOR MANAGER: TOWN PLANNING
 SENIOR BESTUURDER: STATISBEPLANNING



SITE PLAN
1:250

NOTES :

- All dimensions must be checked on site before commencing work.
- All work must be carried out in accordance with the National Building Regulations.
- All building material must be SABS approved.

AREA:

Existing House	149m ²
Existing Outbuilding	51m ²
As built Garage	39m ²
As built Laundry ext	2m ²
As built lounge ext	6m ²
Total	472m²
	247m ²
Erff 3160 Coverage	1026m ²
	24%



Drafting Services

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**AS BUILT ADDITIONS
 ON ERF 3160 GEORGE**

SITE PLAN

OWNER: E & A KINGWILL
 12 Symonds Lane 082 831 5580

SIGNATURE:

DATE: JANUARY 2025

SCALE: 1:250

PLAN NO: EAK22412C