

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

Collaborator No.: 2613356
Reference / Verwysing: Erf 219, Herolds Bay
Date / Datum: 22 September 2023
Enquiries / Navrae: Marisa Arries

Email: planning@delplan.co.za

DELPLAN CONSULTING
PO BOX 9956
GEORGE
6530

**APPLICATION FOR ADMINISTRATORS CONSENT AND DEPARTURE:
ERF 219, SLAAPPLEK STREET, HEROLDS BAY**

Your application in the above refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that the application for the following:

1. That the application Administrator's Consent as contemplated by Section 39(4) of the Land Use Planning Act, 2014 in terms of the provisions of Condition 6 of title deed T6563/11 for Erf 219, Herolds Bay as indicated on the site plan, Plan no. M001, M002, M003, M004 drawn by M Smith Architectural Group dated 24 March 2023 attached hereto as "**Annexure A**" which bears Council's stamp for the following:
 - (a) Relaxation of the western rear boundary building line from 3m to 0m on ground floor and 1.4m on first floor for a deck;
 - (b) Relaxation of the western rear boundary building line from 3m to 2m on ground floor for the dwelling house; and
 - (c) Relaxation of the western rear boundary building line from 3m to 2.63m on first floor for a covered sun deck;

BE APPROVED.

2. That the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for the following on Erf 219, Herolds Bay:
 - (a) Relaxation of the western rear boundary building line from 2.0m to 0.0m on ground floor and 1.4m on first floor for a deck;
 - (b) Relaxation of the southern side boundary building line from 2.0m to 1.7m on ground floor for a covered patio;
 - (c) Relaxation of the southern side boundary building line from 2.0m to 1.8m on ground floor for the dwelling house; and

- (d) Relaxation of the wall-plate height from 6.5m to 6.8m, 7.84m, 7.78m & 6.613m respectively to accommodate the proposed extensions/alterations;

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

REASONS FOR DECISION

- (i) The proposed extension will not have an adverse impact on the surrounding urban character, the natural environment or the streetscape.
- (ii) There will be no negative impacts on surrounding neighbours' rights or amenity in terms of views or privacy.
- (iii) The proposal is in line with a residential development and can be accommodated within the property boundaries.

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

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT

General Conditions

- 1. That in terms of the provisions of the Land Use Planning By-law for the George Municipality, 2023, the Departures as applied for shall lapse if not acted upon within a period of five (5) years from the it comes into operation.
- 2. This approval shall be taken to cover only the Departure applications and Administrators Consent as applied for and as indicated on the site plan, Plan no. M001, M002, M003, M004 drawn by M Smith Architectural Group dated 24 March 2023 attached hereto 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 above approval will be deemed implemented on commencement of building works in accordance with the approved building plans.

Notes

- (i) *A building plan be submitted for approval in accordance with the National Building Regulations (NBR) after approval of the SDP.*
- (ii) *Stormwater must be dispersed responsibly, and the stormwater management and retention measures must be addressed on the building plans.*

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 13 October 2023** 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



M. C. PETERSEN

SENIOR MANAGER: TOWN PLANNING

C:\Marisa\Decisions\Erf 219, HB(administrators consent and departure_ approval)delplan.docx

