

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

Collaborator No.: 3155637
Reference / Verwysing: Erf 724, Hoekwil
Date / Datum: 31 January 2025
Enquiries / Navrae: Primrose Nako

Email: philip@formaplan.co.za

PHILLIP THERON (FORMAPLAN)
P O Box 9824
GEORGE
6530

APPLICATION FOR PERMANENT DEPARTURE (BUILDING LINE RELAXATION): ERF 724, HOEKWIL

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 that the application for permanent departure 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 724, Hoekwil:

- a) Eastern side boundary building line from 20m to $\pm 18,5$ m for an existing covered seating area;
- b) Western side boundary building line from 20m to ± 15 m for an existing carport and shed;
- c) Western side boundary building line from 20m to ± 1 m for an existing carport and shed;

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

REASONS FOR DECISION:

- (i). No objections were received from neighbouring property owners.
- (ii). The application is not in conflict with the spatial development objectives for the area (George Municipal Spatial Development Framework, 2023 and the Wilderness, Lakes and Hoekwil Local Spatial Development Framework, 2015).
- (iii). The structures and any subsequent potential negative visual impact are screened by vegetation along the site's boundaries.
- (iv). The scale and massing of the buildings along the boundaries do not have a negative impact on the surrounding area.
- (v). The proposal will not result in any negative changes to the bio-physical characteristics of the property.
- (vi). There will be no negative impact on surrounding property rights, whatsoever.

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

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT

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 if the conditions of approval are not complied with.
2. This approval shall be taken to cover only the departure application for the structures as indicated on Plan no. C2406 (dated November 2024) drawn by Rooted Living Solutions 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. That the structure in the street boundary building line, as identified on the aerial photography, be demolished, or a new application be submitted for consideration for the said structure.
4. Vegetation screening the structures, which is one of the main reasons for approval, needs to persist and should not be removed to expose the structures as approved.
5. The approval will be considered as implemented on the approval of building plans.
6. In accordance with Section 66(2)(z) of the Land Use Planning By-Law for George Municipality 2023, a contravention levy of R13 100,80 (VAT included) shall be payable to the Directorate: Human Settlements, Planning and Development on submission of building plans.

Notes:

- A building plan must be submitted for approval in accordance with the National Building Regulations.
- No protected trees may be trimmed, cut or removed without a license issued in terms of the National Forests Act 84 of 1998.
- The required OSCA permit must be obtained for the structures.
- The contravention levy was calculated as follows:
 - Total extent of contravention area = 71,2m² (directly related)
 - The set rate used for this property larger than 2 500m² is R160 per m².
 - The contravention levy payable by the owner in accordance with the Municipality's tariff list is:
 $R160 \times \text{contravention area } (71,2\text{m}^2) = R 11 392,00 \text{ Plus VAT } (15\%) = R13 100,80$

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

C:\scan\Erf 724 Hoekwil (Permanent Departure Approval)\Formaplan.docx

ENCROACHING AREAS

EXISTING:

Carport & Shed1	=	±34,7m ²
Carport & Shed2	=	±33m ²

SECTION OF:

Ex Under Cover Area	=	±3,5
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MUNICIPALITEIT 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.

2025/01/31
DATE DATUM

SENIOR MANAGER: TOWN PLANNING
SENIOR BESTUURDER: STADSBEPANNING

Plan Number : C2406

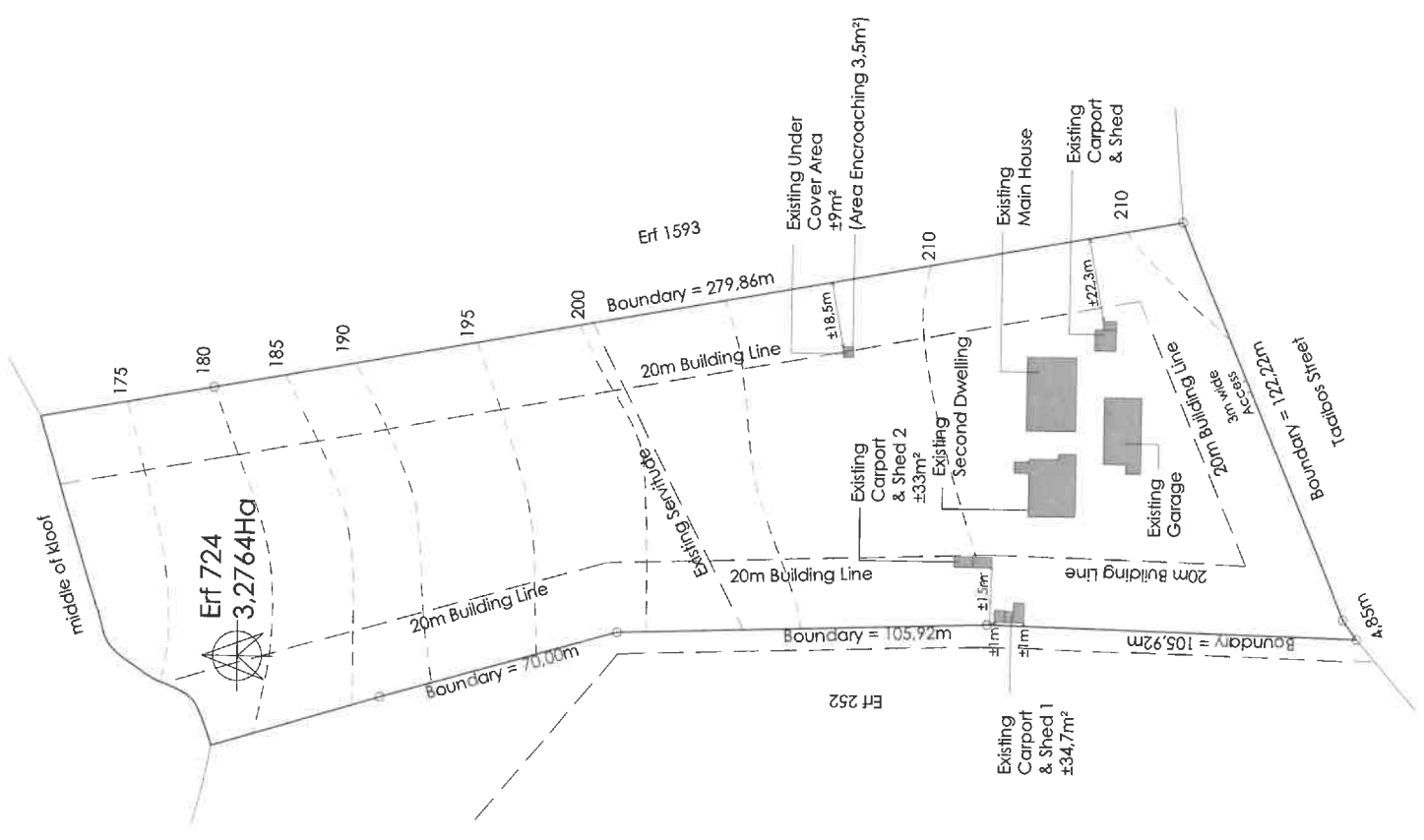


Camilla : Eagar

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SITE DEVELOPMENT PLAN
For Alan Mocke
On Erf 724
Taaibos Street
Wilderness Heights



SITE DEVELOPMENT PLAN
Scale 1 : 1500