

Collaborator No.: 3711230
Reference / Verwysing: Erf 8990, George
Date / Datum: 31 October 2025
Enquiries / Navrae: Primrose Nako

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15 Bona View, Big Bay
CAPE TOWN
8000

APPLICATION FOR PERMANENT DEPARTURE: ERF 8990, GEORGE

Your application in the above regard refers.

The Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 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 8990, George:

- a) South-western side boundary building line from 5m to 4.2m to legalise the existing classroom.
- b) Eastern side boundary building line from 5m to 0m to legalise the existing garages.

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

REASONS

- (i). The proposed departures will not negatively impact the character of the area, streetscape or natural environment.
- (ii). The proposed departures will have no negative impact on sunlight, views or privacy in respect of any adjacent property.
- (iii). The proposed departures will not have a negative impact on development, public facilities or traffic circulation in the surrounding area.
- (iv). The proposed departures will not have an impact on surrounding property rights.
- (v). The proposal was 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 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 the Site Plan No. ARCH 101, dated 4 September 2025 drawn by Moffett & Moffett Architects 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. In accordance with Section 66(2)(z) of the Land Use Planning By-Law for George Municipality, 2023, a contravention levy of **R17 735,76** (VAT included) shall be payable to the Directorate: Planning and Development on submission of building plans.
4. The above approval will be considered as implemented on approval of building plans for the respective structures.

Notes:

- (i). *According to the aerial photography there are structures in the north-eastern boundary building line which are not indicated on the site plan. Please ensure that all structures which are not covered by this departure application, is on approved building plans.*
 - (ii). *A building plan must be submitted for approval in accordance with the National Building Regulations.*
 - (iii). *Stormwater must be dispersed responsibly, and the stormwater management and erosion measures must be addressed on the building plans.*
 - (iv). *Applicant to show all existing structures on the site when submitting building plans for approval.*
 - (v). *Building plans to comply with SANS 10400, and any other applicable legislation.*
 - (vi). *New trees are to be planted to replace the trees that were removed as indicated on the site plan.*
 - (vii). *The applicant must take note that 11kV electrical cables are installed adjacent to the property boundary, presumably within the building line. The exact location of these cables must be confirmed, and appropriate measures taken to ensure they are not affected by the proposed building works. The relocation or protection of such services shall be undertaken, where required, to the satisfaction of the relevant service authority prior to the commencement of construction.*
- *The contravention levy was calculated as follows:*
 - *Encroachments: 91,8 m²*
 - *R168 (fee per m² as per the approved George Municipality Tariff Book)*
 - *R168 x 91,8m² = R15 422,40 (excluding VAT)*
 - *Total = R17 735,76 (including VAT)*

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: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George **on or before 21 November 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



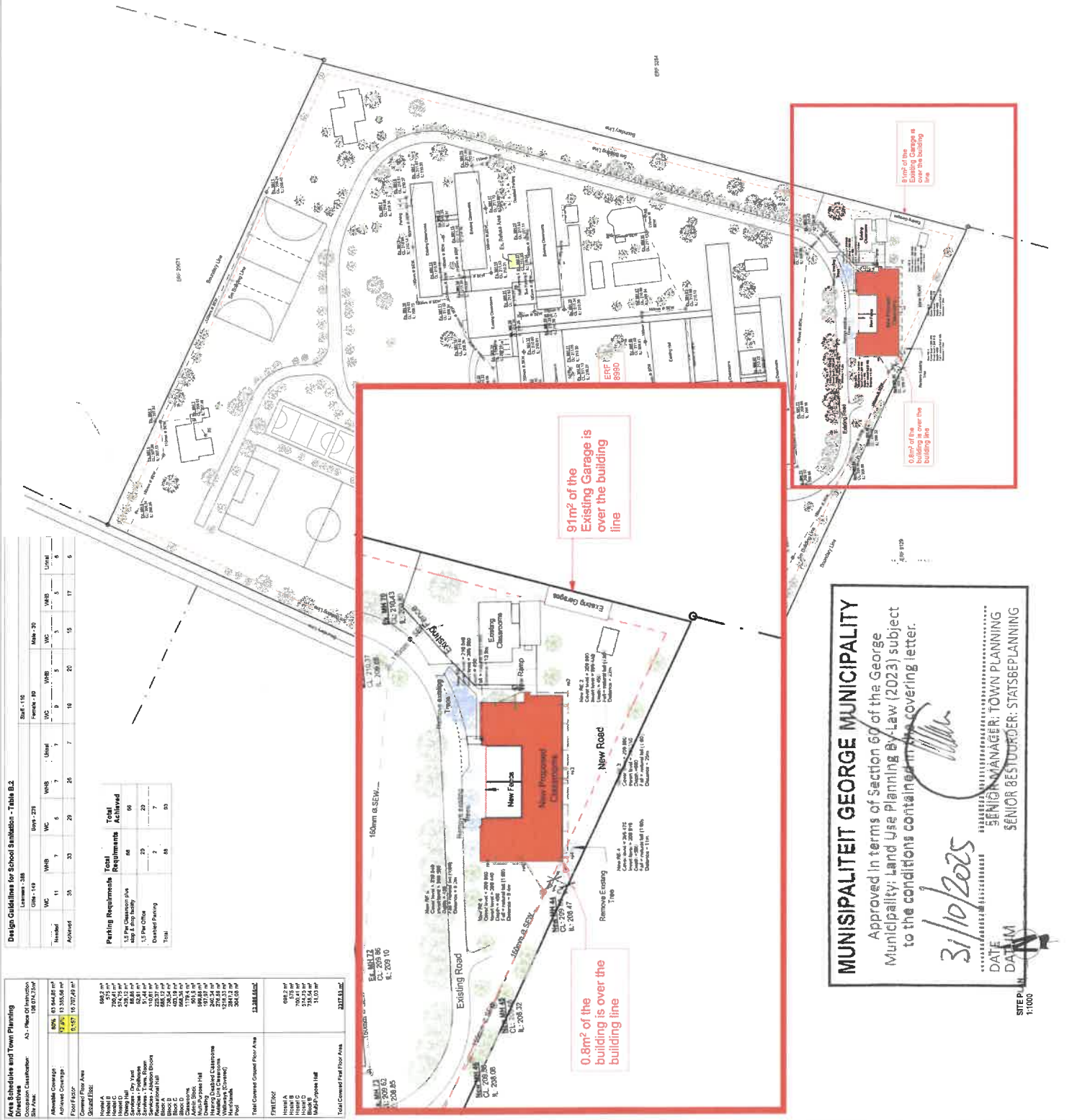
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SENIOR MANAGER: TOWN PLANNING

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Learners - 348						Staff - 102					
Clares - 149			Sony - 279			Pretoria - 102			Moss - 20		
WC	VWB	WC	VWB	WC	VWB	WC	VWB	WC	VWB	WC	VWB
Needed	11	7	6	7	7	7	5	5	5	5	5
Achieved	55	33	20	26	7	18	20	15	17	5	5

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