

Collaborator No.: 3709794
Reference / Verwysing: Erf 421, Herold's Bay
Date / Datum: 23 January 2026
Enquiries / Navrae: Primrose Nako

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New Town Associates Town Planners
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APPLICATION FOR PERMANENT DEPARTURE: ERF 421, HEROLDS BAY

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.17.3.13 of 24 April 2025 decided:

1. That the application for Administrators Consent in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 to relax Condition B6(b), B6(b)(i), B6(b)(ii) in title deed T69474/2013 for Erf 421, Herolds Bay to allow encroachments of building lines **BE REFUSED**.
2. That the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law of George Municipality, 2023 for the relaxation of the street boundary building line to legalise an existing carport and construction of a new garage; **BE REFUSED** in terms of Section 60 of said Bylaw for the following reasons:

REASONS:

- A. The site layout plans submitted were substandard, not to scale and did not accurately indicate the building lines and distance of the existing and proposed structures on site.
- B. The application is not adequately motivated, noting that the property has ample space within the rear/south of the main dwelling to accommodate an entrance/parking space and a garage.
- C. The applicant did not apply and/or motivate the deviation from Sections 45(2) and Section 46 of the zoning scheme which relate to access and parking requirements.
- D. The application documentation and layout plan submitted were of an inadequate standard and lacked sufficient detail and justification to enable proper assessment. As a result, the proposal could not be supported, and a favourable decision could not be granted.

Notes:

- Applicant to ensure that the illegal carport is removed and placed within the prescribed building lines. Failure to do so may lead to a legal process being followed.

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 13 FEBRUARY 2026**, 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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