



Marisa Arries  
Administrator, Planning Department  
Planning and Development  
E-mail: [marries@george.gov.za](mailto:marries@george.gov.za)  
Tel: +27 (044) 801 9473

**Beplanning en Ontwikkeling  
Planning and Development**

Collaborator No.: 2656067  
Reference / Verwysing: Erf 8531, Tyolora  
Date / Datum: 20 June 2025  
Enquiries / Navrae: Marisa Arries

**Email: [janvrolijk@jvtownplanner.co.za](mailto:janvrolijk@jvtownplanner.co.za)**

JAN VROLIJK TOWN PLANNER  
PO BOX 710  
GEORGE  
6530

**APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE:  
ERF 8531, MCELU STREET, TYOLORA, THEMBALETHU**

Your application in the above regard refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided that the following applications to Erf 8531, Tyolora:

1. Consent Use in terms of Section 15(2)(o) of the Land Use Planning By-Law for George Municipality, 2023 for a house tavern on Erf 8531, Tyolora;
2. Permanent Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 from the provision of parking for the house tavern on Erf 8531, Tyolora;

**BE REFUSED** in terms of Section 60 of the George Municipality Land-Use Planning By-law, 2023 for the following reasons:

**REASONS FOR DECISION**

- (a) The existing structures/tavern encroaches over the property boundary onto the municipal road reserve.
- (b) The tavern does not comply with the description for a 'house tavern' in terms of the Zoning Scheme and the Tavern Policy.
- (c) The house tavern does not align with the provision and criteria as determined in the Tavern Policy, which is forged to ensure the enterprise is located and established in a manner that preserves the safety and refuge that a neighbourhood is intended to offer to its occupants.
- (d) The house tavern, at this location, has a substantive negative impact on the residential neighbourhood, thereby defying the intent of providing an environment suited to the safety and well-being of the family.
- (e) The house tavern poses significant risks to the safety, health, and well-being of the staff, patrons, residents and surrounding community, specifically to vulnerable members of the community, including children and women.



- (f) The absence of on-site parking bays poses a significant negative impact on traffic and pedestrian movement in the street, resulting in safety risks caused by vehicular and pedestrian conflict, while also negatively affecting the ability of surrounding residents to access their properties.
- (g) The design, massing and scale of the structures poses a significant risk in terms of fire safety, while the activities encroaching in the street impacts negatively on access and movement of emergency vehicles, such as fire trucks and ambulances.
- (h) The tavern in this locality cannot be argued to serve public interest nor does it promote a quality living environment.

Notes:

- i. *Notice will be served by the Municipality on the owner to immediately cease the illegal house tavern activities on the property and to remove of structures encroaching in the road reserve.*
- ii. *Notice will be served by the Municipality in terms of the National Building Regulations on the owner in respect of illegal structures.*
- iii. *The Western Cape Liquor Authority will be informed of the Municipality's decision and requested to withdraw the existing liquor license.*

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 11 JULY 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



**C. PETERSEN**

**SENIOR MANAGER: TOWN PLANNING**

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