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

Collaborator No.:

3416751

Reference / Verwysing: Erf 8976, George

Date / Datum:

07 March 2025

Enquiries / Navrae:

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MARIKE VREKEN TOWN PLANNERS P O Box 2180 **KNYSNA** 6570

APPLICATION FOR PERMANENT DEPARTURE: ERF 8976, GEORGE

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 following applications applicable to Erf 8976, George:

- a) Departure, in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality 2023, for the relaxation of the eastern common boundary building line from 3m to 1.12m to accommodate a servant's quarters on Erf 8976, George;
- b) Departure, in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality 2023, for the relaxation of the height restriction to increase the maximum top of roof height from 8.5m to ±9.84m for the existing dwelling house on Erf 8976, George;
- c) Departure, in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality 2023, for the relaxation of the boundary wall height restriction from 2.1m to ±2.5m for the existing boundary wall on Erf 8976, George;

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

REASONS:

- (i). The proposed uses will not have an impact on surrounding property rights.
- (ii). The additions form part of normal residential development and can be accommodated within the property's cadastral boundaries.
- (iii). The position of existing engineering services infrastructure has been considered.
- (iv). There will be no adverse impact on the natural environment.









(v). The proposals were not opposed and from this perspective it can be derived that it does not affect public interest.

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

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.
- 2. This approval shall be taken to cover only the departure application as applied for and as indicated on Drawing No 8976/GM - 2024 (sheets respectively undated and dated 7 October 2024) drawn by RW Architects 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. The approval will be considered as implemented on the issuing on an Occupation Certificate.
- 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.

Notes:

- 1. Building plan must be submitted for approval in accordance with the National Building Regulations.
- Stormwater management needs to be addressed on submission of the building plan, to the satisfaction of the Civil Engineering Department.
- 3. The contravention levy was calculated as follows:
 - Total municipal value of the property / total area of the property = value per m^2 .
 - $R3\ 090\ 000\ /\ 1\ 582m^2 = R1\ 953,22m^2$.
 - Contravention levy = 10% of the value per m^2 times the contravention area (size of the boundary wall encroaching the height).
 - $= 10\% \times R1 953.22 = R195.32 \times 6.9 m^2 = R1 347,71$. Plus VAT (15%) = **R1 549,87**
 - The minimum fee for a contravention on a property with an extent up to 2 500m² is R11 200 (excluding VAT) according to the approved George Municipality Tariff Book. The contravention levy will therefore be:
 - Total: R11 200 + VAT (15%) = 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 28 MARCH 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

SENIOR MANAGER: SPATIAL PLANNING

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